



TENDER NOTICE

The Kenya Red Cross Society (KRCS) was established in 1965 by an Act of Parliament (Chapter 256 Laws of Kenya) as a voluntary aid Society, auxiliary to the national and county governments. Its vision is to be the most effective, most trusted and self-sustaining humanitarian organization in the country. KRCS was appointed by the Kenya Country Coordinating Mechanism (KCM) as the Civil Society Principal Recipient (PR) to manage resources under the Country's Global Fund HIV Grant implemented through selected Sub Recipients (SRs).

KRCS is currently seeking for qualified and eligible bidders to undertake the following consultancy:

TENDER DESCRIPTION	TENDER NUMBER	CLOSING DATE
CONSULTANCY SERVICES FOR TRAINING PARALEGALS FOCUSING ON YOUNG WOMEN, PEOPLE LIVING WITH HIV AND KEY POPULATIONS	GFPREQ01858	20 th April 2022

Interested and qualified consultants and bidders are invited to inspect and download the bid documents free of charge from the Kenya Red Cross Society website <https://www.redcross.or.ke/Tenders>

Those who download the documents and intend to submit a bid must forward their particulars to tenders@redcross.or.ke for recording and for the purpose of receiving any clarification and addenda. All queries and clarifications to be sent to tenders@redcross.or.ke to be addressed at least five (5) days before the deadline for submission of proposals.

Complete Tender Documents (Separate Technical and Financial Proposals), enclosed in one outer sealed envelope **MUST** be clearly marked by tender number and description "**TENDER NO: GFPREQ01858**" for the "**Consultancy Services for Training Paralegals focusing on YWs, PLHIVs and KPs**" and should be addressed to;

**The Chair Tender Committee,
Kenya Red Cross Society
P.O Box 40712 - 00100 Nairobi, Kenya**

And must be deposited in the Tender Box located at the Reception on the Ground Floor of the Kenya Red Cross Society Headquarters in South C, Red Cross Road, off Popo Road, Nairobi on or before **11.00 am, Wednesday 20th April 2022**. Late submissions will not be accepted. Technical Proposals will be opened at **12.00 noon** on the same day in the presence of the bidders and/or their representatives who choose to attend the online meeting.

DSG Corporate Services & Supply Chain

For, Secretary General



REQUEST FOR PROPOSALS

TERMS OF REFERENCE (TOR) FOR TRAINING COMMUNITY PARALEGALS TARGETING YOUNG WOMEN, PEOPLE LIVING WITH HIV AND KEY POPULATIONS

- Document Release Date** : 6th April 2022
- Last Date for Receipt of proposals:** 20th April 2022
- Time** : 1100 Hrs
- Tender Number** : GFPREQ01858
- Submission Method Email** : tenders@redcross.or.ke
- Tender Opening Venue and Time** : Teams meeting link to be shared
to all registered consultants
Opening time - 1200 Hrs

1.1 Summary

- 1.1. **Purpose:** To procure consultancy services for training of community paralegals targeting young women (YW), People living with HIV (PLHIV) and Key populations (KPs)
- 1.2. **Donor:** Global funds HIV Grant
- 1.3. **Duration:** 21 days for 11 clusters in 6 regions
- 1.4. **Estimated Dates:** Starting May 23rd to June 15th 2022
- 1.5. **Target Population:** YW, PLHIV and KPs
- 1.6. **Deliverables:** Training of community paralegals focusing on YWs, PLHIV and KPs
- 1.7. **Management Team:** KRCS Program team.

1.2 Description of the project

Kenya Red Cross Society (KRCS) is the non-state Principal Recipient (PR) for the Global Fund HIV Grant, running from July 2021 to June 2024 (NFM3). The goal of the grant is to contribute to the attainment of universal health coverage through comprehensive HIV prevention, treatment and care for all people in Kenya while the objectives is to reduce new HIV infections by 75%. reduce AIDs related mortality by 50% and reduce HIV related stigma and discrimination to less than 25%.

Community paralegals are a very critical resource in enhancing the capacity of key populations, young people and people living with HIV (PLHIV) on matters of legal and human rights. The training will strengthen capacity at community paralegals in identification of human rights violations, linking the communities to legal support services and facilitating the redress. Training the community paralegals will also be increasing the legal and human rights awareness at community level among these populations that are disproportionately affected by human rights violations. The trained community paralegals will increase community awareness and support the empowerment of young women, key populations and people living with HIV to actively claim their rights and address barriers to HIV, TB and Malaria services. They will use the knowledge of law and the acquired skills like mediation, organizing, education, and advocacy to seek solutions in instances of injustice in their areas of coverage

1.3 Problem statement

HIV-related discrimination is often deeply interwoven with other forms of discrimination based on gender and gender identity, sexual orientation, race, disability, drug use and immigration status. Sex workers, prisoners or formerly incarcerated persons also face compounded discrimination. Access to justice for human rights violations remains a challenge, particularly for key affected populations, young women and people living with HIV. This is largely due to low levels of awareness on legal rights, inefficiencies within law enforcement institutions and underutilization of available avenues for dispute resolution.

