

Konza Technopolis Development Authority



KONZA CLOUD POLICY FOR MANAGEMENT OF SOFTWARE VENDORS OCTOBER 2023 (REV. 1)



TABLE OF CONTENTS

1	OUR IDENTITY	3
1.1	<i>Vision</i>	3
1.2	<i>Mission.....</i>	3
1.3	<i>Mandate</i>	3
1.4	<i>Core Values.....</i>	3
1.5	<i>Strategic Objectives:.....</i>	3
2	FOREWORD	4
3	BACKGROUND	5
4	GLOSSARY	6
5	THE PURPOSE	8
6	LEGAL REGULATORY FRAMEWORK	8
7	SCOPE	8
8	GUIDING PRINCIPLES	9
9	POLICY STATEMENTS	10
9.1	<i>Expression of Interest.....</i>	10
9.2	<i>Processing fee</i>	10
9.3	<i>Proposal Submission and Acknowledgement</i>	10
9.4	<i>Preliminary Review of Proposals.....</i>	10
9.5	<i>Technical Evaluation of the Solution</i>	10
9.6	<i>Technical Evaluation of the Proposal</i>	10
9.7	<i>Software Vendor Agreement</i>	10
9.8	<i>Acquisition of the Solution</i>	11
9.9	<i>Payments</i>	11
9.10	<i>Onboarding of Solutions to Silicon Savannah AppStore</i>	11
9.11	<i>Bidding for ICT Opportunities</i>	11
10	SOFTWARE VENDORS' PROCEDURES	11
11	POLICY REVIEW	11
12	POLICY IMPLEMENTATION RESPONSIBILITY	11
13	EFFECTIVE DATE	11
14	OTHER PARTICULARS OF THE ICT POLICY	11

1 OUR IDENTITY

1.1 Vision

A leading global Technopolis and innovation hub.

1.2 Mission

To develop a thriving smart city and a vibrant innovation ecosystem contributing to Kenya's knowledge economy.

1.3 Mandate

The mandate of KoTDA is to develop Konza Technopolis as a globally competitive smart city by creating an enabling environment through the utilization of ICT for socio-economic development.

1.4 Core Values

- Simplicity
- Professionalism
- Passion for excellence
- Agility
- Collaboration

1.5 Strategic Objectives:

- Develop and manage a world-class smart city with a vibrant, safe, and secure, healthy and sustainable ecosystem.
- Form partnerships with other actors in the National Innovation System, to recruit, attract, and develop high-end talent as well as create relevant, and smart innovative solutions and commercialize them.
- Mobilise adequate and sustainable funding to meet the Authority's mandate and changing needs of the business community and residents.
- Create a strong brand and image of Konza Technopolis that will attract, facilitate, and retain investors.
- Ensure that the Authority has the adequate institutional capacity to fulfil its mandate.

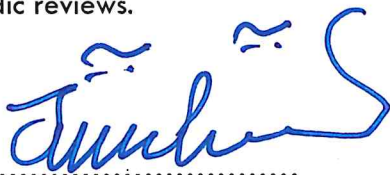
2 FOREWORD

Information Communication Technology (ICT) has become the backbone of day-to-day operations in all organizations. KoTDA is at the forefront of Digitization initiatives in Kenya and has developed a framework to engage solution and software vendors to complement services and products provided by the Konza Cloud. This is in line with the Authority's vision to be a leading global technology and innovation hub.

The necessity of KoTDA to provide end-to-end data center products/services to its customers jointly with vendors on agreed business models is anchored on the Authority's mandate derived from the Legal Notice No.23 of 2012 that it will:

- a) Liaise with relevant government institutions to promote both locally and internationally the opportunities for investment in information and communications technology and such other industrial activities of the Technopolis.
- b) Facilitate and manage information and communication technology, industrial incubation parks and science and technology parks together with related facilities within the Technopolis and buffer zone.
- c) Carry out any other activity that the Konza Board considers necessary for the promotion and facilitation of the development of information and communications technology products and services within the Technopolis.

The Konza Cloud Software Vendor Policy provides a framework with policies and guidelines for engagement, evaluation, onboarding, reviewing and management of IT Cloud and Software providers. It also provides guidelines upon which the policy shall be administered and the correct procedures to be followed. The Authority will keep this policy current and relevant by undertaking periodic reviews.



