



MINISTRY OF MINING, BLUE ECONOMY AND MARITIME AFFAIRS

STATE DEPARTMENT FOR BLUE ECONOMY AND FISHERIES

Kenya Marine Fisheries Socioeconomic Development (KEMFSED) Project
P.O. Box 58187-00200
NAIROBI

TERMS OF REFERENCE FOR PROCUREMENT SPECIALIST AT NPCU

(PROJECT: KEMFSED NPCU)

Credit Number: IDA 65400

PROJECT NUMBER: P163980

**PROCUREMENT/CONTRACT REF NO.: KE-MOMBEMA-C3-2023-028-ICS-
INDV/MMBE&MA/SDBE&F/29/2023-2024**

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1.0. PROJECT BACKGROUND

The Government of Kenya, through the State Department of Blue Economy and Fisheries, (SDBE&F) and with support from the World Bank, is implementing the Kenya Marine Fisheries and Socio-Economic Development (KEMFSED) project, which aims at supporting the country in its efforts to leverage emerging opportunities in the Blue Economy. The development project's overall goal is to improve management of priority fisheries and mariculture and increase access to complementary livelihood activities in coastal communities. The KEMFSED project, is implemented in Kenya's coastal counties including Kwale, Mombasa, Kilifi, Tana River, and Lamu, and aims to strengthen the management of fisheries that are priority to coastal livelihoods, thereby securing stocks at sustainable levels of harvesting. At the same time, the project will strengthen coastal households' access to complementary livelihood activities toward diversifying sources of household income to reduce dependence on capture fisheries. By better managing and conserving marine and inland water resources, reducing illegal fishing activity, and enhancing the value of the fish products in the value chains, the sector is expected to enhance its contribution to the overall economy.

The project is comprised of the following three components:

- a) **Component 1:** Governance and Management of Priority Marine Fisheries will focus on improving the management of priority marine fisheries in Kenyan waters. In furtherance of the same PDO, fisheries governance interventions will be promoted through strengthened co-management of nearshore fisheries, and infrastructure development to support the management of fisheries at both the national and county levels.
- b) **Component 2:** Coastal Community Empowerment and Livelihoods will contribute to the PDO by strengthening livelihoods in coastal communities through a combination of technical and financial support for the implementation of livelihood, social welfare, and environmental subprojects; provision of scholarship grants and complementary capacity building and mentoring of beneficiaries;
- c) **Component 3:** Project Management this Component will finance support for project management at both national and county levels to ensure coordinated and timely execution of project activities.

The key implementation support to KEMFSED project is the focus on procurement of goods and services, procurement of consulting and non-consulting services during the project period. The same support is expected to be granted to Common Interest Groups (CIGs), who will receive grants from KEMFSED project. The implementation of the World Bank project is subject to strict procurement regulations that have been set out by the World Bank. These regulations have been put in place to ensure that the procurement process is transparent, competitive, and cost-effective. Additionally, the procurement process must be fair and impartial, with no discrimination against any particular supplier or vendor. The regulations also require that all procurement documents and contracts be clearly written and executed in accordance with the rules and procedures laid out by the World Bank and Government of Kenya, Public Procurement and Disposal Act of 2015.

2.0 OBJECTIVE OF THE ASSIGNMENT

The objective of the assignment for the Procurement Specialist is to provide procurement and contract management services in accordance with World Bank and GoK procurement guidelines to the KEMFSED's NPCU and CPIU. This is intended to strengthen the procurement and contract management capacity of NPCU and accelerate the implementation of the project activities and ensure procurement and execution of project activities within scope, time, and quality to achieve value for money.

3.0 SCOPE OF CONSULTING SERVICES AND SPECIFIC TASKS

The scope of the Procurement Specialist responsibilities in the KEMFSED project will include reviewing and handling the technical, commercial, and legal aspects of procurement in consultation with National Project Coordinator, and Procurement Specialist at all stages of the project cycle, including analysis of systemic and other procurement issues, procurement planning, design, implementation and management, and capacity training of other staff.

The specific tasks will include but not limited to:

- a) Provide operational advice to the agencies on concepts, policies and procedures for procurement of goods and services and selection of consultants.
- b) Assist in the preparation and consolidation of Procurement Plans and monitoring the implementation of approved procurement plans.
- c) Assist in preparation of appropriate procurement documents for Goods, Works, Non-consulting services and Consulting Services in conformance with the applicable GoK and World Bank Procurement Regulations.
- d) Support in ensuring timely delivery of goods and services to the Project by creating an efficient monitoring, administrative, and reporting procurement environment. Provide support in preparing, publishing, and distributing bidding opportunities including invitations for bids (IFB), request for quotations, requests for expressions of interest (ROE) for all procurement activities.
- e) Support the receipt and opening of quotations, bids and proposals.
- f) Support the evaluation of quotations, bids and proposals as appropriate.
- g) Prepare and publish contract awards.
- h) Assist in drafting of contract documents in line with award decisions and preparation and issuance of debriefing letters and responses to procurement-related complaints.
- i) Support in maintaining and archiving relevant procurement and contract records.
- j) Monitor contract management by the user departments to ensure proper implementation of contracts in accordance with the stipulated provisions of the signed contracts.
- k) Assist in the preparation and submission of procurement status reports and procurement performance reviews and reporting.

