

Terms of reference (ToRs) for the procurement of services above the EU threshold

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Promoting Employment and Entrepreneurship in Turkana West” (Special Initiative “Tackling the root causes of displacement, reintegrating refugees”/ SI Forced Displacement)	21.4074.7-001.00
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0. List of abbreviations

CAPYEI	CAP Youth Empowerment Institute
CBOs	Community Based Organisations
CD Strategy	Capacity Development Strategy
DRS	Department for Refugee Services (formerly: Refugee Affairs Secretariat)
KKCF	Kakuma Kalobeyi Challenge Fund
KNCCI	Kenyan National Chamber of Commerce and Industry
ToRs	Terms of Reference
UNHCR	United Nation High Commissioner for Refugees

1. Context

On behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ), the *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ) is supporting the Government of Kenya with the project “Promoting Employment and Entrepreneurship in Turkana West”. The project aims at strengthening the socio-economic self-reliance of youth in the refugee community and the host population in Turkana West. The project has a total commission value of up to EUR 5,900,000 and will be implemented for 3 years (January 2022 – December 2024).

The project is not part of a programme but an individual module under the Special Initiative “Forced Displacement”, commissioned by BMZ. It follows the Special Initiative’s guidelines by focusing on direct support for the target groups and at the same time strengthening decentralized structures and capacities.

Context in the intervention area:

Based on Kenya's ratification of the 1951 Geneva Convention on Refugees and to respond to the provisions of the Global Compact on Refugees and its Comprehensive Refugee Response Framework (CRRF) that were adopted by the UN General Assembly in December 2018, Kenya has passed a new Refugees Act in December 2021 that marks the transition from a camp to a “settlement approach”. The transition process for Kakuma and Dadaab and the details of the new approach are currently being elaborated by a Task Force set up to support the DRS commissioner in developing “refugee regulations”. In addition, the Cabinet Secretary has announced a “Marshall Plan” that will provide guidance for international partners to support the reform process. As a result, Kakuma camp will be transformed into a settlement and Kakuma town will most likely receive the status of a municipality. At the same time, the implementation of the “Roadmap for solutions” is ongoing. The associated verification exercise is in progress and has led to a significant number of naturalizations. It is expected that an increasing number of refugees will receive freedom of movement and may leave the former camp in search of economic and employment opportunities. At the same time, the Kenyan government is assessing the capacities of other counties to host refugees and is expected to designate additional areas in the country for refugees to settle to ease the burden on Turkana and Garissa counties.

According to UNHCR (United Nations High Commissioner for Refugees), there are 540,068 refugees and asylum seekers living in Kenya, of which about 40% (219,875) live in the Kakuma refugee camp established in 1992 and the Kalobeyei integrated settlement established in 2015 (as of January 2022). Kakuma and Kalobeyei are located in Turkana West administrative district, which has a local population of around 239,625. Kenya has experienced an influx of refugees since the 1990s. In recent years, Kakuma and Kalobeyei have grown steadily, particularly due to ongoing instability in neighbouring South Sudan. In 2020, the number of new refugee arrivals slowed due to COVID-19 border closures. Since the beginning of 2021, the Refugee Affairs Secretariat (RAS) (now Department for Refugee Services, DRS) in Kakuma has again registered more than 1,000 new refugees and asylum seekers per month.

Not only refugees, but also the local population in Turkana West is socially, economically, and politically vulnerable. Turkana County is one of the poorest and most structurally weak counties in Kenya. According to UNHCR and the World Bank, 58 % of refugees and 72 % of the local population in Turkana live below the poverty line. The local economy is primarily based on the trade of consumer goods. Employment opportunities are very sporadic in a few sectors (such

as hospitality/ hotel industry, security services, vehicle engineering, employment with NGOs), or completely absent. Agricultural employment opportunities are also limited due to climate-related recurrent droughts and floods as well as a lack of water. Other economic activities are mainly informal; there are many non-formalised small and micro enterprises. The COVID-19 pandemic has worsened the economic situation, increased poverty, and further exacerbated the resource scarcity of the district.

The dependence of refugees and host communities in Turkana West on support services is a major challenge, especially for youth in prolonged displacement situations. Youth in the refugee and host community lack access to employment-relevant skills and income opportunities. This hinders their long-term participation in the local economy. Socio-economic autonomy of youth in Kakuma refugee settlement and Kalobeyei integrated settlement as well as local host communities in Turkana West, especially young women, is very low (core problem). Therefore, **the module objective is:** The socio-economic self-reliance of young people in the refugee community and the host community in Turkana West is strengthened.

Following an assessment of the political situation during the government negotiations in September 2021, the German Federal Ministry for Economic Cooperation and Development (BMZ) endorsed the new TC-Module, maintaining the intended strategic orientation, objectives and concept as detailed in the module proposal. While BMZ has lifted the “breaking point” mentioned in the preliminary remarks of the Module Proposal (p. ii) and given green light for implementation, GIZ and the Contractor will need to closely monitor new developments in the political context and adapt to newly arising opportunities throughout implementation.,

The **project’s target groups** are young refugees in the Kakuma refugee settlement and the integrated settlement of Kalobeyei, as well as the young local population of the host communities in Turkana West sub-county. In principle, the project follows the definition of youth in the Kenyan constitution, which refers to persons between the ages of 18 and 34. In operational implementation, however, the focus is on young people between the ages of 15 and 24 (United Nations definition), as well as on women.

The **project’s intermediaries** are teachers from vocational training institutions, trainers from NGOs and Community Based Organisations (CBOs), as well as experts from the Kenyan National Chamber of Commerce and Industry (KNCCI) in Turkana. Furthermore, the project addresses representatives of Turkana County and Turkana West Sub-County, elected community and refugee representatives, as well as representatives of civil society and private sector organisations that act as intermediaries towards the target groups.

The **political partner** is the Refugee Affairs Secretariat (RAS), assigned to the Ministry of Interior and Coordination of National Government (MoI).

Partners for the implementation are the county administration in Turkana, in particular the office of the Deputy County Commissioner (DCC), the National Ministry of Trade, Gender and Youth Affairs, and the Huduma/ Biashara Centre in Kakuma, which is scheduled to open in August 2022, as well as county government of Turkana (Dep. of Trade) and elected local councils and refugee committees in Turkana West Sub-County. Other important implementation partners are national and international providers of vocational training, the Turkana Chamber of Commerce, NGOs, and CBOs.

