

KILIFI COUNTY GOVERNMENT



LANDS, ENERGY, HOUSING, PHYSICAL PLANNING AND URBAN DEVELOPMENT

REQUEST FOR PROPOSALS (RFP)

**PREPARATION OF LOCAL PHYSICAL DEVELOPMENT PLANS FOR SELECTED
TOWNS - (GIS, JILORE, SONGOROSA AND SHOMELA)**

(OPEN NATIONAL TENDER)

TENDER NO. KCG/LEHPP/RFP/004/2018/2019

NOVEMBER, 2018

**KILIFI COUNTY GOVERNMENT P.O. BOX 519 – 80108 KILIFI
kilificountygovt@gmail.com**

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INTRODUCTION

1. This Standard Request for Proposals (SRFP) has been prepared for use by public entities in Kenya in the procurement of consultancy services and selection of consultants.
2. The SRFP includes Standard form of Contract for Large Assignments and small assignment which are for lump sum or time based payments.
3. A separate SRFP has been provided for selection of individual professional consultants.
4. The General Conditions of Contract should not be modified and instead the Special Conditions of Contract should be used to reflect the unique circumstances of the particular assignment. Similarly the information to consultants should only be clarified or amended through the Appendix to information to Consultants.
5. This SRFP document shall be used where a shortlist of consultancy firms already exist or has been obtained through a shortlist after an advertisement of Expression of Interest for Consultancy required.

TENDER REF NO: KCG/LEHPP/RFP/004/2018/2019

TENDERNAME: PREPARATION OF LOCAL PHYSICAL DEVELOPMENT PLANS FOR SELECTED TOWNS - (GIS, JILORE, SONGOROSA AND SHOMELA)

M/S

Dear Sir/Madam,

The County Government of Kilifi, Department of Lands, Energy, Housing, Physical Planning and Urban Development invites proposals for the following consultancy services: To produce accurate up-to-date digital topographic maps; and To prepare digital cadastral layers in the same system as the digital topographic maps. The plans shall be for a period of twenty years (10-20) and shall cover the following selected urban centres: GIS; Jilore; Shomela; and Songorosa.

More details of the services are provided in the terms of reference herein.

1.1 The request for proposal (RFP) includes the following documents;

- Section I - Letter of invitation
- Section II - Information to Consultants
- Section III - Terms of reference
- Section IV - Technical proposal
- Section V - Financial proposal
- Section VI - Standard Forms

1.2 On receipt of this RFP please inform us

- (a) that you have received the letter of invitation; and
- (b) whether or not you will submit a proposal for the assignment

1.3 A complete set of RFP documents may be obtained by interested candidates upon payment of non-refundable fees of **Kshs.1, 000/=** in cash or Bankers cheque payable to the County Government of Kilifi or download from the Kilifi County Government website on the following link <http://www.kilifi.go.ke>

1.4 Completed proposals are to be enclosed in a plain sealed envelope clearly marked with tender reference number and description, and addressed to:

*The County Secretary and Head of Public Service Management,
County Government of Kilifi,
P.O. Box 519-80108, Kilifi.*

So as to be received on or before **Friday 16th November, 2018 at 11.00 am. East African Time**

1.5 Prices quoted should be net inclusive of all taxes and delivery must be in Kenya Shillings and shall remain valid for 120 days from the closing date of the tender.

1.6 Tenders will be opened immediately thereafter in the presence of the Candidates or their representatives who choose to attend at the **County Government of Kilifi Treasury Conference Hall.**

1.7 Serialize sequentially each page of the Bid Document including all the attachments. Avoid manual serialization.

Head of Supply Chain Management
For: County Secretary and Head of Public Service
COUNTY GOVERNMENT OF KILIFI

SECTION II - INFORMATION TO CONSULTANTS

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SECTION II- INFORMATION TO CONSULTANTS

2.1 Introduction

- 2.1.1 The County Government of Kilifi, Department of Lands, Energy, Housing, Physical Planning and Urban Development will select an individual consultant among those invited to submit proposals or those who respond to the invitation for proposals in accordance with the method of selection detailed under this section and consistent with the regulations.
- 2.1.2 The consultants are invited to submit a technical proposal and a financial proposal for consulting services required for the assignment stated in the letter of invitation (Section I)
- 2.1.3 In the assignment where the procuring entity intends to apply standard conditions of engagement and scales of fees for professional services, which scale of fees will have been approved by a relevant authority, a technical proposal only may be invited and submitted by the consultants. In such a case the highest ranked individual consultant in the technical proposals shall be invited to negotiate a contract on the basis of the set scale of fees. The technical proposals will be the basis for contract negotiations and ultimately for a signed contract with the selected individual consultant.
- 2.1.4 The consultants must familiarize themselves with local conditions as regards the assignment and take them into account in preparing their proposals. To obtain adequate information on the assignment and on the local conditions, consultants are encouraged to liaise with the procuring entity regarding any information that they may require before submitting a proposal.
- 2.1.5 The client will provide the inputs and services specified in the special conditions of contract needed to assist the individual consultant to carry out the assignment.
- 2.1.6 The cost of preparing the proposal and negotiating the contract including any visit to the procuring entity are not reimbursable as a direct cost of the assignment. The procuring entity is not bound to accept any of the proposals submitted.

2.1.7 The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender.

2.2 Clarification and amendment to the RFP documents

2.2.1 Individual consultant may request clarification of any of the RFP documents not later than Seven (7) days before the deadline for the submission of the proposals. Any request for clarification must be sent in writing by post, fax or email to the procuring entity's address indicated in the special conditions of contract. The procuring entity will respond by post, fax or email to such requests and will send written copies of the response (including an explanation of the query but without identifying the source of inquiry) to all individual consultants invited to submit proposals.

2.2.2 At any time before the deadline for submission of the proposals, the procuring entity may for any reason, either at its own initiative or in response to a clarification requested by an intended individual consultant amend the RFP. Any amendment shall be issued in writing, fax or email to all invited individual consultants and will be binding on them. The procuring entity may at its discretion extend the deadline for the submission of the proposals.

