



KENYA TRADE NETWORK AGENCY (KENTRADE)
Embankment Plaza – First Floor P.O. Box 36943-00200
NAIROBI
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REQUEST FOR PROPOSALS (RFP)
PROCUREMENT OF A PAYMENT GATEWAY SERVICES

TENDER NO.KTNA/RFP/01/2019-2020

AUGUST, 2019

Tender Closing Date & Time: Wednesday, September 11, 2019 at 1000hrs (East Africa Time)

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INTRODUCTION

Kenya Trade Network Agency (KenTrade) is a State Corporation under the National Treasury. The mandate of KenTrade is to implement, operationalize and manage the Kenya National Electronic Single Window System (Kenya TradeNet System) and to Facilitate Trade. The Kenya TradeNet System is an electronic platform used by the trading community and government agencies for submission and processing of standardized trade documentation.

The system consists of 21 modules and functionalities that allow users, mostly traders, to lodge documents to relevant Government Regulatory Agencies. The system has currently brought together over 36 Partner Government Agencies (PGAs). The system caters for over 9010, users with over 600,000 transactions processed through the system in 2018/2019 financial year.

In order to fulfil its mandate, KenTrade requires payment gateway services for the Kenya TradeNet System to provide a reliable payment facility in order to ensure a smooth end to end execution of trade transactions to enable it to serve its stakeholders better and more effectively.

SECTION I - LETTER OF INVITATION

Date: August 28, 2019

TENDER REF NO: TENDER NO: KTNA/RFP/01/2019-2020

TENDER NAME: TENDER FOR PROVISION OF PAYMENT GATEWAY SERVICES FOR THE KENYA TRADENET SYSTEM.

- 1.1 The Kenya Trade Network Agency invites proposals for the provision of payment gateway services for the Kenya TradeNet System as outlined in the terms of reference herein.
- 1.2 Interested eligible candidates may view and download the document **free of charge** from Government Tenders Portal (IFMIS) or from our website on the following link: - **<http://www.kentrade.go.ke/index.php/procurement/tenders>**, or purchase the documents at a cost of **Kshs. 1000.00** from the KenTrade procurement office at Embankment Plaza (1st Floor), Upper Hill.
- 1.3 **Bidders who download the tender document from the Government Portal- <http://supplier.treasury.go.ke/> shall be required to email their detailed contact information to procurement@kentrade.go.ke for future communication.**
- 1.4 Further information may also be obtained from the Procurement office at the **Kenya Trade Network Agency, 1st floor, Embankment Plaza, in Upper Hill** during normal office working hours (between 0800-1700hours)
- 1.5 Prices quoted should be net, inclusive of all taxes and must be in Kenya Shillings and shall remain valid for 120 days from the closing date of the tender.
- 1.6 Proposals in a plain sealed envelope shall be submitted in two separate envelopes as **"TECHNICAL PROPOSAL,"** and **"FINANCIAL PROPOSAL"** and marked: **"Proposal to provide Payment Gateway Services"** and should be addressed to:-

**The Chief Executive Officer,
Kenya Trade Network Agency (KENTRADE)
P.O Box 36943-00200
Nairobi**

Or deposited in the Tender Box at the Reception of KENTRADE Offices at **Upper Hill Embankment Plaza (first floor)** on or before **Wednesday, September 11, 2019 at 1000hours**

1.7 Opening of the proposals shall be done immediately thereafter in the KenTrade boardroom on first floor, Embankment Plaza (Upper Hill), in the presence of all bidders or their representatives who choose to attend.

*A Bidders conference will be held on **Wednesday, September 04, 2019 at 1000hours**, at the KenTrade offices in Upper Hill to enable interested parties to understand the requirements. ALL bidders are encouraged to attend.*

CHIEF EXECUTIVE OFFICER

SECTION II- INFORMATION TO TENDERERS (ITC)

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SECTION II: - INSTRUCTIONS TO TENDERERS (ITT)

2.1 Introduction

- 2.1.1 The Kenya Trade Network Agency (KENTRADE) has used Request for Proposal method to invite eligible tenderers to participate
- 2.1.2 The tenderers are invited to submit a Technical Proposal and a Financial Proposal for consulting services required for the assignment clarified in the terms of reference section of this tender document.
- 2.1.3 The tenderers must familiarize themselves with local conditions and take them into account in preparing their proposals. To obtain first-hand information on the assignment and on the local conditions, tenderers are encouraged to liaise with KENTRADE regarding any information that they may require before submitting a proposal.
- 2.1.4 Please note that (i) the costs of preparing the proposal and of negotiating the Contract, including any visit to KENTRADE are not reimbursable as a direct cost of the assignment; and (ii) KENTRADE is not bound to accept any of the proposals submitted.
- 2.1.5 The Kenya Trade Network Agency's employees, Committee members, Board members and their relatives (Spouse and Children) are not eligible to participate.

2.2 Clarification and Amendment of RFP Documents

- 2.2.1 Tenderers may request a clarification of any of the RFP documents only up to two [2] days before the proposal submission date. Any request for clarification must be sent in writing to;

**The Chief Executive Officer, Kenya
Trade Network Agency,
P O Box 36943-00200
Nairobi.**

KENTRADE will respond by electronic mail to such requests and will send written copies of the response (including an explanation of the query but without identifying the source of inquiry) to all invited tenderers who intend to submit proposals.

- 2.2.2 At any time before the submission of proposals, KENTRADE 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. Addenda shall be sent to all invited tenderers and will be binding on them. KENTRADE may at its discretion extend the deadline for the submission of proposals.

2.3 Preparation of Technical Proposal

- 2.3.1 The Tenderers proposal shall be written in English language

2.3.2 In preparing the Technical Proposal, tenderers are expected to examine the documents constituting this RFP in detail. Material deficiencies in providing the information requested may result in rejection of a proposal.

2.3.3 While preparing the Technical Proposal, tenderers must give particular attention to the following:

- (i) If a firm considers that it does not have all the expertise for the assignment, it may obtain a full range of expertise by associating with individual tenderers and/or other firms or entities in a joint venture or sub-consultancy as appropriate. Tenderers shall not associate with the other tenderers invited for this assignment. Any firms associating in contravention of this requirement shall automatically be disqualified.
- (ii) For assignments on a staff-time basis, the estimated number of professional staff-time is given in the Appendix. The proposal shall however be based on the number of professional staff-time estimated by the firm.
- (iii) It is desirable that the majority of the key professional staff proposed be permanent employees of the firm, or has an extended and stable working relationship with it.
- (iv) Proposed professional staff must, as a minimum, have relevant experience, preferably having undertaken similar assignments within the public sector.
- (v) Alternative professional staff shall not be proposed and only one Curriculum Vitae (CV) may be submitted for each position.

2.3.4 The Technical Proposal shall provide the following information using the attached Standard Forms;

- (i) A brief description of the firm's organization and an outline of recent experience on assignments of a similar nature. For each assignment the outline should indicate *inter alia*, the profiles of the staff proposed, duration of the assignment, contract amount and firm's involvement.
- (ii) Any comments or suggestions on the Terms of Reference, a list of services and facilities to be provided by the Kenya Trade Network Agency.
- (iii) A description of the methodology and work plan for performing the assignment.
- (iv) The list of the proposed staff team by specialty, the tasks that would be assigned to each staff team member and their timing.
- (v) CVs recently signed by the proposed professional staff and the authorized representative submitting the proposal. Key information should include number of years working for the firm/entity and degree of responsibility held in various assignments during the last ten (10)

years.