Strategy: The overall strategy of the project pursues **3 conceptual approaches:** (1) the **integrative approach**, meaning that refugees and the host population are addressed equally,

and activities are designed in a way that **promotes peaceful coexistence and social cohesion**. The project is committed to the principle of leaving no one behind and considers the specific requirements of women, people with disabilities and members of other disadvantaged groups. Planning and implementation will be based on the Do-No-Harm principle and will carefully assess any possible unintended negative effects; (2) the **integrated approach** to employment promotion, meaning that the projects aims to improve labour supply (e.g., by offering training), to boost labour demand (e.g., through entrepreneurship support) and to match supply and demand (e.g., through provision of labour market information) at the same time; and (3) a **holistic qualification approach**, meaning that technical trainings also include basic skills and entrepreneurship training, and are combined with additional measures such as career preparation seminars, starter kits, or continuous mentoring and coaching. The focus lies on the quality of diversified and (wherever possible) certified trainings, according to the national standard. Trainings will be identified in selected sectors based on labour market studies and clearly articulated needs, avoiding oversaturation of the market with certain skills, and focussing on getting more young women into the (technical) trainings (e.g., through provision of childcare services, shorter and flexible trainings). Coordination among training providers will be strengthened.

The project operates in the Humanitarian-Development-Peace nexus and promotes alignment of humanitarian and peace interventions with longer-term development planning. The project actively seeks to harmonize humanitarian, peace, and development approaches with government priorities to ensure that refugees and host communities have access to the same quality services and avoid strengthening unsustainable parallel structures that have emerged in the camp context throughout the past 30 years.

The project's **Capacity Development Strategy** (CD strategy) combines approaches at all three levels with a focus on individuals and organisations. At the **individual level**, young people from the refugee community and the local population will be trained to find employment or start their own business. The skills of micro-entrepreneurs will be strengthened to improve the competitiveness of their businesses. In addition, vocational training staff in training institutions will be trained to better respond to the needs and educational backgrounds of young people and to improve the quality of their qualification measures. Furthermore, state actors in Turkana West are strengthened in their capacities through targeted involvement in the planning and monitoring of measures. At the **organisational level**, the project supports training institutions in introducing higher-level vocational qualification measures and in further developing existing offers in such a way that they are adapted to the specific needs of young people and optimally prepare them for (self-) employment. The Chamber of Commerce, as well as other state and/or private sector institutions, will be strengthened in their capacities to provide (better) services for micro, small and medium-sized enterprises (MSMEs). Youth groups will be supported in their capacities to provide inclusive youth activities to strengthen basic skills and social cohesion. At the **societal level**, the project promotes the development and strengthening of cooperation at local and regional level. Female-headed households and micro-entrepreneurs are brought together to help each other through savings and support groups or peer learning groups. The exchange and cooperation relations between private sector actors and public administration are strengthened through the organisation of public-private dialogue forums.

Output 1 of the TC-Module aims to improve the conditions for socio-economic self-reliance of youth in the refugee community and the host population in Turkana West sub-county. **Output**

2 (relevant for the tender) aims to improve the access of young people from the refugee community and the host population in Turkana West sub-county to target group-oriented and employment-oriented skills training. **Output 3** aims to improve the access of the same target group to business-related services and support.

As a result of the dynamic political situation, a **high level of flexibility** and an **agile approach** are required in designing and implementing the project, especially with regard to target locations and suitable trades and sectors. The project design should allow for **conceptual adjustments** where necessary. The project's approach should also take into account the focus on local integration and voluntary return set out in the "Roadmap for Solutions" and outlined in the Refugee Act 2021 e.g. when proposing specific qualification measures. .

Implementation must also take into consideration limitations and restriction brought about by the COVID-19 pandemic. This includes the Government of Kenya (GOK) imposed COVID-19 guidelines and restrictions aimed at curbing the spread of the corona virus, as well as restrictive travel guidelines in and out of Kakuma (see section 3.8).

2. Tasks to be performed by the contractor

The contractor¹ is **responsible for achieving Output 2** (as defined below), complying with the associated indicators 2.1 and 2.2, implementing the activities described, and **contributing to** the achievement of **module objective indicators 1, 2 and 4** (Annex B: Results Matrix).

Output 2: The access of young people from refugee communities and hosting population in the Turkana West sub-county to target group-oriented and employment promoting qualification measures is improved.

Indicators:

- Indicator 2.1: 7,000 young people, of whom 50% are from the refugee community and 50% from the host population, and of whom 30% are women and 70% are young people with no formal educational background, have successfully participated in employment-generating skills training.
- Baseline: 6,212 young people (of whom 4,083 from the refugee community and 2,129 from the host population, and of whom 2,628 women and 3,850 youth without formal educational background)
- Target: 7,000 young people (of which 50 % from the refugee community and 50 % from the host population, and of which 30 % are women and 70 % are young people without a formal educational background) (12/2024)
- Indicator 2.2: 5 higher-quality vocational qualification measures that meet the requirements of the local labour market are offered by local training providers.

¹ Candidates/ tenderers and contractors that deliver services above the EU threshold are consulting companies.

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Baseline: 1 higher-level vocational qualification measure.²

Target value: 5 higher-level vocational qualification measures (12/2023).

Key activities in Output 2:

- Expansion of holistic qualification offers that prepare young people for (self-employed) employment.
- Development of a train the trainer module to integrate life skills into technical training.
- Support local training providers in introducing higher-level vocational qualification measures.
- Support local training providers in providing needs-based support to encourage young women's participation.
- Promote inclusive youth activities to strengthen life skills and social cohesion (e.g., competitions, promotion of selected initiatives by youth groups or representatives).

Output 2 aims to improve the access of young people to target group-oriented employment-promoting qualification measures. To this end, the competencies of trainers and the capacities of local training providers (e. g., Don Bosco, St Clare and others) to further develop existing training offers (e.g., with Miramar, CAPYEI, Pamoja, Learning Lions³) and to introduce higher-quality vocational qualification measures are strengthened.

Existing qualification measures are to be expanded in such a way that they prepare young people for employment or business start-up in a holistic manner. Therefore, the technical content of the qualification measures of local training providers needs to be expanded to include basic skills and entrepreneurship thinking and combined with additional measures such as vocational preparation workshops, starter kits, or continuous mentoring and/ or coaching. Youth groups will also play a role strengthening basic skills (and social cohesion) through the provision of youth activities. To this end, youth groups are supported in their capacity to provide these activities.

