

REQUEST FOR PROPOSAL

RFP-045-PIL-2024

CONSULTANCY TO DEVELOP A HOSTING POLICY FOR THE TAX JUSTICE NETWORK AFRICA.

RFP ISSUE DATE: - 20TH JUNE 2024.

Disclaimer: TJNA may at any time terminate the RFP without entering into a contract and reserves the right to accept or reject any or all applications and is not bound to give reasons for its decision. TJNA is also not obligated to award the procurement to the firm that offers the lowest price.

SECTION 1 - INVITATION LETTER FOR REQUEST FOR PROPOSAL.

RFP REF NO.: - **RFP-045-PIL-2024**

RFP Reference No.	RFP-045-PIL-2024
Title of Tender	CONSULTANCY TO DEVELOP A HOSTING POLICY FOR THE TAX JUSTICE NETWORK AFRICA.
Issuing Office & Address	TAX JUSTICE NETWORK AFRICA Jaflo Limited, Block 3 - 106 Brookside Drive, Westlands Website: - https://taxjusticeafrica.net/
Location of this Assignment	Nairobi-Kenya
Point of contact for clarifications & questions	TJNA Procurement Unit, procurement@taxjusticeafrica.net cc ; injenga@taxjusticeafrica.net ; nbusingye@taxjusticeafrica.net .
Amendment of RFP Documents	At any time before the submission of proposals, the Client, TJNA may for any reason, whether at its own initiative or in response to a clarification requested by an invited firm, amend the RFP. Any amendment shall be issued in writing through addenda. The addenda shall be sent by mail to all invited consultants and will be binding on them. The Client may at his discretion extend the deadline for the submission of proposals, if deemed necessary, to allow bidders reasonable time to take the amendment into account.
Email address for submission of Proposals	TJNA Procurement Unit, procurement@taxjusticeafrica.net
Deadline for submission of questions and clarifications	27th JUNE 2024
Deadline for Answering questions and clarifications	28TH JUNE 2024
Deadline for submission of Proposals	Please include the subject line "RFP-045-PIL-2024" in the email.
Anticipated Award Type	Consultancy Agreement
PRELIMINARY/MANDATORY EVALUATION CRITERIA	
	<p><u>Preliminary Mandatory Requirements</u></p> <p>Bidders will be evaluated on the following mandatory requirements and those who fail to submit any of the documents below will not be considered for evaluation in the subsequent steps.</p> <p>Registered Firms/ Individual Entities: -</p> <ol style="list-style-type: none"> 1. Certificate of registration or Incorporation/IDs for individual-based consultant 2. Copy of List of Directors, Shareholders, and beneficial owners (CR12) 3. Tax Compliance 4. Valid business permit from country of jurisdiction 5. Submission Technical Proposal 6. Submission of the financial proposal 7. Previous Experience (Reference letter/LSO/Contract) 8. CVs for the proposed team

SECTION 2: INSTRUCTIONS TO BIDDERS

1. BACKGROUND

Tax Justice Network Africa (TJNA) is a pan-African network established in 2007, with 48 member organisations in 26 African countries. The network envisions a new Africa where tax justice prevails, to contribute to an equitable, inclusive, and sustainable development. The mission of the network is to spearhead tax justice in Africa's development by enabling citizens and institutions to promote equitable tax systems through policy influencing. The coordination of the network's activities is delivered by a secretariat based in Nairobi, Kenya.

TJNA seeks to promote socially just, accountable, and progressive taxation systems in Africa. This is by advocating for tax policies with pro-poor outcomes and tax systems that curb public resource leakages and enhance domestic resource mobilisation. It aims to achieve this by challenging harmful tax policies and practices that on one hand, facilitate illicit financial outflows of resources and on the other hand favour the wealthy while aggravating and perpetuating inequality.

The work of TJNA across the continent is propagated through well-developed outreach programmes that support research and development. These are:

1. The African Parliamentary Network on Illicit Financial Flows and Taxation,
2. Pan African Conference on Illicit Financial Flows and Taxation and
3. International Tax Justice Academy
4. Knowledge Hub
5. The Anti-IFFs Policy Tracker

The five programmes, otherwise referred to as Flagship programmes and the entire work portfolio of TJNA are structured and implemented within the confines of 4 strategic thematic areas that structurally keeps the network mission alive. These are:

1. Tax and the International Financial Architecture,
2. Tax and Investments,
3. Tax and Natural Resources Governance, and
4. Tax and Equity.

Joint programming at TJNA

TJNA serves as a physical and/ or fiscal host for several like-minded entities, including the Global Alliance for Tax Justice, East African Tax and Governance Network, The Nawi Afrifem Collective, Econews-Africa, and the Stop the Bleeding – Campaign to end illicit Financial Flows. TJNA offers hosted organizations, access to office space, administrative and finance backstopping and support, and technical assistance. The hosted organizations are also able to support TJNA advance its core goals and collaborate in various program initiatives.

