



COUNTY GOVERNMENT OF KISUMU

**EXPRESSION OF INTEREST FOR INVESTOR DRIVEN INVESTMENT
TENDER NO: KSM/KCRH/007/2021/2022**

CLIENT

**DEPARTMENT OF HEALTH AND SANITATION
C/o KISUMU COUNTY REFERRAL HOSPITAL
COUNTY GOVERNMENT OF KISUMU
P.O BOX 1818-40100 KISUMU**

1. The ***County Government of Kisumu, Department of Health and Sanitation*** intends to shortlist investors interested in **INVESTOR DRIVEN INVESTMENT – Investors are invited to make concept papers/proposals on any investment that is in line with the strategic objectives of the county health sector in Kisumu either as a partnership or purely private investment for consideration.**

**COUNTY GOVERNMENT OF KISUMU
DEPARTMENT OF HEALTH AND SANITATION**

2. The ***County Government of Kisumu, Department of Health and Sanitation*** invites investors to indicate their interest in providing the above Services. Interested investors should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. The shortlisting criteria on required qualifications and experience of the firm are:
 - i) Letter of Expression of Interest
 - ii) Firms company profiles
 - iii) Registration with relevant body

Qualifications and Experience of Key Experts shall not be included in the short-listing criteria. Key Experts will not be evaluated at the shortlisting stage.
3. The attention of interested Investors is drawn to the following provisions that will be highlighted in the Request for Proposals to be issued to shortlisted firms.
 - i) The Investor/firm will be expected to have no conflict of interest with other assignments or its own corporate interests and acting without any consideration for future work.
 - ii) The investor/firm has no personal or business relationship with the Procuring Entity's senior management or professional staff.
 - iii) The investor/firm or an individual in the firm has not been sanctioned by the Public Procurement Regulatory Authority or are under a suspension or a debarment imposed by any other entity of the Government of Kenya, or any international organization.
 - iv) Government-owned enterprises or institutions of Kenya Government, officials and civil servants and employees of public institutions may not be eligible.
4. Investors/firm may associate with other firms to enhance their qualifications, but should indicate clearly whether the association is in the form of a joint venture and/or a sub-consultancy. In the case of a joint venture, all the partners in the joint venture shall be jointly and severally liable for the entire contract, if selected.
5. Firms will be selected in accordance with the qualification-based method set out in the Act and Regulations.
6. Further information can be obtained at the address below during office hours (8.00 a.m. to 5.00 p.m.)

KISUMU COUNTY REFERRAL HOSPITAL
P.O BOX 1818-40100 KISUMU
medsuptkdhog@gmail.com

Expressions of interest should be submitted in **SOFT COPY** via email to medsuptog@gmail.com OR a **HARD COPY** in an enclosed plain sealed envelope marked with tender reference number addressed to;

**COUNTY GOVERNMENT OF KISUMU
DEPARTMENT OF HEALTH AND SANITATION**

C/O KISUMU COUNTY REFERRAL HOSPITAL

P.O BOX 1818-40100 KISUMU

medsuptkdhog@gmail.com

ANNEX 1

1. APPROACH

Through this solicitation, the county government invites expression of interests from individuals and business entities who are interested in engaging the county by investing in various areas in the health sector. Further, through this solicitation CGK invites Expressions of Interest (EOI) from individuals and business entities, who are interested in driving investment in Kisumu County by providing their own proposals and business concepts that are congruent with the Kisumu City masterplan and the health departments vision. All concepts are welcome as long as they align with the Kisumu county's vision.

2. LETTER OF EXPRESSION OF INTEREST

A letter of intent to bid from the bidder in the format set out as Annexure 1 to this EOI. The letter should contain the bidder's full address, contact details for a single point of contact dealing with the bidder's submittal and stating the consortium's expertise and track record in their respective area of business.

3. FIRM'S COMPANY PROFILE

The Bidders should provide a brief description of the bidder's organization/ team organization and an outline of the experience of the bidder that is most relevant to the Scope of Services. The profile should contain: a summarized listing of the relevant projects and undertakings successfully completed and managed by the bidder.

4. RELEVANT PROJECT REFERENCES AND PROJECT PERSONELL

The evaluation team will consider project experience in the undertaking of a similar or comparable project to that proposed in the bidders in order to demonstrate the availability of qualified personnel, the Bidders are required to provide CVs of the key personnel in the various disciplines within their organization to be engaged in the design and execution of the Project. Only CVs of personnel specifically working on the Project should be submitted with an organizational chart showing their anticipated role.

5. EVALUATION CRITERIA

Each submission will be scored according to the following point allocation. A maximum of 100 points will be possible and the top five to six teams with the highest score may be invited to submit a full proposal.

	Shortlist Criteria	Points
1.	Overall Track Record (managing similar projects) of Lead	50
2.	Relevant Experience of Specific Team Members	25
4.	Relevant Project References	25
	Total	100

6. SELECTION PROCESS

The successful bidders will be selected through a qualifications-based selection process on the EOIs submitted in response to this invitation. CGK selection committee will evaluate each EOI according to the criteria set forth above. The shortlisted bidders may be selected to move toward the RFP process.