A draft labour market analysis has been carried out (Annex C: Market Assessment Literature Review – Turkana West, Kakuma Refugee Camp, Kalobeyei Settlement) to identify economic sectors with employment potential and to select the technical learning content accordingly while, avoiding that target groups enter into economic competition with each other possibly resulting in conflicts (do-no-harm approach). As the target area of the project (sub-county Turkana West) is subject to recurring droughts and the effects of climate change, the project should consider agriculture-related qualification measures that can contribute to improved food security and climate change resilience. The local labour market needs of companies which are receiving support within the framework of the Kakuma Kalobeyei Challenge Fund (KKCF) have been identified (Annex A: Module Proposal, section 2.2) with the support of the International Finance Cooperation (IFC), to prepare young people specifically for these needs (e.g., renewable energy, water or childcare services). Furthermore, the private sector needs to be involved

² Implemented by Don Bosco Mondo: <https://www.gemeinsam-fuer-afrika.de/berufsbildungszentrum-fuer-fluechtlinge-im-kakuma-refugee-camp-in-kenia/>

³ Miramar, CAPYEI, Pamoja, Learning Lions

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in the development of vocational training programmes to ensure demand-oriented transfer of knowledge and skills. In addition, qualification measures should be linked (where possible) to the national education system, especially through the recognition of training qualifications. For this purpose, there is coordination required with government agencies for the accreditation of the training courses.

The holistic qualification approach increases the chances of young people of finding (self-) employment and thus improving their socio-economic independence. The focus on quality (instead of quantity) aims to ensure the sustainability of the measures and increase outcome/ impact of the TC module.

To meet local needs and increase employability, qualification measures should be tailored to two target groups: 1) already pre-qualified young people (higher-level vocational qualification measures at level III of the General Trade Test III (GTT), and 2) young people without secondary school qualifications (i.e., young people without formal educational background).

To ensure and promote participation of women and girls in trainings (e.g., provision of child-care services on training site, adapted training schedule, adapt group composition where needed, sensitization of family members, positive masculinity, transport) a gender-responsive and/ or gender-transformative approach must be pursued. The offer should clearly outline related strategies and innovative approaches that will be applied.

Furthermore, youth-friendly approaches should be mainstreamed in all qualification activities (e.g., select demanded trades youth are interested in, innovative and interactive training methods).

Existing lessons learnt and experiences with life skills development should be considered while designing youth activities and integrating life skills and entrepreneurship/ business skills in the training formats. In addition, digital jobs and the gig economy should be taken into account when proposing relevant qualifications.

Close coordination with relevant stakeholders to avoid risk of overtraining, risk of oversaturation of the market with certain skills and conflicting approaches (community size, large number of stakeholders) should be guaranteed.

The contractor should assess the option to (partly) implement (some) of the qualification offers (work packages) in remote modus if the technical feasibility (electricity supply, internet supply,) could be guaranteed.

Trainees and other participants of qualification measures (Output 2) should be informed and interlinked with relevant services of Output 1 (certification, promotion of access to work permits or business licenses) and Output 3 (business support services).

The contractor is responsible for providing 3 work packages and achieving the corresponding accompanying milestones.

Work package 1: Upscaling of existing qualification offers for youth without secondary school qualifications

- Identification of employment potential (interlinkage Output 1), relevant sectors, and trades (e.g., review of existing labour market analyses, assessment of secondary literature, consultation of the private sector)

- Mapping of relevant local training providers with existing training offers (e.g., Miramar, CAPYEI, Pamoja, Learning Lions, public TVET provider), identification of local training providers to offer (holistic) qualification measures for youth without secondary school qualifications
- Qualification formats should fit to the national standard (where possible), and be linked to the national education system (where possible), coordination with state agencies/ relevant stakeholders for accreditation of training courses
- Selection of local training providers and expansion or adaptation of training curricula for the selected qualification formats (for approximately 800 participants):
 - Combination of technical, life, ICT and entrepreneurship/ business skills
 - Adaptation to target group where necessary and required (focus on practical skills, avoiding overlapping with other skills development activities, consider translation of training materials, focus on short-term courses) as well as gender-responsive offers and access for persons with disabilities
 - Introduction of innovative training methods and materials including digital content (e.g., virtual learning, podcasts, videos, apps, ...)
 - Inclusion of private sector in the further development of training formats (e.g., by developing curricula, providing experts for training sessions, facilitating company visits or internships for trainees)
- Development of a holistic qualification approach with selected training providers, i.e., combine training (technical, life, entrepreneurship/ business skills) with support to find employment or start a business (starter kits, continuous mentoring/ coaching) (inter-linkage Output 1 and 3)
- Development and (accompanying) implementation of a Train-the-Trainer concept to capacitate technical trainers to include life skills, conflict resolution, ICT and entrepreneurship/ business skills in the trainings
- Development of criteria for the identification (50% host population, 30% are female) and support for the recruiting of young people (without secondary school qualifications)
- Ensure translation of curriculum and training materials in local languages such as Swahili, Turkana, French, Arabic as needed
- Start of recruiting and implementation in close cooperation with the selected training providers of the defined holistic qualification measures for youth without secondary school qualifications

Milestones for work package 1	Delivery period
1.1 Mapping of relevant training providers and existing training formats	3 months after start of the contract (end of inception phase)
1.2 Concept for the holistic qualification approach with selected training providers for participants without secondary school qualifications presented	4 months after start of the contract

1.3 Corresponding curricula/ training materials developed and improved	5 months after start of the contract
1.4 Train the Trainer concept ready to support the implementation of the holistic qualification approach	5 months after start of the contract
1.5 Start of recruiting along defined criteria for the selection, implementation of qualification measures	5 months after start of the contract

Work package 2: Introduction of higher-level vocational qualification measures for pre-qualified youth

