USAID | KENYA AND EAST AFRICA
FROM THE AMERICAN PEOPLE

REQUEST FOR INFORMATION (RFI)

Reference:	**Request for Information No. RFI-KEA-2020-001 - REISSUED**
Re-Issue Date:	**April 7, 2020**
Amendment Date:	**April 21, 2020**
Response Due Date:	**June 1, 2020, 11:00 a.m. Nairobi Time**
Industry Day:	**To be determined**
Title:	**USAID Kenya and East Africa Concept for a Kenya Self-Reliance Development Coalition (KSDC) – REISSUED – Amendment 1**

The response date for this RFI is extended to June 1, 2020 through this Amendment as indicated above.

The United States Agency for International Development, Kenya and East Africa Mission is issuing this Request for Information (RFI) for the purpose of offering industry and stakeholders an opportunity to review, comment on, and provide responses to the concept and questions set forth herein. The RFI is an attempt to reach out to the market in an effort to determine the scope of industry capabilities and interest and will be treated as information only.

Please note that this is **not a Request for Proposals (RFP) or Request for Applications (RFA)** and therefore should not be construed as a commitment by the U.S. Government or USAID to issue any solicitation or Notice of Funding opportunity, or ultimately award a contract or assistance agreement on the basis of this RFI, or to pay for any information voluntarily submitted as a result of this request. USAID is not seeking technical or cost proposals at this time. Do not submit any proposal/application at this time in response to this RFI. Responding to this RFI does not give any advantage to any firm or organization in any subsequent competition. Responses will not be returned but will be held confidential. USAID reserves the right to respond to any, all, or none of the comments and questions submitted. USAID's responses (if any) will be posted on www.grants.gov and beta.sam.gov. Please continue to monitor the site for any updates to this RFI. The briefing materials from the planned industry day will be posted on the RFI page, for example. Please submit any clarifications regarding this RFI and your submissions in response to this RFI via email to KSDC@usaid.gov with the subject entitled: "RFI: Kenya Self-Reliance Development Coalition".

If a Solicitation is issued, it will be announced on the Grants.Gov website http://www.Grants.Gov or on beta.sam.gov at a later date and all interested parties must respond to that Solicitation announcement separately from any response to this announcement. This RFI does not in any way commit the U.S. Government to issuing a solicitation or restrict the U.S. Government's approach on a future solicitation.

This Notice can be viewed and downloaded from the Internet at www.grants.gov and on beta.sam.gov. Thank you for your interest in the subject request for information.

Sincerely,

Nya kwai Boayue
Digitally signed by Nya kwai Boayue
Date: 2020.04.21 10:35:11 -04'00'

Nya Kwai Boayue
Agreement Officer

Enclosures:

Attachment 1: USAID/KEA Concept for KSDC
Attachment 2: Instructions to respondents

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Attachment 1

USAID KENYA AND EAST AFRICA CONCEPT FOR A KENYA SELF-RELIANCE DEVELOPMENT COALITION (KSDC) REQUEST FOR INFORMATION (RFI)

This Request for Information (RFI) is a preliminary call for expressions of interest and USAID/KEA solicits information and potential interest from eligible organizations as described under Attachment 2 organizations, to partner with it in support of the "Kenya Self-Reliance Development Coalition (KSDC)" activity.

Concept Summary

The Vision for a Kenya Self-Reliance Development Coalition

USAID/KEA is considering support for a Kenyan-established, -owned, -managed and -controlled not-for-profit, non-governmental entity at the national level to have a transformative impact on development issues in Kenya.

The USAID support being considered to the entity includes phased direct funding, and capacity building and technical assistance. The entity would have or need to develop in a timely manner the capacity and capability to receive and effectively manage USAID funds at the national level. The entity would also need to be able to negotiate, execute and oversee development sub-awards to other Kenyan entities. The entity could be a new or existing organization. The entity does not need to be legally constituted in order to be considered at this time.

The entity should be broadly representative of the Kenyan civil society and private sector (i.e. private sector associations). This means that the entity should have a collective voice, representing the interests of a wide range of Kenyan non-governmental organizations (NGOs) and public benefit organizations (PBOs), including but not limited to, faith-based organizations (FBOs), youth organizations, charitable or development focused trusts, self-help groups (SHGs), societies and associations, and organizations focused on gender equality. The entity also should represent multiple technical sectors in which USAID provides development assistance in Kenya (at a minimum include health, education, economic growth, environment, and democracy and governance) and be inclusive and representative of geographic and ethnic diversity in Kenya. In addition, the entity is envisioned to serve in an advocacy, convening and transformational capacity for civil society and the private sector in Kenya.

USAID expects the entity to be a catalyst in bringing civil society, the private sector and the Government of Kenya together to fundamentally improve the economic, political and social dynamics for development in Kenya.

