

REQUEST FOR PROPOSAL

RFP-040-PIL-2024

**CONSULTANCY SERVICES FOR THE DEVELOPMENT OF A SUB-GRANT POLICY FOR THE TAX
JUSTICE NETWORK AFRICA.**

RFP ISSUE DATE: - 18TH APRIL 2024.

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

SECTION 1 - INVITATION LETTER FOR REQUEST FOR PROPOSAL.

RFP REF NO.: - RFP-040-PIL-2024

RFP Reference No.	RFP-040-PIL-2024
Title of Tender	CONSULTANCY SERVICES FOR THE DEVELOPMENT OF A SUB-GRANT POLICY FOR THE TAX JUSTICE NETWORK AFRICA.
Issuing Office & Address	TAX JUSTICE NETWORK AFRICA Jaflo Limited, Block 3 - 106 Brookside Drive, Westlands Website: - https://taxjusticeafrica.net/
Location of this Assignment	Nairobi-Kenya
Point of contact for clarifications & questions	TJNA Procurement Unit, procurement@taxjusticeafrica.net cc ; jnjenga@taxjusticeafrica.net ; nbusingye@taxjusticeafrica.net .
Amendment of RFP Documents	At any time before the submission of proposals, the Client, TJNA may for any reason, whether at its own initiative or in response to a clarification requested by an invited firm, amend the RFP. Any amendment shall be issued in writing through addenda. Addenda shall be sent by mail to all invited consultants and will be binding on them. The Client may at his discretion extend the deadline for the submission of proposals, if deemed necessary, to allow bidders reasonable time to take the amendment into account.
Email address for submission of Proposals	TJNA Procurement Unit, procurement@taxjusticeafrica.net
Deadline for submission of questions and clarifications	29 th APRIL 2024
Deadline for Answering questions and clarifications	30 th APRIL 2024
Deadline for submission of Proposals	Please include the subject line "RFP-040-PIL-2024" of the email.
Anticipated Award Type	Consultancy Agreement
PRELIMINARY/MANDATORY EVALUATION CRITERIA	
	<p>Preliminary Mandatory Requirements Bidders will be evaluated on the following mandatory requirements and those who fail to submit any of the documents below will not be considered for evaluation in the subsequent steps.</p> <p>Registered Firms/ Individual Entities: -</p> <ol style="list-style-type: none"> 1. Certificate of registration or Incorporation/IDs for individual based consultant 2. Copy of List of Directors, Shareholders, and beneficial owners (CR12) 3. Tax Compliance 4. Valid business permit from country of jurisdiction 5. Submission Technical Proposal 6. Submission of the financial proposal 7. Previous Experience (Reference letter/LSO/Contract) 8. CVs for the proposed team

SECTION 2: INSTRUCTIONS TO BIDDERS

1. BACKGROUND

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

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

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

1. The African Parliamentary Network on Illicit Financial Flows and Taxation,
2. Pan African Conference on Illicit Financial Flows and Taxation and
3. International Tax Justice Academy.

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

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

Joint programming at TJNA

Joint programming and implementation at TJNA involve collaboration with partners at national, regional, and global levels. Projects span multiple countries and jurisdictions, engaging civil society organizations in advocacy and implementation efforts. TJNA utilizes a sub-granting model to fund joint initiatives, wherein funds are raised and distributed to implementing partners for collaborative projects. This approach ensures efficient resource allocation and fosters partnerships with likeminded organizations to advance tax justice initiatives throughout Africa.

The approach is characterized by a collaborative and participatory approach that emphasizes inclusivity and shared decision-making. Through regular consultations and engagement with partners at various levels. TJNA ensures that initiatives are aligned with the needs and priorities of the communities they serve. By leveraging on the synergies of our partners, this

has enabled the organization to undertake advocacy work within the context of the implementing partner. This tailored approach ensures that advocacy efforts are sensitive to the specific needs and realities of each community or country, thereby increasing the likelihood of success and sustainability. The approach has resulted in impactful projects that continue to advance the tax justice agenda.

Furthermore, TJNA provides technical support to its members and partners, leveraging its expertise and resources to build capacity and enhance the effectiveness of advocacy campaigns and projects. This collaborative process not only enhances the effectiveness and sustainability of projects but also fosters a sense of ownership and commitment among all stakeholders involved. By leveraging the expertise and resources of diverse partners, TJNA can maximize impact and address complex challenges related to tax justice and equitable development across Africa.

Joint programming and implementation at TJNA are underpinned by transparent and accountable financial management systems. The network maintains rigorous oversight and monitoring mechanisms to ensure that funds are utilized efficiently and effectively towards achieving stated objectives. Through regular reporting and evaluation, TJNA tracks the progress of projects, identifies areas for improvement, and shares lessons learned with partners and stakeholders. This commitment to transparency and accountability not only enhances trust and credibility within the donor community but also strengthens partnerships and fosters a culture of continuous learning and improvement within the network.

2. PROPOSAL SUBMISSION

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

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

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

2.1 The Technical and Financial Proposals must be submitted separately to (**procurement@taxjusticeafrica.net**) by **6th May @5:00 PM**.

2.2 Association

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

2.3 Grounds for Exclusion

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

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

2.5 Validity of Proposal

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

2.6 Communication

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

2.7 Taxes

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

2.8 Currency

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

2.9 TJNA Policy and Standard Terms and Conditions

a) TJNA Employees

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

b) Conflict of Interest

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

under this agreement, any question regarding possible conflict of interest which may arise because of such change will be raised with TJNA.