In a bid to facilitate smooth hosting arrangements for our partners, TJNA is embarking on a process to develop a policy to guide future hosting processes as well as review current hosting arrangements.

2. PROPOSAL SUBMISSION

Interested and Eligible consultants/consortiums are required to submit their application in the English language with the following specific information: -

- Experience in similar assignments.
- Availability of appropriate key staff to be involved in the assignment.
- A brief profile of the firm including a description of the firm.
- Proposed work plan and approach/methodology/concept.

Interested consultants may obtain further information from our website: <https://taxjusticeafrica.net/>.

2.1 The Technical and Financial Proposals must be submitted separately to **(procurement@taxjusticeafrica.net) by 05th July @5:00PM.**

2.2 Association

Consultants may associate with other firms in the form of a Joint venture or a sub-consultancy to enhance their qualifications (provide group agreement to the effect) Shortlisted consultants may associate with non-shortlisted consultants ONLY after seeking written approval from TJNA.

2.3 Grounds for Exclusion

Organizations or Individuals are to be excluded from participating in this RFP if: -

- a) They are declared prohibited by TJNA because of their involvement in corrupt or Fraudulent practices in Procurement.
- b) TJNA staff or management involved in the procurement process have a financial interest.
in, or close relatives working with, the organization or individual.
- c) they are bankrupt or are being wound up, whose affairs are being administered by court, who have entered an arrangement with creditors, who have suspended. business activities or who are subject of an injunction against running business by court.
- d) they are the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by court, or for an arrangement with creditors or of any other similar proceedings.
- e) They have been convicted of an offence concerning their professional conduct by a court.
- f) they have been found guilty of grave professional misconduct; or
- g) They have not fulfilled obligations relating to payments of taxes or social security contributions.

2.5 Validity of Proposal

Proposals must remain valid for **90 calendar days** after the proposal submission deadline.

2.6 Communication

Communication between bidders or their agents and any official of TJNA is strictly forbidden except as provided for in the relevant sections of this RFP. Infringement of this clause may lead to automatic disqualification from the bid process.

2.7 Taxes

The financial proposals shall include all applicable taxes quoted separately. If taxes are not mentioned in the financial proposal, TJNA shall consider that they are included in the prices provided.

2.8 Currency

The financial proposal shall be in **Kenya Shillings (KES) or US Dollars (USD)**.

2.9 TJNA Policy and Standard Terms and Conditions

a) TJNA Employees

All proposals must indicate any/all known TJNA employees and/or near relatives who hold a position in your organization or have been engaged as a consultant for your organization within the last two years. Also indicate any known TJNA employees or near relatives that own or control more than a ten percent (10%) interest in your organization; If There are none, state so.

b) Conflict of Interest

The Consultant shall not hire any officer or employee of TJNA to perform any service covered by this agreement. The Consultant should ascertain that to the best of their knowledge, there exists no actual or potential conflict between the Consultant's family, business, or financial interest and the service provided under this agreement, and in the event of change in either private interests or service under this agreement, any question regarding possible conflict of interest which may arise because of such change will be raised with TJNA.

The Consultant shall not be in a reporting relationship with TJNA employee who is a near relative, nor shall the near relative be in a decision-making position with respect to the Consultant.

c) Ethics

The Consultant will exercise extreme care and due diligence to prevent any action or conditions which could result in conflict with the best interest of TJNA. Throughout the term of any agreement resulting from the RFP, Consultant will not accept any employment or engage in any work which creates a conflict of interest with TJNA or in any way compromises the work to be performed under this RFP or any agreement resulting from this RFP. The Consultant and its employees will not offer gifts, entertainment, payment, loans, or other gratuities or consideration to TJNA employees, their families, other Consultants, subcontractors, or other third (3rd) parties for the purpose of influencing such persons to act contrary to TJNA's interest or for personal gain. The Consultant will immediately notify TJNA of all such violations of this clause upon becoming aware of such violations.

d) TJNA's Right to Reject or Modify

Selection of a proposal does not mean that all aspects of the proposal(s) are acceptable to TJNA. TJNA reserves the right to negotiate the modification of the proposal terms and conditions prior to the execution of a contract, to ensure a satisfactory procurement.

e) Supplemental Terms and Conditions/Modifications

Any supplemental terms or conditions, or modification or waiver of these terms and conditions must be in writing and signed by a Consultant and TJNA.

3.0 Form of Agreement

The contents of this RFP and the proposal document of the successful Consultant shall become contractual obligations as part of the Contract if acquisition action ensues. Failure of a successful Consultant to accept these obligations in a contractual agreement shall result in the cancellation of the award. TJNA reserves the right to negotiate provisions in addition to those stipulated in this RFP or proposed by a consultant for the purpose of obtaining the best possible contract.