Envisioned Role and Evolution of the Entity

USAID is considering this approach to enable broad-based Kenyan participation in the USAID funded development program in Kenya. Greater Kenyan participation will promote sustainability of development programs in Kenya and self-reliance among Kenyan organizations. It is envisioned that the entity would promote and champion transparency, accountability and performance in all spheres of Kenyan development within its mandate, working in partnership with all levels of the Government of Kenya, civil society and the private sector. Over time, the entity would make substantial progress towards sustainability and self-reliance through development of resource mobilization, fundraising and other related capabilities. The entity would galvanize private and public support and synergies to make development programs and activities successful. Over time the entity may even develop the capacity to provide technical assistance to members that are smaller NGOs and lack capabilities required to manage donor funds and implement projects. The entity could do this directly or through a third party, taking over this function from USAID. Ultimately, the entity would achieve self-reliance and the ability to plan, finance and implement solutions to Kenyan development challenges.

Avoidance of Conflict of Interest and Mitigation of Corruption Risk

To reduce and mitigate the risk of corruption and real or potential conflicts of interest, or the appearance thereof, the participants in the governance structure(s) and management team of the entity must have high standards of integrity and be independent. This means Members, Directors and management and technical staff should not have affiliations with any organization that likely would seek funding from the entity. A possible exception would be if such officials of the entity recused themselves from any procurement or award process that involved organizations with which they had an affiliation or if the affiliated organization expressly committed in writing not to seek funding from the entity.

How Best to Ensure Broad Representation and Inclusivity

One possible approach to ensure broad based representation is to establish a membership structure within the entity, under which civil society and private sector organizations can be members but without a governance/managerial role nor, to prevent conflicts of interest, decision-making authority or influence involving procurement or sub-award processes. Members could provide input into high level strategy development of the entity and provide input to and benefit from its advocacy, convening and transformational roles. If the entity can demonstrate substantial benefits to members it may be possible to charge an annual membership fee.

Another possible approach could be to have an Advisory Board whose membership is largely made up of civil society and private sector organization representatives. Similarly, there could be advisory technical sector committees.

Considerations for the Entity to Award USAID Funds to other Kenyan Organizations

An independent management team, selected through open competition, would manage all procurement and sub-award processes, and make sub-award recommendations to the entity's independent Board and subsequently to USAID for approval. In the event USAID were to enter into a funding agreement with the entity, said agreement would set out criteria for sub-award selection, monitoring and funding in accordance with USAID policy and regulations. The entity also would be required to have a full set of policies and procedures that meet USAID standards and requirements and are compliant with Kenyan legal requirements. USAID could consider working with the entity to develop a framework for provision of technical assistance, capacity building support, oversight and possibly mentoring or facilitated partnerships for sub-awardees through one or more separate mechanisms. A key objective would be to identify and support new and underutilized local partners. USAID expects that its substantial involvement with sub-award processes would decrease over time as the entity develops additional sub-award management capability and moves down the path to self-reliance.

Proposed USAID and Government of Kenya Minority Representation in the Entity

As noted, the entity would be established, owned and controlled by Kenyans. USAID expects to have, within the parameters of USAID rules and policies, minority representation on the Board of Directors or other governing body of the entity, as well as on technical sector committees. Similarly, the Government of Kenya would be offered minority representation on the Board and technical sector committees. Over time, other donor organizations could have minority Board representation. However, at all times the Board and technical sector committee majority would comprise independent Kenyans who do not have Government of Kenya or donor affiliations.

Possible Legal Structure

There are several possibilities for the legal and institutional structure and framework for the subject entity, including a foundation, trust, typical NGO or PBO, society or association, or not for profit entity limited by guarantee (registered under Companies Act). USAID's initial assessment is that a foundation or trust may be the best vehicle for long-term sustainability and self-reliance and may require fewer approvals and less supervision and review from the Government of Kenya. A foundation type entity also may be in a better position to attract other donor funding, including from other Foundations. The extent of potential personal liability of Members, Directors or Trustees also should be a factor in determining the optimal legal structure for the entity.

Relationship to Annual Program Statement (APS) entitled "Kaunti Kuimarisha Uendelevu – Strengthening County Sustainability

This possible initiative would not replace, diminish or change the intent of the Annual Program Statement (APS) entitled "Kaunti Kuimarisha Uendelevu – Strengthening County Sustainability" issued by USAID/KEA in June 14, 2019 calling for Concept Notes focused on inclusion of local development actors at the County level to drive development.

End of Attachment 1

Attachment 2

INSTRUCTIONS TO RESPONDENTS FOR SUBMISSION AND EVALUATION

I. **Eligibility:** Although responses to this RFI may come from any source, USAID intends to restrict eligibility for any possible Solicitation to local entities. For purposes of this RFI "local entity" means an individual, a corporation, a nonprofit organization, or another body of persons that: (1) is legally organized under the laws of Kenya; (2) has as its principal place of business or operations in Kenya; (3) is at least seventy-five percent (75%) owned and controlled by individuals who are citizens or lawful permanent residents of Kenya; and (4) is managed by a governing body and management team at least seventy-five percent (75%) of whom are citizens or lawful permanent residents of Kenya. For purposes of this RFI, 'at least seventy-five percent (75%) owned and controlled' and 'managed by' includes, without limitation, beneficiary interests and the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the organization's managers or a majority of the organization's governing body by any means.