7. SUBMITTAL REQUIREMENTS

The Bidders shall limit their submission to the follow maximum pages limits to address the evaluation criteria

		MAXIMUM PAGES
1	Letter of Expression of Interest	1-2 pages
2	Firm's Company Profile	10 pages
3	Organizational Chart of Team	1-2 pages
4	Firm's Financial Statements if applicable	15 pages
	CV's of Key Personnel	10 pages
7	Relevant Project References, Press Coverage, etc	10 pages

8. INVESTOR CONFERENCE

Kisumu County has organized an investor conference on December 19 to 22, 2021 in Jomo Kenyatta sports ground in Mamboleo in Kisumu. Detailed discussions and presentations will be made during the investor conference where Memoranda of understanding and framework agreements will be signed for investors ready for movement to the next level.

DISCLAIMER

Annex 2
LETTER OF EXPRESSION OF INTEREST

(ON THE BIDDER'S LETTERHEAD)

To

RE: -

Dear Sir,

With reference to your Expression of Interest document dated _____, we having examined the investment environment in Kisumu hereby submit our interest in submitting a proposal to undertake _____ at Kisumu county.

We have attached the relevant documents requested in support of this. All information provided is true and correct and all documents accompanying this bid are true copies of their respective original. We shall make available to CGK any additional information it may deem necessary or required for implementing or authenticating the bid.

Finally, we acknowledge the right of CGK to reject our bid and hereby waive our right to challenge the same on any account whatsoever.

Yours faithfully,

(Signature, name and designation of the Authorized Signatory)

(Name and seal of the Bidder)

APPENDIX 1 TO THE PREFACE

GUIDELINES FOR SHORT LISTING CONSULTING FIRMS

(A) NOTES TO THE PERSON (S) PREPARING SHORTLISTS

(B) Shortlisting Process

- 1 The Expression of Interest (EOI) below in Item (B) of this Appendix is used as a notice to request interested firms to apply for being considered in a shortlist of firms to be invited to submit proposals for large consulting contracts. The EOI is usually used for QCB and QBS contracts. For small contracts, the Procuring Entity may directly solicit interest and short list from qualified firms based on its own knowledge, from its data base or from other Procuring Entities.
- 2 For the purpose of establishing a shortlist, the nationality of a firm is that of the country in which it is registered or incorporated, and in the case of Joint Ventures, the nationality of its lead partner. If foreign firms express interest, they shall be considered.
- 3 The Terms of Reference (TOR) shall be prepared by a person(s) or a firm specialized in the area of the assignment. The scope of the services described in the TOR shall be compatible with the available budget. The Cost Estimate (Budget) in the Procurement Plan must be carefully prepared as it will be the guidance determining the capacity of the consultants to be shortlisted and for negotiating a contract.
- 4 The Procuring Entity is responsible for preparing shortlists. The Procuring Entity shall give first consideration to those firms expressing interest that possess the relevant qualifications. Short lists shall be limited to the number allowed in the Act (to comprise of about six firms). Firms that expressed interest, as well as any other firm or entity that specifically requests so, shall be provided with the final shortlist of firms by the Procuring Entity.
- 5 The short list may comprise entirely national consultants (firms registered or incorporated in Kenya, if the assignment is below the ceiling(s) established in the Procurement Regulations, or where a sufficient number of qualified national firms is available or where competition including foreign consultants is prima facie not justified or where foreign consultants have not expressed interest.
- 6 The short list should comprise firms with similar business objectives, corporate capacity, experience and field of expertise, and that have undertaken assignments of a similar nature and complexity. Government-owned enterprises or institutions and not-for-profit organizations (NGOs, Universities, UN Agencies, etc.) should not normally be included in the same shortlist along with private sector firms, unless they operate as commercial entities. If mixing is used, the selection should normally be made using Quality-Based Selection (QBS) or Selection Based on the (firms) Consultants' Qualifications (CQS) (for small

assignments). The shortlist shall not include Individual firms. If the same firm is considered for inclusion in short lists for concurrent assignments,

the Procuring Entity shall assess the firm's overall capacity to perform multiple contracts before including it in more than one shortlist.

7. Eligibility of Consultants to be shortlisted

Investors/ firms are expected to provide professional, objective, and impartial advice and at all times hold the Procuring Entity's interests as paramount, without any consideration for future work, and that in providing advice they avoid conflicts with other assignments and their own corporate interests. Firms shall not be hired for any assignment that would be in conflict with their prior or current obligations to other clients, or that may place them in a position of being unable to carry out the assignment in the best interest of the Procuring Entity. Without limitation on the generality of the foregoing, firms shall not be shortlisted or hired under the circumstances set forth below:

- a) Conflict between firms' activities and procurement of goods, works, or non-consulting services for a project (i.e., services other than consulting services);
 - i) A firm that has been engaged by the Procuring Entity to provide goods, works, or services for a project, or
 - ii) a firm that is providing services resulting from or directly related to procurement of those goods, works, or non-consulting services, or
 - iii) Any affiliate firm that directly or indirectly controls, is controlled by, or is under common control with a firm that is categorized under items (i) and (ii) above.