- (vi) Estimates of the total staff input (professional and support staff-time) needed to carry out the assignment supported by bar chart diagrams showing the time proposed for each professional staff team member.

2.3.5 The Technical Proposal shall not include any financial information.

2.4 Preparation of Financial Proposal

- 2.4.1 In preparing the Financial Proposal, tenderers are expected to take into account the requirements and conditions outlined in the RFP documents. The Financial Proposal should follow Standard Forms (Section D). It lists all costs associated with the assignment including; (a) remuneration for staff (in the field and at the office), and; (b) reimbursable expenses such as subsistence (per diem), transportation (local, for mobilization and demobilization), services and equipment (vehicles, office equipment, furniture, and supplies), office rent, insurance, printing of documents, surveys, and training, if it is a major component of the assignment. If appropriate these costs should be broken down by activity.
- 2.4.2 The Financial Proposal should clearly identify as a separate amount, the local taxes, duties, fees, levies and other charges imposed under the law on the tenderers, the sub-tenderers and their personnel, unless Appendix "A" specifies otherwise.
- 2.4.3 Tenderers shall express the price of their services in Kenya Shillings.
- 2.4.4 Commissions and gratuities, if any, paid or to be paid by tenderers and related to the assignment will be listed in the Financial Proposal submission Form.
- 2.4.5 The Proposal must remain valid for 120 days after the submission date. During this period, the tenderer is expected to keep available, at his own cost, the professional staff proposed for the assignment. KENTRADE will make its best effort to complete negotiations within this period. If KENTRADE wishes to extend the validity period of the proposals, the tenderers shall agree to the extension.

2.5 Submission, Receipt, and Opening of Proposals

- 2.5.1 The original proposal (Technical Proposal and Financial Proposal) shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the firm itself. Any such corrections must be initialed by the persons or person authorized to sign the proposals.
- 2.5.2 For each proposal, the tenderers shall prepare two (2no) copies. Each Technical Proposal and Financial Proposal shall be marked "**ORIGINAL**" or "**COPY**" as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall prevail.

The original and all copies of the Technical Proposal shall be placed in a sealed envelope clearly marked "**TECHNICAL PROPOSAL**," and the original and all copies of the Financial Proposal in a

sealed envelope clearly marked **"FINANCIAL PROPOSAL"** and warning: **"DO NOT OPEN WITH THE TECHNICAL PROPOSAL"**. Both envelopes shall be placed into an outer envelope and sealed. This outer envelope shall bear the address;

**The Chef Executive Officer,
Kenya Trade Network Agency,
P O Box 36943-00200
Nairobi.**

And should be marked

"DO NOT OPEN, EXCEPT IN THE PRESENCE OF THE OPENING COMMITTEE."

2.5.3 The completed Technical and Financial Proposals must be delivered to KENTRADE Office at Embankment Plaza (first floor) on or before **Wednesday, September 11, 2019 at 1000hours**. Any proposal received after the closing time for submission of proposals shall be returned to the respective tenderer unopened.

2.5.4 After the deadline for submission of proposals, the Technical Proposal shall be opened immediately by the opening committee. The Financial Proposal shall remain sealed and deposited with a responsible officer of the KENTRADE Procurement department up to the time for public opening of financial proposals.

2.6 Proposal Evaluation General

2.6.1 From the time the bids are opened to the time the Contract is awarded, if any tenderer wishes to contact KENTRADE on any matter related to his proposal, he should do so in writing at the address indicated above. Any effort by the firm to influence KENTRADE in the proposal evaluation, proposal comparison or Contract award decisions shall result in the rejection of the tenderer's proposal.

2.6.2 Evaluators of Technical Proposals shall have no access to the Financial Proposals until the technical evaluation is concluded.

2.7 Evaluation of Technical Proposal

2.7.1 The evaluation committee appointed by KENTRADE shall evaluate the proposals on the basis of their responsiveness to the Terms of Reference, applying the evaluation criteria as specified in the terms of reference.

Each responsive proposal will be given a technical score (St). A proposal shall be rejected at this stage if it does not respond to important aspects of the Terms of Reference or if it fails to achieve the minimum technical score indicated in the Appendix "ITC".

2.8 Public Opening and Evaluation of Financial Proposal

- 2.8.1 After Technical Proposal evaluation, KENTRADE shall notify those tenderers whose proposals did not meet the minimum qualifying mark or were considered non-responsive to the RFP and Terms of Reference, indicating that their Financial Proposals will be returned after completing the selection process. KENTRADE shall simultaneously notify the tenderers who have secured the minimum qualifying mark, indicating the date and time set for opening the Financial Proposals and stating that the opening ceremony is open to those tenderers who choose to attend. The opening date shall not be sooner than one (1) day after the notification date. The notification shall be sent by electronic mail.
- 2.8.2 The Financial Proposals shall be opened publicly in the presence of the tenderers' representatives who choose to attend. The name of the tenderer, the technical scores and the proposed prices shall be read aloud and recorded when the Financial Proposals are opened. KENTRADE shall prepare minutes of the public opening.
- 2.8.3 The evaluation committee will determine whether the financial proposals are complete (i.e. whether the tenderer has costed all the items of the corresponding Technical Proposal and correct any computational errors. The cost of any unpriced items shall be assumed to be included in other costs in the proposal. In all cases, the total price of the Financial Proposal as submitted shall prevail.
- 2.8.4 The formulae for determining the Financial Score (Sf) shall, unless an alternative formulae is indicated in the Appendix "ITC", be as follows:-
- $$Sf = 100 \times \frac{Fm}{F}$$
 where Sf is the financial score; Fm is the lowest priced financial proposal and F is the price of the proposal under consideration. Proposals will be ranked according to their combined technical (St) and financial (Sf) scores using the weights (T=the weight given to the Technical Proposal; P = the weight given to the Financial Proposal; T + p = 1) indicated in the Appendix. The combined technical and financial score, S, is calculated as follows: - $S = St \times T \% + Sf \times P \%$. The firm achieving the highest combined technical and financial score will be invited for negotiations.
- 2.8.5 The tender evaluation committee shall evaluate the tender within 15 days from the date of opening the tender.
- 2.8.6 Contract price variations shall not be allowed for contracts not exceeding one year (12 months).
- 2.8.7 Where contract price variation is allowed, the variation shall not exceed 25% of the original contract price
- 2.8.8 Price variation requests shall be processed by KENTRADE within 15 days of receiving the request.

2.9 Negotiations

- 2.9.1 Negotiations will be held at an address to be communicated to the successful tenderer at an

appropriate date. The aim is to reach an agreement on all points and sign a contract.

- 2.9.2 Negotiations will include a discussion of the Technical Proposal, the proposed methodology (work plan), staffing and any suggestions made by the firm to improve the Terms of Reference. KENTRADE and the firm will then work out final Terms of Reference, staffing and bar charts indicating activities, staff periods in the field and in the head office, staff-months, logistics and reporting. The agreed work plan and final Terms of Reference will then be incorporated in the "Description of Services" and form part of the Contract. Special attention will be paid to getting the most the firm can offer within the available budget and to clearly defining the inputs required from KENTRADE to ensure satisfactory implementation of the assignment.
- 2.9.3 Unless there are exceptional reasons, the financial negotiations will not involve the remuneration rates for staff (no breakdown of fees).
- 2.9.4 Having selected the firm on the basis of, among other things, an evaluation of proposed key professional staff, KENTRADE expects to negotiate a contract on the basis of the experts named in the proposal. Before contract negotiations, KENTRADE will require assurances that the experts will be actually available. KENTRADE will not consider substitutions during contract negotiations unless both parties agree that undue delay in the selection process makes such substitution unavoidable or that such changes are critical to meet the objectives of the assignment. If this is not the case and if it is established that key staff were offered in the proposal without confirming their availability, the firm may be disqualified.
- 2.9.5 The negotiations will conclude with a review of the draft form of the Contract. To complete negotiations KENTRADE and the selected firm will initial the agreed Contract. If negotiations fail, KENTRADE will invite the firm whose proposal received the second highest score to negotiate a contract.
- 2.9.6 KENTRADE shall appoint a team for the purpose of the negotiations.