- Identification of employment potential (interlinkage Output 1), relevant sectors, and trades (e.g., review of existing labour market analyses, assessment of secondary literature, consultation of the private sector)
- Identification and selection of training providers (e.g., Don Bosco) able to offer higher-level vocational qualification measures for pre-qualified youth (level III of the General Trade Test III (GTT III))
- Development of up to five holistic qualification measures (formats) for pre-qualified youth with local training providers (e.g., existing approach Don Bosco, public training provider)
 - Combining training (technical, life, conflict resolution, entrepreneurship/ business skills) with support to find employment or start a business (starter kits, continuous mentoring/ coaching) (interlinkage Output 1 and 3)
 - Inclusion of private sector in planning trainings and training delivery through contributions to technical trainings (e.g., by developing curricula, providing experts for training sessions, facilitating company visits or internships for trainees)
 - Qualification formats should meet the requirements of the local labour market and link to KKCF demands in various windows (social, local, private sector window and other start-up support opportunities (e.g., Africa Enterprise Challenge Fund (AECF)) and fit to the national standard (where possible), and linked to the national education system (where possible)
- Development and (accompanying) implementation of a Train-the-Trainer concept to capacitate technical trainers of selected training providers to include life skills, conflict resolution, ICT and entrepreneurship/ business skills in the higher-level qualification measures
- Ensure gender-responsive design of trainings and equal participation of women and girls, identify opportunities for gender-transformative approaches
- Ensure equal access for persons with disabilities
- Support and accompany the selected training providers in the implementation of the agreed qualification formats for prequalified youth
- Start of recruiting and implementation of qualification measures

Milestones for work package 2	Delivery period
2.1 Local training providers for the development of up to five holistic qualification measures (formats) for already pre-qualified youth identified	4 months after start of the contract
2.2 Concept for the design of holistic qualification formats of selected training providers for pre-qualified youth presented	5 months after start of the contract
2.3 Corresponding curricula/ training materials developed and improved	8 months after start of the contract
2.4 Train the Trainer concept ready to support the implementation of the holistic qualification formats for pre-qualified youth	8 months after start of the contract
2.5 Start of recruiting for the improved qualification formats	8 months after start of implementation

Work package 3: Promotion of inclusive youth activities to strengthen life skills and social cohesion

- Carefully select youth groups, youth-led organizations and youth representatives to work with in close cooperation with GIZ technical advisors
 - Support youth groups in their capacities to provide inclusive (informal) youth activities to strengthen life skills and social cohesion
 - Pursue a gender-responsive and/ or gender-transformative approach to ensure and promote participation of women (in youth activities and in planning youth activities), as youth groups are often male-dominated
- Design of measures to promote youth activities such as competitions, promotion of selected initiatives by youth groups or representatives, and exchange forums (safe spaces)
- Implementation of youth activities with/ through youth groups

Milestones for work package 3	Delivery period
3.1 Concept for the promotion of inclusive youth activities and partners for the implementation elaborated	6 months after start of the contract
3.2 Start of implementation of youth activities with/ through youth groups	6 months after start of the contract

The contractor is expected to design flexible interventions and to incorporate conceptual adjustments (such as target groups, objectives, outputs, and activities) if needed in the context of the current political situation in Kenya.

A foreseen inception phase (3 months, after signing the contract) and quarterly reviews along the implementation phase will allow to incorporate possible changes of concept and outreach of Output 2.

Cooperation with relevant actors:

To allow for the greatest possible flexibility in implementation, the selection of partners for the implementation or funding recipients will depend on further political developments and the scenario that arises (see Annex Module Proposal: preliminary remarks and section 3 (“scenarios”)).

There are several actors with qualification measures active in the context (Annex: Modul proposal, p. 15). Some of them might be eligible as partner for the implementation (financing agreements). It is strongly recommended to **consider the existing experiences** and/ or **tested approaches** in qualifying the target group.

When selecting (implementing) partners, close coordination with other partners working in the settlements needs to be ensured. Preference should be given to building up the capacities of permanent, government-accredited training institutions over humanitarian NGOs operating only in the former refugee camps.

Safeguards and gender considerations with *specific* reference to services (Output 2):

The contractor is required to take the following key measures to avoid or reduce possible unintended negative results and to support gender equality in its area of responsibility:

- Conflict and context sensitivity and human rights:
 - The TC-Module pursues an **integrative approach** (refugees and the host population are addressed equally).
 - Organizing the near-term creation of employment opportunities by offering vocational training in relevant fields (e.g., subsidised internships in small and medium-sized businesses, training, and starter kits for business founders, ...) as an incentive towards promoting relations among the refugees and host communities.
 - Considering vocational training and qualification measures which allow inclusive income and employment options for vulnerable job-seeking refugees and members of host communities (young people/ young women living in the region).
 - Integrating conflict mitigation and reconciliation topics (where needed) into the life skills trainings when targeting refugees and host community representatives.
 - Involving local stakeholders on criteria and process for the selection of participants for trainings and similar (comprehensive selection process).
 - The TC-Module is committed to the principle of **leaving no one behind**. The contractor considers the specific requirements of people with disabilities and members of other disadvantaged groups when designing and implementing measures.

- Planning, implementation, and follow-up of the Module within the framework of inclusive, participatory, and conflict-sensitive approaches (e.g., by promoting of inclusive youth activities to strengthen life skills and social cohesion).
- Using the promotion of inclusive youth activities to strengthen life skills and social cohesion (e.g., idea competitions, promotion of selected initiatives by youth groups or representatives ...) to also create alternative sources of livelihood through diversification.
- The project is committed to the principle of **doing no harm**. The tenderer will assess its measures for unintended negative effects on the context or the human rights situation.
 - Set up of interventions transparently through active participation of all actors (participatory approach). Target groups and/ or intermediaries need to be closely involved in the design of the measures.
 - Potential and limits of the Modules' measures need to be communicated clearly and transparently, to clarify expectations and to communicate the progress.
 - Inclusion of vulnerable groups (avoiding further conflicts)
 - The Modules' system for impact-oriented monitoring (WoM) will be designed in a context- and conflict- as well as gender-sensitive manner in accordance with the relevant GIZ manuals.
- **Gender equality:**
 - Sensitize partners and beneficiaries to gender (men and women) and ensure gender balance for participants/ beneficiaries during implementation of qualification measures.
 - Ensure gender-responsive (e.g., gender-sensitive training materials, adequate duration of training sessions) and where possible gender-transformative interventions (e.g., strengthening women's leadership skills).
 - Ensure fully dedicated participation of women in trainings and other activities (e.g., provide childcare services, schedule half day trainings, use female role models/ mentors; minimize the distance travelled by women to training centres, providing transport facilitation; reward successful female participants with certificates, ...).
 - Explicit promotion of the participation of young women in the qualification offers (e.g., childcare services, stipends to particularly vulnerable female students, hygiene kit for women, flexible training schedules, appropriate gender-distribution in class or all-female class as last resort, ...).
- **Environment/ climate change (mitigation)/ adaptation to climate change:**
 - Avoidance of economic activities to promote employability with potential to overuse or endanger the scarce water resources in the region or with a high potential of generating greenhouse gases.