It is important to note that while the overall stigma index for Kenya in 2014 was 45% the findings of the current PLHIV stigma survey index is at 23.28%. Notably, the current PLHIV stigma index survey used a standard tool generated by the global partnership on stigma index.

Access to justice is a fundamental right, as well as a prerequisite for the protection of all other human rights. The success of HIV prevention efforts is dependent on protecting and promoting the rights of those who are socially excluded, silenced, and vulnerable. This will enable groups that are disproportionately vulnerable to HIV infection, such as PLHIV, KPs and YW to recognize rights violations, assert and defend their rights through individual and collective action.

1.4 Current situation

According to the KDHS 2014 the percentage of women reporting accepting attitudes towards PLHIV reduced from 33% in 2010 to 26% in 2014. Similarly, the same indicator showed a decrease from 48% to 44% among men who reported accepting attitudes. Programmatic reports show that specific groups, such as key populations, continue to face stigma and discrimination even in health care settings. There is need to address policy and legal barriers that impact negatively on access to HIV services. Women and girls remain disproportionately affected by poverty, violence and injustice that make them vulnerable to HIV. Unequal gender norms deny women and girls.

Key Populations (KP) include sex workers, gay men and other men who have sex with men, transgender people, people who inject drugs, and people in prisons and other enclosed settings. Globally, these populations are particularly vulnerable and disproportionately affected by HIV due to certain risk behaviors, marginalization, and structural factors such as stigma, discrimination, violence, human right violations, and criminalization--all which contribute to a lack of access to health services. Violence against women is a serious problem in Kenya that affects women and girls from all walks of life. Gender-based violence, including rape and early marriage, prevent women and girls from being able to adequately protect themselves from HIV

There is global recognition that gender-based violence (GBV) significantly impacts public health and human rights. Violence against women takes many forms – physical, sexual, economic, and psychological. Unequal gender power dynamics in relationships, men’s control over women including decision-making, rigid gender roles and low negotiation skills among girls and women, and inequitable gender and social norms are all associated with violence. Community-level tolerance of violence against women and girls facilitates perpetration of GBV. These norms and practices are further reinforced by national or sub-national laws and policies, including how laws that are meant to protect girls and women are implemented. The World Health Organization (WHO) estimates that 30% of women worldwide have experienced physical and/or sexual intimate partner violence, and 7% have experienced non-partner sexual violence, in their lifetime. Among ever-partnered young women aged 15–24, prevalence of intimate partner violence is 29%.

Currently KRCS through the sub recipients is working with over 300 Paralegals trained under the Global funds NFM II grant. These are community based individuals who have basic legal knowledge and skills and are not lawyers. The paralegals provide a crucial link to justice services and legal redress in the community. They also provide dispute resolution and legal support that is accessible and informed by a deep understanding of the social issues and everyday challenges facing the YW, KP and PLHIVs. They inform the beneficiaries on their legal rights and help them solve legal problems through offering legal advice. They offer basic legal advice and provide an

avenue for alternative dispute resolutions and liaising with pro bono lawyers and other legal aids organizations. They also monitor and reports on human rights violations. The paralegals are also members of the court user's committee (CUCs) at the county level.

2.0 Consultancy

KRCS seeks the services of a consultant institution to train community paralegals focusing on young women, PLHIV and KP (including female sex workers, men who have sex with men, transgender population and people who inject drugs) and link them with the judicial systems in the target counties. The primary role of the trained community paralegals will be to work directly with the communities they serve. They will use their acquired knowledge, skills and experience to create legal awareness among their peers, champion for the protection and promotion of legal and human right, identify, link and support their peer who experience violations and facilitate appropriate referral of legal issues for pro bono services or other relevant services.

2.1 Purpose

The aim of the consultancy is train community paralegals who will work with Young women, People living with HIV and Key Populations to provide them with information and skills to defend and assert their rights. The paralegals will increase awareness on human rights related to HIV, TB & Malaria and improve enabling environment to address human rights violations. They will also help in closer monitoring, documenting and reporting on human rights violations and abuses at grass root levels in form of Legal counseling and referrals. The paralegals will also support the PLHIVYWs and KPs to address barriers to human rights through Informal legal mechanisms which will include personal counseling, alternative dispute resolution (negotiation and mediation), and arbitration. They will also refer cases that they have they have not managed to handle to pro bono lawyers for further legal support.