• Marketing References

The successful Consultant shall be prohibited from making any reference to TJNA, in any literature, promotional material, brochures, or sales presentations without the express written consent of TJNA.

3. OBJECTIVE AND SCOPE OF WORK

The overall objective of the consultancy is to develop a comprehensive hosting policy for Tax Justice Network Africa (TJNA) that outlines the framework, guidelines, and procedures for hosting partner organizations. The objective is to establish clear and standardized protocols for hosting arrangements, ensuring transparency, accountability, and mutual benefit for both TJNA and its hosted organizations. The policy aims to enhance operational efficiency, sustainability, and the overall effectiveness of TJNA's hosting structure.

Specific objectives of this assignment are:

1. To review existing hosting processes, tools, and frameworks.
2. Develop a hosting policy to guide the hosting process and enhance operation efficiency.

4. SCOPE OF WORK:

The consultant will undertake the following tasks:

1. Conduct a review and a report of TJNA's hosting structures including a review of the current hosting mechanisms, hosted organizations, and the documentation.
2. Consult with key stakeholders, including the senior management team, hosted organisations partners, and staff, to gather input and insights.
3. Develop a draft hosting policy, incorporating key components such as eligibility criteria, rights, and responsibilities, financial arrangements, governance structures, dispute resolution mechanisms, development, and sustainability, all underpinned in Pan-African principles of Ubuntu.
4. Develop accompanying guidelines, templates, and tools to support the implementation of the hosting policy, including standardized hosting agreements, reporting requirements, and performance indicators as well as service level agreement templates.

5. Develop training and capacity-building for TJNA staff members involved in hosting activities, ensuring understanding and a building of culture to the newly developed policy and procedures.
6. Provide ongoing support and guidance to TJNA in implementing and operationalizing the hosting policy, including monitoring, evaluation, and periodic reviews to ensure effectiveness and relevance over time.

5. METHODOLOGY:

The consultant will be given access to different resources and stakeholders to aid their work at different stages. Such resources include the existing hosting agreements and other relevant documentation. Arrangements will also be made to meet stakeholders, including the project management teams, partners, TJNA Management, and importantly – the currently hosted organization amongst others. This will allow the consultant room to reflect and design a policy that meets the needs of TJNA and upholds a culture of mutual collaboration, learning, and the building of an African ecosphere.

6. KEY DELIVERABLES, DURATION AND TIMELINES

All deliverables associated with the development of the hosting policy and induction are expected to be completed and presented to TJNA within a maximum duration of 3 months from the commencement date, and not later than **02nd September 2024**.

Key Deliverables	Tentative Timelines in 2024
1. Inception Report	By 24 th July
2. Desk review and consultative meetings with key partners and staff.	By 31 st July
3. Draft report on TJNA hosting processes, practices, and systems	By 12 th August
4. Draft Hosting policy	By 16 th August
5. Final Hosting policy	By 21 st August
6. Training and deployment	By 26 th August

7. CONSULTANCY MANAGEMENT

The assignment will be managed by TJNA Partnerships and the institutional manager additionally the consultant will work closely with the sub-grants assistant, the hosted organizations, the admin, and the finance team.

8. EXPERIENCE AND SKILLS REQUIRED:

- Policy Development: The consultant should demonstrate at least 10 years' experience in developing organizational policies, preferably in the non-profit or international development sector.

- Legal and Regulatory Compliance: The consultant should demonstrate knowledge of relevant legal and regulatory requirements governing non-profit organizations and international networks, particularly in the areas of governance, hosting arrangements, and contractual agreements.
- Minimum of a master's degree in a relevant field such as Public Policy, International Development, Law, or a related discipline.
- Proven track record of at least 5 years in policy development, research, and analysis, preferably in the non-profit or international development sector. Experience working on issues related to tax justice, governance, or social justice is highly desirable.
- Experience and understanding of advocacy/campaigning on Economic Justice in sub-Saharan Africa.

HOW TO APPLY:

Please submit the following by 17:00hr East African time on **Monday 05th July 2024** to procurement@taxjusticeafrica.net with the email subject: **RFP-045-PIL-2024: -**

CONSULTANCY TO DEVELOP A HOSTING POLICY FOR THE TAX JUSTICE NETWORK AFRICA

The service provider will be selected based on:

1. Relevance and specific experiences in relation to the TOR.
2. Availability, efficiency, and experience in delivering the assignment.
3. A technical proposal, outlining the consultant's understanding of the TOR, proposed methodology, work plan.
4. Proof/Evidence of similar assignments conducted in the past (Previous experience).
5. A financial proposal including all fees.
6. Key personnel criteria CVs and covering letter outlining one's competence in tax and tax justice subject, and the suitability to undertake this consultancy service.