



**COLLABORATIONS AND PARTNERSHIPS POLICY  
2021**



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**LIST OF ACRONYMS & DEFINITION OF TERMS**

KOTDA Konza Technopolis Development Authority

CEO Chief Executive Officer

ICT Information Communication Technology

KoTDA Konza Technopolis Development Authority

PPP Public private partnerships

Resources Any quantifiable exchange in value, including human and Financial support extended during partnership.

## **OUR IDENTITY**

### **Vision**

To be a leading global technology and innovation hub.

### **Mission**

To develop a sustainable smart city and an innovation ecosystem, contributing to Kenya's knowledge-based economy.

### **Mandate**

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

### **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 adequate institutional capacity to fulfil its mandate.

## FOREWORD

The Management of Konza Technopolis Development Authority recognizes the critical role of ethical service and professionalism in service delivery in addition to concerted efforts from staff as a means to achieve the Authority's Vision, Mission and Mandate.

In order to promote transparency and accountability in the Authority, it is important to define the Authority's standards of practice to regulate behaviours, interactions and actions of its members of staff. The Management recognizes unethical and unprofessional conducts as impediments to social and economic development which also undermines confidence in public institutions.

The KoTDA Land Survey Policy outlines the standards for the Authority's undertaking of Land Surveys and associated services. This will ensure that the Authority engages with communities in land survey activities that enhances sustainable development with integrity and without diminishing the Authority's reputation.

To inform the standards of practice stipulated in this Code, this document takes cognizance of the Authority's Vision, Mission, Values and Mandates. It also incorporates the statutory provisions of various acts namely; *The Survey Act*, *The Land Act 2012*, *The Public Participation Bill 2018*, *Public Procurement and Disposal Act 2015*, *The Public Officer Ethics Act 2003*, *The Civil Service Code of Regulations Revised 2006*, *The Public Service Commission Act Cap 185*, *The Anti-Corruption and Economic Crimes Act 2003* and other relevant regulations.

To create a physical environment that fosters corporate innovation for the furtherance of our goal of developing a smart city, it is important to have the free social environment.

I therefore call for a concerted effort from our staff, stakeholders, investors, development partners and the community to support the Authority through adherence to this Policy. Any incidence of unethical practice should be reported to the Authority.

  
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Eng. John Tanui, MBS

**CHIEF EXECUTIVE OFFICER**

Date: 18/06/21



## **INTRODUCTION**

KOTDA recognizes that strategic partnerships play a critical role in the achievement of its vision, mandate, and strategic objectives. The authority also recognizes the critical role of effective partnership processes in maximizing the partnership opportunities that may be presented to the authority. In this regard, KOTDA seeks to become a true partner in our engagements by putting in place processes to support effective partnerships while maximizing value for the Authority.

Therefore, this partnership and collaboration policy is a deliberate effort to enhance and support the Authority in establishing and developing linkages, partnerships, and collaborations with other institutions.

The Authority appreciates that the collaboration and partnership policy is necessary to:

- i. Coordinate partnership engagements efforts by the Authority ensuring consistency of engagement approach, consideration, and value management for the benefit of the authority and its partners.
- ii. Advance the development of and adoption of appropriate technologies to support partnership ambitions.
- iii. Develop stronger linkages and joint programs with other institutions in pursuit of its mission.

### **a. Role of Partnerships in development**

Partnerships are commonly defined as voluntary and collaborative relationships between various parties, both public and non-public, in which all participants agree to work together to achieve a common purpose or undertake a specific task, and to share risks, responsibilities, resources and benefits. Partnerships rely on participation by at least two parties who agree to share resources, such as finances, knowledge, and people.

Partnerships may involve two or more parties and may vary in size and importance. They may be concluded for one-off undertakings to deliver specific activities or may involve more strategic multi-year collaboration between parties.

They may involve funding either to or from KoTDA, in many cases KoTDA and the partner may cooperate towards common objectives without any exchange of financial resources.

In successful partnerships, all participants contribute and gain something. They all have a stake in the process and the outcome despite the differences in their individual inputs and interests.