2.2.3 Clarification of tenders shall be requested by the tenderer to be received by the procuring entity not later than 7 days prior to the deadline for submission of tenders.

2.2.4 The procuring entity shall reply to and clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.

2.3 Preparation of proposals

2.3.1 The individual consultant's proposal shall be written in English language.

2.3.2 In preparing the Technical proposal, the individual consultants are expected to examine the documents consisting the RFP in detail. Material deficiencies in providing the information requested may result in rejection of a proposal.

2.3.3 While preparing the Technical proposal, the individual consultant must give particular attention to the following:

- (a) If an individual consultant considers that he/she does not have all the expertise required for the assignment he/she may suggest in the proposals other individual(s) who will assist in the assignment but they will not be party to the contract for the purpose of the performance of the assignment. An individual consultant will not propose other individual consultants invited to submit proposals for the assignment. Any individual consultant in contravention of this requirement shall automatically be disqualified.
- (b) For all the staff who will be involved in the exercise of the proposals to consultant must indicate their responsibility in the assignment and also the staff time as necessary.
- (c) The curriculum vitae (CV) of the staff proposed must be submitted with the proposal.

2.3.4 The Technical proposal shall provide the following information;

- (a) The individual consultants CV and a brief of any recent experience of assignment of a similar nature. For each assignment the brief should indicate the profiles of staff involved, contract amount and the individual consultant's involvement.
- (b) An expression on the understanding of the terms of reference
- (c) A financial proposal detailing the costing of the work to be done
- (d) A description of the methodology and work plan for performing the proposed assignment.
- (e) Any additional information requested in the special conditions of contract.

2.3.5 The Technical proposal should contain the detailed information as requested above that is a clear understanding of the Term of Reference and the financial proposal of the project.

2.4 **Financial proposal**

2.4.1 In preparing the financial proposal, the individual consultants are expected to take into account the time required in completing the assignment as outlined in the RFP documents. The financial proposal will therefore be quoted in fees per day or month. The financial proposal may also include other costs as necessary, which will be considered as reimbursables.

- 2.4.2 The Financial proposal should include the payable taxes.
- 2.4.3 The fees shall be expressed in Kenya Shillings.
- 2.4.4 The Financial proposal must remain valid for 90 days after the submission date. During this period the individual consultant is expected to keep available at his own cost any staff proposed for the assignment. The procuring entity will make best efforts to complete negotiations within this period. If the procuring entity wishes to extend the validity period of the proposals, the consultants who do not agree, have the right not to extend the validity of their proposals.
- 2.4.5 The financial proposal must comply with the law governing the profession of the consultant.

2.5 Submission, Receipt and Opening of Proposals

2.5.1 The technical proposal and the financial proposal (if required) shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the individual consultants. Any such corrections must be initialed by the individual consultant.

2.5.2 For each proposal the individual consultants shall prepare the proposals in the number of copies indicated in the special conditions of contract. Each Technical proposal and Financial proposal shall be marked “ORIGINAL” or “COPY” as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall govern.

The original and all copies of the Technical proposal shall be placed in a sealed envelope clearly marked “TECHNICAL PROPOSAL” , and the original and all copies of the financial proposal in a sealed envelope duly marked “FINANCIAL PROPOSAL”. Both envelopes shall be placed in an outer envelope and sealed. This outer envelope shall bear the procuring entities address and other information indicated in the appendix to the instructions to consultants and clearly marked “DO NOT OPEN BEFORE **Friday 16th November, 2018 at 11.00 am** East African. Must be delivered in the Tender Box at Kilifi County Treasury Building .. Late bids shall be returned unopened.

The completed Technical and Financial proposals must be delivered and deposited in the Tender Box at Kilifi County Treasury Building on or before **Friday, 16th November, 2018 at 11.00 am**. East African Time .Submission of the proposals indicated in the appendix to the instructions to consultants. Any proposals received later than the closing date for submission of proposals shall be rejected and returned to the individual consultant unopened. For this purpose the inner envelope containing the technical and financial proposals will bear the address of the individual consultant submitting the proposals.

2.5.3 After the deadline for submission of proposals the outer envelope and the technical proposals shall be opened immediately by the opening committee. The financial proposals shall be marked with the individual consultants number allocated at the time of opening the outer envelope and the technical proposals but shall remain sealed and in the custody of a responsible officer of the procuring entity up to the time set for opening them.

2.6 Evaluation of the Proposal (General)

2.6.1 From the time the proposals are opened to the time of the contract award, if any individual consultant wishes to contact the procuring entity on any matter relating to his/her proposal, he/ she should do so in writing at the address indicated in the appendix to the instructions to consultants. Any effort by an individual consultant to influence the procuring entity's staff in the evaluation of proposals companion proposals or awards of contract may result in the rejection of the individual consultant proposal.

2.6.2 The proposal evaluation committee shall have no access to the Financial Proposal, which in any case will remain sealed, until the technical evaluation is concluded or finalized.

2.7 Evaluation of Technical Proposals

2.7.1 The evaluation committed appointed by the procuring entity to evaluate the proposals shall carry out the evaluation of technical proposals following the criteria set out in the terms of reference based on the following points criteria

<u>CRITERIA</u>	<u>POINTS</u>
(i) CV of the individual consultant	30
(ii) specific experience of the individual consultant related to the assignment	30
(iii) adequacy of methodology and work plan in response to the Terms of reference	<u>40</u>
Total points	100

2.7.2 Any proposal which will be examined and found not to comply with all the requirements for submission of the proposals will be declared non responsive. All the proposals found to have complied with all the requirements for submission of proposal shall be declared responsive by the evaluation committee

2.7.3 Each responsive proposal will be given a technical score (ST). any technical proposal which fails to achieve the total minimum score indicated in the appendix to the information to tenderers shall be rejected at this stage and will not proceed to the next stage of evaluation. The respective financial proposal will be returned to the individual consultant unopened.