This provision does not apply to the various firms (consultants, contractors, or suppliers) which together are performing the Contractor's obligations under a turnkey or design and build contract.

- b) Firms that are carrying out for/or are being considered by the Procuring Entity an assignment that by its nature may be in conflict with the subject assignment of the Procuring Entity. As an example, consultants assisting a Procuring Entity in preparing a feasibility study or an environmental impact assessment or Terms of Reference (TOR) for the assignment.
- c) Firms (including their experts and other personnel, and sub-contractors) that have a close business or family relationship with a Public Officers of the Procuring Entity or the officer (s) spouse, child, parent, brothers or sister. child, parent, brother or sister of a spouse, and who are directly or indirectly involved in any part of:
 - i) The preparation of the TOR for the assignment, or
 - ii) The selection process for the contract, or
 - iii) The supervision of such contract, unless the conflict stemming from this relationship has been resolved by the Procuring Entity in a manner acceptable throughout the selection process and the execution of the contract.
- d) Investors (firms and individuals) from ineligible countries. In this respect, a

country is considered ineligible if:

- i) As a matter of law or official regulations, Kenya prohibits commercial relations with the consultant's country, or
- ii) By an act of compliance with a decision of the United Nations

Security Council taken under Chapter VII of the Charter of the United Nations, Kenya prohibits any payments to any country, person, or entity.

- e) Government-owned enterprises or public institutions of Kenya if they are not or cannot establish that they:
 - i) Are legally and financially autonomous,
 - ii) Operate under commercial law, and
 - iii) Are not dependent agencies of the Public Sector

As an exception to (e) above, when the services of government-owned universities or research centers or other institutions in Kenya are of unique and exceptional nature including because of the absence of a suitable private sector alternative, and their participation is critical to project implementation, the Procuring Entity may agree on the hiring of those institutions on a case-by-case basis. On the same basis, university professors or scientists from research institutes can be contracted individually.

- f) Government officials and civil servants shall not be short listed or hired under firms' contracts either as individuals or as members of the team of experts proposed by a consulting firm.

8. As a general Rule

- 9 The Procuring Entity shall not deny participation in a short-listing or selection process or award to a consultant for reasons unrelated to:
 - i) Its capability and resources to successfully perform the contract; or
 - ii) The conflict of interest situations.
 - iii) The Procuring Entity shall not require investors/ firms to form associations with any specific firm or group of firms or include any particular individual in their proposals, but may encourage association with qualified national firms.

10. Advertising

The EOI shall be published in the dedicated government's advertising tender portal, in the PE's website and at least one daily newspaper of country wide circulation as provided in the Act. Applicants shall be given adequate number of days to per use the TOR and make any enquiries to enable them respond to the EOI. Usually 14 days is considered adequate, since no proposals are expected. The notice will advise on when the applications will be closed. The Procuring Entity must open the applications at the place and time indicated in the EOI. Late applications may not be necessarily rejected, since these are not proposals or tenders.

11. Preparation of Applications

The applications shall at least pay particular attention to providing all the information required in the EOI. The Procuring Entity has no control of how much the application will contain but shall determine what information is relevant/not relevant. Applicants have

a tendency of including too much information to impress the Procuring Entity; so, it will be responsibility of the PE to remove or separate fat from the meat, assuming what is wanted is meat.

12. Opening of applications

The Procuring Entity shall publicly open and read out all applications received by the deadline, at the date, time and place specified in the EOI Notice, in the presence of the applicants, designated representatives who chooses to attend.

TABLE 1 - OPENING OF APPLICATIONS

No.	Name of Consultant	Sole/ JV/ Association/ Consortium	Country
1.	E.g. Twiga Grates of Kenya	Joint Venture: Twiga Grates of Kenya, BETA Cops SRL of Italy; Z&A Consultants International Ltd of Cyprus.	Kenya/Italy / Cyprus
2			
3			
4			
5			
6			
7			
8			
9 ETC.			

13. The Evaluation Committee will follow the following steps.

- 13.1 This document, "SHORTLISTING GUIDELINES AND SCORING SHEETS" for the Assignment will be circulated in advance to each Member of Evaluation Committee for their prior information and comments, if any.
- 13.2 The Evaluators will start together by completing Table 2 - Examination for eligibility, to establish the list of eligible applicants and putting this list in Table 3- Firms that passed the Eligibility Criteria, thus eliminating the inherent risk of waste of time scanning through applications of non-qualified applicants. The Procuring Entity will get list of firms debarred by PPRA and circulate to Evaluators. Note that the tables below are guidelines and the Procuring Entity can devise own guidelines provided they are rational and will lead to selection of qualified applicants.