Agreements between partners should ensure that there is a clear understanding of the partnership's objective, the role and the responsibilities of each party and the commonality, or potential divergence, of their interests. In addition, the contribution and work of each party should be acknowledged whenever appropriate.

### **b. Legal and regulatory framework**

This policy refers to the following key policy documents with regards to partnerships in government entities.

- i. Partnership act, 2011
- ii. Policy statement on public private partnership, 2011
- iii. Public private partnerships Act, 2013
- iv. Kenya's Vision 2030
- v. KOTDA Bill

- vi. Sustainable development goals and the commitment of Kenyan government to the attainment of these goals.

## **2. OPERATIONAL GUIDELINES**

### **a. Purpose**

The purpose for this policy is to ensure that there is a consistent, Authority-wide approach to entering partnerships. This policy does not alter the requirements of the Authority for engagements involving any transfer of funds related to procurement activities. All procurement engagements by the Authority will be guided by the Organisation's Procurement policy.

### **b. Policy objective**

The main objective of this policy is to provide a strategic, Authority-wide approach to the identification of partners and to establish a due diligence process for partner selection. The policy also provides guidance on the management and oversight of partnerships and a KoTDA wide strategy for managing and analysing partnership-related information.

KoTDA Partnerships Policy provides guiding principles, general framework and relevant tools which illustrate the key features of its partnering process.

### **c. Roles and responsibilities**

1. The Board of Directors hold the ultimate authority and responsibility for KoTDA partnerships.
2. The CEO approves all partnership engagements on behalf of the Authority.
3. Research and Strategy Department keeps a database of all partners in the institution and coordinates the partnership engagement cycle between the partners.
4. Legal office will oversight the contracting activities for all partnerships and collaborations entered by the Authority.
5. User departments may initiate partnership engagements, there department will collaborate with the department in charge of partnerships to ensure a centralised view on partners engaging the authority.

### **d. Applicability**

It is the responsibility of all the KoTDA Staff to be guided by this policy.

### **3. POLICY STATEMENTS**

In addition, use of resources (physical, human or monetary) through partnerships shall uphold principles of effectiveness, efficiency, and economy. Resources may be financial and human capital resources provided by the Authority for the purpose of partnership advancement,

#### **Guiding Principles**

The Authority will give due consideration to the Authority values when entering and upholding partnerships: these shall include: -

1. Common purpose, win-win approach.
2. Trust, transparency, and accountability.
3. Compliance with the commitments and standards set forth in KoTDA Partnerships Policy, Legal Notice and other statutory or legal requirements.
4. Commitment to transparency in engagement and partnership management.
5. Compliance with the Kenyan laws.
6. Partnership objectives aligned with those of the Authority.

#### **a. Strategic Partnerships**

A Strategic Partner is an organization with which the Authority establishes a formal collaboration agreement, with the aim of achieving common deliberate set objectives for a medium or long-term.

The relationship will be formalized through a multi-annual Memorandum of Understanding or Agreement that will establish the objective of the engagement.

Strategic partnership engagements will result to the achievement of mutual interest objectives identified between the partnering entity and the Authority.

Strategic partnerships shall be clearly separated from commercial engagements, where the authority required to purchase goods or services for the advancement of its mandate. Such engagements will be handled according to the procurement policy guidelines.

The Authority also recognizes that all Public private partnership engagements will be executed in line with the requirements of the PPP act in addition to alignment with the partnership policy alignment.

#### **b. Partnership Initiatives**

KOTDA may enter short term partnership initiatives with the aim of achieving specific common objectives through different forms of contribution. (i.e., financial, technical, knowledge sharing or services, human resources, etc.).

Short term engagements will span Events, or activities of a duration less than six months.

Partnership initiatives will be short term and will be approved by the CEO. They include such initiatives as cohosting forums, events, one-off collaborations, and joint initiatives.

Such short-term partnerships will be reviewed against a set framework to manage the impacts to business/brand in reaching the decision whether or not to engage.