2.8 **Opening and Evaluation of Financial Proposals**

2.8.1 After completion of the evaluation of Technical proposals the procuring entity shall notify the individual consultants whose proposal did not meet the minimum technical score or were declared non responsive to the RFP and terms of reference. The notification will indicate that their financial proposals shall not be opened and will be returned to them un opened after the completion of the selection process and contract award. At the same time, the procuring entity shall simultaneously notify the consultants who have secured the minimum technical score that they have passed the technical qualifications and inform them the date and time set by the procuring entity for opening their financial proposal. They will also be invited to attend the opening ceremony if they wish to do so.

2.8.2 The financial proposals shall be opened by the procuring entity in the presence of the individual consultants who choose to attend the opening. The name of the individual consultant, the technical score and the proposed fees shall be read out aloud and recorded. The

evaluation committee shall prepare minutes of the opening of the financial proposals.

- 2.8.3 The formulae for determining the financial score (SF) unless an alternative formula is indicated in the appendix to the information to tenderers shall be as follows:

$S_f = 100 \times \frac{f_m}{f}$ where
Sf is the financial score
Fm is the lowest fees quoted and
F is the fees of the proposal under consideration.

The lowest fees quoted will be allocated the maximum score of 100

- 2.8.4 The individual consultants proposals will be ranked according to their combined technical score (st) and financial score (sf) using the weights indicated in the appendix to the instructions to consultants. Unless otherwise stated in the appendix to the instructions to consultants the formula for the combined scores shall be as follows;

$$S = ST \times T\% + SF \times P\%$$

Where

S, is the total combined scores of technical and financial scores

St is the technical score

Sf is the financial score

T is the weight given to the technical proposal and

P is the weight given to the financial proposal

Note P + T will be equal to 100%

The individual consultant achieving the highest combined technical and financial score will be invited for negotiations.

2.9 Negotiations

- 2.9.1 Negotiations will be held at the same address indicated in the appendix to the information to consultants. The purpose of the negotiations is for the procuring entity and the individual consultant to reach agreements on all points regarding the assignment and sign a contract.

2.9.2 The negotiations will include a discussion on the technical proposals, the proposed methodology and work plan, staff and any suggestions made by the individual consultant to improve the Terms of reference. The agreed work plan and Terms of reference will be incorporated in the description of the service or assignment and form part of the contract.

2.9.3 The negotiations will be concluded with a review of the draft contract. If negotiations fail, the procuring entity will invite the individual consultant whose proposal achieved the second highest score to negotiate a contract.

2.10 Award of Contract

2.10.1 The contract will be awarded before commencement of negotiations. After negotiations are completed the procuring entity will promptly notify the other individual consultants that they were unsuccessful and return the financial proposals of the individual consultants who did not pass technical evaluation.

2.10.2 The selected individual consultant is expected to commence the assignment on the date indicated in the appendix to the information to consultants or any other date agreed with the procuring entity.

2.11 Confidentiality

2.11.1 Information relating to evaluation of proposals and recommendations of contract award shall not be disclosed to the individual consultants who submitted the proposal or to other persons not officially concerned with the process, until the winning individual consultant has been notified that he/she has been awarded the contract.

SECTION III - TERMS OF REFERENCE (TOR)

Notes on the preparation of Terms of Reference

The terms of reference are the initial statement to the consultants, of the services to be performed and should therefore be clear and precise and should contain the following sections;

- (a) Background information
- (b) Objectives of the assignment
- (c) Scope of work or services of the assignment
- (d) Training requirements (where applicable)
- (e) Reporting systems and time schedules
- (f) Personnel, facilities and other requirements to be provided by the procuring entity and
- (g) Terms of payment

(Specific TOR to be prepared by the procuring entity as appropriate)

**TERMS OF REFERENCE FOR THE PREPARATION OF LOCAL PHYSICAL
DEVELOPMENT PLANS FOR SELECTED TOWNS - (GIS, JILORE,
SONGOROSA AND SHOMELA) IN KILIFI COUNTY**

1.0 Introduction

Urbanization in Kenya is taking place at unprecedented pace, leading to rapid deterioration of environmental quality and difficulties in providing essential services. Under the National Planning Strategy Vision 2030 and its Medium Term Plan (2008 –12), the vision for Land, Planning and Housing recognizes rapid urbanization to be guided by planned programmes in urbanization and housing consistent with economic and social investments.

One of the main challenges identified under Vision 2030 and the National Land Policy Sessional Paper No. 3 of 2009, is poor urban planning, and is closely associated with the sprawl of densely populated informal settlements.

The cost of urban planning is increasing every year and there is need for conscious solutions for addressing the problems afflicting urban areas such as traffic congestion, growth and expansion of informal settlements, poor infrastructure and social facilities such as shortage of clean water and irregular power supply among others.

1.1 Overview of Planning in Kenya Towns

Urbanization is a strong and potentially positive force in development throughout the world today. However, the accelerating rate of urbanization in Kenya has often overtaken the capacity of national and county governments in dealing with urban development challenges. These challenges and needs include housing, infrastructure services, social and

community facilities, local economic development and environmental improvements and protection.

One of the major problems and challenges facing Kenya is the unsustainable urban growth and deterioration of urban environment. Urban centers are experiencing rapid growth and development that is unplanned, uncoordinated and not controlled.

With a high population growth rate of about 7-8 percent, Kenyan towns are rapidly growing in an haphazard manner and experiencing severe problems, among others—rapid and illegal subdivisions, poor housing and mushrooming of informal settlements, lack of markets, recreational facilities and parking areas, unemployment, increased population and deterioration of health conditions, poor transport and infrastructure services, escalation in crime and social distress, and ecological conflicts, and lack of planning data.