2.10 Award of Contract

- 2.10.1 The Contract will be awarded following negotiations. After negotiations are completed, KENTRADE will promptly notify other tenderers on the shortlist that they were unsuccessful and return the Financial Proposals of those tenderers who did not pass the technical evaluation.
- 2.10.2 The selected firm is expected to commence the assignment on the date and at the location specified in the signed contract.
- 2.10.3 The parties to the contract shall have it signed within 7 days from the date of notification of contract award unless there is an administrative review request.
- 2.10.4 KENTRADE may at any time terminate procurement proceedings before contract award and shall not be liable to any person for the termination.
- 2.10.5 KENTRADE shall give prompt notice of the termination to the tenderers and on request give its

reasons for termination within 14 days of receiving the request from any tenderer.

2.10.6 To qualify for contract awards, the tenderer shall have the following:

- (a) Necessary qualifications, capability experience, services, equipment and facilities to provide what is being procured.
- (b) Legal capacity to enter into a contract for procurement
- (c) Shall not be insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings relating to the foregoing.
- (d) Shall not be debarred from participating in public procurement.

2.11 Confidentiality

2.11.1 Information relating to evaluation of proposals and recommendations concerning awards shall not be disclosed to the tenderers who submitted the proposals or to other persons not officially concerned with the process, until the winning firm has been notified that it has been awarded the Contract.

2.12 Corrupt or fraudulent practices

2.12.1 KENTRADE requires that the tenderers observe the highest standards of ethics during the selection and award of the consultancy contract and also during the performance of the assignment. The tenderer shall sign a declaration that he has not and will not be involved in corrupt or fraudulent practices.

2.12.2 KENTRADE will reject a proposal for award if it determines that the tenderer recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question.

Appendix to Instructions to Tenderers

The following information regarding the particulars of the tender shall complement supplement or amend the provisions of the instructions to tenderers. Wherever there is a conflict between the provision of the instructions to tenderers and the provisions of the appendix, the provisions of the appendix herein shall prevail over those of the instructions to tenderers

INSTRUCTIONS TO TENDERERS REFERENCE	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
2.1.1	The name of the Client is: KENYA TRADE NETWORK AGENCY
2.1.2	Technical and Financial Proposals are requested
2.5.2	Tenderers must submit an original and one additional copy of each proposal.
2.5.3	The closing date for the tender shall be Wednesday, September 11, 2019 at 1000HOURS" The proposal Submission address is; KENYA TRADE NETWORK AGENCY EMBANKMENT PLAZA, FIRST FLOOR P.O BOX 36943-00200 NAIROBI
2.6	<p><u>Tender Evaluation</u></p> <p>The following evaluation criterion shall be applicable for this tender.</p> <p>i) Mandatory Requirements</p> <p>ii) Valid Tax Compliance Certificate (TCC).</p> <p>iii) Registration certificate/ Certificate of incorporation</p> <p>iv) Valid trade license.</p> <p>v) CR 12 certificate issued by Registrar of companies</p> <p>vi) Audited financial accounts for the past three years.</p> <p>vii) A valid authorization certificate from Central Bank of Kenya</p> <p>viii) Communications Authority of Kenya license (Content Provider License).</p> <p>ix) Anti-corruption affidavit signed and stamped by a Commissioner of Oaths.</p> <p>x) Confidential Business questionnaire duly filled and signed.</p> <p>xi) The document must be paginated</p> <p>Bidders MUST comply with all mandatory requirements to be considered for Technical evaluation as outlined below:-</p>

Technical Evaluation

PART A

The requirements in this section are **MANDATORY** and bidders **MUST** demonstrate that their solution meets **ALL** of them.

	Requirements	Score Y/N	Response
1.	PG to facilitate acknowledgment and error handling capabilities in form of messages to the customer where transactions are successful/ unsuccessful. N/B <i>Successful/Unsuccessful transaction response messages should be displayed to the users</i>		
2.	PG to provide a payment cancellation process where a need arises. N/B Possibility to void, cancel and refund a transaction.		
3.	PG to provide a User Interface (UI) dashboard for use by KENTRADE and Agencies to generate reports. N/B PG should provide useful administration panel for reporting and management.		
4.	PG to provide dashboard to show payment timeline for a specific payment. This should include date submitted, date collected, date paid et cetera		
5.	PG should support at a minimum the following payment options system to i.e. Over the bank counter (Cash), Merchants cards, RTGS, Mobile money, Online banking.		
6.	PG should be integrated with at least 2 MNOs		
7.	PG to be able to integrate with Kenya TradeNet work billing system JAVA & Oracle 12C platforms		

	8.	PG to have a 24/7 support center to handle customer notifications/queries et cetera <i>N/B</i> <i>Support center to support both technical and business issues</i>			
	9.	PG to have capabilities to configure different Revenue Codes/sources for the PGAs. This should be scalable to accommodate any new PGAs and new permits that come on board.			
	10.	PG to have a mechanism for providing alerts in the event of downtime			
	11.	PG to have reporting functionalities <i>NB</i> <i>Capabilities to generate summary/detailed daily/monthly/yearly reports based on set parameters e.g. by payment types,</i>			
	12.	PG to have a mechanism for providing alerts at every stage in the payment work flow. <ul style="list-style-type: none"> • Bank payment confirmation alerts • Bank payments failure alerts • Bank payments refund alerts 			
	13.	PG to have a TEST/Quality Assurance platform to conduct integration and User Acceptance Tests (UAT) when the need arises.			
	14.	PG to provide an Audit Trail functionality <i>N/B</i> Keep all records, generated images, post and after each intervention			
	15.	PG solution should have information security safeguards to check for URL tampering and common security breaches while the requests are sent Security frameworks or standards e.g. ISO 27001, NIST cyber security framework, COSO frameworks and others			
	16.	PG should be able to support multi-currency usage i.e. USD, KSHS, EUR			

Bidders MUST meet ALL the above requirements before they can proceed to PART B of the technical evaluation stage.

