



Consultancy to Develop A Trainer's Manual On Bribery And Anti-Corruption Compliance For Manufacturers In Kenya

1.0 Introduction

The Kenya Association of Manufacturers (KAM) was established in 1959 as a private sector body and has evolved into a dynamic, vibrant, credible and respected business membership association that unites industrialists and offers a common voice for businesses.

A thriving private sector is central to achieving the objectives of Kenya's Vision 2030. In fact the success of Vision 2030 is largely premised on the role of the private sector in achieving the countries growth objectives and, thereby, creating greater wealth and employment opportunities.

Corruption remains a big impediment to the achievement to Kenya's development goals. Opaque, burdensome and inefficient regulations and procedures provide a "cover" in which corrupt officials are able to extract bribes or unofficial payments. Bribery often occurs in transactions necessary for a private firm to conduct business, such as paying taxes; obtaining an operating license, import license or construction permit; or obtaining an electrical or water connection. If unchecked, Corruption can be a serious impediment to private sector development and broader economic growth. Evidence indicates that corruption generally has a negative impact on firm-level costs and decisions. It poses a significant barrier to market entry, it increases uncertainty which impedes long term and fixed capital investment, limits growth and productivity, and is a particular problem for small and medium size enterprises which lack the clout, capital and connections to circumvent the problem.

Kenya's competitiveness index has also stagnated around 53 and this has a big effect on its competitiveness ranking which also oscillates between 93 and 106. Although its ranking in the World Bank's Ease of Doing Business has been steadily improving in the last couple of years from a high of 129 to the latest 61, it can even get better with improved ranking in the CPI which would essentially mean that concrete action is taken to address the vice of corruption.

The Kenya Association of Manufacturers is currently implementing a programme on the Private Sector Business Integrity supported by GIZ focused to driving policy and legislative changes and corporate compliance. KAM seeks to engage a consultant to undertake the development of a Trainer's Manual on Anti - Corruption Compliance Systems for Organizations.

2.0 Objective of the Consultancy

The objective of the consultancy is to develop a **Trainers Manual on Bribery and Anti-Corruption Compliance for Manufacturers in Kenya**.

3.0 Scope of work

The scope of work will cover the following areas:

1. Develop a Trainers Manual which will include the following:
 - (i) Mandatory requirements for manufacturing entities on the anti-corruption requirements in Kenya both domestic and international under policy and legislative frameworks such as the Ethics and Anti-corruption Act, Bribery Act, Leadership and Integrity Act, 2012, Anti-Corruption and Economic Crimes Act, 2003, the Proceeds of Crime and Anti-Money Laundering Act, 2009, among others.
 - (ii) Managing incidents and reporting
 - (iii) Risk evaluation
 - (iv) Key roles and responsibilities for business and personnel as well as relevant government agencies.
 - (v) Examples and case studies demonstrating compliance areas
 - (vi) Any other relevant provisions.

4.0 Expected outputs

The following are the expected outputs;

1. Inception report with key deliverables and an activity plan.
2. Draft Trainers Manual on Bribery and Anti-Corruption Compliance for Manufacturers in Kenya.
3. Report containing feedback and comments from relevant stakeholders gathered during the validation workshops.
4. Final Trainers Manual on Bribery and Anti-Corruption Compliance for Manufacturers in Kenya.

5.0 Timeframe and implementation schedule

The consultant will work under the overall supervision of the Kenya Association of Manufacturers, Head of KAM Consulting and relevant officers. The consultancy is to be performed for **Twenty one (21) days, starting in the month of May 2020**.

The proposed timeline excludes the time gap in between relevant meetings between the consultant and stakeholders; as well as time that may be required for KAM to review the output for approval purposes.

Task	No of days	Deliverables	Timeline
Submit an Inception Report .	2	Inception report	By May 2020
Submit the Draft KAM Anti-corruption Compliance Training Manual	10	First draft of the Training Manual.	By May 2020

Participate in 3 meetings (internal and external feedback): <ul style="list-style-type: none"> • 1 meeting with KAM technical internal team. • 1 validation meeting with KAM manufacturers and relevant stakeholders. 	6	2 nd Draft of the Training Manual.	By June 2020
Submit a final Manual	3	Final Manual approved by KAM.	By June 2020.
Total number of days	21 days		

6.0 Qualifications of the Consultant

The consultant (Individual or Firm) must have extensive experience in development of Training Manuals, corporate governance, policy and legislative research, and a clear understanding of the anti-corruption environment in Kenya.

Educational Qualifications of Individual/ Lead consultant (s) in the case of a Firm

1. Have Business, economics, law or related social science field.
2. Be a holder of a Masters qualifications in Business, economics, law or related social science field. A PhD would be an added advantage.

Professional Experience of Individual/ Lead consultant (s) in the case of a Firm

- Minimum of 10 years' experience in business, commerce, economics, law or related social science field.
- Experience working with Government or private sector or similar organisation.
- Demonstrable experience in working with the various arms of Governments related to the subject matter.
- Experience in research and related policies and legislation.
- Ability to engage with a cross-section of stakeholders in the public and private sectors.
- Experience working with the national and county levels.
- In-depth knowledge and understanding of the Kenyan context on anti-corruption environment, corporate governance, business or manufacturing sector.
- Experience in developing training manuals will be an advantage.
- Have excellent writing and research skills.
- Excellent communication skills as well as the ability to communicate fluently in English. (spoken and written)
- Proven ability to work under pressure and meet deadlines.
- Have proven track record, knowledge and experience in business and corporate governance as well as anti-corruption issues in Kenya or at a regional context.
- Have excellent communication and project delivery skills.

7.0 Application for consultancy

Interested consultants are requested to submit original and copy of their technical and financial proposals (Separately) at KAM tender box by **28th May 2020 stating “KAM ANTI CORRUPTION TRAINING MANUAL”**;

1. Technical proposal

- i. Description of the firm and the firm’s qualifications;
- ii. Copy of Company Certificate of incorporation
- iii. Tax Compliance Certificate (Valid and up to date)
- iv. Statutory KRA PIN and VAT certificate copies
- v. Brief description of Understanding of the requirements for services, including assumptions;
- vi. Proposed approach and methodology;
- vii. Proposed team structure;
- viii. Proposed project team members;
- ix. Executive brief of relevant similar projects undertaken in the past two (2) years.

2. Financial proposal

- i. A summary of the price;
- ii. The period of its validity;

3. Curriculum Vitae and two recommendations (For a firm should contain CVs for all Consultants involved in the Consultancy)

Physical address: KAM Procurement
 Kenya Association of Manufacturers
 KAM House
 Mwanzi Road, Opposite Westgate Mall
 P.O Box 30225 -00100
 Nairobi

8.0 Payment terms (provisions)

Kenya Association of Manufactures policy is to pay for contractual services based on performance of contractual services rendered.

9.0 Evaluation of proposals

A two stage procedure will be utilized in evaluating the proposals, with evaluation of the Technical component being completed prior to any price component. Scores will be awarded for the technical proposal.

The price component proposal will be opened only for those firms/ institutions whose technical component meets the requirements for the assignment, as indicated by a score of more than 70%.

Please note only successful candidates will be contacted.