3. Technical-methodological concept

In the conceptual design of the tender (technical-methodological approach, project management, if necessary other requirements), the tenderer is required to take specific objectives and requirements into consideration and describe them, as explained below.

In the tender, the tenderer is required to show **how** the specified targets and results are to be achieved with the work packages in the tender (see section 2). For this purpose, the tenderer should consider the following five factors: strategy, cooperation, steering structure, processes and learning and innovation (sections 3.1 to 3.5).

In addition, the tenderer must describe the design of the project management system in the narrower sense (section 3.6).

The tenderer should avoid repeating information from existing documents. The restrictions on the number of pages given in section 6 of these ToRs must be followed.

3.1. Strategy (section 1.1 of the assessment grid)

The tenderer is required to interpret the targets that it is responsible for and provide a critical appraisal of the task (section 1.1.1 of the assessment grid). Subsequently, the tenderer must describe and justify the strategy it intends to use to achieve the milestones, targets, and results that it is responsible for (see section 2) by means of the work packages described in section 2 (section 1.1.2 of the assessment grid).

The strategy must reflect the following approaches and principles: gender-sensitive and/or gender-transformative approaches (e.g., how the participation of young women will be ensured); integrative approach; integrated approach to employment promotion; conflict- and context-sensitive approach; do-no-harm principle; leave-no-one-behind principle (e.g., how the promotion of inclusive youth activities will be realized). The tenderer must also describe how it will allow for flexibility and conceptual adaptations of the intervention due to the political situation.

The tenderer should avoid repeating information from the description of the implementation approach (see section 3.6).

Number of pages: 5 (DIN A4)

3.2. Cooperation (section 1.2 of the assessment grid)

The tenderer must describe the relevant actors (partners and others) for the service in the tender and their interactions (section 1.2.1 of the assessment grid). The tenderer is required to develop a concept that shows how the cooperation with these actors (Section 2: Cooperation with relevant actors; actors of the HDP nexus) is to be established and put into practice (section 1.2.2 of the assessment grid).

The project's cooperation arrangements referred to in section 1 and 2 must be taken into consideration.

Number of pages: 4 (DIN A4)

3.3. Steering structure (section 1.3 of the assessment grid)

The tenderer is required to describe and explain its approach and its method for steering the measures with the partners involved in delivering the services set out in the tender (section 1.3.1 of the assessment grid).

The tenderer plays an active role in the results-based monitoring of the project. The tenderer is therefore required to describe how it will monitor the results in its area of responsibility (section 2) in a way that corresponds with the client's expectations and specifications (key measures, section 2) and how the steering structure will support possible changes which may arise due to the required flexibility in adapting design and outreach of Output 2. It must also describe the related challenges (section 1.3.2 of the assessment grid).

The tenderer is required to present and explain its approach to steering the measures in cooperation with the project partners.

Number of pages: 4 (DIN A4)

3.4. Processes (section 1.4 of the assessment grid)

The tenderer is required to present the processes in the sector that are relevant to the services in the tender, based on existing documents (see annexes) (section 1.4.1 of the assessment grid).

Here, the tenderer must include a critical appraisal of the contribution made by the services in the tender to the processes in the sector and identify particularly promising starting points for generating possible leverage (section 1.4.2. of the assessment grid).

Number of pages: 4 (DIN A4)

3.5. Learning and innovation (section 1.5 of the assessment grid)

The tenderer must describe its contribution to knowledge management in the project and at GIZ (section 1.5.1 of the assessment grid).

The following tasks are to be taken into consideration:

- The contractor's experts are actively involved in GIZ's sector networks (NICD – International Cooperation in Conflicts and Disasters, NEDA – Economic Development in Africa). Online meetings take place on a regular (e.g., monthly) basis. Physical meetings take place once a year.
- The contractor is actively contributing to GIZ's product development.
- The contractor provides support in implementing a project evaluation with special emphasis on ensuring sound knowledge management.
- The contractor provides support in implementing a project evaluation with special emphasis on ensuring the effectiveness of the knowledge management process.

In addition, the tenderer is required to present and explain measures to promote the horizontal or vertical scaling-up of qualification concepts and experiences (section 1.5.2 of the assessment grid).

Number of pages: 3 (DIN A4)

3.6. The contractor's project management activities (section 1.6 of the assessment grid)

In its tender, the tenderer is required to describe its approach and procedure for coordination with and within the project (section 1.6.1 of the assessment grid).

The tenderer is required to draw up and explain an **operational plan**, which also includes a plan for the **assignment of all the experts** included in its tender, for implementing the strategy described in section 3.1.

The operational plan must include the assignment times (periods and expert days) and assignment locations of the individual experts and describe the necessary work stages. It must also take into consideration and, if necessary, add to the milestones in section 2 (section 1.6.2 of the assessment grid).

The tenderer is required to describe its **backstopping concept**. A brief CV with relevant details must be provided for the position of back-stopper. (Section 1.6.3 of the assessment grid).

The following services are part of the **standard backstopping package** and must be factored into the fees for the staff listed in the tender as ancillary staff costs in accordance with GIZ's General Terms and Conditions:

- The contractor's responsibility for its seconded staff
- Ensuring the flow of information between GIZ and the contractor's seconded staff
- Process-based technical-conceptual management of the consultancy inputs
- Managing adaptations to changing conditions
- Monitoring performance
- Ensuring the provision of project administration services
- Ensuring compliance with reporting requirements
- Specialist support for the on-site team from the contractor's staff
- Sharing and making local use of the lessons learned by the contractor

Project management specifications:

- The contractor is responsible for selecting, preparing, training and steering the experts assigned to perform the consultancy tasks.
- The contractor provides equipment and supplies/non-durable items and assumes the associated operating and administrative costs.
- The contractor will manage expenditures and costs, accounting processes and invoicing in accordance with GIZ's requirements.
- The contractor will report regularly to the client in accordance with the General Terms and Conditions of the *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ) GmbH.

