TERMS OF REFERENCE

<table>
<thead>
<tr>
<th>Assignment Title</th>
<th>National Consultant to Develop Standard Operating Procedures for Amkeni Wakenya Grant-Management Processes.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project</td>
<td>Amkeni Wakenya</td>
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<tr>
<td>Reference</td>
<td>KEN/IC/062/2021</td>
</tr>
<tr>
<td>Type of Contract</td>
<td>Individual Contract (IC)</td>
</tr>
<tr>
<td>Duration</td>
<td>20 working days within a period of one month</td>
</tr>
<tr>
<td>Submission Deadline</td>
<td>Thursday, 16 December 2021 by 5.00P.M Kenyan Time (GMT+3.00)</td>
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<tr>
<td>Duty Station</td>
<td>Nairobi, Kenya</td>
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</tbody>
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Amkeni Wakenya wishes to recruit services of a National Consultant to develop Standard Operating Procedures for Amkeni Wakenya Grant-Management Processes

BACKGROUND/RATIONALE

Amkeni Wakenya is UNDP-Kenya flagship facility for supporting civil society organizations (CSOs) working in Kenya democratic governance sector. The facility was established in 2008 and rendered financial and technical support to over 370 civil society organizations until the expiry of the first phase in 2014. The facility commenced its second phase in 2015 following the signing of a new project document with the Government of Kenya. Amkeni Wakenya is currently implementing an access to justice project with funding from the European Union (EU) and anticipates to commence a civic space promotion programme with funding from the Embassy of the Kingdom of the Netherlands (EKN). The two projects cover a combined 17 counties and its expected to run until 2022 and 2024 respectively.

Amkeni works to achieve the following objectives:

- To improve respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans
- To entrench rights-responsive devolved system of governance
- To improve organizational performance, sustainability and enabling environment for CSOs in Kenya
- To enhance capacity of civil society to respond to contemporary governance issues.

Amkeni renders technical assistance to CSOs through grant-making. In this regard, through UNDP, Amkeni mobilized grant resources from UN member states, the UN system and other sources for onward granting to beneficiary organizations. The grant making processes are governed by UNDP’s Programme and Operations Planning Procedures (POPPs). Under these procedures, UNDP conducts selection, assessment, contracting, monitoring, evaluation, reporting and quality assurance of Amkeni grantees as part of the grant management cycle.
According to relevant POPPs guidance, grants recipients or beneficiaries are categorized as follows:

- **Single beneficiary** - when a project supports the capacity of a single institution. To address a specified development challenge
- **Collective beneficiary**: grant recipient is a collective that represents a specific group/individuals who directly benefit from the grant. The grant recipient signing the grant agreement could be a women’s cooperative etc.
- **Much broader constituency** – a grant recipient represents a broader constituency who only indirectly benefit from the grant e.g. a trade union representing workers.
- **Individual beneficiary** - under exceptional circumstances an individual can be a grantee when legislation prevents excluded and marginalized groups (e.g. ethnic and sexual minorities, sex workers, people affected by certain illnesses, etc.) from organizing and attaining legal status. Value of each individual grant capped at threshold USD 10,000.

Currently, UNDP is currently employing Low Value Grant Agreements (LVGAs) and Responsible Party Agreements (RPAs) as the grant contracting instruments for grantees receiving less than $300,000 and more than this threshold respectively.

Each of these contracting modalities have distinct grant cycle management procedures, with intermittent overlaps. However, the guidance provided by POPPs require greater elaboration in terms of roles and responsibilities and process flows within the grants cycle.

To avoid the risk of inconsistent interpretation of ambiguity and improper exercise of discretion, there is need to formulate SoPs that provide more elaboration of POPP guidelines with greater degrees of clarity and certainty. UNDP therefore seeks a national consultant to examine the current procedures governing Amkeni Wakenya’s grant management procedures for gaps and ambiguities, with a view to developing SoPs that provide greater elaboration, clarity and certainty.

**OBJECTIVES OF THE SERVICE/WORK**

The National Consultant perform an extensive review of prevailing grant-management procedures of UNDP and develop standard operating procedures that are appropriate to the Amkeni Wakenya grant management processes consistent with UNDP POPPs and sector best practices.

**SCOPE OF THE SERVICE/WORK**

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1 Grantees cannot receive more than $150,000 per grant, nor more than $300,000 in grants within a cumulative period covered by a Country Programme Document-CPD- (usually 3 years). However, the same entity could receive separate grants under different projects with a cumulative ceiling of $300,000 in the CPD period

2 UNDP rules also allow for on-granting (awarding a grant to an entity which creates further sub-grants to other organizations), in which case, the $300,000 ceiling does not apply and the institution has to be subjected to HACT requirements
The National Consultant will undertake a thorough review of UNDP POPPs and existing practices as they relate to Amkeni Wakenya grant management processes. On the basis of this review, the Consultant will develop Sop’s, elaborating on the POPPs guidance while also incorporating best practices, for effective, efficient and grant cycle management at Amkeni.

The Consultant shall work in close consultation with the Project Manager, Capacity Building Officer, Programme Finance Associate, and the Grants Associate of Amkeni Wakenya.

The specific tasks to be undertaken as part of the consultancy are:

1. Review current grant management procedures as outlined in UNDP policy frameworks, particularly POPPs and grant contract instruments with a view to identifying areas for elaboration and clarification.
2. Examine current Amkeni Wakenya grant management practices and identify inconsistencies and areas in need for clarification and elaboration within the framework of POPPs and identified best practices.
3. Develop standard operating procedures (SoPs) which provide elaboration, clarity and certainty to the application of POPPs in Amkeni’s grant management processes.