PART B

Additional Technical Requirements

Bidders Must score a minimum of **80 marks** in this section to proceed to **PART C** of the technical evaluation stage

	Item	Score	Response
1	Proof of technical competence 1. Project Team Leader with at least 5 years' experience in implementing integrated Payment solutions. Bidder to provide relevant certifications in Project management & CVs.	4	
	2. Two project team members with at least 3 years' experience in implementing payment solutions. Bidder to provide relevant certifications & CVs.	8	
	3. Two project teams' members with at least 3 years in implementing integrated solutions. Bidder to provide relevant certifications & CVs	8	
2	Solution provider overall number of years in provision of integrated Payment services solutions. 5 years and above - 20 Marks (<i>4 marks for every year</i>) Bidders to provide evidence of serviced LSOs or signed contracts including the duration of the project	20	
3	PG to have a redundant site(Secondary Site) in case of system failure	10	
4	PG service provider should provide a mobile app for smart phones and gadgets	5	
5	PG to be integrated to banks in Kenya (5 of which should be Tier 1 banks)	20	

		15 and above banks (5 Tier 1) - 20 marks 12 - 14 banks (3 Tier 1) - 15 marks 10 – 11 banks (2 Tier 1) - 10 marks 8 - 9 banks (1 Tier 1) - 5 marks Less than 8 - 0 marks		
	6	Reference Sites in Kenya relevant to this project (at least three and include a brief of work done or services rendered , value of contracts, duration of project, and contact person with both reachable phone number and email). Bidders to provide evidence of serviced LSOs or signed contracts or reference letters	15	
	7	Detailed implementation plan in the form of a Gantt chart (Including activities, resources required, tasks & timelines). i. Activities ii. Resources required iii. Timelines	5	
	8	Presentation of a detailed training plan comprising of at least the following: 1. Payment channels/options support 2. Errors and integration support 3. Reporting	5	
		TOTAL	100	
PART C: Additional Requirements				
		Requirement	Score	Response
	1.	Proposal convenience/ transaction fee; Bidders are required to indicate their fee within the ranges given below;- 0 to 30 Kshs. – 30 marks 31 to 60 Kshs. – 20 marks 61 to 100 Kshs. 10 marks Above 100 – 0 marks	40	

	2.	The bidder should give a proposal for revenue sharing of the above proposed convenience/transaction fee payable to KenTrade within the following ranges; 5 to 10% – 5 marks 11 to 30%. – 8 marks 31 to 50% - 10 marks NB <i>The above shall be subject to negotiation with the winning bidder</i>	10	
	TTOTAL		50	

The minimum technical score required to proceed to Financial Evaluation will be **105 marks** out of the total **150 marks** in Part B and C as summarized above. This calculates to **70%** of the total marks.

Only tenderers who score **70%** and above will proceed to the financial evaluation.

2.8

Financial Evaluation

This quote **MUST** be enclosed separately in the **FINANCIAL PROPOSAL** envelop as it will be the cost to be evaluated.

	Requirements	Score	Response
1	Set up fee 1) Cost to Vendor Kshs. _____ 2) Cost to KenTrade Kshs. _____		

The maximum score under this section is 30 marks. Financial score will be evaluated by the formula below:

$$\text{Financial Score} = 30 * \left(\frac{\text{Lowest Quoted Amount}}{\text{Bidder Quotated Amount}} \right)$$

Proposals will be ranked according to their combined technical (St) and financial (Sf) scores using the weights (T= the weight given to the Technical Proposal and P=the weight given to the Financial Proposal);

The firm achieving the highest combined technical and financial score will be invited for negotiations at a date to be communicated, which will inform award.

The bidder with the highest combined technical and financial score shall be considered for award of this tender subject to successful negotiations.

2.9	<p>Negotiations and Award</p> <p>The firm achieving the highest combined technical and financial score will be invited for negotiations at the KenTrade offices at Embankment Plaza, Upper Hill, at a date to be communicated. These negotiations will inform the award.</p>
	<p>A Bidders conference will be held on Wednesday, September 04, 2019 at 1000hours, at the KenTrade offices in Upper Hill.</p>

SECTION III: - TECHNICAL REQUIREMENTS

Introduction

Kenya Trade Network Agency (KenTrade) is a State Corporation under the National Treasury. The mandate of KenTrade is to implement, operationalize and manage the Kenya National Electronic Single Window System (Kenya TradeNet System) and to Facilitate Trade. The Kenya TradeNet System is an electronic platform used by the trading community and government agencies for submission and processing of standardized trade documentation.

The system consists of 21 modules and functionalities that allow users, mostly traders, to lodge documents to relevant Government Regulatory Agencies. The system has currently brought together over 36 Partner Government Agencies (PGAs). The system caters for over 9010, users with over 600,000 transactions processed through the system in 2018/2019 FY.

In order to fulfil its mandate, KenTrade requires payment gateway services for the Kenya TradeNet System to provide a reliable payment facility in order to ensure a smooth end to end execution of trade transactions to enable it to serve its stakeholders better and more effectively.

Project Description

KENTRADE seeks to integrate the Kenya TradeNet System with an operational Payment Gateway to provide a reliable payment facility in order to ensure a smooth end to end execution of trade transactions.

For the Payment Gateway service provider the firm to be considered for this opportunity should have the following in place:

- i) A solution that supports payments via different payment channels (i.e. online payments, card payments, mobile money or cash etc.).
- ii) A solution that has been integrated with at least fifteen (15) local banks, five of whom should be tier 1 commercial banks and at least two main mobile payment solution in the country with a clear workplan to integrate with all banks and mobile money solutions in the country.
- iii) A solution that offers reporting capabilities such as but not limited to summary of agency collections, summary of mode of payments collections; summary of daily/monthly/yearly, detailed daily/monthly/yearly reports collections.
- iv) A solution flexible enough to cater for various customer requirements for receipt of monies into their accounts e.g. T+0, T+1, T+2 et cetera. (Real-time).
- v) A solution flexible enough to allow for introduction of new criteria e.g. new permits to collect funds under the same payment channels catered for in the solution.
- vi) The Payment Gateway should have a 24/7 support center to handle customer notifications/queries et cetera
- vii) Provide a revenue share model with KENTRADE (proposal from the service provider on what is feasible would be appreciated).

viii) The payment gateway should be able to integrate with KenTrade's Billing and ERP systems.

Scope

The scope of this project is:

- i) To integrate Kenya TradeNet System with an existing Payment Gateway to support traders in making payments to the Partner Government Agencies (PGAs) and other related services.
- ii) To integrate Kenya TradeNet Billing system with a Payment Gateway for purposes of receiving subscription and transaction fees to KENTRADE.
- iii) To Support all payments options such as cash, Cheque, Mobil money, internet banking RTGS and others
- iv) To support payment support process such as payment refunds for excess or failed payments.
- v) To integrate Kenya TradeNet System with a Payment Gateway that supports the levels of security applicable to the banking sector and applicable laws governing payments in Kenya.
- vi) To integrate Kenya TradeNet System to a Payment Gateway that has robust reporting capabilities; Audit transaction reports, periodic payment transactions reports

3.1 Evaluation Criteria

3.1.1 Mandatory Requirements/ Preliminary Evaluation

- i.) Valid Tax Compliance Certificate (TCC).
- ii.) Registration certificate/ Certificate of incorporation
- iii.) Valid trade license.
- iv.) CR 12 certificate issued by Registrar of companies
- v.) Audited financial accounts for the past three years.
- vi.) A valid authorization certificate from Central Bank of Kenya
- vii.) Communications Authority of Kenya license (Content Provider License)
- viii.) Anti-corruption affidavit signed and stamped by a Commissioner of Oaths
- ix.) Confidential Business questionnaire duly filled and signed.
- x.) The document must be paginated

Bidders **MUST** comply with all mandatory requirements to be considered for the next evaluation stage (Technical evaluation).

3.1.2 Technical Evaluation Criteria

The maximum score under technical evaluation is **100%**. Bidders must score **at least 70%** under technical evaluation to proceed to the next stage (*Financial Evaluation*).

Bidders **MUST** respond to **ALL** the requirements on a clause-by-clause basis **stating clearly** how their solution meets the requirements. Responses to compliance to technical specifications in any other way other than **clause by clause** will be treated as **NON-RESPONSIVE**.

Compliance to technical specifications (MANDATORY REQUIREMENTS)

PART A

The requirements in this section are **MANDATORY** and bidders **MUST** demonstrate that their solution meets **ALL** of them in order to proceed to **PART B** of the technical evaluation.