In addition to the reports required by GIZ in accordance with AVB (2020), the contractor submits the following reports:

- Contributions to reports to GIZ's commissioning party
- Brief monthly reports on the implementation status of the project and the possibly required "flexibility" (length to be defined with the project at the beginning of the implementation phase)

Number of pages: 4 plus 2 for the CV of the back-stopper (DIN A4)

3.7. Sustainability requirements (section 1.7 of the assessment grid)

Objectives for the tenderer

The tenderer is required to demonstrate how it will ensure that the project activities are sustainable and how it will implement them in a way that avoids or reduces unintended negative results and promotes gender equality.

In its tender, it is required to outline from its perspective the key possible unintended negative results in its area of responsibility and, where relevant, in the following areas: conflict and context sensitivity, human rights and gender equality. In the area of gender equality, the tenderer is also required to consider these aspects regarding potential areas for support and corresponding support measures from section 2.

Requirement: conflict sensitivity and human rights - 6 points out of a possible total of 10 points.

Requirement: gender equality - 4 points out of a possible total of 10 points.

Number of pages: 2 (DIN A4)

3.8. Further requirements (section 1.8 of the assessment grid)

The tenderer is expected to clearly explain the measures to be employed (ensuring implementation) that address the new reality brought about by the COVID-19 pandemic.

Requirement: Measures to be employed: 10 points out of a possible total of 10 points.

Number of pages: 1 (DIN A4)

4. Human resources

4.1. Specified human resources concept

The tenderer is required to provide staff for the positions ('experts') referred to and described here in terms of the scope of tasks and qualifications based on corresponding CVs (see section 7).

The qualifications listed below are the requirements for achieving the maximum number of points in the specialist assessment.

Key Expert 1: Team leader based in Kakuma (section 2.1 of the assessment grid)

A statement of availability for this expert must be attached to the tender as an annex.

Tasks of the team leader

- Overall responsibility for the advisory package of the contractor
- Ensuring the coherence and complementarity of the services of the contractor with other services delivered by the project in Turkana West, close coordination with GIZ staff based in Kakuma and GIZ project management staff in Nairobi
- Design, implementation, monitoring and evaluation of capacity development measures for local partners in the following areas: Output 2 (as described above)
- Personnel management of national experts engaged in implementing Output 2
- Planning and steering assignments and supporting local and international short-term experts
- Staff management, identifying the need for short-term assignments within the available budget, planning and managing the assignments and supporting local and international experts
 - Ensuring that monitoring procedures are carried out
- Regular reporting in accordance with deadlines
- Responsibility for controlling the use of funds and financial planning in consultation with GIZ's officer responsible for the commission
- Supporting the officer responsible for the commission in updating/ adapting the project strategy, and in evaluations
- Responsible for the implementation of Output 2 in Kakuma
- Consideration of cross-cutting themes (e.g., Do-no-harm) and close coordination of activities (safe-guards)
- Responsibility for implementation of work-packages related to Output 2 (Section 2)

Qualifications of the team leader

- Education/ training (2.1.1): University qualification (equivalent of Master) in social sciences or economics or business administration or similar, relevant field of studies
- Language (2.1.2): Good business language skills in English (C2) (6 out of 10 points) and German (C2) (4 out of 10 points) based on the Common European Framework of Reference for Languages
- General professional experience (2.1.3): 10 years of professional experience in the Sustainable Economic Development sector
- Specific professional experience (2.1.4): 7 years in technical and vocational education and training (TVET)
- Leadership/management experience (2.1.5): 5 years of management/ leadership experience as project team leader or manager in a company
- Regional experience (2.1.6): 5 years of experience in projects in Sub Saharan Africa (region), of which 2 years in projects in East Africa
- Development Cooperation (DC) experience (2.1.7): 5 years of experience in DC projects
- Other (2.1.8): 4 years of work experience in fragile contexts (6 out of 10 points); 4 years of experience in financial management of substantial local subsidies (4 out of 10 points)

Expert 2: Key Expert with national experience based in Kakuma (section 2.2 of the assessment grid)

A statement of availability for this expert must be attached to the tender as an annex.

Tasks of expert 2

- Review of and implementation of local employment and labour market analysis
- Identification and mapping of relevant training providers and existing training formats
- Development a holistic qualification approach with selected training providers for youth without secondary school qualifications
- Expansion or adaptation of training curricula for the selected qualification formats
- Development and (accompanying) implementation of a Train the Trainer concept to capacitate technical trainers of the selected training providers to include life skills and entrepreneurship/ business skills in the trainings
- Conceptualization and implementation of local, gender- and conflict-sensitive market- and value-chain analysis with focus on potential for employment of the project's target groups (close coordination with Output 1)

Qualifications of the expert 2

- Education/ training (2.2.1): university qualification (equivalent to German 'Diplom'/ Master) in social sciences/ human resources development, or similar
- Language (2.2.2): English (C2) (5 out of 10 points) and other native languages (e.g.: Kiswahili) (5 out of 10 points)
- General professional experience (2.2.3): 5 years of working experience in fragile context
- Specific professional experience (2.2.4): 5 years of professional experience in TVET
- Leadership/ Management experience (2.2.5): not applicable
- Regional experience (2.2.6): not applicable
- Development Cooperation (DC) experience (2.2.7): 5 years of experience in DC
- Other (2.2.8): not applicable

Expert 3: Key Expert with national experience based in Kakuma (section 2.3 of the assessment grid)

A statement of availability for this expert must be attached to the tender as an annex.

Tasks of expert 3

- Review of and implementation of local employment and labour market analysis
- Identification and mapping of relevant training providers and existing training formats
- Development a holistic qualification approach with selected training providers for youth with pre-qualification
- Expansion or adaptation of training curricula for the selected qualification formats
- Development and (accompanying) implementation of a Train the Trainer concept to capacitate technical trainers of the selected training providers to include life skills and entrepreneurship/ business skills in the trainings
- Conceptualization and implementation of local, gender- and conflict-sensitive market- and value-chain analysis with focus on potential for employment of the project's target groups (close coordination with Output 1)

Qualifications of the expert 3

- Education/ training (2.3.1): university qualification (equivalent to German 'Diplom'/ Master) in social sciences/ human resources development, or similar
- Language (2.3.2): English (C2) (5 out of 10 points) and other native languages (e.g.: Kiswahili) (5 out of 10 points)

- General professional experience (2.3.3): 5 years of working experience in fragile context
- Specific professional experience (2.3.4): 5 years of professional experience in TVET
- Leadership/Management experience (2.3.5): not applicable
- Regional experience (2.3.6): not applicable
- Development Cooperation (DC) experience (2.3.7): 5 years of experience in DC
- Other (2.3.8): not applicable

Expert 4: Key Expert with national experience based in Kakuma (section 2.4 of the assessment grid)

A statement of availability for this expert must be attached to the tender as an annex.

