

SUCCESSFUL SETTING UP OF PRACTICE

Preparing Winning Proposals

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Introduction

- In this presentation, we examine some ideas on how to win bids;
- The ideas here are not meant to be a sure bet of getting business;
- As a consultant, you should appreciate some **basic procurement rules**;
- There are different rules applicable in different sectors: **private and public**;
- The private sector rules are quite varied; hence difficult to highlight here;
- Public sector procurement rules are **homogenous** and apply to each entity;

Sources of Consulting Business

- **Small Enterprise Firms:**

- These firms rarely have written procuring rules: focus on the **owners**, relatives or friends who might have influence in obtaining the business.
- Personal connections through **social events**, church, clubs, professional forums, etc could be good sources of information on possible clients consulting jobs.

- **Large Enterprise Firms:**

- These could be large private firms or publicly quoted firms; that usually may have **written procuring rules**; their use however is unlikely to be strictly consistent.

Sources of Consulting Business

- **Large Enterprise Firms:**

- Specific contacts with senior management at Board level in these firms could likely be a good starting point in accessing consulting business;
- Some firms may require a formal consultant proposal, that is evaluated and awarded;
- It is important to ask for and read the applicable procuring rules for these firms.
- Getting to know and introduced to **procurement directors** and **audit directors** is a plus;

Sources of Consulting Business

- **Nongovernmental Organisations:** These have procurement and financial rules applicable in sourcing consulting services;
- **Development Projects and Partners:**
 - Usually financed by development banks such as World Bank and AfDB, etc.
 - Strict procurement rules apply; consultants should adhere to these rules;
- **Public Sector Entities:**
 - The Public Procurement and Asset Disposal Act 2015 and Regulations 2020 apply;
 - The consultant should be conversant with these procurement rules and **selection methods**.

Consultant Selection Methods

- In this section we focus on procurement rules applicable in the **public sector** and **development projects**;
- The consultant should be aware of the different consultant selection methods; to ensure they prepare a compliant and winning bid;
- The **two main factors** of consideration in selection of consultants:
 - a) **Quality** of the proposal as reflected in the Technical Proposal
 - b) **Cost** of the proposal as prepared in the Financial Proposal.

Consultant Selection Methods

- **Individual Consultant Selection (ICS):** Used in procuring individual experts.
- **Single Source Selection (SSS):** Only one consultant is asked to submit the combined technical and financial proposal, the basis of which negotiations are done and the contract entered into between Client and Consultant;
- **Least Cost Selection (LCS):**
 - The Consultants that score above the required minimum technical score are considered qualified to perform the contract; those scoring below minimum are disqualified.
 - The qualified Consultant with the lowest financial proposal price is awarded the contract.

Consultant Selection Methods

- **Fixed Budget Selection (FBS):**

- The maximum budget for the consulting services is shown in the request for proposal document;
- Consultants that bid above the budget are **disqualified**;
- Consultants that score less than the required minimum technical score are **eliminated**;
- The contract is awarded to the Consultant with the highest technical score.

- **Quality Based Selection (QBS):**

- Consultants submit both the technical proposal and financial proposal in separate envelopes;
- The technical proposals are evaluated first and the consultant with highest technical score selected;
- **Contract negotiations** are held with the consultant having the highest technical score.

Consultant Selection Methods

- **Quality and Cost Based Selection (QCBS):**
 - Consultants submit the technical proposal and financial proposal in separate envelopes;
 - The technical proposals are evaluated first;
 - Those that do not meet the required minimum technical score are eliminated;
 - The rest of the consultants are asked to attend opening of the financial proposals;
 - The financial proposals are evaluated;
 - **The technical scores and financial scores are combined to get a total score.**
 - Award of contract is made to the consultant having the highest combined score.

Mandatory Eligibility Criteria

- **Legal capacity of the consulting firm:** certificate of registration;
- **Professional membership:** e.g. ICPAK registration and practice license;
- **Fullfilled tax obligations:** Valid tax compliance certificate +County license;
- *Other specific requirements as contained in request for proposal;*
- These criteria are evaluated on **pass/fail basis**: Ensure you submit all the required **mandatory documents**.
- **Proposals that fail elibiility criteria are eliminated at preliminary stage.**

Consultant Qualification Criteria

Five general criteria with points assigned and each proposal judged against assigned criteria & sub-criteria given in the RFP

1	Specific experience of firms.	5-10 points
2	Adequacy of proposed methodology, work plan and staffing organisation.	20-50 points
3	Qualification and competence of key staffs.	30-60 points
4	Suitability of transfer of knowledge and training	0-10 points
5	Participation of local experts in key positions	0-10 points

Request for Proposal

- The request for proposal document is prepared by the Client and issued to consultants with information on the bidding and contracting process:
- **Section 1: RFP letter, inviting consultants** to submit proposals;
- **Section 2: Instructions to Consultants**; contains the rules for bidding;
- **Section 2: Data sheet**: specific information that modifies the instructions to consultants; consultants should read carefully the provisions here.

