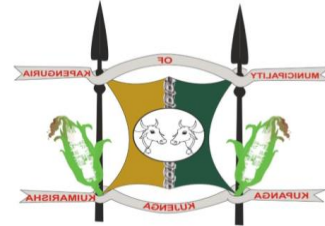


WEST POKOT COUNTY KAPENGURIA MUNICIPALITY



TERMS OF REFERENCE FOR DEVELOPMENT OF KAPENGURIA MUNICIPALITY BY-LAWS

DUTY STATION	KAPENGURIA MUNICIPALITY –WEST POKOT COUNTY
TYPE OF CONTRACT	CONSULTANCY WORK
LANGUAGES REQUIRED	ENGLISH
REPORTS TO	MUNICIPAL MANAGER

@2019

1. INTRODUCTION

Kapenguria Municipality is located in West Pokot County and encompasses the whole of Siyoi ward and parts of Mnagei and kapenguria wards with its municipal headquarters based in department of land and urban development building .The municipality came into existence in 2017 through an act of west Pokot county assembly. Ever since it has been operating waiting without approved and substantive by –laws that guides the operations and behaviors of municipality residence and other stakeholders. By-laws are very essential rules in any municipality in the world. Municipality by-laws are formed to regulate the affairs and services of municipality and to bring order in the municipality .This consultancy work therefore seeks to develop comprehensive by-laws that are acceptable to all municipal residence and other stakeholders

2. SCOPE OF CONSULTANCY

The work of the consultant is to develop municipality by laws in consultation with relevant stakeholders .While developing by laws the consultant will engage all relevant stakeholders in collecting views and opinion that will go into development of by-laws

2.1 OBJECTIVES OF THE CONSULTANCY

The main objective of consultancy firm is to develop by –laws for Kapenguria municipality with a specific objectives of

- Providing democratic and accountable government for local communities;
- Ensure the provision of services to communities in a sustainable manner;
- Promoting municipal social - economic development
- Promoting safe and healthy environment for municipality residence
- Promoting the involvement of communities and community organizations in the matters of local government.

3.0 METHODOLOGY

The following methodology will be adopted:

- Drafting and legal examination: This step involves deciding what danger or bad or wrong condition is to be cured and in what manner. The draft must be examined to ensure that a proposed is valid and consonant with the constitution.
- Meeting with municipal manager and governors legal team and department technical staff to agree on proposed objectives and data collection instruments
- Undertake Secondary information analysis through desk top review of existing literature.
- The consultant collects primary data from municipality residences through strategic meetings
- The consultant develops first draft report and share with county executive for more technical input
- The consultant presents second draft report to the whole county assembly for discussions and validation.
- The final by-laws must be put in public notices and circulated widely in the municipal area, and must indicate the general purpose of the by-law, advising the public where and when the proposed law may be inspected, and advising the time by when and to whom written objections must be submitted.
- Enforcement of by-laws follows immediately after promulgation and wide circulation within municipality

3.1 TIMETABLE FOR THIS EOI

The proposed timetable for completing the EOI is as follows:

Milestone	Target Dates (EAT)
Release of EOI	29 th August 2019
Clarification answered	Within three working days of receipt of sought clarifications. If this is not achievable, the Consultancy Firm will be advised accordingly.
Last Clarification	2 nd September 2019
EOI Closure	12 th September 2019 (EAT)

It is expected that the whole task should be finished within 30 calendar working days from the starting date.

3.2 EOI EVALUATION

The EOI shall be evaluated using the criteria below

Evaluation Criteria	Score
Relevant qualification for Consultancy Firm	
<ul style="list-style-type: none">• Demonstrate firms competence in handling and facilitating Integrated by-laws development	25
<ul style="list-style-type: none">• Demonstrate experience in by-laws drafting in reference to Company profile	20
<ul style="list-style-type: none">• Demonstrate commitment in multisector engagement	15
<ul style="list-style-type: none">• Demonstrable experience in working in Kapenguria Municipality and West Pokot County	20
<ul style="list-style-type: none">• Consultancy Firm Requirements (Refer 4.0)	20
TOTAL SCORE	100

3.3 REPORTING AND COMMUNICATION

The final draft of by-laws report will be presented to Kapenguria Municipal Manager Office. The Consultant(s) will be expected to present report in hard copy and an electronic copy in readable format. The consultant will have direct communication will with Municipal Manager during the execution of the assignment.

3.4 TASK AND DELIVERABLES

- The scope of the work shall be guided by the objectives as outline above.
- The municipal manager will mobilize forums for consultant engagement
- Share questionnaires, discussion guides and other data collection tools before finalizing the same for field collection.
- Publication of public forums and community engagement meeting through Local radio station in both vernacular languages , Kiswahili and English
- Provision of a work plan including approaches that will be taken while carrying out the end term evaluation process
- Presentation of the draft report (main findings and recommendations) inform Power point to County Executives and other invited stakeholders.
- Production of a final report detailing in hard copies and electronic copy in readable CD format, the findings of the municipal Integrated Development Plan, process and methodology, key findings, areas of improvement and key recommendations.

4.0 REQUIREMENTS

Interested **Consultancy Firms** or **Companies** should submit the following in two separate documents:

- The technical proposal should include an interpretation of the objectives of the consultancy, detailed methodology and an elaborate work plan. Organization/individual capacity statement.
- The financial proposal should include a detailed budget proposal; proposed terms and schedule of payment; a detailed contact address

- Provide a copy of Registration Certificate, Tax Compliance Certificate (TCC) and ITAX PIN.

4.1 NATURE OF PENALTY CLAUSE IN CONTRACT

If the reports and documents are not submitted according to the deliverables and timeframe stated in this TOR, the payments will be withheld. **Kapenguria Municipality** reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work/outputs are incomplete, not delivered or failure to meet deadlines. All materials developed will remain the copyright of **Kapenguria Municipality** and will be free to adapt and modify them in the future.

4.2 SUBMISSION

Interested applicants should send their **Expression of Interest (EOI)** documents in both hardcopy and electronic (PDF readable only), clearly marked “**Expression of Interest – Municipality By-Laws**” on or before **12th September 2019** to: **The KAPENGURIA MUNICIPAL MANAGER, ARDHI HOUSE P.O. Box 222– 30600, and KAPENGURIA-WEST POKOT.**