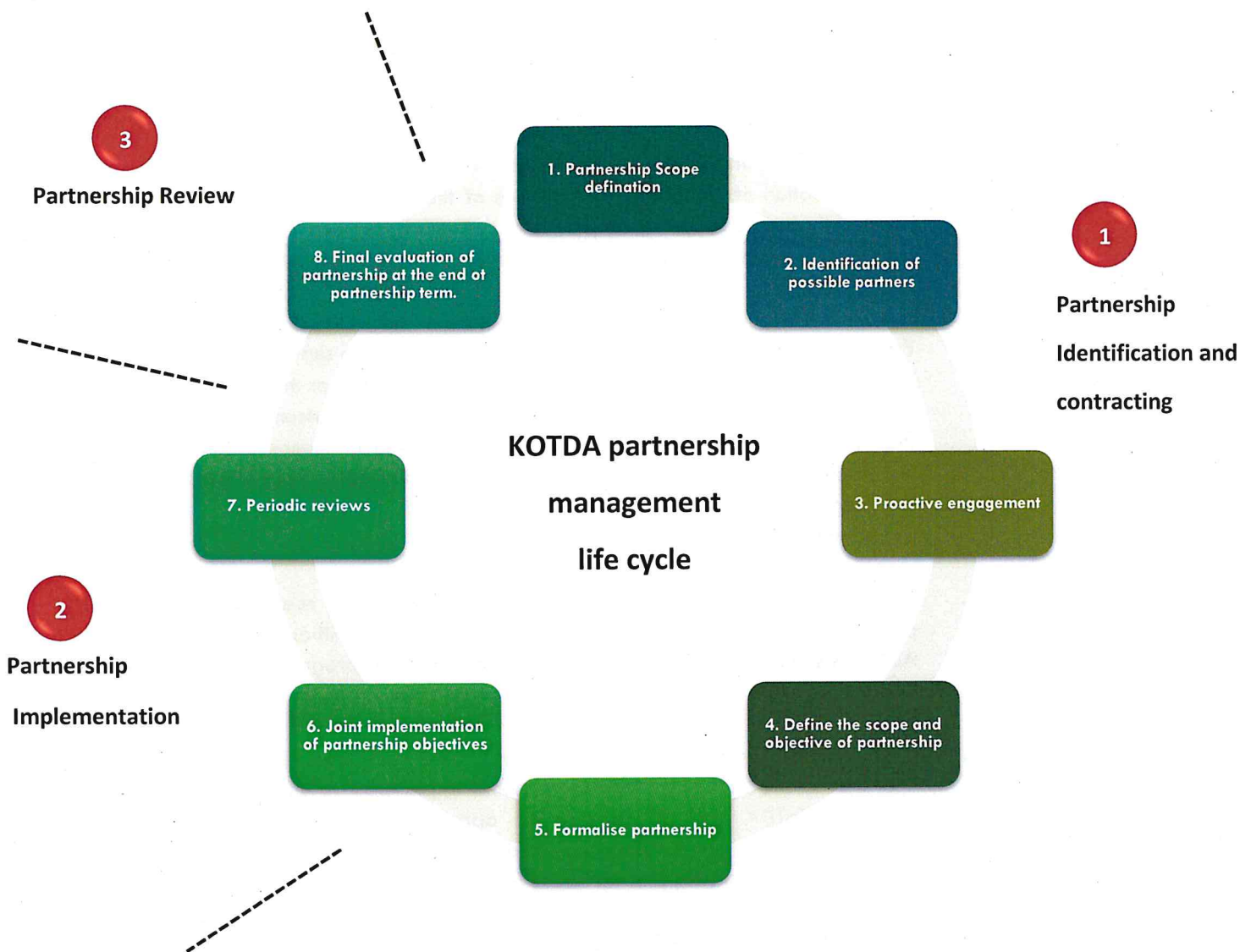
**c. Partner categorization**

There are various types of organizations with which the Authority will build partnerships. While the boundaries of different sectors are increasingly blurred, these organizations are classified as follows:

Nature of Organization	Governmental	Non-governmental	Inter-governmental	International
Not for Profit	MDAs and County Governments	NGOs, Research institutions, foundations, Associations, community-based organisations (CBOs)	Intergovernmental organizations (UN agencies, World bank, embassies etc.	Foundations,
For profit	Commercial State-owned companies	Companies, business associations and coalitions, corporate philanthropic foundations		Enterprises
Academia	Universities, Colleges, Technical & Vocational Training Institutes			

**4. KOTDA PARTNERSHIP MANAGEMENT LIFE CYCLE**

The Authority has established a three (3) stage, eight (8) step Partnership Management Life Cycle to ensure comprehensive view of partners within its Mandate.



