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1 CONTEXT AND RATIONALE

1.1 Who we are
SOS Children's Villages in Kenya is a locally rooted, independent non-governmental social development organization affiliated to SOS Children's Villages International, working in the spirit of the United Nations Convention on the Rights of the Child. SOS Children's Villages in Kenya is governed by an independent Board of Trustees, working closely with line Ministries in the Government of the Republic of Kenya and the SOS Children's Villages International East Africa Regional Office.

SOS Children's Villages' mission is to build families for children in need, help them shape their own futures and share in the development of their communities. The vision of the organization is that "every child belongs to a family and grows with love, respect and security".

1.2 Overall objective of the assignment
The organization intends to do general renovation works to improve the condition of the existing buildings at SOS Children's Village in Nairobi program location, including family houses and other facilities located in Buruburu, Phase 1 off Ole Leshwa road.

SOS Children's Villages in Kenya is seeking a qualified Engineering Consultant (Firm or Individual) to be the project engineer in charge of the overall design, implementation and supervision of the renovation work.

2 INSTRUCTION TO BIDDERS
Bidders are welcome to submit their proposal as described in this RFP. This bid is open to all Kenyan based, eligible qualified and registered Engineering firms/ Individuals. The bidder shall bear all bid costs. Costs of preparing and submitting a proposal cannot be included as a direct cost of the assignment. The proposal and all supplementary documents have to be submitted in English. Financial bid needs to be stated in Kenya Shillings.

2.1 Submission of Bids
Please submit your proposals by email to Nationaloffice.procurement@soskenya.org, quoting "CONSULTANT ENGINEER FOR BURUBURU RENOVATION WORKS" in the subject line. The attached files should have the technical proposals and financial proposal as separate pdf files on the same email.

2.2 Documents to submit
Please submit all documents described and requested in the evaluation procedure under section 3 below and the required qualifications in the terms of reference.

2.3 Deadline for submission
The proposal has to be received on or before 4th October 2021 at 1600 hrs. Proposals received after the deadline will not be considered.
2.4 **Modification and withdrawal of bids**
Proposals may be withdrawn on written request before the closing date of this invitation. Corrections or changes must be received prior to the closing date. Changes must be clearly stated in comparison with the original proposal. Failure to do so will be at the bidder's own risk and disadvantage.

2.5 **Signing of the contract**
SOS Children's Villages in Kenya will notify the successful bidder who will then sign a contract. After both parties sign the agreement, the successful bidder shall deliver the services as per the agreed delivery schedule.

2.6 **Rights of SOS Children's Villages**
We reserve the right to:

- Contact any or all references supplied by the bidder(s).
- Request additional supporting or supplementary data (from the bidder(s)).
- Arrange interviews with the bidder(s).
- Reject any or all proposals submitted.
- Accept any submissions in whole or in part.
- Negotiate with the service provider(s) who has/have attained the best rating/ranking, i.e. the one(s) providing the overall best value proposal(s);
- Contract any number of candidates as required to achieve the overall assignment objectives.

2.7 **Unethical Behavior & Other Grounds for Exclusion:**
SOS Children's Villages demands ethical conduct from our potential suppliers in the procurement process. The following practices are intolerable, and bidders proven to be involved with such activities will have their bids rejected and any existing contracts terminated.

- **Bribery and Kickbacks:** This includes any request from any SOS Children's Villages employee, consultant or agent for anything of value from any company or individual in exchange for the employee, consultant or agents taking or not taking any action related to the award of a contract or the contract once awarded. It also applies to any offer from any company or individual to provide anything of value to any SOS Children's Villages' employee, consultant or agent in exchange for that person taking or not taking any action related to the award of the contract or the contract.

- **Collusion:** This includes the active or tacit coordination of potential contractors' competitive behavior, with the likely result that prices rise, the output is restricted, and the colluding companies' profits are higher than they would otherwise be (e.g. price-fixing agreements).

- **Coercive practice:** This includes threats or harm of persons made to influence procurement processes.
• **Fraud:** This includes the use or presentation of false, incorrect or deliberately incomplete statements and documents. It can also mean the misapplication of funds for purposes other than those for which they were originally intended.

• **Conflicts of interests in the awarding or management of contracts:** If a company is owned by, whether directly or indirectly, in whole or in part, any SOS Children's Villages employee or any person who is related to an SOS Children's Villages employee, the company must ensure that it and the employee disclose the relationship as part of or before submitting the offer.

2.8 **Social Consideration**

As the world’s largest child focused organization, we base our conduct on ethical standards and take into account the social effects of our behavior. SOS Children's Villages in Kenya will at all-time act in a socially responsible manner when it comes to procuring goods or services. We contribute to the local development of the communities where we work by procuring locally as much as possible. We promote fair trade and proper legal conduct in the marketplace.

We require that our supply chain does not use exploitative child labour (as defined in the ILO conventions nos. 138, 182) and forced labour (ILO conventions nos. 29, 105) and complies with fundamental social rights and working conditions (ILO core labour standards).

We require that potential contractors comply with Social Accountability Standard SA8000. This standard is based on international workplace norms in the ILO conventions, the UN's Universal Declaration of Human Rights, and the Convention on the Child's Rights. In ensuring that our suppliers adhere to these standards, we contribute to equitable social development and the enforcement of basic human rights.

3  **EVALUATION OF PROPOSALS**

3.1 **Specific Eligibility/Mandatory Criteria**

Eligibility criteria must be met and the corresponding supporting documents must be submitted with offers. Offerors who do not submit these documents may be disqualified from any further technical or financial evaluation.