In light of the above, there is urgent need to plan and re-plan our towns to modern standards with good services and urban form. The plan focus is to integrate physical, economic, social, cultural and environmental as well as institutional aspects and tap potentials of towns.

The physical development plan will identify priority programmes that will be implemented in both long and short term that can make the town(s) well planned, living and working environment that can attract investments for enhanced revenue collection, growth and development. The plan will also lead to the full exploitation of opportunities for expansion, industrial development and rural-urban linkages. It is again expected to guide development in the extension areas so that a real urban form is created and urban qualities – proximity, mix of functions and social strata as well as a vibrant community organization are promoted.

2.0 Purpose of the Plan

The objective of the assignment is to prepare up-to-date physical development plans for the selected urban centres within Kilifi County. The purpose of the plan is to:

- Define a vision for future growth and development of the area over the next 10-20 years.
- Provide an overall integrated physical framework for urban growth of the selected urban centres
- Provide a basis for coordinated programming of projects and budget, thereby serving as a downstream management tool

2.1 Specific Objectives

The **specific objective** of the assignment will entail the following key activities:

- To produce accurate up-to-date digital base map for the subject urban centre.
- To prepare digital thematic layers, including topographic and cadastral, land use, infrastructure, etc. in the same system as the digital base map as guided by the physical planning framework.
- To conduct participatory planning exercises in the selected towns to identify citizens' priorities.
- Prepare a comprehensive situation analysis of the urban centres informed by various data sources, including but not limited to secondary data, field inventories, household surveys, key informants, focused group discussions, and any other form of public participation
- To prepare short and medium term plans to guide urban development, including action area plans, subject plans, advisory or zoning plans and guidelines/regulations and other reference materials.

- To prepare structure plans showing proposed land use and infrastructure (such as transport, water, drainage, etc), housing settlements and environmental assets (10-20 years).
- Work together with key staff of the Physical Planning & Urban Development Unit during the entire period of plan preparation for purposes of capacity building and skills transfer on plan preparation and implementation
- To prepare a monitoring and evaluation framework to assist the Department in charge of planning in reviewing and updating the plan in line with the ever-changing trends of the urban centres identified

2.2. Planning Horizon

The planning horizon for the plans is set at 10-20 years, which is considered a reasonable balance between an appropriate period for planning and the predictability of key variables and trends over the foreseeable future and also pegged to Kenya's Vision 2030.

3.0 Problem Statement to the Planning of Urban Centres

Kilifi is a cosmopolitan county with people originating from all corners Kenyan territory. It serves an estimated population of 1.4million. Indeed, one of the major obstacles to harmonious and coordinated development within the urban centres in Kilifi County is the lack of implementation of Physical Development Plans. Due to this, several problems have manifested themselves including the following among others:-

- General lack of spatial order and environmental degradation
- Planning issues which include increasing land use conflicts; haphazardly planned estates, dilapidated public amenities, poor maintenance, problem of accessibility in the estates and the existence

of unplanned settlements and loss of aesthetics

- Poor governance
- Poor solid waste management
- Lack of drainage and storm water management system.
- Inadequate housing and provision of social amenities – recreation, schools, bus Park
- Lack of sewerage system and acute water shortage
- Urban poverty and unemployment- influx, immigration
- Informal business acceptability and regulation- lack of innovation
- Depreciation of investments
- Poor management and institutional strengthening
- Poor revenue base due to historical reasons, land rates collection (most land not rated)
- Poor land information system and development control

4.0 Scope of the Assignment

The plans shall be for a period of twenty years (20) and shall cover the following selected urban centers;

- i. GIS
- ii. Jilore
- iii. Shomela
- iv. Songorosa

4.1 Digital Base Map

To maximize the value of the maps, it is necessary that data so generated is accurate and of enough scope to accommodate all key planning needs. The

maps will be used for spatial planning, infrastructure development, design and maintenance programmes. It will also be used as a base for land information systems. Cadastral information/data shall be digitized to form digital parcel map for urban land management, rating, and development control purposes. This will ensure a one-time investment that will need only updating in future.

4.2 Activities

The mapping will comprise but not limited to the following:

- Preparation of an inception report, within 14 days of contract signing, complete with work plan/programme showing the planned activities, deliverables, and time frames.
- Collection of all existing data from the various sources including the county Government, the national land commission and the Ministry of lands
- Site visits to familiarize with sites and general direction on the scope of works.
- Linking the works with the already existing data and information as directed by the client
- Preparation of accurate digital base map.
- To prepare a cadastral layer by digitizing existing cadastral information of all registered/surveyed parcels of land.
- Carry out planning workshops/public forums at key stages of the planning process for purposes of public participation
- Prepare for update meetings with the client/public as shall be communicated by the client at various stages of the planning process
- Training and transfer of technical skills to staff of the planning department.

The consultant shall provide the following information:

- Inception report
- Digital base map(s)
- Detail topographical Maps (hard copies) at a scale 1: 2500 on a stable film with 2meter contour intervals indicating all the details including building, roads, and footpaths i.e. manmade and physical features
- Horizontal and vertical control data whose nature and position is fully described using photographs, and sketches
- Adequate details to accommodate large scale maps for specific details.

4.3 Observation

- All main stations satellite image or photo points shall be coordinated in X, Y, Z by geodetic GPS observation or any other standard survey control method acceptable to the client and capable of achieving geodetic accuracies to within 0.03meters within shortest period of time
- All heights shall be related to Kenya National Mapping datum in meters Base network shall be related to a minimum of three existing Survey of Kenya Triangulation stations whose UTM coordinates are known and accepted. Selection of these stations shall be agreed with the client

5.0 The Local Physical Development Plan

The planning process will involve participatory strategic urban development planning that will help produce, at a minimum, a physical structure plan and supports the development of a Capital Investment Plan (CIP). In our context, participatory strategic urban development planning can be defined as a *process* which enables the public and private sectors as well as community and neighborhood level organizations to come together to articulate their respective priorities for the development. It is a systematic

and deliberative form of preparing for town-wide change over a specific time-frame and should result in an implementable social and policy contract (or understanding) between public institutions, private sector, civil society and citizen/neighborhood organizations.