**a. PHASE 1: Partnership identification and contracting.**

Partnership identification phase shall include all activities aimed at identifying and establishing partnership initiatives with potential institutions.

The Authority will engage partners in two approaches:

1. **Proactive partnerships:** These are partnerships that the Authority sets out to identify and engage based on its mandate, Strategic Priorities, Programs and Competitive Advantage.
2. **Reactive Partnerships:** These are partners who seek out to engage with the Authority independent of its efforts. These partners will be evaluated and contracted based on partnership engagement principles as provided for in this Policy.

**i. Authority's Partnership Scope definition**

The Authority shall define the Scope and preferred intervention areas by identifying strategic priorities based on the Mandate, Strategic Objectives, and Performance Contracting Objectives. The definition of the scope will determine the areas of focus for the authority's partnership engagements.

Partners will be classified as:

1. **Collaborating partners:** These are partners whose engagement will contribute towards implementation of the strategic objectives of the Authority. These partners may not necessarily provide funding support for a program, but may contribute to research, policy, and influence of key stakeholders within the industry at local, regional, and global level.
2. **Funding partners:** Funding partners will inject resources to support implementation of the Authority's programs and projects. These partners may or may not engage in the execution of these programs but may be interested in the outcomes as they advance their interest. For instance, an organisation interested in Economic Development of Kenya may provide resources to the Authority to implement programs that will achieve this outcome. There may be more than one (1) funding partner in a partnership engagement.
3. **Implementing partners:** Implementing partners extend the reach of the Authority's programs. These partners may not provide resources but will extend the reach of the Authority's influence and impact through delivery of programs connected to the Technopolis focus areas.
4. **Professionals:** These partners constitute resourceful individuals from all over the world that are willing to apply their professional experience to support the Authority's ambition. KoTDA aims to provide an opportunity to leverage the skills and competencies of Kenyan professionals in developing the city. Professionals will extend their expertise, networks, and resources to advance mission of KOTDA.
5. **Integrated Partnership:** This is a partnership that will feature a combination of two or more categories defined in (1 to 4) above. E.g., a partner may bring financing and participate in the implementation of the project.

## ii. **Partner Identification**

The Authority through its departments will scan its operating environment to identify viable partners through contextual Analysis (i.e., areas of interest and stakeholder mapping).

These will cover the following:

- Criteria for selecting partners, with respect to the specific program/project/activity/initiative.
  - Conditional provisions for the partnership where finances are involved.
  - Technical capacity needed to fulfil the partnership obligations.
- Existence of similar partners and conflict risk.

The result of the process will be a list of potential partners to engage with. The Authority will then establish contact.

## iii. **Partnership engagements/ meetings**

In selecting potential partners, the Authority will engage in dialogue with them through joint meetings and project-site visits. The following considerations should be addressed in the discussions:

- Identification of high-level mutual areas of interest
- Compatibility with KoTDA's values, principles, and work methodologies

- Possible enhancement of organizational goals and value add.
- Creation of positive opportunities for future organizational development
- Realization of mutual expectations

Partnership engagement will result in an intention to collaborate or a discontinuation of the engagement based on strategic priorities of both organisations.

Where a parentship proposition is deemed not feasible. The officer in charge of the engaging department shall communicate to the proposed partner.

Where the partner continues to seek partnership, the decision shall be made by the authority's accounting officer on behalf of the organisation, the decision of the Accounting officer.

A further appeal may be done to the institutions board of directors whose decision shall constitute the final position of the authority.