.....
John Paul Okwiri,OGW

CHIEF EXECUTIVE OFFICER

3 BACKGROUND

Konza Technopolis (KT) is a key flagship project of Kenya's Vision 2030 meant to position Kenya as a Regional Technology hub and a major economic driver for the nation. Konza Technopolis Development Authority (KoTDA), a state agency, is the special purpose vehicle overseeing the implementation of the project to smart city standards.

As part of Phase 1, the Authority is operationalizing a Tier III National Data Center (Konza Cloud) offering cutting-edge cloud services to government and private enterprises. The Cloud has been positioned as your digital transformation platform offering innovative solutions such as virtual servers, DR as a Service (DRaaS), Backup as a Service (BaaS), Web Hosting, eBoard, Email Hosting, ERP Hosting, Data Storage, Managed Cyber Security Services among others.

The Authority will continue to leverage partnerships with leading innovators, local and international solution providers to offer bundled cloud solutions/services, technology platform solutions and cyber security solutions in line with the government agenda to digitize 100% of its services and derive optimal value from the digital superhighway (digital economy).

4 GLOSSARY

KoTDA	-	Konza Technopolis Development Authority
ICT	-	Information Communication Technology
ISMS	-	Information Security Management Systems
SLA	-	Service Level Agreement
ISO	-	International Organization of Standards
ERP	-	Enterprise Resource Planning
MSSP	-	Managed Security Service Provider
IR&D	-	Innovation, Research & Development
PaaS	-	Platform as a Service
SaaS	-	Software as a Service
EOI	-	Expression of Interest
IaaS	-	Infrastructure as a Service
DRaaS	-	Disaster Recovery as a Service
CEO	-	Chief Executive Officer
JV	-	Joint Venture
IT	-	Information Technology

“Agreement” in this policy refers to a legal agreement between KoTDA and the Software vendor to offer the Solution to a Customer.

“ICT” in this policy refers to all information and communications technology hardware and software, data and associated methodologies, infrastructure and devices that are owned, controlled, or operated by KoTDA.

“Customer” means the person/organization who consumes or intends to consume the Solution.

“User” means a customer or any other person who accesses the System, Solutions, or Services.

“Authorized User” means a member of the staff, interns allowed to use ICT resources.

“ICT Assets” means any software, hardware or service resources that are utilized to provide ICT services by the Authority.

“Solution” means ICT services or products that have been developed and packaged by KoTDA and the Vendor such as PaaS, SaaS, IaaS, smart city facilities, network solutions, Colocation and any other

“Software Vendor” means the person/organization who has partnered with KoTDA to offer the Solution(s).

“Silicon Savannah AppStore” refers to the e-marketplace developed and maintained by KoTDA containing all Solutions either developed by KoTDA or with its Software vendors through which Customers will transact.

“Procedure” refers to the Procedure for management of software vendors

“Stakeholder” refers to a person, group, or organization with a vested interest in matters contained herein.

5 THE PURPOSE

This policy seeks to provide a framework that will guide KoTDA throughout the journey of striking a partnership with a software vendor. The policy shall:

- a) Enhance compliance with the laws of Kenya
- b) Ensure the engagement of vendors through an open and transparent process;
- c) Ensure that solutions developed are for the purpose of advancing the commercialization of Konza cloud and related functions;
- d) Ensure the consideration for all vendor engagement is fair, reasonable and in the best interest of Konza
- e) Prevent speculation and arbitrage on partnerships with solution providers/software vendors.
- f) Facilitate the establishment and development of a sustainable technology Hub

6 LEGAL REGULATORY FRAMEWORK

This policy document relates to all Information Technology equipment, services and solutions provided by KoTDA including, but not limited to, Konza cloud, smart city facilities, network solutions and IT consultancy services.

All KoTDA Stakeholders that interact with KoTDA ICT resources are expected to adhere to it. The Policy shall follow the following:

- a. The Kenya Information and Communication Act 2013
- b. The National ICT Policy Guidelines 2020
- c. The Data Protection Act 2018
- d. The Computer Misuse and Cyber Crimes Act 2018
- e. Constitution of Kenya 2010
- f. Access to Information Act 2016
- g. Relevant Laws, Regulations, circulars and gazette notices

7 SCOPE

This Policy is applicable to all KoTDA stakeholders that interact with KoTDA ICT resources in relation management of vendors and solutions.

8 GUIDING PRINCIPLES

All engagement with software vendors by KoTDA shall be governed by the general guidelines set forth in this Policy, and shall at all times be consistent with the provisions of all applicable Laws. In case of a conflict between the provisions of this Policy and the applicable Laws, the provisions of the applicable Law shall prevail.