Tasks of expert 4

- Carefully select youth groups and youth representatives to work with
- Support youth groups in their capacities to provide inclusive (informal) youth activities to strengthen life skills and social cohesion
- Pursue a gender-responsive and/ or gender-transformative approach to ensure and promote participation of women (in youth activities and in planning youth activities), as youth groups are often male-dominated
- Design of measures to promote youth activities such as competitions, promotion of selected initiatives by youth groups or representatives
- Implementation of youth activities with/ through youth groups

Qualifications of the expert 4

- Education/ training (2.4.1): university qualification (equivalent to German 'Diplom'/ Master) in social sciences/ human resources development, or similar
- Language (2.4.2): English (C2) (5 out of 10 points) and other native languages (e.g.: Kiswahili) (5 out of 10 points)
- General professional experience (2.4.3): 5 years of working experience in fragile context
- Specific professional experience (2.4.4): 5 years of professional experience in youth social work (7 out of 10 points), 3 years of work experience in life skills programmes (3 out of 10 points)
- Leadership/Management experience (2.4.5): not applicable
- Regional experience (2.4.6): not applicable
- Development Cooperation (DC) experience (2.4.7): 5 years of experience in DC
- Other (2.4.8): not applicable

“No-name pool with international short-term experts” (Expert 5 in the price schedule)

This “no name” pool will not be part of the technical evaluation during the tender, hence there is no reference to the technical assessment grid. Exemplary tasks as well as the minimum required expertise is listed below. As a focus on specific economic sectors and selected youth activities are not yet determined for Output 2 it is not possible to determine the exact tasks and qualifications. Therefore, no CVs are to be submitted for the short-term pool by the tenderer. But the tenderer should take into account the associated costs and include them in the financial offer. All experts of the pool are members of the same pool and will be managed by the designated pool manager (Key Expert 1: Team leader, section 4.1) as part of the backstopping services. However, the bidder shall include the price in the financial bid (please see section 5 of those terms of reference):

Subject of the tender procedure: Output 2

Transaction number:

Expert 5: International Short-Term Experts up to 120 days

The experts will be deployed from the start of the contract (expected December 2022) until 31.12.2024.

Exemplary key tasks of the short-term experts are among others:

- Support team in selected topics (tbd during implementation of Output 2)

Minimum Qualifications for Expert 5 (International Short-Term Expert): Please note that the specific qualifications required will be detailed in the individual ToR per assignment.

- Education/ training: university qualification (equivalent to German 'Diplom'/ Master) in social sciences/ human resources development, or similar
- Language: English (C2)
- General professional experience: 5 years of working experience in fragile context with youth
- Specific professional experience: 5 years of professional experience in youth social work or TVET
- Regional experience: not applicable
- Development Cooperation (DC) experience: 5 years of experience in DC

Other: not applicable

Soft skills of team members

In addition to their specialist qualifications, all team members should also have the following qualifications:

- Team skills
- Strong gender competence
- Initiative
- Communication skills
- Social and intercultural skills
- Efficient partner- and client-focused working methods
- Interdisciplinary thinking

4.2. Contractor's own human resources concept

- not applicable -

5. Costing requirements

5.1. Assignment of experts

In your tender, please do not deviate from the specification of quantities required in these ToRs (the number of experts and expert days, the budget specified in the price schedule), because this is part of the competitive tender and is used to ensure that the tenders can be compared objectively. There is no entitlement to use the total number of expert days or the specified budget.

The preferable starting date of the contract would be 01.11. or 01.12.2022 (depending on the duration of the tender process). Experts should ideally be available as of this date.

The number of expert days corresponds to the following working days.

Expert	Expert days outside the country of assignment (remote)	Expert days in country of assignment	Expert days in total	Consecutive stay > 3 months
Key Expert 1: Team leader	20	420	440	Yes
Key Expert 2: Expert with national expertise (WP 1)		440	440	Yes
Key Expert 3: Expert with national experience (WP 2)		440	440	Yes
Key Expert 4: Expert with national experience (WP 2)		480	480	Yes
Expert 5 Pool (int. experts)	20	100	120	No

5.2 Local administrative staff

The following local administrative staff are needed:

- 2 drivers for 24 months each
- 1,5 administrative support staff for 24 months

The contractor must submit a proposal for the assignment of local administrative staff.

5.3 Travel expenses

Travel expenses budget: up to EUR 125,000

As the number and duration of the business trips is not yet clear, the above-mentioned fixed, unalterable travel-expenses budget for all trips to the country/ region of assignment for all experts is specified in the price schedule. The budget contains the following travel expenses:

- Per-diem allowances and accommodation allowances
- Flights and other transport costs
- Police escort for road travels
- Ancillary travel costs (visa etc.)

The costs are reimbursed in accordance with the country table in the GIZ travel expenses guidelines as a lump sum (per-diem allowances and accommodation allowances up to the highest rates under tax law for the country in question) or on submission of documentary proof (accommodation costs which exceed this up to an appropriate amount, the cost of flights and other forms of transport). All business travel must be agreed in advance by the officer responsible for the project and approved by the Security Risk Management Office (SRMO). Travel expenses must be kept as low as possible.

SRMO is responsible for the security assessment of the context before and during field missions. The contractor can make use of the services of this service and comply with GIZ security guidelines. For these costs, the tenderer does not propose any costs in its financial offer.

Due to the pandemic context of Covid-19, potential bidders should be flexible and willing to use virtual communication channels. The Kenyan authorities and GIZ have taken precautionary measures that are constantly being adapted to the changing situation.

Currently, there are travel restrictions. A negative Covid-19 test prior to arrival in Kenya, or a proof of complete vaccination is currently required. These requirements may change prior to contracting or during the course of the mission.