The partnership engagement will be documented in the partnership portal for future reference.

#### **iv. Definition of scope and objectives**

During this step, the Authority in collaboration with the potential partner shall define principles and terms of engagement for the intended partnership. key considerations shall include:

- The purpose, objectives and success indicators of the partnership.
- The deliverables and expected results.
- The roles and responsibilities of each party.
- The decision-making process
- Key milestones during the partnership.
- Competing engagements from other partners already onboarded.
- Monitoring and periodic evaluation methodologies and frequency.

The outcome of the Scope Definition Process will be a document outlining the mutual areas of partnership between the Authority and the potential partner, Key performance indicators, roles and responsibilities, review criteria and frequency and the partnership duration/term.

#### **v. Formalization of partnership**

Once both parties have accepted the program/ project/ activity/ initiative proposal, the partnership will be formalized through the signing of an Agreement. Partnership contracting documentations will be initiated by the Authority through the Office in charge of Legal and reviewed by both parties for concurrence. The partnership Agreements will be executed by the CEO on behalf of the Authority. The board may approve partners on exceptional cases.

### **b. PHASE 2: Partnership implementation**

Partnership implementation introduces the main objective of partnering with the Authority. This step is critical to the achievement of Partnership Objectives and will require the following:

**i. Joint implementation and capacity building**

This step marks the beginning of the program/ project/ activity/ initiative implementation. The Authority will appoint a Partnership Lead to manage the partner's relationship with the Authority. This resource will be drawn from the user/ implementing department and will provide a point of contact for the Authority.

The Office in charge of Partnerships will provide overall co-ordinating role for the Authority on matters partnerships and value management. The Partnership Lead in collaboration with the partner will define an Execution Plan with clear Milestones, Communication Plan and Execution Matrix for the Partnership.

During the partnership program execution, potential capacity or other gaps shall be reviewed (i.e., technical and financial, human resources, political influence, etc.) and a capacity development plan will be designed and implemented jointly.

**ii. Periodic monitoring and evaluation**

Program/ project/ activity/ initiative implementation will be accompanied by periodic monitoring and evaluation (both technical and financial) as per the contracting phase with the aim of guaranteeing accountability and mutual learning.

As a minimum requirement, all partners shall be reviewed on an annual basis to ascertain their continued viability and contribution to the authority's overall vision and strategic objectives.

The monitoring and evaluation mechanism may take different forms, such as a joint monitoring committee, project-site visits, formulation of technical reports and training sessions.

Partnership monitoring and evaluation will focus on:

- Assessing the progress against the objectives set at partnership establishment.
- Identification of areas of adjustment, modification, or acceleration to meet intended partnership goals.
- Continued strategic alignment and value for both partners.

Monitoring and Evaluation Reports will be prepared on the agreed timelines and will be shared with the Office in charge of partnerships and be approved by the CEO before sharing with the partner.

Partnership status report shall be prepared on a quarterly basis as a minimum requirement for continuous assessment of the performance of the partners at KOTDA.

Where there is material variance between the expected level of performance and the actual performance, the partner leads will engage in a meeting to review performance and propose changes to be implemented in the next cycle.

Where level of performance is consistently below expected standards, the partnership may be severed according to the terms established in the Agreement executed by both parties, for instance in the case of a breach of the contractual terms and condition.

**c. PHASE 3: Partnership evolution**

Partnership evolution will ensure the Authority has a formal growth or exit strategy for the partnership engagements depending on the scope of partnership.

**The evolution of partnerships is important as it provides the authority an avenue for:**



1. Review of performance of the partnership engagements with the aim to grow the collaboration objectives.
2. Provides a basis of continual engagement with partners.
3. Allows the Authority to limit exposure by remaining connected with other organisations beyond the partnership scope.
4. Allows termination of non-performing partnership engagements.

As a standard practise, existing partnerships will be reviewed after every three years to assess the viability in respect to mandate and Strategic Objectives of the Authority. The Partnership evolution cycle will comprise: -

**i. Final review of partnership outcomes**

The final evaluation will be conducted at the end of the partnership implementation period (or term) to provide an avenue for the Authority to determine the outcomes of the partnership engagement.