2.2 Specific Objectives of the training

- To increase the participants knowledge on legal awareness, provision of legal advice, being intermediaries and accompanying complainants or accused persons to police stations or courts.
- To describe the institutions that will link the community paralegals to the justice sector including the judiciary, police and probation department during the trainings through practical sessions.
- To link the community paralegals with senior paralegals, pro bono lawyers and violence referral pathways.
- To demonstrate to the community paralegals drafting simple courts or legal documents during the trainings.
- To explain to the community paralegals how to conduct sessions on human rights abuses and referring matters to relevant agencies.

2.3 Expected Outcomes

- Strengthen the capacity of Young women, KPs and PLHIV to handle cases at the community level.
- Enhance participants' knowledge on the human rights of KPs, YW and PLHIVs and the legal framework in Kenya for protecting such rights.
- Increase the participants' knowledge on the legal protections they are entitled to, and the actions that they can take to claim their rights including mechanisms for legal redress.
- Enhance the participants' skills on effective referrals and linkages to the justice system actors within the counties including the judiciary, police and probation department.

2.4 Scope of work

The training of community paralegals will be important in supporting improved access to justice and law enforcement for protecting the rights of PLHIV, YW, KPs in the context of HIV and TB. The community paralegals provide legal support that is both geographically accessible and informed by a deep understanding of the social issues and everyday challenges facing their clients.

The identified consultancy institution will instill knowledge and skills to provide guidance for assisting clients and help them navigate through legal issues.

The Firm/consultancy institution will be expected to undertake the following tasks:

- Participate in an inception meeting and prepare a report detailing the training plan.
- Develop a time-defined proposal (including a work plan) and the methodology the consulting institution aims to use during the community paralegal trainings.
- Develop a training program for 21 days with a focus on Young women, People living with HIV and Key populations
- Provide comprehensive training materials and handout for the participants relating to legal issues for printing by KRCS sub recipients.
- Provide facilitators who will facilitate during community paralegal trainings.
- Orientate the trainers who will conduct community paralegal trainings on their roles and responsibility as well as the expected outputs of the KRCS putting into consideration the focus on YW, PLHIVs and KPs
- Provide weekly updates on the progress of the community paralegal trainings to KRCS region teams.
- Provide overall support, oversight and leadership during community paralegal trainings.
- Provide support on how the trained community paralegals will be linked to the justice system actors within the counties.
- Provide a detailed technical support that the institution will provide to the community paralegals to ensure continuity of the legal services in the community.
- Provide Sample certificate to the community paralegals which will be printed by the KRCS sub recipients after the completion of the trainings.
- Provide badges for the community paralegals

- Provide detailed community paralegals training reports from each of the 11 clusters.

2.4 Deliverables

The key deliverables that the consultant should deliver to KRCS are as follows

- Inception meeting report detailing the methodology to be employed and comprehensive training materials and time-defined proposal (including a work plan) detailing the roadmap execution of the assignment
- Should provide a well detailed community paralegal training programs for 21 days focusing on KPs, PLHIV and YWs
- Training materials and handout for the participants relating to legal issues.
- Orientation report of the trainers who will conduct community paralegal trainings on their roles and responsibility as well as the expected outputs of the KRCS.
- Overall support and leadership during the community paralegal trainings.
- Weekly updates report on the progress of the community paralegal trainings to KRCS regional teams.
- Framework on linking the community paralegals to the justice system actors within the counties including the judiciary, police and probation department during the trainings through practical sessions.
- An elaborate linkage structure with the relevant players and stakeholders to ensure continuity of the legal services in the community in the different counties.
- Drafted simple court cases to enable the community paralegals take up cases from the community to the justice systems.
- Identified institutions will link the community paralegals to the justice sector including the judiciary, police and probation department during the trainings through practical sessions.
- Link the community paralegals with senior paralegals and pro bono layers to violence referral pathways.
- Sample Certificate for the community paralegals.
- Badges for community paralegals.
- Detailed training report of community paralegals training for each cluster and a combined report for all clusters
- Final Consultancy report.

2.5 KRCS Deliverables

- Organize for a virtual inception meeting between KRCS and the consultancy institution.
- Organize for the community paralegal training logistics through the sub recipients (SRs) which includes the participants' logistics, facilitators conference package during the training,
- Printing of paralegals certificates and printing of paralegals handouts and manuals.

- Develop and share the draft contract with the firm/consultant.
- Spearhead technical evaluation process of the proposals.
- Link the firm/consultant with the KRCS regional teams and the sub recipients who are will be organizing the trainings.