The outputs of the process should result in an integrated local physical development plan that meets the following elements:

- i. A situational analysis of the current socio-economic, physical, environmental and cultural characteristics of the town
- ii. A widely accepted vision and strategies for the towns' development translated into a spatial development framework
- iii. A physical plan indicating detailed land use and zoning regulations (code), based on the newly updated digital topographical maps
- iv. Sector-specific strategies including infrastructure and transportation, investment/economic, settlement/housing, environmental management, disaster management and cultural heritage preservation plan
- v. Programmed Action Plan translating the sectoral strategies to priority actions and their locations and timings
- vi. An implementation framework identifying different policies and laws/regulations to be applied, various actors and their roles, and methods of monitoring and feedback
- vii. A three-year Capital Investment Plan (CIP) reflecting associated costs and responsibilities for implementation of agreed sector-wise priorities with a realistic and affordable financing plan budget

5.1.1 Structure Planning, Land Use Guidelines and Environmental Profile

The process of planning will entail the generation of town-wide maps and urban structure plans to guide developers to areas best suited for new

physical development. The structure plan sets out the planning framework for protection of the environment, traffic movement and connectivity of the settlement, and the scale, pattern and broad location of development including provision for new housing and business for town. It should provide planning policy for broad zoning categories aimed at separating conflicting land uses, outline density targets/zones, offer guidelines for setbacks, and indicate areas where future development should not be allowed to protect natural systems such as rivers, forests, wetlands as well as to prevent natural or man-made disasters.

The structure plan should be prepared to meet the future requirements of the towns and region and also to tackle the day-to-day problems of the towns. The plan should be prepared along with the land use zoning regulations (code) which will facilitate easy implementation of the plan proposals. The land use zoning regulations (code) will be prescribed to facilitate easy interpretation and disposal of day-to-day references received on land use matters. The plan should attempt to ensure an appropriate balance between spatial allocation for distribution of housing, employment, social infrastructure, commercial, circulation, physical infrastructure and public utility systems. Finally the land use plan is to be read and interpreted with land use zoning regulations. The structure plan completed with the land use zoning regulations should take in consideration the overall planning requirements as detailed in the Planning Handbook of the Ministry of Lands and physical planning and the oversight guidelines by the National Land Commission.

The structure plan and land requirement should accommodate growth over 10–20 year period. This will include preparation of layout structure plans

and maps at an acceptable scale preferably 1/2500, refer to the second and third schedule of the Physical Planning Act Cap 286, Laws of Kenya.

The structure plan will, at a minimum:

- Identify the location of future residential areas
- Identify the location of future commercial and industrial areas
- Identify the location and extent current and future public utility and amenities land
- Identify the location and extent of environmental and historical conservation areas if any
- Articulate a road hierarchy and identify movement corridors
- Incorporate good urban design principles that are characteristic of the area as perceived by residents
- Consider and incorporate community vision principles derived from the participatory community reference groups/meetings.

5.1.2 Development of Planning Policies and Zoning Regulations

In preparing the plan, the consultant is required to develop a long term plan that will entail the following details as per the provision of the Physical Planning Act Cap 286 section 24.

- Interpreting regional development policies in terms appropriate to the local area.
- Articulating the aims of the national and county government together with strategies, policies and general proposals which are intended to achieve those aims
- Providing a framework for detailed policies, and proposal for subsequent short term plans for the area
- Indicating areas for immediate development or redevelopment

- Showing amount of land sufficient to accommodate development and growth of the local area over a period of 10 to 20 years
- Outlining the transportation and communication networks to serve the area over a period of 10 to 20 years.
- Prepare overall framework of structure plan for towns with the location, extents of various land uses for such purposes as housing, schools, recreation, hospitals, industries, businesses, markets, public works, public buildings, public and private open spaces and other categories of public and private uses
- Define the plans and indicate a policy framework detailing the manner in which the land in each zone is proposed to be used in the town
- Develop regularization and development control strategies for approval by the County
- Propose strategies to guide housing development, upgrading of slums, informal sector, delivery of community facilities, infrastructure development and strategies for overall improvement of the town
- Classification of commercial, industrial zones such as light, general and special and hazardous industrial zones
- Identify areas for environmental protection
- Propose the standards of access roads; plot coverage, height and ratios, population and building density.

5.1.3 Strategic Sector Plans

As part of development plan the consultant will be required to prepare the following sector plans:

i) Infrastructure and Transportation Plan

- Infrastructure plan is an essential part of the local plan process. Planning policy recognises that in order to create sustainable communities it is not sufficient to provide housing and employment opportunities alone; we also need to ensure that development is supported by the necessary physical, social and green infrastructure. Investment in the LPDP infrastructure is needed to cope with the proposed scale of growth identified in the Local Physical Development Plan (LPDP). The infrastructure can be delivered through public sector, private sector development and statutory undertakers.
- The transportation plan is a derivative of the land use proposals. It must be in synchrony with the overall land use proposals. The expected output for this would be: comprehensive transportation plan indicating the broad road network in the selected towns, including possibilities for widening and improving major roads and creation of new roads in the towns and in the vicinity for improved vehicular movement pattern, improvement of traffic junctions. It should include proposals for situating parking lots, bus parks, truck terminals and the like. The plan should indicate the short-term and long-term transportation priorities
- Proposals for integrated mass transportation system suitable for the selected towns.

ii) Environmental Management Plan

The consultant will prepare an environment development and management plan indicating the proposal for the improvement of the environment and ecology of the town and its immediate region. This will include:

- Specification of forest and green zones
- Protection measures for catchment areas of water resources
- Infrastructure development plan indicating the proposal for assured protected water supply, storm water drainage, sewage, drainage, and solid waste management system by indicating the details of location of sewage farms and garbage yards on a scientific basis.
- Mapping out possible land use conflict resolution and heritage conservation.