- l) Support in ensuring timely delivery of goods and services to the Project by creating an efficient monitoring, administrative, and reporting procurement environment that contributes to the achievement of the Project's objectives.
- m) Any other assignments given by the NPC

4.0 DURATION OF THE ASSIGNMENT

The assignment will be an overall period of twenty-four (24) months, with a probation period of six (6) months. This period is subject to continuity for a further and final twelve months (12) based on satisfactory performance, extension of the project, budget availability and operational needs.

The positions shall be based in Nairobi, Kenya, at the Project Head office at Kenya Marine Fisheries and Socio-Economic Development (KEMFSED) project, Maktaba Kuu along Ngong Road, with travels to the participating counties

5.0 REPORTING REQUIREMENTS AND TIMELINES FOR DELIVERABLES

The Procurement Specialist will be expected to deliver the following outputs:

Table 1: Reporting requirements

S/No.	Deliverables/Reports	Timelines after contract commencement	Format of submission
1.	Monthly report and monthly time sheet indicating activities undertaken within the month, and the outputs of the assigned activities as support of service performance for invoiced payment claim, by the Consultants.	Within 7 days after the end of the reporting month	Soft copy

6.0 PAYMENT SCHEDULE/REMUNERATION

The Procurement Specialist shall be remunerated based on a monthly rate, which will be negotiated with the successful candidate during Negotiations. Remuneration will be based on national competitive rates, commensurate with the selected candidate's area of expertise and work experience, provided he or she has satisfactorily fulfilled all requirements stipulated here in above.

Payment shall be monthly upon submission and approval of the monthly reports. Costs incurred by the Procurement Specialist outside the NPCU will be reimbursed upon submission of a statement of expense and verifiable supporting documentation to the NPC.

7.0 MINIMUM REQUIREMENTS PROCUREMENT SPECIALIST QUALIFICATIONS AND EXPERIENCE

The Procurement Specialist shall possess the following minimum qualification and experience (Shortlisting Criteria):

- a) A minimum of a Bachelors' Degree in Procurement, Management, Business Administration, Accounting, Law, Engineering or closely related field from a university recognized in Kenya,
- b) At least 10 Years of general experience in related field;
- c) A minimum of 5 years of specific work experience in consultancy of similar assignment like; procurement of works, goods, non-consulting services and consulting services for GoK, Donor funded projects like The World Bank, European Union, UNDP, etc;
- d) Be a registered with valid membership and valid annual practicing license from KISM or equivalent procurement professional body recognized in Kenya.

8,0 MANAGEMENT AND ACCOUNTABILITY OF THE ASSIGNMENT

The State Department for the Blue Economy and Fisheries is the Client for these services. The Procurement Specialist will report to the National Project Coordinator KEMFSED

9,0 OBLIGATIONS OF THE CLIENT

The Client will provide:

- a) Suitable furnished office space
- b) Telecommunication
- c) Suitable Office Equipment
- d) Transport to field assignments, as and when required

Where travelling individually on project duties, subsistence allowance shall be paid in the equivalence of the Public Service Job Group "N" rates. All individual travel shall be approved prior to the task by the National Project Coordinator.

10,0 OBLIGATIONS OF THE PROCUREMENT SPECIALIST

The Procurement Specialist shall perform and carry out the Services with all due diligence, efficiency and economy, in accordance with generally accepted professional standards and practices, and shall observe sound management practices.

The Procurement Specialist shall always act, in respect of any matter relating to this Contract or to the Services, as a faithful adviser to the National Project Coordinator, and shall at all times support and safeguard the Project's legitimate interests in any dealings with the third parties.

The Procurement Specialist has an obligation to disclose any situation of actual or potential conflict that impacts on capacity to serve the best interest of the Client, or that may reasonably be perceived as having this effect. Failure to disclose said situations

may lead to the disqualification of the Procurement Specialist or the termination of his/her Contract.

The Procurement Specialist will be required to complete an annual personal appraisal evaluation, which shall be conducted at the end of each contract anniversary year. The appraisal will seek to establish the performance of the Procurement Specialist in the execution of the contract over the period.

11.0 CONFIDENTIALITY, PROPRIETY RIGHTS OF CLIENT IN REPORTS AND RECORDS.

- i. All the reports, data, and information developed, collected, or obtained from the implementing agencies etc, Client, and other Institutions during this exercise shall belong to the Client. No use shall be made of them without prior written authorization from the Client.
- ii. At the end of the Services, the Procurement Specialist shall relinquish all data, manuals, reports and information (including the database, codes, and related documentation) to the Client and shall make no use of them in any other assignment without prior written authority from the Client.