



REPUBLIC OF KENYA

THE NATIONAL TREASURY

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT

CONSULTANCY FOR THE PROVISION OF TRANSACTION ADVISORY SERVICES FOR THE KISUMU PORT PPP PROJECT

REQUEST FOR EXPRESSIONS OF INTEREST (CONSULTING SERVICES – FIRMS SELECTION)

Ref: IFPPP/KPA/007/2012-13

Credit No. 51570 KE
Project ID No. P121019.

1. This request for Expression of Interest follows the General Procurement Notice (GPN) for the Kenya IFPPP project that appeared in United Nation Development Business No. WB3876-07/13 of July 2013.

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 Transaction advisory consultancy for the development of a Kisumu Port PPP project to be implemented for a period of twenty four (24) months.

2. **Objective**

The main objective of the consultancy is the provision of Transaction Advisory Role for a Public Private Partnership (PPP) tender to be awarded through competitive bidding under the PPP Act 2013, a concession agreement to a Project company for the Design Build Finance Operate and Maintain contract of the Kisumu Port PPP Project.

3. **Scope of Work**

The consultancy is to be carried out by specialized team of consultants who will play specific roles as provided under the scope of service. The Specialized Consultants service provision is expected to cover the following:

The *Legal Consultant* will undertake a due diligence of all legal and contractual issues associated with the Project and advise on risk allocation and selection of a suitable PPP arrangement, and draft all legal and contractual documents required for the proposed transaction.

The *Environmental and Social Consultant* will conduct a comprehensive review of the environmental characteristics of the project and the surrounding environment, specifying any information necessary to identify and evaluate Environmental Effects of the project and prepare Preliminary Social Impact Assessment (PEIA).

The *Technical Consultant* will provide all technical inputs required for preparing the PPP transaction. This includes; Data collection, surveys and diagnosis; Studies; Risk, value for money and economic analyses, Assistance to the Lead and Transaction advisor, PPPU and KRC/KPA for preparing the PPP transaction.

The *Lead and Transactional Advisor* will lead the team and will be supported by the above Specialized Consultants (technical and legal) to be retained by the Firm/Consortium. The Lead and Financial Advisor will be required to develop at least the following steps related to the project and report to both PPP Unit and KRC/KPA on the developments: Feasibility Study, Project Development and Information Memorandum, Prequalification Documentation, Short-listing, Invitation to Present Proposals ("IPP"), Tender Period, Tender Evaluation, Bidder Negotiations and Financial Closure.

4. The National Treasury (the Client) through its Project Implementation Unit (PIU) now invites **eligible consulting firms/consortia** ("Consultants") to indicate 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. The shortlisting criteria are: Seven (7) years' experience advising on PPPs especially in developing countries with at least three (3) financially closed projects in Transport-Port Infrastructure; relevant qualifications, experience and proven track record in port facilities planning, transport-port infrastructure projects in general, and in developing countries, Strong professional experience in legal contracts related to port facilities projects, contract and ancillary agreement drafting and negotiating in the port-transport sector and particular in PPP infrastructure projects. Experience in environmental projects and studies focusing on Environmental and Social Impact Assessments (ESIAs)
5. The attention of interested consulting firms/consortia 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.
6. Consultants /consortia may associate with other firms in the form of a joint venture or a sub- consultancy to enhance their qualifications.
7. The firm/ consortium will be selected in accordance with Quality and Cost Based Selection method set out in the Consultants Guidelines.
8. Further information can be obtained at the address below during office hours i.e. 0900 to 1700 hrs.
9. Complete **Expressions of Interest** documents in plain sealed envelopes with consultancy **reference and name clearly marked on top** should be delivered in person, sent by mail or by email to the address shown below or placed in the tender box at our offices on the 7th floor, Anniversary Towers, North Tower.

Postal Address:

Project Implementation Unit
Attention: Procurement Specialist
P.O Box 30007 –00100
Nairobi, Kenya.

Physical Address:

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

Telephone No.: 254 - 20 - 2210271/4

E-mail: info@flstap.go.ke

10. **Deadline for submission of Expressions of Interest is 26th September 2013 at 1600 hours Kenyan local time.**

**DIRECTOR, PUBLIC PRIVATE PARTNERSHIPS UNIT
FOR: PRINCIPAL SECRETARY**