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

c) Ethics

The Consultant will exercise extreme care and due diligence to prevent any action or conditions which could result in conflict with the best interest of TJNA.

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

d) TJNA's Right to Reject or Modify

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

e) Supplemental Terms and Conditions/Modifications

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

3.0 Form of Agreement

The contents of this RFP and the proposal document of the successful Consultant shall become contractual obligations as part of the Contract if acquisition action ensues.

Failure of a successful Consultant to accept these obligations in a contractual agreement shall result in cancellation of award. TJNA reserves the right to negotiate provisions in addition to those stipulated in this RFP or proposed by a consultant for the purpose of obtaining the best possible contract.

• **Marketing References**

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

3. OBJECTIVE AND SCOPE OF WORK

The assignment aims to develop a sub-granting policy within the Tax Justice Network Africa (TJNA) that will establish clear guidelines and procedures that will govern the process of allocating and managing funds for joint programming and implementation initiatives. This policy aims to ensure transparency, accountability, and efficiency in the utilisation of resources, thereby enhancing the effectiveness and impact of TJNA's collaborative projects. By outlining roles, responsibilities, and decision-making processes, the sub-granting policy seeks to promote consistency and fairness in the distribution of funds to implementing partners. Additionally, the policy serves to mitigate financial risks, strengthen oversight mechanisms, to strengthen collaboration, communication, and coordination among stakeholders, fostering a conducive environment for successful joint programming and implementation efforts. Ultimately, the sub-granting policy will be designed to optimize the impact and sustainability of TJNA's initiatives in advancing tax justice and equitable development across the African Continent.

The sub-granting policy will provide the requisite governance mechanisms for effective sub-grants management and administration. This will ideally entail maintaining meaningful internal and external grant coordination, oversight and impact assessment and documentation. The policy shall specifically oversee all requests, application submissions, acceptances/ approvals, and disapprovals, pre award, post award and closeout requirements, including programmatic and financial reporting; and project monitoring and evaluation where it is necessary.

Specific objectives of this assignment are:

1. Review current TJNA sub-granting and joint programming mechanisms and areas for improvement and alignment of joint programming initiatives with TJNA goals and objectives.
2. Development of Subgrant Policy: The consultant will lead the development of a comprehensive subgrant policy for Tax Justice Network Africa (TJNA) that clearly outlines procedures and guidelines for effective grants management and administration to ensure the effectiveness and efficiency of TJNA programmes and finance needs and processes.
3. Review and Re-design of Sub-granting Tools: The consultant will review and re-design existing sub-granting tools, such as subgrant agreements and reporting tools.

4. SCOPE OF WORK:

The consultant will undertake the following tasks:

1. Conduct a comprehensive review of TJNA's current sub-granting mechanisms, joint programming initiatives, and related documentation.
2. Consult with key stakeholders, including project management teams, partners, and TJNA management, to gather input and insights.
3. Develop a Sub-Granting Policy that addresses key aspects such as application procedures, eligibility criteria, financial management, reporting requirements, and monitoring and evaluation.
4. Redesign existing sub-granting tools to align with the newly developed policy and ensure consistency and effectiveness in grants management.
5. Provide recommendations for capacity-building activities to enhance stakeholders' understanding and implementation of the Sub-Granting Policy and Joint Programming Framework.

5. METHODOLOGY:

The consultant will be given access to different resources and stakeholders to aid their work at different stages. Such resources include the existing sub grant agreements other relevant documentation. The consultant will meet with selected stakeholders, including the project management teams, partners, TJNA Management, among others.

Expected Outputs: -

1. Inception Report.
2. Report on the review of the TJNA Sub-grant and joint programming processes and practice.
3. TJNA Sub-grant Policy
4. Updated Sub-grant tools, including agreements and MoUs.

6. KEY DELIVERABLES, DURATION AND TIMELINES

All deliverables associated with the development of the Sub grant policy and induction are expected to be completed and presented to TJNA within a maximum duration of 3 months from commencement date, and not later than **31st July 2024**.

Key Deliverables	Tentative Timelines in 2024
1. Inception Report	By 19 th May
2. Desk review and consultative meetings with key partners and staff.	By 27 th May
3. Draft report on TJNA sub-grant processes, practices and systems including sub-grant tools in use.	By 10 th June
4. Draft Sub-grant policy	By 20 th June
5. Final Sub-grant policy	By 30 th June
6. Final Sub-grant tools (agreements and MoUs)	
7. Awareness session with TJNA staff on the policy provisions and tools	By 10 th July

7. CONSULTANCY MANAGEMENT

The assignment will be managed by TJNA Partnerships and institutional manager additionally the consultant will work closely with sub-grants assistant, joint programme project leads and the Finance team.

8. EXPERIENCE AND SKILLS REQUIRED:

- **Grant Management:** The consultant should possess at least five years' experience and expertise in grant management, development and implementation of grant policies, procedures, and tools, familiarity with best practices in grant administration, financial management, reporting, and compliance.
- **Legal and Regulatory Compliance:** The consultant should demonstrate knowledge of the relevant legal and regulatory frameworks that are governing grants, contracts, and sub grants agreements.
- **At least 5 years' experience working with civil society, experience of networks/coalitions an added advantage.**
- **Experience and understanding of advocacy/campaigning on development financing and Tax Justice in sub-Saharan Africa.**

HOW TO APPLY:

Please submit the following by 17:00hr East African time on Monday 6th May 2024 to procurement@taxjusticeafrica.net with email subject: **RFP-040-PIL-2024: -TJNA SUB**

GRANTING POLICY

The service provider will be selected based on:

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