



REPUBLIC OF KENYA

THE NATIONAL TREASURY

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT

CONSULTANCY TO PROVIDE TRANSACTION ADVISORY SERVICES FOR THE PROCUREMENT OF A TOLLING OPERATOR FOR KENYA'S FIRST MOVER TOLL ROADS PPP PROGRAMME

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

IFPPP/PPPU/36/2017-18

Credit No: 51570 KE
Project ID No: P121019

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.

1. Background

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. It is intended that part of the proceeds of this credit be applied to eligible payments under the contracts for provision of Transaction Advisory Services for the Procurement of a Tolling Operator for Kenya's First Mover Toll Roads PPP Programme, over a period of twelve (12) calendar months.

2. Objective

The objective of the Transaction Advisor (TA) assignment is to assist Public Private Partnerships Unit (PPP Unit) and Contracting Agencies (CA) with the competitive procurement of a Project Sponsor of a Tolling Operator for Kenya's First Mover Toll Roads PPP Programme through a PPP arrangement.

3. Scope of the Work

The assignment shall be conducted by a team of eligible consulting firms/consortium and will cover but not be limited to the following scope of work through to a successful financial close;

PHASE 1: Feasibility Study and Project Implementation Schedule

Tasks will include: Project Feasibility Assessment; Technical and Commercial Options Analysis, Project Due Diligence; Economic and Social Cost Benefit Analysis (ECSBA), Financial Viability Assessment, Legal Due Diligence, Site Due Diligence, Environmental and Disaster Risk Assessment, Procurement Options and PPP Structure Analysis; Options Development, Evaluation and Selection, Risk allocation framework and Heads of Terms for Project Contracts, Financial Modeling and Market Sounding, Summary Recommendations, Project Implementation Plan and Feasibility Study Report; Support to PPP Unit and CA on Securing PPP Committee Approval and All Other Government Approvals.

PHASE 2: PPP Procurement

Tasks will include: Detailed Procurement Plan, Pre-qualification, Bid Evaluation Criteria and Tender Process Design, Request for Proposals (RFP), Draft PPP Project Agreements, Necessary Approvals, Administration of the Bidding Process, Evaluation of bids, updating of value for money and fiscal commitment/ contingent liability evaluation, PPP agreement and Project Contracts negotiations, PPP agreement management plan, PPP agreement signature, financial closure, and close-out report and case study preparation.

4. The National Treasury (the Client), through its Project Implementation Unit (PIU), now invites **eligible consulting firms / consortia** to express their interest in providing this service. Interested consulting firms/consortia comprising of firms specialized in Financial, Technical, Legal, Environmental & Social Advisory areas, should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services and shall be expected to specifically identify a **Lead Transaction Advisor** from amongst them. The shortlisting criteria are: (a) Minimum of seven (7) years' experience advising on PPPs especially in developing countries with at least one (1) financially closed project.; (b) Financial, legal and technical advisory experience with road PPPs, including toll roads, through to financial close; (c) Experience in PPP structuring, procurement and transaction management; PPP financial modelling, VfM analysis, fiscal impact and contingent liability analysis; (d) Experience of Kenyan or of similar jurisdiction commercial and contract law including road sector and PPP-related laws; (e) Relevant Kenyan, international or regional experience in the drafting and negotiating of PPP agreements; (f) Technical expertise in tolling systems, technologies and payment arrangements including project configuration, planning, design, engineering, capital/ equipment cost estimation, estimation of O&M costs and defining service standards/specifications for all aspects of Tolling; (g) Social and environment expertise and experience in road projects in sub-Saharan Africa and in accordance with World Bank guidelines and Equator Principles.
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* and revised in *July 2014* ("Consultant Guidelines"), setting forth the World Bank's policy on conflict of interest.
6. Consultants 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 21190 –00100
Nairobi, Kenya.

Telephone No: +254-20-2210271/4

Physical Address:

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

E-mail: procurement.ifppp@piu.go.ke; info.ifppp@piu.go.ke;
info@pppunit.go.ke

Deadline for submission of Expressions of Interest is Wednesday 26th July 17 at 1600 hours Kenyan local time.

DIRECTOR, PUBLIC PRIVATE PARTNERSHIPS UNIT
FOR: PRINCIPAL SECRETARY