Please note: The travel budget does not cover additional costs for the team leader related to the contract in the country of assignment (see section 5.1 above and point 3.3.2 of the general conditions, page 14). Please calculate these costs, if necessary, in the price schedule line 34 "2.2 Costs related to contract".

5.4. Equipment

Budget for equipment: up to EUR 15,000

The fixed, unalterable budget above is earmarked for the procurement of the equipment described in the table below (payment on submission of documentary proof).

Made available free of charge by GIZ for the duration of the contract.	Equipment to be procured by the contractor in the financial bid.
Furnished offices for up to 4 experts	IT equipment (for contractor's staff)

5.5. Operating costs in the country of assignment

Lump sum for supplies/ non-durable items: EUR 24,000

The fixed, unalterable lump (costs involved in the proper running of the offices and vehicles) sums given above are specified for supplies/ non-durable items (financial settlement on submission of documentary proof). Contractors are expected to be located in the GIZ compound and shall not calculate costs for office rent.

5.6. Workshops, education and training

Workshop budget: EUR 65,000

The fixed, unalterable budget given above is specified in the price schedule for workshops. The budget includes the following costs relating to the planning and running of workshops:

- Room hires
- Technical systems
- Moderation services
- Translation/interpreting
- Catering
- Workshop materials
- Travel expenses for partner experts (subsistence, accommodation, travel costs)
- Other costs relating to the workshops

The budget does not include the fees and travel expenses for the contractor's experts incurred in connection with the planning and running of the workshops. These are covered by the corresponding number of expert days and travel expenses (section 5.1 and 5.3 of those terms of reference).

5.7. Local subsidies

A budget of EUR 60,000 is foreseen for local subsidies (training providers) against provision of evidence, which shall be prepared, concluded, and monitored by the Contractor.

Local subsidies (see section 2) are awarded on the basis of the attached annex 'Mustervertrag Örtliche Zuschüsse' (Contract template contract for local subsidies) and in accordance with the provisions of the General Terms and Conditions and the annex 'Handreichung Örtliche Zuschüsse' (Guideline for local subsidies) to the General Terms and Conditions.

The local administrative officer will be in charge of managing these contracts. Any handling costs of the local subsidies are thus part of his/her staff costs and shall not be budgeted separately in the tender.

5.8. Other costs

– Not applicable –

5.9. Flexible remuneration item

Budget for flexible remuneration: EUR 30,000

The fixed, unalterable budget given above is earmarked in the price schedule for flexible remuneration. Flexible remuneration is intended to facilitate the flexible management of the contract by the officer responsible for the commission at GIZ. The contractor can make use of the funds in accordance with section 3.3.5.7 of the General Terms and Conditions.

6. Data Protection Requirements

The performance of the contract may be associated with the processing of personal data by the contractor, who would alone define the nature of such data and how such processing would be carried out. In such cases, the contractor shall act as an independent DATA CONTROLLER and must alone comply with ALL applicable data protection obligations, including regional and local laws. The contractor must process personal data only when a given goal cannot be reasonably attained without such data. In case the contractor executes the instructions of a local partner to the GIZ with regard to such processing, the partner shall be the data controller, and shall ensure that such data processing is in accordance with applicable laws and standards. Personal data collected by Tropic Coffee may be entrusted to the contractor in order to fulfil the contract.

The data protection principles such as lawfulness, data minimization, accuracy, purpose limitation, storage limitation, transparency, integrity and confidentiality, and accountability, as well as the numerous rights of the data subject must be paid due attention. The GDPR's data transfer rules must be considered whenever personal data leaves the EU for a third country. The GIZ is NOT in any way responsible for such processing.

7. Requirements on the format of the tender

The structure of the tender must correspond with the structure of the ToRs. It must be legible (font size 11 or larger) and clearly formulated. The language of the tender is English.

The technical-methodological concept of the tender (section 3 of the ToRs) is not to exceed up to 27 pages (not including the cover page, list of abbreviations, table of contents and brief introduction).

The CVs of the staff proposed in accordance with section 4 of the ToRs must be in the EU-format and must not be more than four pages in length. The CVs must clearly show what position the proposed person held, which tasks they performed and how many expert month they worked during which period in the specified references. The CVs must be submitted in English. We strongly request that you do not exceed the number of pages specified.

8. Options

8.1 Follow-on measure/extension of service-delivery period

It is possible to continue key elements of the service specified in the tender as part of a follow-on measure within the context of the basic project. This is described in detail below.

Type and scope: Contract can be extended by up to 24 months with a similar personnel concept and technical focus including the expansion of service content under option 2 (see 7.2 below); Follow-on measure may contain the addition of trades/sectors for qualification measures and/or the introduction of additional training institutions to upscale developed training courses. If additional trades are introduced, different profiles in the expert pool may be required.

Precondition: The contract for the follow-on phase (starting 01/2025) is awarded by GIZ's commissioning party BMZ.

8.2 Expansion of the service content

GIZ's commissioning party may adapt the service in the tender within the context of a change to the contract for the basic project. This is described in detail below.

Type and scope: Contract can be topped up by up to 100% of original contract value and a duration of up to 24 months with a similar personnel concept and technical focus; Follow-on measure may contain the addition of trades/sectors for qualification measures and/or the introduction of additional training institutions to upscale developed training courses. If additional trades are introduced, profiles of national experts need to be adapted.

Precondition: Acquisition of co-financing and/or budget top up from current commissioning party BMZ

8.3 Acquisition of additional equipment

Nature and scope: There is the possibility of an extension of the type of equipment to be procured by the contractor. After defining the exact technical requirements of the equipment in the framework of the preliminary studies foreseen in Work Packages 1 and 2 (see chapter 2 of these Terms of Reference), it is possible to add in line 5.4 a separate supplementary budget for the purchase of this type of equipment. This refers to the equipment necessary to capacitate local training providers to offer the developed training courses (e.g., technical equipment for training centres, business starter kits, etc.)

Maximum additional budget for the acquisition of this equipment: 285,000 euros

Conditions:

- The project has the necessary budget for the purchase of such equipment.
- GIZ gives its written approval for the purchase of this equipment: an authorization from the contracting authority, authorization from the contracting department and the drafting of an amendment to the contract are required.

Subject of the tender procedure: Output 2

Transaction number:

9. Annexes

- (A) Module proposal
- (B) Results Matrix
- (C) Labour Market Assessment (Analysis)
- (D) Contract template contract for local subsidies
- (E) Guideline for local subsidies