II. **Submission of Responses:** Responses (comments, suggestions, and enhancements) to this RFI are due to the USAID/Kenya and East Africa Office of Acquisition and Assistance identified below by the date stipulated on the cover page. Interested parties shall provide an electronic copy of their response; Electronic submissions, in Microsoft Word or Adobe Acrobat formats are acceptable**.** The agency server is unable to accept *zip files. Respondents may not send any files in this format. Please email responses to KSDC@usaid.gov with the subject title, "RFI: Kenya Self-Reliance Development Coalition".

III. **Industry Day**: USAID/KEA, at its discretion, may hold a Conference or "Industry Day" with selected entities that respond to this RFI at a date to be determined by USAID after the Responses Due Date specified on the cover page. Given the

IV. **Preparation of Responses**

Responses to this RFI must be limited to not more than 12 pages (Double-spaced, and with one-inch margins) and must include the following:

1. A table that contains the following information—
   a) Organization name and address.
   b) Organization point of contact, title/position, mobile and landline number/s, email address and website
   c) Description of how the organization meets the requirements of being a local partner as per the definition provided under Eligibility section I above.
   d) A brief statement that indicates the organization's interest in proposing as a prime and their local and/or international sub-recipient(s), or consortium with other local or international organizations, or as a sole applicant.
   e) Summary of most recent internal and external audits.
   f) Description of internal control, contract management, and data quality management systems.
   g) Description of the organization's and their partners' management and staffing plan.
   h) A statement indicating whether the organization is a "local entity" within the meaning of that term for purposes of this RFI.

2. A write-up on demonstrated organizational capability by providing past performance references for the organization and their proposed partners if any (for maximum of 5 past years) that meets the following criteria:

a) The organization was either a prime or sub-award recipient or contractor of USAID or another donor(s).
b) The value of the award/contract, or sub-award
c) The scope of the work

Please include the following details:
1) Donor/Funding Organization
2) Project Title
3) Place of Performance
4) Period of Performance
5) Total Value of the Award
6) Role: Prime or Sub-recipient/contractor. If as a sub, include value of sub-award.
7) Description of the effort, interventions and outcomes.
8) Counties worked

3. A brief description of how the organization on its own or as a participant in a coalition could achieve the objectives and fulfill the role of the Kenya Self-Reliance Development Coalition described in this RFI.

Answers to the following questions, describing how your organization could respond, are recommended for consideration:

a. To achieve the objectives stated herein, what would be the best and most sustainable legal, organizational, governance and management structure and framework for the referred to entity? How would such an entity address or mitigate potential corruption and organizational or personal conflicts of interest (and the appearance thereof) given the strong likelihood that at least some of the entities and individuals participating in or represented by the entity would also be likely to seek funds from said entity or be affiliated with entities seeking such funds?
b. How should the individuals who would be asked to establish (unless it is an existing entity) and/or serve on the governing structure of the entity be identified and selected?
c. What is the best approach to make the entity inclusive and broadly representative of Kenyan civil society and private sector, and to make participation in the entity by all relevant stakeholders attractive?
d. How could the entity best serve in an advocacy, convening and transformational role for civil society and the private sector in Kenya?
e. What are the best options for the entity to become sustainable and self-reliant over time, and develop capability in resource mobilization, fundraising, attracting other donor support, and possibly capital generation? What is the optimal approach for sharing of overhead costs of the entity (especially if it is a new entity) so that USAID is not obliged to cover 100% of said costs indefinitely?
f. How could USAID best ensure that the entity would manage USAID funds, including financial management and overseeing procurement and sub-award processes, in a manner that is transparent, accountable and in compliance with USAID and Kenyan laws, regulations and best practices? In this regard, would it be helpful for USAID to fund a technical assistance expert to be embedded in the entity in the short to medium term?

g. What is the best approach to garner and sustain Kenya's national government support for this possible initiative, while limiting regulatory required or authorized approvals, supervision or review by the national government?
h. What criteria should the organization use to identify the minority Kenyan government representation in the governing structure, Advisory Board and technical sector committees? How would the entity best secure against political influence and interests?
i. What is a realistic time-frame for the referred to entity to be established and deemed by USAID to be ready to: (1) receive and effectively administer USAID funds; (2) execute, manage and monitor sub-awards of USAID funds; and (2) proficiently manage and provide oversight to USAID funded projects and activities?
j. What are the key risks, problems, omissions and pitfalls of this possible initiative, and what mitigation measures would you suggest employing to reduce such risks? What, if any, changes would you make or lessons you would like to share to strengthen the approach? Do you think this can work?

V. Submissions Review Process

USAID KEA will review all responses to the KSDC RFI. The quality and depth of responses will help to inform USAID’s future procurement approach and will serve as one of the bases for selecting invitees to the planned industry day.

USAID/KEA may contact a respondent to clarify elements of their response, request additional information, or discuss other related aspects. Exchanges during the RFI stage will be used to inform USAID/KEA solicitation and design of any future procurement.

End of Attachment 2