iii) Disaster Management Plan

The consultant will prepare a disaster management strategy for the town, including identification and mapping of disaster prone areas and formulation of disaster vulnerable area mitigation plans.

iv) Tourism & Cultural Heritage Conservation Plan

Prepare a cultural heritage conservation strategy for the town and more specifically the preservation of the Somali culture vis-à-vis promotion of tourist culture in the County including areas to be declared for re-planning, redevelopment, and conservation

v) Monitoring and Evaluation Strategy

Prepare an M & E strategy for the plan implementation

5.2 Capital Investment Plan

The participatory process will result in a three year rolling capital investment plan (CIP) that reflects publicly agreed local priorities for investment in

local services and is both financially realistic and feasible. The CIP will include estimated costs and responsibilities for implementation of agreed investments, as well as a financing plan

5.3 Capacity Building and Skills Transfer

The consultant will train key staff from the planning department on planning, digital mapping, and use of recommended software and equipment. The key staff will be involved in the process from the beginning until the conclusion. It is expected that by the end of the process the planning staff will be able to take charge of the process, and monitor implementation of the plan, and, when necessary, lead the process of revising the plan

6.0 Methodology by the Consultant

The process will involve the collection, interpretation, arrangement, combination and presentation of information in a user friendly form.

The proposal should describe in detail the discrete activities, methods, and techniques to be used in each stage of the work, and include examples of the methods and techniques.

The consultant will include, but will not limit himself to the following points in the presentation of their method of approach:

- i. Provide an indication of the local professional expertise to be used in the exercise and how they will be deployed at each stage of the programme of work.
- ii. Provide an indication of how information and insights will be gathered from various parties, particularly where there may initially be some reticence or reservation.
- iii. Provide an indication of how the physical presence will be established in the towns throughout the duration of the planning period and how the essential project support services will be provided (e.g., translation,

communication, local travel, local office facilities, etc.).

- iv. Provide an indication, from the consultant's experience in developing countries and elsewhere, of what obstacles may be encountered that may impede the successful completion of this job and how the Consultant will overcome these obstacles.
- v. Provide an indication of the type of assistance that may be sought from the County,
- vi. Provide an indication of methodologies that ensure community participation and public awareness.
- vii. Provide a means of reporting on work progress to the client; in addition, the consultant will prepare quarterly progress reports

All working sessions will be conducted in English or Kiswahili or a combination of both.

7.0 Duration of Services

The time period required for the provision of the services is envisaged to be not more than 6 months.

8.0 Reporting Requirements and Schedule

The consultant shall propose a schedule of activities and corresponding deployment of staff. This schedule, together with a comprehensive statement justifying the proposed deployment should be incorporated in the methodology section of the proposal. A tentative schedule of deliverables is delineated below for guidance purposes. However, in their detailed proposals the consultants should provide precise timelines to which only minimal adjustments will be permissible.

EXPECTED OUTPUT	TIMELINES
1. Inception Report acceptable to the Client.	4 Weeks after signing of contract.
2. Launch and situational analysis workshop reports (to be completed with and verified by the Client)	8 Weeks after signing of contract.
3. Preliminary Maps including the following: <ul style="list-style-type: none"> • Satellite imagery/ aerial photography that is geo-referenced and rectified, in both hard and soft copy. • Ground control points, approved by Director of Surveys. • An inventory of all physical and social infrastructure 	12 Weeks after signing of contract.
4. Validation workshops report for (3) above (to be completed with and verified by the Client)	16 Weeks after signing of contract.
5. Final maps and thematic studies	20 Weeks after signing of contract.
6. Draft Plan Proposal including: <ul style="list-style-type: none"> i. Structure/zoning plans ii. Planning policies and regulations 	24 Weeks after signing of contract.
7.0 Validation workshop report for the physical development plan proposals (to be completed with and verified by the Client)	28 Weeks after signing of contract.
8. Draft Capital Investment Plan.	32 Weeks after signing contract.
9. Coloured (hard copies and digital) for the final plan	36 Weeks after signing contract.
10. Workshop report for final Plans and Capital Investment Plan (to be completed with and verified by the Client)	40 Weeks after signing contract.
11. Local Physical Development Plan and Report presenting the different plans mentioned above	44 Weeks after signing of contract
12. Gazettement and approvals of Local Physical Development Plans	48 Weeks after signing of contract
13. Official launch of approved Local Physical Development Plans	52 Weeks after signing of contract.

9.0 Expertise Required Competencies

The lead consultant SHALL have the following expertise and competencies:

- Masters and/or First degree in urban and regional planning , be registered with the relevant planners' registration board, hold a valid practice licence, be in good standing with the relevant professional bodies
- Familiarity with preparation of local physical development plans, strategic structure plans; atleast 10 years of Professional experience in urban planning having handled similar assignments
- Ability to coordinate a team of specialists in the following themes; slum/informal settlement upgrading, architectural, surveying & valuation, environmental planning, urban governance, sociology & GIS expertise.

Budget

A comprehensive pricing and functional competence of the consultant will be a major consider ration in the evaluation proposals. The consultant must, therefore, compile a detailed breakdown of costs and submit to the county.

10.0 Project Management

10.1 Overview

The preparation of the plan is being undertaken as part of partnership effort among a number of departments.

Lands housing energy, physical planning & urban development

- Ministry of lands & physical planning
- The National Land Commission

10.2 The Department of Lands, Energy, Housing, Physical Planning & Urban Development

The department will be involved in managing the consultancy for this work. In terms of performance and deliverables, the consultant team will carry out the assignment under the direction of, and report to Director physical

planning, and urban Development through the Project Supervision team to be appointed. The department will coordinate and chair the project steering committee and provide logistical support and administrative services needed by the project team and consultant. The department will also supply required existing documents, reports and support resources to their project team. The department will approve and accept the final plan through a full county assembly resolution and forward the same to the Director of Physical Planning.