	Requirements	Score Y/N	Response
1.	PG to facilitate acknowledgment and error handling capabilities in form of messages to the customer where transactions are successful/ unsuccessful. N/B <i>Successful/Unsuccessful transaction response messages should be displayed to the users</i>		
2.	PG to provide a payment cancellation process where a need arises.		

	Requirements	Score Y/N	Response
	N/B Possibility to void, cancel and refund a transaction.		
3.	PG to provide a User Interface (UI) dashboard for use by KENTRADE and Agencies to generate reports. N/B PG should provide useful administration panel for reporting and management.		
4.	PG to provide dashboard to show payment timeline for a specific payment. This should include date submitted, date collected, date paid et cetera		
5.	PG should support at a minimum the following payment options system to i.e. Over the bank counter (Cash), Merchants cards, RTGS, Mobile money, Online banking.		
6.	PG should be integrated with at least 2 MNOs		
7.	PG to be able to integrate with Kenya TradeNet work billing system JAVA & Oracle 12C platforms		
8.	PG to have a 24/7 support center to handle customer notifications/queries et cetera N/B <i>Support center to support both technical and business issues</i>		
9.	PG to have capabilities to configure different Revenue Codes/sources for the PGAs. This should be scalable to accommodate any new PGAs and new permits that come on board.		
10.	PG to have a mechanism for providing alerts in the event of downtime		
11.	PG to have reporting functionalities NB <i>Capabilities to generate summary/detailed daily/monthly/yearly reports based on set parameters e.g. by payment types,</i>		
12.	PG to have a mechanism for providing alerts at every stage in the payment work flow. <ul style="list-style-type: none"> • Bank payment confirmation alerts • Bank payments failure alerts • Bank payments refund alerts 		

	Requirements	Score Y/N	Response
13.	PG to have a TEST/Quality Assurance platform to conduct integration and User Acceptance Tests (UAT) when the need arises.		
14.	PG to provide an Audit Trail functionality N/B Keep all records, generated images, post and after each intervention		
15.	PG solution should have information security safeguards to check for URL tampering and common security breaches while the requests are sent Security frameworks or standards e.g. ISO 27001, NIST cyber security framework, COSO frameworks and others		
16.	PG should be able to support multi-currency usage i.e. USD, KSHS, EUR		

PART B-Additional Technical Requirements

Bidders **MUST** respond to **ALL** the requirements on how their solution meets the requirements.

Bidders **MUST** score a minimum of 80 marks in this section to proceed to **PART C** of the technical evaluation stage

	Item	Score	Response
1	Proof of technical competence i. Project Team Leader with at least 5 years' experience in implementing integrated Payment solutions. Bidder to provide relevant certifications in Project management & CVs. 5 years and above (4 Marks) 3-4 years (3 Marks) 1-2 years (2 Marks) Less than 1 year (0)	4	
	ii. Two project team members with at least 3 years' experience in implementing payment solutions. Bidder to provide relevant certifications & CVs. 3-years' experience – (3 marks) each 1-2 years' experience – (1 mark) each Less than 1 year experience- (0) Relevant certification & CVs – (1 mark) for each of the team members	8	
	iii. Two project teams' members with at least 3 years in implementing integrated solutions. Bidder to provide relevant certifications & CVs 3-years' experience – (3 marks) each 1-2 years' experience – (1 mark) each Less than 1 year experience- (0) Relevant certification & CVs – (1 mark) for each of the team members	8	
2	Solution provider overall number of years in provision of integrated Payment services solutions.	20	

	5 years and above - 20 Marks (<i>4 marks for every year</i>) Bidders to provide evidence of serviced LSOs or signed contracts including the duration of the project		
3	PG to have a redundant site(Secondary Site) in case of system failure	10	
4	PG service provider should provide a mobile app for smart phones and gadgets	5	
5	PG to be integrated to banks in Kenya (5 of which should be Tier 1 banks) 15 and above banks (5 Tier 1) - 20 marks 12 - 14 banks (3 Tier 1) - 15 marks 10 – 11 banks (2 Tier 1) - 10 marks 8 - 9 banks (1 Tier 1) - 5 marks Less than 8 - 0 marks	20	
6	Reference Sites in Kenya relevant to this project (at least three and include a brief of work done or services rendered , value of contracts, duration of project, and contact person with both reachable phone number and email). Bidders to provide evidence of serviced LSOs or signed contracts or reference letters (5 Marks for each relevant site)	15	
7	Detailed implementation plan in the form of a Gantt chart (Including activities, resources required, tasks & timelines). i. Activities ii. Resources required iii. Timelines	5	
8	Presentation of a detailed training plan comprising of at least the following: 4. Payment channels/options support 5. Errors and integration support 6. Reporting	5	
	Compliance to Technical Specifications (bidders must score at least 50 marks here)	100	

PART C: Additional Requirements

	Requirement	Score	Response
4	Proposal convenience/ transaction fee; 0 to 30 Kshs. – 30 marks 31 to 60 Kshs. – 20 marks 61 to 100 Kshs. 10 marks Above 100 – 0 marks	40	
5	The bidder should give a proposal for revenue sharing of the above proposed convenience/transaction fee payable to KenTrade within the following ranges; 5 to 10% – 5 marks 11 to 30%. – 8 marks 31 to 50% - 10 marks NB <i>The above shall be subject to negotiation with the winning bidder</i>	10	
TOTAL		50	

The minimum technical score required to proceed to Financial Evaluation will be **105 marks** out of the total **150 marks** in Part B and C as summarized above. This calculates to **70%** of the total marks.

Only tenderers who score **70%** and above will proceed to the financial evaluation.

3.1.3 FINANCIAL EVALUATION

	Requirements	Amount (KSHS)
1	Set up fee 1) Cost to Vendor Kshs. _____ 2) Cost to KenTrade Kshs. _____	

The maximum score under this section is 30 marks. Financial score will be evaluated by the formula below:

$$\text{Financial Score} = 30 * \left(\frac{\text{Lowest Quoted Amount}}{\text{Bidder Quotated Amount}} \right)$$

Proposals will be ranked according to their combined technical (St) and financial (Sf) scores using the weights (T= the weight given to the Technical Proposal and P=the weight given to the Financial Proposal);

The firm achieving the highest combined technical and financial score will be invited for negotiations at a date to be communicated, which will inform award.

The bidder with the highest combined technical and financial score shall be considered for award of this tender subject to successful negotiations.

3.1.4 NEGOTIATIONS

The firm achieving the highest combined technical and financial score will be invited for negotiations at the KenTrade offices at Embankment Plaza, Upper Hill, at a date to be communicated. These negotiations will inform the award.

SECTION III- TECHNICAL PROPOSAL

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4. Description of the methodology and work plan for performing the assignment	33
5. Team composition and Task assignments	34
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7. Time schedule for professional personnel	36
8. Activity (work schedule)	37

4.1. TECHNICAL PROPOSAL SUBMISSION FORM

[_____ *Date*]

To: KENYA TRADE NETWORK AGENCY

Ladies/Gentlemen:

We, the undersigned, offer to provide the services for _____
_____ *[Title of services]* in accordance with your Request for Proposal dated
. We are hereby submitting our Proposal, which includes this Technical Proposal, [and a Financial Proposal
sealed under a separate envelope-*where applicable*].

We understand you are not bound to accept any Proposal that you receive.

We remain,

Yours sincerely,

_____ *[Authorized Signature]:*

_____ *[Name and Title of Signatory]*

_____ *[Name of Firm]*

_____ *[Address:]*

4.2. FIRM'S REFERENCES

Relevant Services Carried Out in the Last Five Years That Best Illustrate Qualifications

Using the format below, provide information on each assignment for which your firm either individually, as a corporate entity or in association, was legally contracted.