This Policy is based on the following fundamental Principles :

- 1) The engagement of the vendors shall be structured into agreements as per the following categories and shall be subject to restrictions consistent with the overall concept and vision of Konza Technopolis ICT vision.

No.	Agreement	Objective
1.	Reseller agreements	To enable KoTDA to partner with a Software vendor to resell available Solutions to prospective customers
2.	Managed Security Service Provider (MSSP) Agreement	To enable KoTDA to partner with Software Vendors to offer tailor-made security solutions to data center customers
3.	Technology Agreements	To enable KoTDA to partner with software vendors with existing solutions and/or enhance the value proposition of the solutions.
4.	Innovation, R & D Agreements	To enable KoTDA to partner with software vendors to develop projects/innovation from scratch. This will involve conceptualization, design and development of innovative solutions to be consumed by customers.
5.	Managed Consulting	To enable KoTDA to partner with software vendors to provide industry counsel, advice, and functional expertise in specialized areas including but not limited to colocation, IT Strategy, processes/policies, digital transformation, IT governance, reorganizations, organization design, risk management, information technology, organizational change management to Customers

- 2) KoTDA CEO shall appoint a Software Vendors Working Group that shall manage onboarding, evaluation and negotiation with software vendors. The CEO shall determine the roles of the working group.
- 3) Adherence to the industry's best practices & policies;

9 POLICY STATEMENTS

9.1 *Expression of Interest*

KoTDA shall invite interested software vendors through an expression of interest (EOI) that shall be published through relevant channels and the Authority website.

KoTDA shall also participate in partnership frameworks from strategic software vendors that will follow the vendor process.

9.2 *Processing fee*

KoTDA shall charge a non-refundable fee to facilitate the processing of all proposals

9.3 *Proposal Submission and Acknowledgement*

Software vendors shall submit their proposals through the approved channels and the Authority shall acknowledge receipt of the proposals.

9.4 *Preliminary Review of Proposals*

The Department in charge of ICT & Smart City Solutions shall undertake a preliminary review of the proposals to ascertain completeness.

9.5 *Technical Evaluation of the Solution*

The Department in charge of ICT & Smart City Solutions shall undertake the technical evaluation of the Solution to determine its applicability and/or suitability based on technical parameters such as ease of use, user-friendliness, programming language, software integration, solution architecture, security requirements, deployment model, financial and legal due diligence etc.

9.6 *Technical Evaluation of the Proposal*

The vendors' working group shall evaluate proposals received from vendors in line with the Proposal Evaluation Criteria which include and not limited to pitching, negotiations, revenue share, etc.

9.7 *Software Vendor Agreement*

The Authority shall prepare software vendor agreement based on agreed terms and conditions

9.8 Acquisition of the Solution

Customer(s) shall acquire available solution(s) by placing orders using requirement forms/templates, issuing bid documents, or via available online platforms.

9.9 Payments

The customer shall remit the payment for the solution(s) provided by KoTDA. KoTDA shall pay the Software vendor their share of the revenue as per the agreed commercial terms.

9.10 Onboarding of Solutions to Silicon Savannah AppStore

The Department in charge of ICT & Smart City Solutions shall ensure the software vendors' solution(s) are market-ready before uploading to the Silicon Savannah AppStore. The AppStore shall include relevant product details to enable customers to make order/purchase requests.

9.11 Bidding for ICT Opportunities

The Authority will participate in bidding for relevant ICT opportunities independently and/or through JV/partnership with onboarded vendor(s).

10 SOFTWARE VENDORS' PROCEDURES

The Authority shall develop requisite procedures to guide the implementation of this policy.

11 POLICY REVIEW

This policy shall be reviewed every three years or from time to time as informed by changes in the operational environment of the Authority

12 POLICY IMPLEMENTATION RESPONSIBILITY


The policy shall be implemented by the Department in charge of ICT and smart cities

13 EFFECTIVE DATE

This policy shall come into effect on February 2024

14 OTHER PARTICULARS OF THE ICT POLICY

Implementing Unit	ICT & Smart City Solutions Department
Effective Date	
Review Date	

Policy Version/ Revision History	DRAFT 0
Reference	KOTDA/1/15/05/01
Scope of Policy Application	All KoTDA Stakeholders
Approval by the CEO:	
Approval by the Board of Directors:	February 2024