



REPUBLIC OF KENYA

## THE NATIONAL TREASURY

### INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT

#### CONSULTANCY TO SUPPORT THE IMPLEMENTATION OF A FISCAL COMMITMENT & CONTINGENT LIABILITY MANAGEMENT FRAMEWORK (FCCL) FOR PPPS IN KENYA

#### REQUEST FOR EXPRESSIONS OF INTEREST (INDIVIDUAL CONSULTANTS)

Ref: IFPPP/PIU/DMD/EOI/01/2012-13

**Credit No. 51570 KE**

**Project ID No. P121019.**

The Government of Kenya (GoK) has received financing from the World Bank towards the cost of the Infrastructure Finance and Public Private Partnerships Project (IFPPP) whose overall development objective is to increase private investment in the Kenyan infrastructure market by improving the enabling environment to generate a pipeline of bankable PPP projects. This objective will be achieved through the provision of technical expertise and building capacity to implement the Government's Public Private Partnerships (PPP) National program in Kenya. It is intended that part of the proceeds of this credit be applied to eligible payments under the contracts for provision of the above Consultancy services and is for a period of twelve (12) months.

#### 1. OBJECTIVE OF THE ASSIGNMENT

The objective of this assignment is to support The National Treasury's Debt Management Department (DMD) to manage government commitments arising from Public Private Partnership (PPP) projects transactions; the latter being in the form of PPP related contingent liabilities (CL) and other longer term fiscal commitments (FC) such as on-going subsidies or availability payments.

#### 2. SCOPE OF WORK

The scope of work of the assignment will cover, but is not limited to, the tasks described below that relate to the creation of a contingent liability management implementation plan:

- a) Review and evaluate government support agreements and contingent liability exposure from existing PPP Project and Programs.
- b) Prepare FCCL Case Studies of Selected PPP Projects in Kenya. Undertake a prototype preparation of Fiscal Risk Assessment Report (FRAR) using selected Kenya PPP projects as case studies.
- c) Assess the current framework for managing PPP related fiscal commitments and contingent liabilities with regards to (i) the capacity of the DMD being the responsible institution mandated to manage government PPP commitments; (ii) the adopted government approach towards incorporating PPP commitments into fiscal reporting, accounting and monitoring; (iii) the legal and policy framework across all relevant MDAs that supports the reporting, accounting and monitoring of contingent liabilities from PPPs.
- d) Based on international best practices, and importantly the government specific requirements, the consultant will provide technical and on-the-job training and support to key staff to develop an Implementation Plan for a new system for managing the FCCL aspects of PPP projects and budgets.
- e) In respect of the PPP project development process, the consultant will advise the GOK in regard to the following:
  - (i) document the approval process for fiscal commitments for PPP; (ii) documenting project preparation, appraisal

and structuring requirements for FCCL assessment; (iii) preparing formats and brief accompanying guidance for disclosing fiscal commitments to PPPs in debt reports, budget documents and fiscal plans (such as the MTEF).

3. The National Treasury (the Client) through its Project Implementation Unit (PIU) now invites **eligible individual consultants** to express their interest in providing the services. Interested **Consultants** should provide information demonstrating that they have the required qualifications and relevant experience to perform the services. Such information may include brochures, description of similar assignments, experience in similar conditions, availability of appropriate skills, etc. Consultants should provide their most recent profiles showing their experience, qualifications, capabilities, references and details of past experience especially in the area of their expertise etc. The shortlisting criteria are; (a) experience gained from working for at least 10 (ten) years in management of fiscal risk and contingent liabilities in a senior Government position; (b) experience as a consultant of at least 2 similar assignments accompanied by satisfactory performance certificates from clients; (c) possess at least a degree in Accounting, Finance, Economics, Engineering, or equivalent qualification; a postgraduate qualification in a relevant field will be an added advantage; (d) Actuarial knowledge for quantification of risk; (e) high interpersonal and information communication skills with strong capability to provide on job training and carry out capacity building sessions on the subject; and (f) fluency in English both spoken and written.
4. The expression of interest is also open to interested firms who may wish to propose individual consultants. In such cases, only the experience and qualifications of the individuals proposed shall be taken into account in the selection process and not the firm's corporate experience. Consequently, the ensuing contract agreement will be signed directly with the successful individual.
5. The attention of interested consultants is drawn to paragraph 1.9 of the World Bank's Guidelines: Selection and Employment of Consultants [under IBRD Loans and IDA Credits & Grants] by World Bank Borrowers published in January 2011 ("Consultant Guidelines"), setting forth the World Bank's policy on conflict of interest. A consultant will be selected in accordance with the procedures for selection of individual consultants set out in the Consultant Guidelines.
6. Interested **eligible individuals** may obtain further information at the address given below during office hours **between 0900 to 1630 hours**, Monday – Friday inclusive, exclusive of public holidays, before the deadline for the submission of Expressions of Interest.
7. Complete Expressions of Interest documents in plain sealed envelopes with consultancy **reference and name clearly marked on top** should be sent to the address below or forwarded using the email addresses as shown below or placed in the tender box at our offices on the 7<sup>th</sup> floor, Anniversary Towers, North Tower

**Postal Address:**

Project Implementation Unit  
Attention: Procurement Specialist  
P.O Box 00100 – 34542  
Nairobi, Kenya.

**Physical Address:**

Project Implementation Unit  
Attention: Procurement Specialist  
7<sup>th</sup> Floor, Anniversary Towers, North Tower.  
Building No.19 Monrovia Street/University Way  
Nairobi, Kenya.

Telephone No.: 254 - 20 - 2210271/2210341 | Fax No.: 254 - 20 - 2210327 | E-mail: info@flstap.go.ke

8. **Deadline for submission of Expressions of Interest is Friday 24<sup>th</sup> May 2013 at 1600 hours Kenyan local time.**

**PROCUREMENT SPECIALIST  
FOR: FINANCIAL SECRETARY**