Assignment Name:	Country
Location within Country:	Professional Staff provided by Your Firm/Entity (profiles):
Name of Agency:	Agency's contact person for the assignment.
Address:	No of Staff-Months; Duration of Assignment:
Name of Associated Tenderers. If any:	No of Months of Professional Staff provided by Associated Tenderers:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:	
Narrative Description of project:	
Description of Actual Services Provided by Your Staff:	

Firm's Name: _____

Name and title of signatory; _____

4.3. COMMENTS AND SUGGESTIONS OF TENDERERS ON THE TERMS OF REFERENCE AND ON DATA, SERVICES AND FACILITIES TO BE PROVIDED BY THE KENYA TRADE NETWORK AGENCY.

On the Terms of Reference:

- 1.
- 2.
- 3.
- 4.
- 5.

On the data, services and facilities to be provided by the Kenya Trade Network Agency:

- 1.
- 2.
- 3.
- 4.
- 5.

4.4. DESCRIPTION OF THE METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT

4.5. TEAM COMPOSITION AND TASK ASSIGNMENTS

1. Technical/Managerial Staff

Name	Position	Task

2. Support Staff

Name	Position	Task

4.6. FORMAT OF CURRICULUM VITAE (CV) FOR PROPOSED PROFESSIONAL STAFF

Proposed Position: _____
Name of Firm: _____
Name of Staff: _____
Profession: _____
Date of Birth: _____
Years with Firm: _____ Nationality: _____
Membership in Professional Societies: _____
Detailed Tasks Assigned: _____

Key Qualifications:

[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations].

Education:

[Summarize college/university and other specialized education of staff member, giving names of schools, dates attended and degree[s] obtained.]

Employment Record:

[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments.]

Certification:

I, the undersigned, certify that these data correctly describe me, my qualifications, and my experience.

[Signature of staff member]

[Signature of authorized representative of the firm]

Date; _____

Full name of staff member: _____

Full name of authorized representative: _____

4.7. TIME SCHEDULE FOR PROFESSIONAL PERSONNEL

Name	Position	Reports Due/ Activities	1	2	3	4	5	6	7	8	9	10	11	12	Number of Months

Months (in the Form of a Bar Chart)

Reports Due: _____

Activities Duration: _____

Signature: _____
(Authorized
representative)

Full Name: _____

Title: _____

Address: _____

4.8. ACTIVITY (WORK)

SCHEDULE (a). Field

Investigation and Study Items

[1st, 2nd, etc., are months from the start of assignment)

	1 st	2 nd	3	4 th	5 th	6 th	7 th	8 th	9 th	10 th	11 th	12	
Activity (Work)													

(b). Completion and Submission of Reports

Reports	Date
1. Inception Report	
2. Interim Progress Report (a) First Status Report (b) Second Status Report	
3. Draft Report	
4. Final Report	

SECTION IV: - FINANCIAL PROPOSAL

Notes on preparation of Financial Proposal

- 5.1 The Financial proposal prepared by the tenderer should list the costs associated with the assignment. These costs normally cover remuneration for staff, subsistence, transportation, services and equipment, printing of documents, surveys etc. as may be applicable. The costs should be broken down to be clearly understood by the Kenya Trade Network Agency.
- 5.2 The financial proposal shall be in Kenya Shillings or any other currency allowed in the request for proposal and shall take into account the tax liability and cost of insurances specified in the request for proposal.
- 5.3 The financial proposal should be prepared using the Standard forms provided in this part

SECTION IV - FINANCIAL PROPOSAL STANDARD FORMS

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4. Breakdown of remuneration per activity	41
5. Reimbursable per activity	42
6. Miscellaneous expenses	42

1. FINANCIAL PROPOSAL SUBMISSION FORM

_____ [Date]

To: _____

Ladies/Gentlemen:

We, the undersigned, offer to provide the services for (_____) [Title of services] in accordance with your Request for Proposal dated (_____) [Date] and our Proposal. Our attached Financial Proposal is for the sum of () [Amount in words and figures] inclusive of the taxes.

We remain,

Yours sincerely,

_____ [Authorized Signature]:

_____ [Name and Title of Signatory]:

_____ [Name of Firm]

_____ [Address]

2. SUMMARY OF COSTS

Costs	Currency(ies)	Amount(s)
Subtotal		
Taxes		
Total Amount of Financial Proposal		

3. BREAKDOWN OF PRICE PER ACTIVITY

Activity NO.:	Description: _____
Price Component	Amount(s)
Remuneration	
Reimbursables	
Miscellaneous Expenses	
Subtotal	

4. BREAKDOWN OF REMUNERATION PER ACTIVITY

Activity No. _____ Name: _____				
Names	Position	Input (Staff months, days or hours as appropriate.)	Remuneration Rate	Amount
Regular staff (i) (ii)				
Tenderers				
Grand Total				
RFP-Payment Gateway Services				

5. REIMBURSABLES PER ACTIVITY

Activity No: _____ Name: _____

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	Air travel	Trip			
2	Road travel	Kms			
3.	Rail travel	Kms			
4.	Subsistence Allowance	Day			
	Grand Total				

6. MISCELLANEOUS EXPENSES

Activity No. _____ Activity Name: _____

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	Communication costs____ (telephone, telegram, telex)				
2.	Drafting, reproduction of				
3.	reports Equipment: computers				
4.	etc. Software				
	Grand Total				

SECTION VI: STANDARD FORMS OF CONTRACT

SAMPLE CONTRACT

This Agreement [hereinafter called "the Contract"] is entered into this _____ *[Insert starting date of assignment]*, by and between KENTRADE of P.O. Box 36943-00200-NAIROBI situated at Embankment Plaza – First Floor hereinafter called "the Agency") of the one part AND _____ *[Insert Tenderer's name]* of [or whose registered office is situated at] _____ *[insert Tenderer's address]* (hereinafter called "the Tenderer") of the other part.

WHEREAS, the Agency wishes to have the Tenderer perform the Services [hereinafter referred to as "the Services", and

WHEREAS, the Tenderer is willing to perform the said Services,

NOW THEREFORE THE PARTIES hereby agree as follows:

1. Services (i) The Tenderer shall perform the Services specified in Appendix A, "Terms of Reference and Scope of Services," which is made an integral part of this Contract.

(ii) The Tenderer shall provide the reports listed in Appendix B, "Tenderer's Reporting Obligations," within the time periods listed in such Appendix and the personnel listed in Appendix C, "Cost Estimate of Services, List of Personnel and Schedule of Rates" to perform the Services.

2. Term The Tenderer shall perform the Services during the period commencing _____ *[Insert start date]* and continuing through to _____ *[Insert completion date]* or any other period(s) as may be subsequently agreed by the parties in writing.

3. Payment A. Ceiling

For Services rendered pursuant to Appendix A, the Agency shall pay the Tenderer an amount not to exceed a ceiling of _____

[Insert ceiling amount]. This amount has been established based on the understanding that it includes all of the Tenderer's costs and profits as well as any tax obligation that may be imposed on the Tenderer. The payments made under the Contract consist of the Tenderer's remuneration as defined in subparagraph (B) below and of the reimbursable expenditures as defined in subparagraph (C) below.

B. Remuneration

The Agency shall pay the Tenderer for Services rendered at the rate(s) per man/month spent (or per day spent or per hour spent, subject to a maximum of eight hours per day) in accordance with the rates agreed and specified in Appendix C, "Cost Estimate of Services, List of Personnel and Schedule of Rates".