EXPECTED OUTPUTS /DELIVERABLES

The Consultant will be expected to produce the following outputs during the period of the Consultancy:

a. Inception report detailing the methodology and detailed workplan
b. A gap analysis report on gaps, ambiguities in POPPs and inconsistencies in prevailing best grant management practices

METHODOLOGY/APPROACH OF THE ASSIGNMENT

The Consultant will be expected to carry out this assignment by:

- Assessment and review of the existing relevant POPPs guidance on grant management processes
- Assessment and review of prevailing practices in Amkeni Wakenya grant management processes
- Through a participatory process, develop detailed SoPs on Amkeni Wakenya grant management processes.

LOCATION, DURATION AND TIMEFRAME OF THE WORK/DELIVERABLES/OUTPUT

This Consultancy assignment is expected to be completed within a period of 20 (Twenty) working days but within a period of one calendar month. The assignment will involve desk review, face to face interviews and will be conducted in Nairobi Kenya as well as virtually.

<table>
<thead>
<tr>
<th>No.</th>
<th>Deliverables</th>
<th>Implementor</th>
<th>Duration</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Inception report</td>
<td>Consultant</td>
<td>2 working days</td>
</tr>
</tbody>
</table>
2. Gaps Analysis Report
   Consultant 5 working days

3. Detailed SoP Document
   Consultant 15 working days

INSTITUTIONAL ARRANGEMENT/REPORTING RELATIONSHIP

The Consultant will work under the overall direction and guidance of the Project Manager, Amkeni Wakenya and will work in close consultation with the Capacity Building Officer, Programme Finance Associate and Grants Associate.

The Consultant shall receive his/her Milestone based payments upon certification of the agreed tasks, as per the following payment schedule:

<table>
<thead>
<tr>
<th>Full Payment</th>
<th>Deliverables</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Amount to be paid to the Consultant as per the signed agreement once all the deliverables have been approved.</td>
<td>• Inception report</td>
<td>20%</td>
</tr>
<tr>
<td></td>
<td>• Gap analysis report</td>
<td>30%</td>
</tr>
<tr>
<td></td>
<td>• Submission and acceptance of Final SOP document</td>
<td>50%</td>
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COMPETENCE AND EXPERTISE REQUIREMENTS

Minimum eligibility criteria of the Consultant:

1. Experience in the delivery of similar type of assignment (at least developed one financial management guideline) for CSOs

Academic Qualification/Skills/Experience

The Consultant will have the following expertise:

- Be a CPA-K holder or possess equivalent qualification
- Be registered and with certificate of good standing from ICPAK.
- Minimum - Masters University Degree in Financial Management, Business Administration, Operational Management or equivalent
- S/he should have 5 years’ experience of institutional capacity development interventions targeting civil society organizations in Kenya, with due regard to policy, strategy, and skills development in financial management
- Good knowledge of civil society organizations in the democratic governance sector in Kenya
- S/he shall have solid practical experience in carrying our capacity assessments and evaluation of training activities
- Excellent facilitation and training skills
- Excellent report writing skills
- Experience in undertaking similar assignments in Kenya
EVALUATION CRITERIA

Only candidates obtaining a minimum (70%) on technical evaluation will be considered for the Financial Evaluation.

Evaluation criteria:

<table>
<thead>
<tr>
<th>Criteria:</th>
<th>Criteria Weight:</th>
<th>Max Point:</th>
</tr>
</thead>
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<td>S/he should have 5 years’ experience of institutional capacity development interventions targeting civil society organizations in Kenya, with due regard to policy, strategy and skills development in financial management</td>
<td>30%</td>
<td>30%</td>
</tr>
<tr>
<td>Good knowledge of civil society organizations in the democratic governance sector in Kenya</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>S/he shall have solid practical experience in carrying our capacity assessments and evaluation of training activities</td>
<td>10%</td>
<td>10%</td>
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Total Maximum obtainable points 100% 100%

SUBMISSION OF THE FINANCIAL PROPOSAL

Applicants are instructed to submit their all-inclusive fee proposal in Kenya Shillings using the financial proposal template provided (Offeror’s letter to UNDP).

The financial proposal should be all-inclusive and include a breakdown. The term ‘all-inclusive” implies that all costs (professional fees, travel related expenses, communications, utilities, consumables, insurance, etc.) that could possibly be incurred by the Contractor are already factored into the financial proposal.

FINANCIAL EVALUATION (MAXIMUM 30 POINTS)

The following formula will be used to evaluate financial proposal:

\[ p = y \left( \frac{\mu}{z} \right) \]

where

\( p \) = points for the financial proposal being evaluated
\( y \) = maximum number of points for the financial proposal
\( \mu \) = price of the lowest priced proposal
\( z \) = price of the proposal being evaluated
APPLICATION PROCESS

Interested and qualified candidates should submit their applications which should include the following:
1. Detailed Curriculum Vitae
2. Proposal for implementing the assignment - template provided
3. Offeror’s letter to UNDP - template provided

**Note:** Email attachments must not exceed 5MB. Please split files if they exceed this size.
**Note:** The successful applicant will be required to complete a UNDP Personal History Form (P11) form prior to contracting.

Applications should be sent to consultants.ken@undp.org to reach us not later than 5.00 P.M on Thursday, 16 December 2021 by 5.00P.M Kenyan Time (GMT+3.00)

Please quote: “KEN/IC/062/2021– Develop SOPs for Amkeni Wakenya Grant Management Processes” on the subject line.

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