2.6 Expertise and qualification of the firm/ consultant Functional competencies

- Should be legally registered in Kenya.
- Legally recognized community paralegal trainer under the laws of Kenya
- Ability to provide recognized certification to the trained paralegals
- Knowledge on the national legal context on PLHIV, KPs and YW in matters of human rights issues.
- Significant experience in reviewing laws; and policies related to PLHIV, KPs and YWs
- Should have the technical capacity with at least 5 years of conducting community paralegals trainings and supporting legal activities at the community level.
- Should have legal background preferably degree in law, human rights or relevant social science studies.
- Should have human resource capacity to conduct the community paralegals trainings running concurrently in 11 clusters.
- Should have technical knowledge of HIV and law as well as interpretation of the same in regard to human rights.
- Should have established structures that will facilitate collaboration and networking with relevant stakeholders.
- Should have a robust community engagement and ownership with strong –focused support systems for community service level activities in regard to legal issues.
- Should have a mechanism to link the community paralegals with relevant government institutions including court user’s committee, community policing committee among others in order to support their work in delivering justice at the grassroots level.

2.6.2 Required Skills and Experience for the Key staff to be involved

- **Education:** Advanced University Degree in Law, Human Rights or relevant Social Science studies
- **Experience:** **Minimum** of 10 years of relevant experience is required.
- **Language:** Excellent written and spoken English and Kiswahili.

- Owing to the nature and the scope of the consultancy, the key staff should be a member of a professional body with a good standing. This will ensure professionalism and objectives of the consultancy.
- Adequate numbers of qualified trainers to facilitate during the community paralegal trainings.
- At least two recommendation letters that demonstrates their experience developing conducting a community paralegal training focusing on AGYWs, KPs and PLHIV

2.6 Duration

The training of the community paralegals will take 21 days running concurrently in 11 clusters in 6 KRCS regions namely; Lower eastern, upper eastern, North rift, North Eastern, Coast and West Kenya.

No	Name of the cluster	Counties	No of Pax	Focus	Tentative venue
1	Coast	Mombasa, Kwale, Taita Taveta, Kilifi, Lamu	30	KPs	Mombasa
2	Coast	Mombasa, Kwale, Taita Taveta, Kilifi, Lamu	30	PLHIVs and YW	Kwale
3	West Kenya	Kisii, Siaya , Homa Bay , Kericho, Busia, Nyamira, Vihiga	30	PLHIVs and YW	Kisii
4	West Kenya	Busia, Kisii, Nyamira, Kisumu, Vihiga	30	KPs	Kisumu
5	Lower Eastern	Kajiado, Nairobi, Muranga, Machakos, Narok , Kitui , Kiambu	30	KPs	Machakos
6	Lower Eastern	Kajiado, Nairobi, Muranga, Machakos, Narok , Kitui , Kiambu	30	PLHIVs and YW	Machakos
7	Upper Eastern	Nyeri, Kirinyaga, Tharaka Nithi, Meru, Laikipia, Isiolo, Meru, Nyandarua, Samburu	25	PLHIVs and YW	Meru
8	Upper Eastern	Nyeri, Kirinyaga, Tharaka Nithi, Meru, Laikipia, Isiolo, Meru, Nyandarua, Samburu	25	KPs	Nanyuki(Laikipia)
9	North Rift	Turkana, Elgeyo Marakwet, West Pokot, Elgeyo Marakwet , Transzoia , Uasin Gishu	30	PLHIVs and YW	Eldoret(Uasin Gishu)
10	North Rift	Turkana, Elgeyo Marakwet, West Pokot, Elgeyo Marakwet , Transzoia, Uasin Gishu	30	KPs	Eldoret(Uasin Gishu)
11	North Eastern	Garissa, Tana River, Mandera, Wajir	28	PLHIVs YW and KPs	Tana River

2.8 Application Requirements

Application materials shall include:

- A written response to this TOR in terms of a proposal detailing the technical understanding of the task, proposed methodologies of execution of the assignment, expected activities and deliverables, proposed work plans with schedule, and financial bids. **See Annex 1**
- Detailed **CVs of all professional (s)** who will work on the assignment. If there is more than one consultant on the proposed team, please attach a table describing the level of effort (in number of days) of each team member in each of the assignment activities. **See Annex 3.**
- Professional references: please **provide at least three references** from your previous clients and full contact details of the referees
- Testimonials and evidence of recognition as a community paralegal trainer
- Evidence of recognition as a community paralegal trainer within the republic of Kenya.