C. Reimbursables

The Agency shall pay the Tenderer for reimbursable expenses which shall consist of and be limited to:

- (i) normal and customary expenditures for official road and air travel, accommodation, printing and telephone charges; air travel will be reimbursed at the cost of less than first class travel and will need to be authorized by the Agency's coordinator;
- (ii) Such other expenses as approved in advance by the Agency's coordinator.

D. Payment Conditions.

Payment shall be made in Kenya shillings unless otherwise specified not later than thirty {30} days following submission of invoices in duplicate to the Coordinator designated in Clause 4 here below.

The parties shall use their best efforts to settle amicably all disputes arising out of or in connection with this Contract or its interpretation.

4. Project Administration A. Coordinator

The Agency designates _____ *[Insert name]* as the Agency's Coordinator; the Coordinator shall be responsible for the coordination of activities under the Contract, for receiving and approving invoices for payment and for acceptance of the deliverables by the Agency.

B. Timesheets.

During the course of their work under this Contract, including field work, the Tenderer's employees providing services under this Contract may be required to complete timesheets or any other document used to identify time spent as well as expenses incurred, as instructed by the Project Coordinator.

C. Records and Accounts

The Tenderer shall keep accurate and systematic records and accounts in respect of the Services which will clearly identify all charges and expenses. The Agency reserves the right to audit or to nominate a reputable accounting firm to audit the Tenderer's records relating to amounts claimed under this Contract during its term and any extension and for a period of three months thereafter.

5. Performance Standards

The Tenderer undertakes to perform the Services with the highest standards of professional and ethical

competence and integrity. The Tenderer shall promptly replace any employees assigned under this

Contract that the Agency considers unsatisfactory.

6. Confidentiality

The Tenderer shall not, during the term of this Contract and within two years after its expiration, disclose any proprietary or confidential information relating to the Services, this Contract or the

Agency's business or operations without the prior written consent of the Kenya Agency.

7. Ownership of Material

Any studies, reports or other material, graphic, software or otherwise prepared by the Tenderer for the

Agency under the Contract shall belong to and remain the property of the Agency. The Tenderer may retain a copy of such documents and software.

8. Tenderer Not to be Engaged in Certain Activities

The Tenderer agrees that during the term of this Contract and after its termination, the Tenderer and

any entity affiliated with the Tenderer shall be disqualified from providing goods, works or services (other than the Services or any continuation thereof) for any project resulting from or closely related to the Services.

9. Insurance The Tenderer will be responsible for taking out any appropriate insurance coverage.

10. Assignment The Tenderer shall not assign this Contract or Subcontract any portion thereof without the Agency's prior written consent.

11. Law Governing Contract and Language

The Contract shall be governed by the Laws of Kenya and the language of the Contract shall be English

Language

.

12. Dispute Resolution

Any dispute arising out of this Contract which cannot be amicably settled between the parties, shall be

referred by either party to the arbitration and final decision of a person to be agreed between the parties. Failing agreement to concur in the appointment of an Arbitrator, the Arbitrator shall be appointed by the chairman of the Chartered Institute of Arbitrators, Kenya branch, on the request of the applying party.

FOR THE KENYA TRADE NETWORK AGENCY Full

name; _____

Title: _____

Signature; _____

Date; _____

FOR THE TENDERER

Full name; _____

Title: _____

Signature; _____

Date; _____



KENYA TRADE NETWORK AGENCY (KENTRADE)

ANTI CORRUPTION AFFIDAVIT FORM

REPUBLIC OF KENYA

IN THE MATTER OF THE PUBLIC PROCUREMENT AND DISPOSAL ACT, NO. 33 OF 2015.

I, of P.O. Box being a resident of In the Republic of Kenya do hereby make oath and state as follows:-

1. THAT I am the;
(Chief Executive/Managing Director/Principal Officer/Director) of(Name of the Business) which is a Candidate in respect of Tender Number to supply goods, render services and/ or carry out works for Kenya Trade Network Agency and duly authorized and competent to make this Affidavit.

2. THAT the aforesaid candidate has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and /or agents of Kenya Trade Network Agency, which is the procuring entity.

3. THAT the aforesaid Candidate , its servant(s) and/or agent(s) have not been offered and will not offer any inducement to any member of the Board, Management, Staff and/or employees and /or agents of Kenya Trade Network Agency.

4. THAT the aforesaid Candidate, its servant(s) and agent(s) have not been debarred from any procurement process.

5. THAT what is deponed to hereinabove is true to the best of my knowledge, information and belief.

SWORN at by the said}

.....}

On this day of 20.....}

} _____ }
DEPONENT

Before me }
Commissioner for Oaths

REPUBLIC OF KENYA

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO.....OF.....20.....

BETWEEN

.....APPLICANT

AND

.....RESPONDENT (*Procuring Entity*)

Request for review of the decision of the..... (*Name of the Procuring Entity*) ofdated the...day of20.....in the matter of Tender No.....of20...

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical address.....Fax No.....Tel. No.....Email, hereby request the Public Procurement Administrative Review Board to review the whole/part of the above mentioned decision on the following grounds , namely:-

1.

2.

etc.

By this memorandum, the Applicant requests the Board for order/orders that: -

1.

2.

etc

SIGNED (Applicant)

Dated on.....day of/ 20.....

FOR OFFICIAL USE ONLY

Lodged with the Secretary Public Procurement Administrative Review Board on day of20.....

SIGNED

Board Secretary

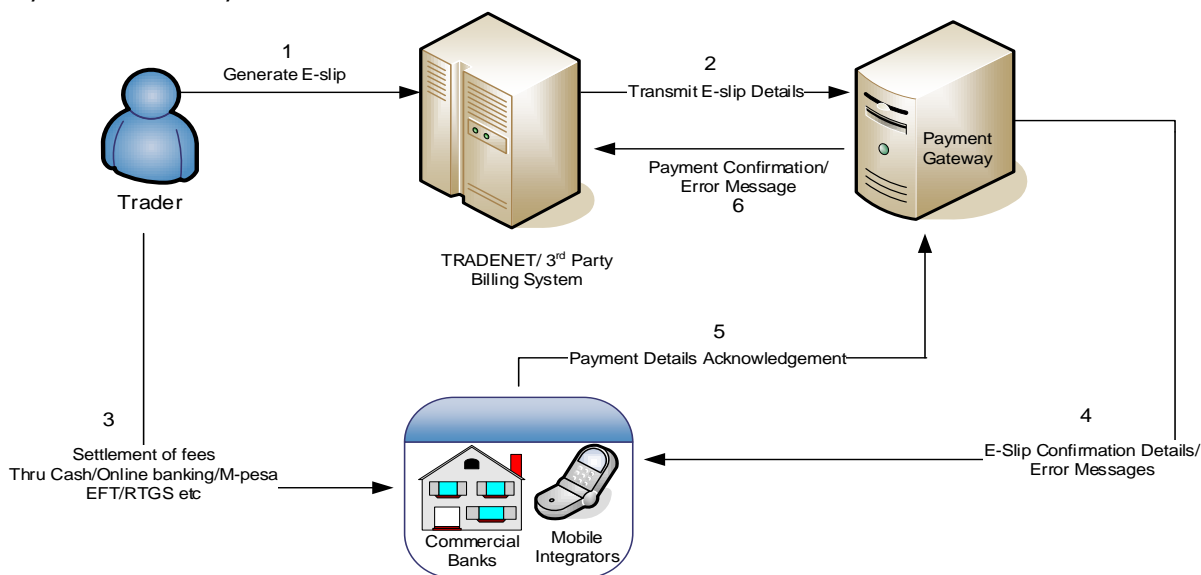
LIST OF APPENDICES

APPENDIX A– SYSTEM PROCESSES REQUIREMENTS

1. Kenya TradeNet system Permit process requirement

The proposed process entails the trader (clearing agents, exporters/importers) initiating the payment process in the Kenya TradeNet System and retrieving the respective transaction/document for which payment has to be made for. Kenya TradeNet System will generate an e-slip and submit it to the Payment Gateway for processing and payments/collection of funds. The trader makes the payment through any of the modes supported. The E-slip should be unique and be valid for 72 hours before payment. If Payment is not done within the 72hrs, the e-slip will automatically expire. Once payment has been done, the eSlip shall be valid until the services are rendered.