Request for Proposal

SECTION 3: TECHNICAL PROPOSAL FORMS:

1. **Technical proposal submission form:** Signed by authorized representative such as Managing Partner;
2. **Joint venture agreement:** In case you are submitting a proposal in JV with another Consulting firm;
3. **Power of attorney:** Signed by a lawyer for the authorized person to sign on behalf of the Consulting firm
4. **Consultant organization:** Describe briefly the Consulting firm, structure, products.
5. **Consultant experience:** Provide the firm experience using the form provided; use relevant experience depending on the services.

Request for Proposal

SECTION 3: TECHNICAL PROPOSAL FORMS:

6. **Comments and suggestion:** Review terms of reference and client facilities and comment on what you expect.
7. **Description of approach, methodology and workplan:** Prepared by a subject matter expert on how the work will be done;
8. **Work schedule and planning for deliverables:** The proposed implementation workschedule aligned to the methodology;
9. **Team composition and key experts:** List the experts and non-key experts and their proposed roles.
10. **Curriculum vitae:** Insert curriculum vitae for each key expert position; don't submit 2 CVs for the same position!
11. **Support documents:** Such as certificate of registration, compliance certificate, ICPA license, etc; to mee the mandatory criteria

Request for Proposal

SECTION 4: FINANCIAL PROPOSAL FORMS:

- **Financial proposal submission form:** Shows the price and signed by authorised person;
- **Summary of costs:** Lists the totals for the financial proposal
- **Breakdown of remuneration:** Itemized cost for each expert and non-key expert in the team
- **Reimbursable expenses:** Itemizes the costs related to carrying out the assignment, such as:
 - a) Per diem
 - b) Flight and transport
 - c) Communication
 - d) Reports reproduction

Request for Proposal

SECTION 5: TERMS OF REFERENCE:

- **Background:** Provides the background to the consulting assignment;
- **Scope of Services:** The confines within which services will be rendered;
- **Objectives:** The objectives to be achieved in carrying out the services;
- **Tasks:** The list of tasks to be performed by the consulting firm;
- **Deliverables:** The required consultant outputs and deliverables.

Request for Proposal

- **Section 6: General conditions of contract** contains standard clauses that should not be changed; will form part of the signed contract with consultant
- **Section 7: Special conditions of contract:**
 - a) Modifies the clauses in the general conditions; most of the information is filled once the successful consulting firm is identified;
 - b) Contains the contract duration, payment schedule, tax clauses, interest rates, disputes
- **Section 8: Contract forms:** Consists of:
 - a) Notification of award
 - b) Form of advance payment guarantee

Consultant Selection Process

1. Preparation of **terms of reference**: By experts in the Client entity;
2. Choice of consultant selection **method**: Based on practical decisions;
3. Cost estimate and **budget** to ensure there are funds for procuring services;
4. Approach to market by the Client entity:
 - a) Direct invitation from one consulting firm in case of single source selection;
 - b) Use of the **register** of consulting firms prepared by the entity;
 - c) Use the list of members from the professional body, e.g. ICPAK;
 - d) Request for expressions of interest leading to a shortlist of firms invited to bid.

Consultant Selection Process

5. Request for expressions of interest **notice** in the media;
6. Preparation and issuance of **RFP** to consultants;
7. Consultants prepare technical and financial **proposals**;
8. Submission and **receipt** of proposals;
9. Opening of **technical** proposal
10. **Evaluation** of technical proposals; obtain technical scores;
11. Opening of **financial** proposals

Consultant Selection Process

- **Combined** technical and financial evaluation and scores.
- **Notification of award**
- Contract **negotiation** and minutes;
- Formation of contract:
 - Consultant is issued the notification of award;
 - Consultant should acknowledge the award immediately;
 - The contract is signed after 14 days appeals period;
 - Performance security is normally not required;
 - Professional indemnity cover is usually required before signing the contract

Closing

- This has been a briefing on preparation of winning bids;
- The subject itself is broader than could possibly be covered here;
- A core decision is whether you are consulting as an *individual expert* or a **firm**; but most likely you will do both depending on circumstances;
- *Remember*: Consulting as a firm assures the firm lives in perpetuity; while individual consulting experience only lasts the life of the expert.
- **Thank you for the attendance!**



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