2.9. Submission of proposal

The Technical Proposal **MUST** be prepared in conformance to the outline provided in **Annex 1** while the financial proposal shall conform to the template provided in **Annex 2**. Team composition should conform **to Annex 3**

*Bidders should provide technical and financial proposal in **two separate folders** clearly marked "Technical Proposal" and "Financial Proposal" and emailed to tenders@redcross.or.ke clearly marked in the subject line ;Tender Number ; **GFPREQ01858 - Consultancy Service to train community Paralegals focusing on PLHIV, YW and KPs***

The Proposal should be addressed as below and emailed to tenders@redcross.or.ke by **20th April 2022** at **11:00 hrs**:

Chairperson

Tender Committee

Kenya Red Cross Society

P.O Box 40712 - 00100

Nairobi, Kenya

ANNEX 1: RESPONSE PROPOSAL FOMART

- 1) **Introduction:** description of the firm, the firm's qualifications and statutory compliance (1 page)
- 2) **Back ground:** Understanding of the project, context and requirements for services, (2 pages)
- 3) **Proposed methodology:** The proposed methodology **MUST** provide an indication of its effectiveness and added value in the proposed assignment. (5 pages)
- 4) **Firms experience** in undertaking assignments of similar nature and experience from the geographical area for other major clients (Table with: Name of organization, name of assignment, duration of assignment (Dates), reference person contacts-2 pages)
- 5) **Proposed team** composition (As per annex 3)-1 page
- 6) **Work plan** (Gantt chart of activity and week of implementation)-1 page
- 7) **Testimonials** (Evidence of legal work training community paralegals in Kenya) - Attachments

ANNEX 2: BUDGET TEMPLATE

The firm shall only quote for the items below as KRCS will manage all other related costs (professional fees and administration expenses) as all other cost will be catered for by KRCS.

Item	Unit	# of Units	Unit Cost	Total Cost (Ksh.)
Professional fees				
Administration expenses				
Grand Total				

ANNEX 3: PROPOSED TEAM COMPOSITION TEMPLATE

Name of Team Member	Highest Level of Qualification	General Years of Experience related to the task at hand	Number of days to be engaged	Roles under this assignment

ANNEX 4: TENDER EVALUATION CRITERIA

A four stage evaluation procedure will be used to evaluate all proposals from bidders. The total number of points which each bidder may obtain for its proposal is:

- Technical Proposal 70 marks
- Oral presentation 20 marks
- Financial Proposal 10 marks

1. Mandatory Requirements

The proposal shall be evaluated on the basis of its adherence to the following compulsory requirements, this applies to both local and international firms and individuals.

Document/ Requirements
Tax compliance certificate
Certificate of incorporation/registration (for firms)
PIN certificate
A copy of certification as a community paralegal trainer under the laws of Kenya
A copy of License to provide certification to trained paralegals
Proceed to next stage (Yes / No)

2. Evaluation of the Technical Proposal

The technical proposal shall be evaluated on the basis of its responsiveness to the TOR. Specifically, the following criteria shall apply:

Criteria	Maximum points	Bidders score	Remarks
(1) Introduction: Description of the Firm and the Firm's Qualifications.	10		
(2) Background : Understanding of the project, context and requirements for services	5		
(3) Proposed Methodology: The proposed methodology MUST provide an indication of its effectiveness and added value in the proposed assignment.	5		
(4) Firms Experience in undertaking assignments of similar nature and experience from related geographical area for other major clients <ul style="list-style-type: none"> Provide a summary and supporting information on overall years of experience, and related technical and geographic coverage experience 	10		
(5) Proposed Team Composition: <ul style="list-style-type: none"> Tabulate the team composition to include the general qualifications, suitability for the specific task to be assigned and overall years of relevant experience to the proposed assignment. The proposed team composition should balance effectively with the necessary skills and competencies required to undertake the proposed assignment. Lead Consultant Qualifications – should be as per the TOR Provide CVs for key Consulting team 	15		
(6) Work Plan: A Detailed logical, weekly work plan for the assignment MUST be provided.	15		
(7) Attachments: Licensing certificates, testimonials and recommendation letters	10		
Total Score out of 70	70	70	

The firm, or team of consultants that attains a score of 49 out of 70 and above in the technical evaluation will be invited to proceed to oral presentation.

3. Oral Presentation

Criteria	Maximum points	Bidder's Score	Remarks
Understanding of the assignment	5		
Clear understanding of methodology	5		
Presentation of previous similar assignment (Organization will be required to show/present 2 previous completed assignments at the oral stage)	10		
Total Score out of 20	20	20	

4. Evaluation of the Financial Proposal

The Financial Proposal shall be prepared in accordance to **Annex 2**. The maximum number of points for the Financial Proposal shall be weighted at **10 points**. (This maximum number of points will be allocated to the lowest Financial Proposal. All other Financial Proposals will receive points in inverse proportion according to the below formula)

Points for the Financial Proposal being evaluated =

$$\frac{(\text{Maximum number of points for the financial proposal}) \times (\text{Lowest price})}{\text{Price of proposal being evaluated}}$$

A total score obtained including Technical, Oral and Financial Proposals is calculated for each proposal. The bid obtaining the overall highest score is the winning bid.