The diagram below indicates the process flow for payments to Governments in the proposed TradeNet Payment Gateway.



Process steps

Po1: Apply for Permit

Clearing agents, exporters or importers (referred to as trader) can log in to Kenya TradeNet System and apply for a PGA permit.

Po2: Select Permit Details

A permit application is created by selecting all the details for the permit like UCR, PGA, process, type (permit or license etc.). Once the permit is submitted by the applicant a unique permit reference number is generated. If there is a payment to be made application status will be "Processing Fee Payment Due".

Po3: Initiate Payment

The trader retrieves the permit and initiates the payment process by clicking "Make Payment". The applicant needs to choose the preferred payment mode. The proposed payment modes include Cash, Bankers EFT, RTGS, Mobile Money Platform e.g. MPESA, Airtel Money, Debit/Credit Card and Online banking. Additional payment modes may be proposed.

The Kenya TradeNet System will generate the e-Slip and display it to the applicant to confirm. Once the applicant confirms, the payment process is initiated in the payment gateway.

Po4: Print e-Slip

The trader can print the e-Slip from the Kenya TradeNet system. The print will be available anytime and will show details of the transaction and the e-Slip reference number.

Po5: Submit e-Slip to Payment Gateway

Kenya TradeNet System will invoke a web service call to the proposed Payment Gateway to submit the e-Slip. The Payment Gateway acknowledges and registers the e-Slip.

Po6: Make Payment

The trader makes payment using any of the supported modes of payment by accessing the Payment Gateway or the participating banks portal or mobile money Platform.

Po7: Payment Failure

After the payment is made by the trader, the Payment Gateway receives the payment status from the connected banks system. If there is a failure in the payment, PG invokes a payment confirmation web service hosted in TradeNet System with payment error and reason.

Po8: Payment Re-initiation

On receipt of the payment error, TradeNet System will update the status of the permit as payment failed. A notification will be sent to the trader on the payment failure. TradeNet will enable applicant to re-initiate the payment with a new e-Slip or correct the error/amend the eSlip and resubmit. The reason for failure will also be displayed to the applicant.

Po9: Payment Successful

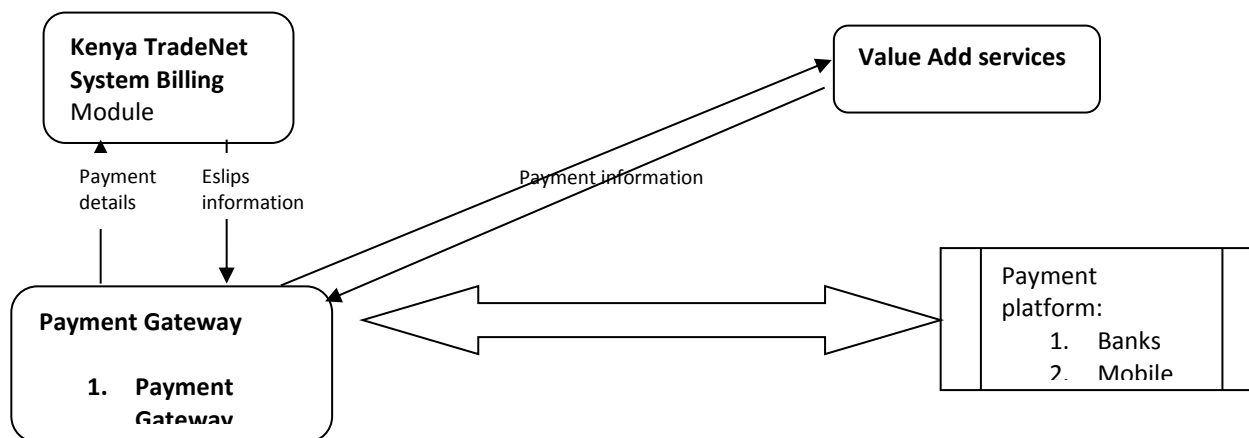
If the payment is successful, PG invokes a payment confirmation web service hosted in TradeNet system with payment success message. The trader will be notified of the success message.

P10: Payment Status Updated

TradeNet will update the status of the permit to "Paid" and the application will move to the next stage in the approval process.

2. Billing system requirements

The below diagram shows how the proposed Payment gate way will be integrated with KenTrade's billing system.



Process steps

Po1: Account subscriptions payment fees process

Clearing agents, exporters or importers (referred to as trader) can log in to Kenya TradeNet System. System validate their subscription details, if they are due, Trader generates an Eslip which is sent to payment gateway. The Trader pays the amount as per the Eslip using various channels provided by the payment gateway. Payment gateway sends a payment acknowledgement message to billing system after payment is received from trader

Po1: UCR transaction Fee

Clearing agents, exporters or importers (referred to as trader) can log in to Kenya TradeNet System and creates UCRs.

The Kenya TradeNet System generates an invoice at the end of the month and send to Trader. The Trader pays the amount as per the Eslip using various channels provided by the payment gateway. Payment gateway sends a payment acknowledgement message to billing system after payment is received from trader

Report Requirements

The proposed Payment Gateway should have report generation capabilities to be accessed/shared to the Kenya TradeNet System. The system shall provide payment reports as required by different user profiles.

Revenue per Bank Summary Report

This is a revenue report required to show summary and trends for permit revenue collections per PGA and specified Bank and branch over a period of time specified by the user.

Summary Agency collection

This revenue report will show the summary of the collection made per PGA over a specified period of time.

Mode of payment collection

This revenue report will show summary of the collection made on the various payment modes over a specified period of time.

NB; The System should have capacity to generate detailed reports of the above reports at any given time. The reports should be printable in various types e.g. pdf, excel etc.

Business Rules

The following are the business rules applied on collection of revenue for each component.

1. Payments must be by bankers cheque(s), same bank (in-house) Cheque(s), bank guaranteed cheque, mobile payment, RTGS and cash. ***Special focus should be on Internet banking and online payments/mobile should with a view to move away from cash based payments.***
2. Cashier to receive amount equal to PRN, OR more.
3. The payment gateway should have a facility to refund cancelled or excess payments and to generate reports for the same.
4. Cashier should not receive amount less than amount indicated on the e-slip.
5. Once payment has been validated by the bank no alteration can be accepted.
6. Payments may be for a single or multiple Eslips.
7. The aggregate value of payment amount may not be less or equal to zero.
8. The system should be able to receive money in foreign currency as well as in Kenya shillings (KES).
9. Cancellation and Expiry of e-slip: The business systems shall notify PG on cancellation and expiry of any payment advice. The system should also be able to provide sufficient audit trail mechanism to allow tracking and reporting of such e-slips.
10. PG shall have a queuing mechanism to enable it resend payment information to TradeNet System in the event that the latter are unavailable when PG attempts to send the payment information to them.