10.3 Ministry of Lands & Physical Planning

The Ministry of Lands will provide overall policy framework and quality control during the Plan preparation process. It will also provide any support material and documents for the project under their custody. They will also provide final approval of the plans once they have been accepted by the county, as stipulated in the Physical Planning Act Cap 286.

10.4 The National Land Commission

The national land commission shall offer the oversight role in the plan preparation

11.0 Obligation of the Consultant

The consultant firm shall be responsible for provision of all equipment and services required for the fulfillment of obligations under the contract.

The role of the Consultant shall be as follows:

- i. As advisor and manager, the consultant shall undertake and manage all components of the plan.
- ii. Prepare and deliver outputs pursuant to this Terms of Reference and the agreed work plan such as, the preparation of background reports, mapping, drafting of the Land Use Plan in compliance with policies, planning legislation(s) and regulations.

- iii. Plan for consultation/meetings with public, stakeholders and the department 's relevant staff.
- iv. Strict adherence to stipulated time frames and approved budgets.

11.1 Deliverables

The consultant shall contribute to the following expected outcomes:

- Inception reports
- Situational analysis reports
- Zoning Land use plans (report and drawings);
- Development guidelines;
- Development strategies;
- Commitment package by stakeholders in the implementation of urban action plans:
- Capital investment plan (CIP)
- 3 copies of reports and maps for each urban area and soft copy of the same

Ultimately, the plans will focus on the formulation of a regulatory framework for the effective implementation of the following national legislations and policies including but not limited to:

- The physical planning Act,
- Urban Areas and Cities Act,
- County Government Act,
- The Land Act and
- The National Land Commission Act

11.2 Terms and Conditions of the Bid

Awarding of the proposal will be subject to the consultant express acceptance of the general contract conditions. The county Government and the Consultant shall sign a contract agreement upon appointment.

- The Consultant shall commence the project within five (5) days after contract agreement signed.
- Any deviation from the project should put in writing and signed by both the consultant and county Government.

- Payments will be on work completed basis i.e on set milestones as per the Project plan.
- 5% of the project sum shall go to management and supervision work by the department's management and supervision team
- The County Government reserves the right to terminate the contract in the event there is clear evidence of non-performance.

11.3 Application

The consultant shall submit a proposal to the County Government of Kilifi detailing the methodology to be used in carrying out the tasks identified above and a work plan. The proposal should reach then undersigned not later than –**Friday, 16th November 2018 at 11:00 a.m.**

The proposal should be sent to:

***The County Secretary and Head of Public Service Management,
County Government of Kilifi,
P.O. Box 519-80108, Kilifi.***

SECTION IV - TECHNICAL PROPOSAL (TP)

Notes on the Preparation of Technical Proposal

The technical proposal shall be prepared and submitted by the consultants.

It shall contain the following:-

- (a) Submission letter
- (b) Particulars of the consultant including Curriculum vitae (CV)
- (c) Comments and suggestions of the consultant on the terms of reference, personnel, facility and other requirements to be provided by the procuring entity.
- (d) Description of the methodology and work plan for performing the assignment
- (e) Any proposed staff to assist in the assignment
- (f) Consultancy services activities times schedule.

(to be prepared by the consultant as appropriate)

1 . FIRM'S REFERENCES

Relevant Services Carried Out in the Last Five Years That Best Illustrate Qualifications

Using the format below, provide information on each assignment for which your firm either individually, as a corporate entity or in association, was legally contracted.

Assignment Name:		Country
Location within Country:		Professional Staff provided by Your Firm/Entity(profiles):
Name and contacts of Client:		Clients contact person for the assignment.
Address:		No of Staff-Months; Duration of Assignment:
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services (Kshs)
Name of Associated Consultants. If any:		No of Months of Professional Staff provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of project:		
Description of Actual Services Provided by Your Staff:		

Firm's Name: _____

Name and title of signatory; _____

(May be amended as necessary)

2. TEAM COMPOSITION AND TASK ASSIGNMENTS

1. Technical/Managerial Staff

Name	Position	Contact	Task

2. Support Staff

Name	Position	Contact	Task

1. TIME SCHEDULE FOR PROFESSIONAL PERSONNEL

Name	Position	Reports Due/ Activities	Months (in the Form of a Bar Chart)												Number of months	
			1	2	3	4	5	6	7	8	9	10	11	12		

Reports Due: _____

Activities Duration: _____

Signature: _____
(Authorized representative)

Full Name: _____

Title: _____

Address: _____

4. ACTIVITY (WORK) SCHEDULE

(a). Field Investigation and Study Items

[1st, 2nd, etc, are months from the start of assignment)

	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th	11 th	12 th	
Activity (Work)													

(b). Completion and Submission of Reports

Reports	Date
1. Inception Report	
4. Interim Progress Report (a) First Status Report (b) Second Status Report	
3. Draft Report	
4. Final Report	

SECTION V- FINANCIAL PROPOSAL (FP)

Notes on the Preparation Financial Proposal

The financial proposal shall be prepared and submitted by the consultants. It shall contain the following.

- (a) Submission letter indicating total fees
- (b) Summary of costs
- (c) Breakdown of fees per activity
- (d) Breakdown of reimbursable costs/expenses per activity
- (e) Miscellaneous expenses

(to be prepared by the consultant as appropriate)

SECTION VI - STANDARD CONTRACT FORM

INDIVIDUAL PROFESSIONAL CONSULTANTS

(Lump-sum payment)

The contract form shall be completed by the procuring entity after the award of the contract and negotiation of the contract. It will be signed by both parties pursuant to the information to consultants clause 2.10.2

SECTION VI - STANDARD CONTRACT FORM

1. STANDARD CONTRACT FORM

**INDIVIDUAL PROFESSIONAL CONSULTANTS
(lump-sum payments)**

This Agreement, [hereinafter called “the Contract”) is entered into this _____
_____ [insert starting date of assignment], by and between.