The review will be conducted as follows: -

1. Provision of partnership Report and Financial Reports
2. Review of Partnership Outcomes against set objectives during contracting period
3. Lessons Learnt during the partnership

During Monitoring & Evaluation, the following shall be considered:

- Progress made towards the effective fulfilment of the Authority's Vision, Mission, values and Strategic focus areas.
- Extent to which the expected long-term objectives been achieved.
- The extent to which the parties lived up to their expectations in the partnership.
- Value adds to both parties and their respective work.
- Adherence to the agreed partnership principles during the partnership duration.
- Lessons learnt and the application of the same.
- Desirability of both partners to continue the partnership.
- Opportunities for further areas of engagement.

**ii. Evolution options**

**Based on the review the following decisions will be taken by the partnership leads in collaboration with the department in charge of partnerships.**

1. **Sustain:** The Authority will decide to continue the program/ project/ activity/ initiative, after improving it based on acquired learning.
2. **Terminate:** The Authority will terminate the partnership based on: -
  - i. Failure to achieve the partnership objectives.
  - ii. Lack of interest from either partner to continue engagements from either partner.
  - iii. An envisioned lack of growth in the engagement even after multiple attempts to improve.
3. **Grow:** The Authority may decide to expand or repeat the program/ project/ activity/ initiative, while improving it based on acquired learning to amplify the impact. To grow partnerships, the Authority will establish mutual interest from both partners and engage new commitments for the next cycle of partnership.

4. **Re-scope:** The authority may rescope the partnership objectives to maximize the impact based on identified strengths during partnership evaluation.

## 5. **PARTNERSHIP MANAGEMENT TOOLS**

KOTDA will ensure apt management of partners by leveraging the following tools and processes.

### A. **Legal documents**

All partnerships will be governed by a recognised partnership agreement document prepared by the Authority's legal office and signed off by the CEO on behalf of the Authority.

### B. **Financial management and oversight**

- I. **Budgets:** Budgets and implementation plans serve as the basis for exercising financial oversight and monitoring resources provided for partnership programs.
  - a. KOTDA shall ensure that all financing partnerships are accompanied by appropriate budgets. The budgets shall contain sufficient detail to justify resource requirements, demonstrate cost-effectiveness and as much as practicable, provide a breakdown of the resource requirements corresponding to the periods for which cash transfers will be made.
  - b. Budgets shall be prepared for each activity and further broken down by budget line elaborating resource requirements for each major cost category.
  - c. Any funds received in KoTDA, shall be deemed to be a public resource, and shall be expensed according to the Public Finance Management Act and any other law providing guidance on financial accountability and prudence to the Authority.
- II. **Financial/expenditure reports:** Financial expenditure reports will be provided to partners as per the partnership agreements.
  - a. All expenditure reports shall be certified by an authorized financial officer in the
  - b. authority attesting to the accuracy of reported expenditures, that resources have been used in accordance with government regulations on expenditure of public resources, budget provisions and the implementation agreement's terms and conditions and that all expenditures are supported by relevant documentation.

### C. **Audit**

Partnership projects and initiatives will form the scope of the organisation Audit in compliance with the Partnership agreement.

### D. **Communication of Opportunities for Partnerships**

The Authority shall ensure that the partnership onboarding process is open and transparent and shall ensure that any persons seeking to partner with it are well informed of the process and requirements. Such information shall be included in the Authority's communication channels and shall include but shall not be limited to the Authority's website.

#### **E. Technology to support partnerships management.**

The Authority will put in place necessary ICT enabled systems to facilitate the execution of the partnership objective at the authority.

1. The partnership portal will provide centralised capability to view all partners engaging with the authority at a time, the portal will include partners, scope of partnerships, review reports, partnership status and approval statuses.
2. The platform shall allow for a 360 view of partnership engagement processes, outcomes, and recommendations.

#### **6. PARTNERSHIP RISKS MANAGEMENT**

. KOTDA will undertake risk assessment as part of partnership due diligence assessments.