GENERAL INSTRUCTIONS

Please read carefully the method of tender submission and comply accordingly.

1.1.1. KRCS reserves the right to accept or to reject any bid, and to annul the bidding process and reject all bids at any time prior to the award of the contract, without

thereby incurring any liability to any Bidder or any obligation to inform the Bidder of the grounds for its action.

1.1.2. Cost of bidding

The Bidder shall bear all costs associated with the preparation and submission of its bid, and the Organization will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.

1.1.3. Clarification of Bidding Document

All correspondence related to the contract shall be made in English. Any clarification sought by the bidder in respect of the consultancy shall be addressed at least **five (5) days** before the deadline for submission of bids, in writing to the Administration Coordinator.

The queries and replies thereto shall then be circulated to all other prospective bidders (without divulging the name of the bidder raising the queries) in the form of an addendum, which shall be acknowledged in writing by the prospective bidders.

Enquiries for clarifications should be sent by e-mail to tenders@redcross.or.ke

1.1.4. Amendment of Bidding Document

At any time prior to the deadline for submission of bids, KRCS, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Bidder, may modify the bidding documents by amendment.

All prospective Bidders that have received the bidding documents will be notified of the amendment in writing, and it will be binding on them. It is therefore important that bidders give the correct details in the format given on page 1 at the time of collecting/receiving the bid document.

To allow prospective Bidders reasonable time to take any amendments into account in preparing their bids, KRCS may at its sole discretion extend the deadline for the submission of bids based on the nature of the amendments.

1.1.5. Deadline for Submission of Bids

Bids should reach tenders@redcross.or.ke on or before **20th April 2022** at **11.00 a.m.** Bids received after the above-specified date and time shall not be considered.

*Bidders should provide a technical and financial proposal in two separate folders clearly Marked “**Technical Proposal**” and “**Financial Proposal**” both of which should then be sent to tenders@redcross.or.ke with the subject reading “**Consultancy to train community paralegals focussing on PLHIV, YWs and KPs**”.*

The Proposal should be addressed as indicated above to reach the under **signed by 20th April 2022 at 11.00 a.m. for opening meeting to take place at 12.00 noon.**

Any bid received by KRCS after this deadline will be rejected.

1.1.6. Cost Structure and non-escalation

The bidder shall, in their offer (Financial Proposal), detail the proposed costs as per the template provided above.

No price escalation under this contract shall be allowed. KRCS shall not compensate any bidder for costs incurred in the preparation and submission of this RFP, and in any subsequent pre-contract process.

1.1.7. Taxes and Incidental Costs

The prices and rates in the financial offer will be deemed to be inclusive of all taxes and any other incidental costs.

1.1.8. Responsiveness of Proposals

The responsiveness of the proposals to the requirements of this RFP will be determined. A responsive proposal is deemed to contain all documents or information specifically called for in this RFP document. A bid determined not responsive will be rejected by the Organization and may not subsequently be made responsive by the Bidder by correction of the non-conforming item(s).

1.1.9. Currency for Pricing of Tender

All bids in response to this RFP should be expressed in Kenya Shillings. Expressions in other currencies shall not be permitted.

1.1.10. Correction of Errors.

Bids determined to be substantially responsive will be checked by KRCS for any arithmetical errors. Errors will be corrected by KRCS as below:

- a. where there is a discrepancy between the amounts in figures and in words, the amount in words will govern, and
- b. where there is a discrepancy between the unit rate and the line total resulting from multiplying the unit rate by the quantity, the unit rate as quoted will govern.

The price amount stated in the Bid will be adjusted by KRCS in accordance with the above procedure for the correction of errors.

1.1.11. Evaluation and Comparison of Bids

Technical proposals will be evaluated prior to the evaluation of the financial bids. Financial bids of firms whose technical proposals are found to be non-qualifying in whatever respect may be returned unopened.

1.1.12. Confidentiality

The Bidder shall treat the existence and contents of this RFP, and all information made available in relation to this RFP, as confidential and shall only use the same for the purpose for which it was provided.

The Bidder shall not publish or disclose the same or any particulars thereof to any third party without the written permission of KRCS, unless it is to Bidder's Contractors for assistance in preparation of this Tender. In any case, the same confidentiality must be entered into between Bidder and his Contractors.