_____ [insert Client’s name] of [or whose
registered office is situated at] _____ [insert
Client’s address] (hereinafter called “the Client”) of the one part AND

_____ [insert Consultant’s name] of
[or whose registered office is situated at] _____
_____ [insert Consultants address] (hereinafter called “the Consultant”) of
the other part.

WHEREAS the Client wishes to have the Consultant perform the services
[hereinafter referred to as “the Services”, and

WHEREAS the Consultant is willing to perform the said Services,

NOW THEREFORE THE PARTIES hereby agree as follows:-

1. **Services**
 - (i) The Consultant shall perform the Services specified in Appendix A, “Terms of Reference and Scope of Service, “which is made an integral part Of this Contract.
 - (ii) The Consultant shall provide the personnel listed Appendix B, “Consultant’s Personnel,” to perform the Services.
 - (iii) The Consultant shall submit to the Client the reports in the form and within the time periods specified in Appendix C, “ Consultant’s Reporting Obligations.”

(Appendices A, B, and C to be prepared as appropriate)

2. **Term** The Consultant shall perform the Services during the

period commencing on _____ [insert starting date] and through to _____ [insert completion date], or any other period(s) as may be subsequently agreed by the parties in writing.

3. Payment

A. Ceiling

For Services rendered pursuant to Appendix A, the Client shall pay the Consultant an amount not to Exceed _____ [insert amount]. This amount has been established based on the understanding that it includes all the Consultant's costs and profits as well as any tax obligation that may be imposed on the Consultant.

B. Schedule of Payments

The schedule of payments is specified below (Modify in order to reflect the output required as described in Appendix C.)

Kshs. _____ upon the Client's receipt of the Draft report, acceptable to the Client; and

Kshs. _____ upon the Client's receipt of the Final report, acceptable to the Client.

Kshs. _____ Total

C. Payment Conditions

Payment shall be made in Kenya Shillings unless otherwise specified not later than thirty (30) days following submission by the Consultant of invoices in duplicate to the Coordinator designated in Clause 4 here below. If the Client has delayed payments beyond thirty (30) days after the due date hereof, simple interest shall be paid to the Consultant for each day of delay at a rate three Percentage points above the prevailing Central Bank of Kenya's average rate for base lending.

4. Project

Administration

A. Coordinator

The Client designates _____

[insert name] as Client’s Coordinator; the Coordinator will be responsible for the Coordination of activities under this Contract, for acceptance and approval of the reports and of other deliverables, by the Client and for receiving and approving invoices for payment.

B. Reports

The reports listed in Appendix C, “Consultant’s Reporting Obligations,” shall be submitted in the Course of the assignment and will constitute the basis for the payments to be made under paragraph 3.

- 5 Performance Standards** The Consultant undertakes to perform the Services with the highest standards of professional and ethical competence and integrity. The Consultant shall promptly replace any employees assigned under this Contract that the Client considers unsatisfactory.
- 6. Confidentiality** The Consultant shall not, during the term of this Contract and within two years after its expiration Disclose any proprietary or confidential Information relating to the Services, this Contract Or the Client’s business or operations without the Prior written consent of the Client.
- 7. Ownership of Material** Any studies, reports or other material, graphic, software or otherwise prepared by the Consultant for the Client under the Contract shall belong to and remain the property of the Client. The Consultant may retain a copy of such documents and software.
- 8. Consultant Not to be Engaged in certain Activities** The Consultant agrees that during the term of this Contract and after its termination the Consultant and any entity affiliated with the Consultant shall be disqualified from providing goods, works or services (other than the Services and any continuation thereof) for any project resulting from or closely related to the Services.

- | | | |
|-----|--|--|
| 9. | Insurance | The Consultant will be responsible for taking out any appropriate insurance coverage. |
| 10. | Assignment | The Consultant shall not assign this Contract or sub-contract any portion of it without the Client's prior written consent. |
| 11. | Law Governing Contract and Language | The Contract shall be governed by the laws of Kenya and the language of the Contract shall be English language |
| 12. | Dispute Resolution | Any dispute arising out of the Contract which cannot be amicably settled between the parties shall be referred by either party to the arbitration and final decision of a person to be agreed between the parties. Failing agreement to concur in the appointment of an Arbitrator, the Arbitrator shall be appointed by the chairman of the Chartered Institute of Arbitrators, Kenya branch, On the request of the applying party. |

For the Client

For the Consultant

Full name _____

Full name _____

Title _____

Title _____

Signature _____

Signature _____

Date _____

Date _____

LETTER OF NOTIFICATION OF AWARD

Address of Procuring Entity

To: _____

RE: Tender No. _____

Tender Name _____

This is to notify that the contract/s stated below under the above mentioned tender have been awarded to you.

-
-
1. Please acknowledge receipt of this letter of notification signifying your acceptance.
 2. The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
 3. You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

(FULL PARTICULARS) _____

SIGNED FOR ACCOUNTING OFFICER

2.

REQUEST FOR REVIEW FORM

FORM RB 1

REPUBLIC OF KENYA

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO.....OF.....20.....

BETWEEN

.....APPLICANT

AND

.....RESPONDENT (*Department of Lands, Energy, Physical
Planning, Housing and Urban Development*)

Request for review of the decision of the..... (*Department of Lands, Energy, Physical
Planning, Housing and Urban Development*) ofdated the...day of
.....20.....in the matter of Tender No.....of20...

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical
address.....Fax No.....Tel. No.....Email, hereby request the Public
Procurement Administrative Review Board to review the whole/part of the above mentioned
decision on the following grounds , namely:-

- 1.
- 2.
- etc.

By this memorandum, the Applicant requests the Board for an order/orders that: -

- 1.
- 2.
- etc

SIGNED(Applicant)

Dated on.....day of/...20...

FOR OFFICIAL USE ONLY

Lodged with the Secretary Public Procurement Administrative Review Board on day of
.....20.....

SIGNED
Board Secretary