<table>
<thead>
<tr>
<th></th>
<th>Certificate of Registration/incorporation (for firms); Legal Identification Documents (For individuals)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Relevant professional/regulatory certifications for both firm and lead</td>
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</table>
Engineers to manage the project directly.

3. Valid Tax Compliance Certificate for both Firms and or Individual Bidders

3.2 Technical Evaluation (70 marks)

An SOS Children's Villages in Kenya procurement committee will conduct a technical evaluation of received proposals as per the criteria below.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Mark</th>
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<tbody>
<tr>
<td>• Company profile, Max 2 pages (Firms) and or Cover Letter (For individual consultants)</td>
<td>0-10</td>
</tr>
<tr>
<td>• Relevant experience and qualifications of lead Engineer as per required qualifications in the TOR. Submit CV, academic and professional certificates of the lead Engineer(s)</td>
<td>0-30</td>
</tr>
<tr>
<td>• Proof of previous experience conducting similar assignments within the last three years. Provide at least three client references with contact details i.e (name, role, email, phone) for whom your firm/individual has performed work similar to that requested in this TOR. Preferably reference letters from international NGOs.</td>
<td>0-30</td>
</tr>
</tbody>
</table>

3.3 Financial Evaluation (30 marks)

The consultants who pass the minimum technical evaluation criteria shall be subjected to the financial evaluation. **Consultancy Fees** should be given as a percentage of the actual renovation cost of works as per below schedule:

<table>
<thead>
<tr>
<th>Cost of works (Kes)</th>
<th>Percentage Consultancy Fee Proposed</th>
</tr>
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<tbody>
<tr>
<td>1-5 million</td>
<td></td>
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<tr>
<td>5-10 million</td>
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<td>10-15 million</td>
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<td>15-20 million</td>
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<td>Above 20 million</td>
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</table>
The financial proposals shall carry a total of 30 marks. They shall be evaluated based on the recommended Engineers Board Of Kenya Rates for professional consultancy services as a basis/reference point.

3.4 Additional Due Diligence

SOS Children's Villages in Kenya may choose to engage in additional due diligence processes with a particular offeror or offeror(s). The purpose of these processes is to ensure that SOS Children's Villages in Kenya engages with reputable, ethical, responsible suppliers with solid financials and the ability to fulfil the contract. Additional due diligence may take the form of the following processes (though it is not limited to):

- Reference Checks
- Supplier's facility visits
- Analysis of audited financial statements
- Determination of relations and affiliations between offerors
- Call for virtual/physical presentations
- Other appropriate documented method giving SOS Children's Villages in Kenya increased confidence in the supplier's ability

4 TERMS OF REFERENCE

CONSULTANT ENGINEER

SOS Children's Village in Nairobi renovation works

1. Background

SOS Children's Villages in Kenya is a locally rooted, independent non-governmental social development organization affiliated to SOS Children's Villages International, working in the spirit of the United Nations Convention on the Rights of the Child. SOS Children's Villages in Kenya is governed by an independent Board of Trustees, working closely with line Ministries in the Government of the Republic of Kenya and the SOS Children's Villages International East Africa Regional Office.

2. Objectives of the Assignment

The organization intends to do general renovation works to improve the condition of the existing buildings at its Nairobi program location, including family houses and other facilities in its SOS Children's Village in Nairobi located in Buruburu, Phase 1, OleLeshwa Road.
SOS Children's Villages in Kenya is seeking the services of a qualified Engineering Consultant (Firm or Individual) to be the project Engineer who shall be in charge of the design, implementation and supervision of planned renovation works.

3. **Scope of Work and Deliverables**

The scope of this assignment would comprise of:

- Preparation of Bill of Quantities for the renovation works.
- The practice of a range of work and technical specifications for the renovation works.
- Preparation of contractor technical evaluation criteria.
- Providing feedback for technical questions asked by potential tenderers during solicitation.
- Participating in conducting a technical evaluation of the tender bid offers.
- Contract preparation in liaison with the client.
- Supervising the selected contractor to ensure timely, efficient and quality completion of the project.
- Certify completion of the works, ensuring quality control and proper commissioning.
- Responsible for overall project management, including compliance with relevant government laws and regulations.

The actual renovation works shall entail but will not be limited to:

- General maintenance and renovations of the family houses, compound, and Early Childhood Development (ECD) Centre.
- Rehabilitation and renovation of the water treatment plant to ensure optimal functioning.
- Maintenance and renovation of the warehouse for conversion into a gym.
- Rehabilitation and construction of the football field and basketball court.
- Construction of a fence wall around the compound and separation of the Early Childhood Development (ECD) Centre scheduled for leasing, the gymnasium, and football field and basketball court.
- Rehabilitation and renovation of the installed solar systems and solar/photovoltaic panels for both water and electricity.

**NB:** To better understand the full scope of the renovations works, interested consultants are encouraged to liaise with the SOS Children's Villages in Kenya Procurement Department to visit the site in the above address. A refined scope of works for the actual renovation works shall also be discussed with successful consultant at inception.

4. **REQUIRED QUALIFICATIONS**

- Individuals or firms with 10 years’ experience in the building and construction sector.
- Individual Consultants or Directors/Lead consultants of Consultancy Firms should possess a BSc in Civil Engineering or in Architecture from a reputable University. They should also possess relevant Professional certifications.
- Proven skills in the use of Microsoft Office, CAD software, works supervision and works accountancy.
- Sound understanding of the required permits and licenses concerning building and construction.
- Proven experience in managing/supervising similar construction projects.