1.1.13. Corrupt or Fraudulent Practices

KRCS requires that tenderers observe the highest standard of ethics during the procurement process and execution of contracts. A tenderer shall sign a declaration that he has not and will not be involved in corrupt or fraudulent practices. KRCS will reject a proposal for award if it determines that the tenderer recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question

Further a tenderer who is found to have indulged in corrupt or fraudulent practices risks being debarred from participating. Please report any malpractices to **complaints@redcross.or.ke**



Code of Conduct for Suppliers

Supply Chain Management Unit

1. Introduction

1.1. KRCS is strongly committed in observing the highest ethical standards in all its procurement activities. As such, this Code of Conduct for Suppliers has been prepared to provide clear summary of KRCS's expectation from the suppliers in all procurement dealings, ensuring that internationally recognized procurement ethics are followed.

1.2. KRCS procurement ethics focuses on zero tolerance on corruption, avoiding any form conflict of interest and honest representation of supplier's capabilities.

Suppliers and Suppliers Representatives are expected to participate in KRCS's procurement processes in a manner that is transparent, fair, accountable and honest, including by complying with all applicable laws and regulations regarding fair competition as well as recognized standards of good procurement practice.

1.3. KRCS procurement processes will uphold the highest standards of protection of human rights and will not be subject to transactions with suppliers that are involved with money laundering, terrorism, drug trafficking, child and human trafficking or any forms of child abuse, forced labour and/or slavery and/or servitude, Child labour

2. Scope

2.1. All procurement processes within KRCS shall be subject to the KRCS tendering and procurement policies as well as the laws of Kenya.

2.2. This Code of Conduct applies to all bidders, suppliers, agents, intermediaries, consultants and contractors ("Suppliers"), including all affiliates, officers, employees, subcontractors, agents and intermediaries of Suppliers (each a "Supplier Representative") engaging in any procurement processes with KRCS including its regions and county branches.

2.3. Suppliers will ensure that this Code is communicated to all their Supplier Representatives and will take reasonable steps to ensure compliance by Supplier Representatives, including by taking immediate action in cases of non-compliance. Breaches of this Code may result in a decision by KRCS to sanction the Supplier and/or Supplier Representative involved, suspend or cancel supply agreements as well as blacklist a supplier from future transactions with KRCS.

3. Anti-corruption and deterring conflict of interest

3.1. All contracted suppliers and companies seeking to sell goods or services will conduct their business in accordance with the highest ethical standards. Suppliers or potential suppliers must strictly comply with all rules and regulations on bribery, corruption and avoid unacceptable business practices. Suppliers must not engage in any form of bribery including fraud, corruption, coercion, collusion, anti-competitive and obstructive practices. Hence suppliers are expected to observe the following:

- a) Shall not, directly or indirectly, offer to any KRCS Staff money, gifts, goods or a service as a consideration or in expectation of a favourable decision, information, opinion, recommendation, vote or any other form of favouritism which qualifies as a corruption;
- b) Shall not directly or indirectly, offer, give or agree or promise to give to any KRCS staff any gratuity, receive, fees, gratuities, rebates, gifts, commissions, or other payments for the benefit of/or at the direction or request of any Staff of KRCS;
- c) To immediately inform the KRCS Head of Office in the event that any Staff of KRCS solicits or obtained or has made an attempt to obtain gratification for himself/herself or for any other persons on complaints@redcross.or.ke or call the hotline number on **0800 720 577**.
- d) To immediately declare if any of the suppliers, their staff or their representatives had or have any actual, perceived or potential conflict of interest including having relatives employed by the KRCS. Failure to make such declaration shall be construed as a conflict of interest and might result in the exclusion of the supplier from present and future procurement activities and/or other legal action as deemed fit by the Organization.

4. Protection from human rights violations

4.1. KRCS supports the respects the protection of internationally proclaimed human rights and will therefore vet suppliers to ensure that they are not complicit in human rights abuses including but not limited to:

- a) Suppliers are free from connections to slavery, human trafficking, money laundering, terrorism and other related crimes;
- b) Suppliers are not connected to proliferation of weapons of mass destruction and is committed to collaborating with regulators to enhance the prevention of money laundering and terrorism financing;
- c) Suppliers are not connected with any forms of forced and compulsory/forced labour and/or slavery and/or servitude;

- d) Suppliers are not connected with any forms of child labour or any other forms of child abuse;
- e) Suppliers are not connected with any forms of drug trafficking, child and/or human trafficking;
- f) Suppliers should support the elimination of discrimination in respect of employment and occupation;
- g) Supplier should support a precautionary approach to environmental challenges including undertaking initiatives to promote greater environmental responsibility.