When conducting due diligence, KOTDA will ensure that potential partners are accorded the utmost respect, particularly by ensuring that the evaluation of their suitability is handled as early and as efficiently as possible.

KOTDA will also find opportunities for addressing any concerns together as a partner group in an open and non-judgmental atmosphere.

The following key areas will be reviewed in the process of engaging partners as part of regular partnership assessment.

- **Reputation Risk** – KOTDA values its reputation and will rightly be concerned about whether that reputation can be damaged either by the fact of the partnership itself or by any fall-out in future should the partnership fail. KOTDA will therefore conduct due diligence in researching the partners they wish to venture in business with to mitigate the risk they can expose themselves too.
- **Loss of autonomy** – KOTDA shall review the extent to which working in collaboration will lower its independence. All partnerships shall be aligned to the Authority's governing regulations to avoid conflict with the appointing authority.
- **Conflicts of Interest** - KOTDA shall ensure partnership objectives do not put the interests of the Authority in conflict prior to commitment with our partners and terminate contract if need be.
- **Drain on resources** - KOTDA will ensure the partnership engagement provide for adequate implementation timelines to prevent resource pressure and ultimate poor performance driven by tight deadlines. The resources will include both human, technological, and financial.
- **Implementation challenges** - KOTDA will endeavour to put in place partnership leads and clear reporting /escalation processes to ensure the partnership implementation obstacles are dealt with in time before they become long time challenges.
- **Information security management:** The authority shall uphold partners information security standards in accordance with the records handling policy of the Authority.

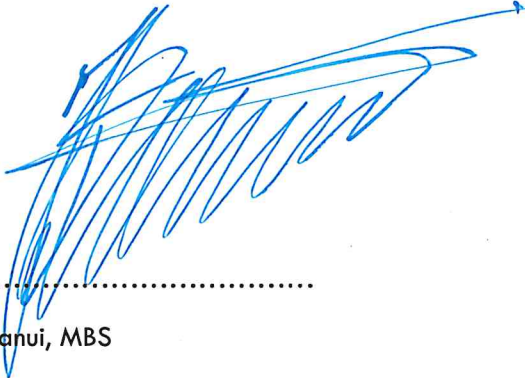
**7. POLICY REVIEW**

Once approved, this policy will be reviewed on after three (3) years.

**8. EFFECTIVE DATE**

This policy comes into effect on the date of approval by the board of directors

Signed

A handwritten signature in blue ink, consisting of several overlapping, fluid strokes that form a cursive-like shape. The signature is positioned to the right of the word 'Signed' and above a dotted line.

.....  
Eng John Tanui, MBS

CEO – KONZA TECHNOPOLIS DEVELOPMENT AUTHORITY

## Annex1: Document History

### Document History

Issue/Revision No	Subject of Amendment	Reviewed By	Authorized By	Date
Version1	Policy development	Josephine Ndambuki Manager, Economic Development, Partnerships and Resource Mobilization	KOTDA CEO	27 <sup>th</sup> Jan 2021

### Annex2: Policy Development process

In the development of this policy document, the below process steps were followed.

- i. Policy developed at the department level.
- ii. Policy reviewed by the policy committee.
- iii. Policy reviewed by the Authority's Management Team and approved by CEO for presentation to the relevant board committee.
- iv. Policy presented at board committee level for review and recommendation for board approval.
- v. Policy presented at Board level for approval.
- vi. Policy Executed by the Authority's CEO

### Annex2: Policy Committee members

Committee member Name	Role
Josephine Ndambuki	Chairperson
Gladys Koletit	Member
Sarah Baraza	Member
Clement Tongi	Member
John Paul Okwiri	Member
June Chepkemei	Member
Christa Riany	Member
Mercyleen Ndatho	Member
Ian Korongo	Member
Damaris Mwendwa	Member
Hillary Nyadwa	Secretary



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To be a leading global technology and innovation hub.

### **Mission**

To develop a sustainable smart city and an innovation ecosystem, contributing to Kenya's knowledge-based economy.

### **Mandate**

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

### **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.
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