5. Conduct of suppliers

5.1. Vendors will not engage in unlawful discrimination based on race, colour, age, gender, sexual orientation, gender identity and expression, ethnicity or national origin, disability, pregnancy, religion, political affiliation, union membership, protected genetic information or marital status in hiring and employment practices such as wages, promotions, rewards, and access to training.

5.2. Suppliers and their representatives must not engage in any form of harassment, including sexual harassment, mental or physical coercion, or verbal abuse of KRCS staff, volunteers and members

5.3. In order to contribute to waste reduction and to increase the development and awareness of environmentally sound purchasing, wherever possible, Vendors will strive to use durable products, reusable products and products (including those used in provision of services) that contain the maximum level of post-consumer waste, post-industrial and/or recyclable content, without significantly affecting the intended use of the goods or services. It is recognized that a cost analysis may be required in order to ensure that such products are made available at competitive prices.

6. Representation from Suppliers

6.1. All suppliers will honestly declare and warrant that:

- a) It will comply with all rules, regulations and statutory requirements relating to the provision of the products/ services to KRCS;
- b) It will not act in concert with other suppliers or agents when participating in a bid;
- c) It will not solicit for information, collude, or coerce staff, volunteers and members of KRCS to gain unfair advantage or insider information during the procurement process;

- d) It is a duly authorized/certified provider of the supplied products/services and shall not, expressly or impliedly hold itself out to be an agent/representative of a third-party provider of the same products/services;
- e) It will only supply products that are certified to be of merchantable and satisfactory quality;
- f) The supplier possesses the necessary capabilities, equipment and suitable place of business to perform its obligations;
- g) It shall not contract out or subcontract or outsource any portion of the products/services unless prior written consent from KRCS has been obtained; and
- h) It shall maintain the highest standards of integrity and quality of work at all times.

7. Monitoring compliance to the Code of Conduct

7.1. To facilitate the monitoring of suppliers' compliance with this Code of Conduct, KRCS expects suppliers to:

- a) Develop and maintain all necessary documentation to support compliance with the described standards; such documentation must be accurate and complete;
- b) Provide KRCS's representatives with access to relevant records, upon KRCS's request;
- c) Allow KRCS's representatives to conduct interviews with the supplier's employees and with management separately;
- d) Allow KRCS's representatives to conduct planned site visits of supplier locations; and
- e) Respond promptly to reasonable inquiries from KRCS's representatives in relation to the implementation of the Code of Conduct.

8. Feedback and communication channel

8.1. KRCS has established a secure communication channel to enable the suppliers to raise their concerns confidentially and responsibly.

8.2. If the supplier has questions about the Code of Conduct or wishes to report a questionable behaviour or possible violation of the Code of Conduct, the Supplier is encouraged and should contact KRCS Whistle Blowing Unit at email address complaints@redcross.or.ke or call the hotline number on **0800 720 577**

9. Protection of whistle blowers

9.1. KRCS will not tolerate any retribution or retaliation by anyone against a concerned Supplier who has, in good faith, sought out advice or has reported questionable behaviour and/or a possible violation.

9.2. KRCS will take disciplinary action up to and including termination of contract for anyone who threatens or engages in retaliation, retribution or harassment of the concerned individual. Identities and contents of all information or complaints will be treated strictly confidential.

10. Sanctions

10.1. Breach of this Code of Conduct may result in actions being invoked against a supplier or their representative, in addition to any contractual or legal remedies. The actions applied will depend on the nature and seriousness of the breach and on the degree of commitment shown by the supplier in breach to its obligations under the Code of Conduct.

10.2. The range of actions available to be imposed on the supplier includes but is not restricted to the following:

- a) Formal warnings – that the continued non-compliance will lead to more severe actions;
- b) Disclosure of nature of breach to all KRCS subsidiaries and associate companies;
- c) Immediate termination of contract, without recourse;
- d) Blacklisting of a supplier from the KRCS procurement processes.

 <p>Kenya Red Cross</p>	<p>Code of Conduct for Suppliers</p> <p>Supply Chain Management Unit</p>
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Acknowledgment and Acceptance, to be submitted together with Bid Documents/Proposals

This is to certify that I have fully read the Supplier's Code of Conduct attached. Having fully read and understood the completed requirement of this Supplier's Code of Conduct, I hereby commit myself and my company to serve this Code of Conduct and to fully comply with all of its principles. I also certify that I am authorized by my company to sign and accept this document in its behalf.

Supplier: _____

Address: _____

Representative: _____

Signature: _____

Date: _____

For Official Use Only

Date signed Code of Conduct was received by KRCS: _____

Received by: _____