



**PROJECT: CONTRIBUTE TO IMPROVING INHERITANCE LAWS IN TANZANIA,  
RFP No: TAWLA/FY21/001  
FOR  
CONDUCTING REVIEW OF TANZANIA CUSTOMARY INHERITANCE LAWS AND RULES**

**Section I. Back ground Information**

**1. Background Information**

Tanzania Women Lawyers Association (TAWLA) is a Non-Governmental Organization established in 1989 and registered under the Societies Act of 1990. The organization is compliant with the NGOs Act of 2002 and obtained an NGOs status in 2019. The aims and objectives of the organization are: to advocate for gender equality, promote of human dignity and gender justice through policy, legal and institutional reforms, and community action and media engagement. To this end, TAWLA envisages a society that respects and upholds the rights of women and her mission is to advance women as champions in promoting and protecting the rights of women and good governance through legal empowerment.

TAWLA is implementing *Project titled “**Contribute to improving Inheritance Laws in Tanzania**”*, a six-month intervention aimed at contributing to the improvement Inheritance Laws in Tanzania by conducting reviews of customary inheritance Laws. The activity is party of the Data Driven Advocacy (DDA) which is being implemented by Freedom House and Pact/Tanzania. The overall objective of this intervention is improving women access to property ownership through inheritance.

The activity has been designed under the background that Tanzania inheritance regime is complex and conflict because of multiplicity of laws that are applicable as the regime allows application of customary laws, religious laws as well as statutory laws in administration and inheritance of deceased properties. In the event of intestate probate, heirs are left to decide which rules will be applicable, where customary law, in most cases has been preferred. Customary rules limits women and girls' rights to inheritance based on gender. The rules violate women's fundamental rights to equality, discrimination, and property ownership as they tend to disproportionately favor the male's heirs of the family because inheritance follows male bloodline in patriarch communities.

The rules limit widowed women from having any residual rights over the family property, instead treat them as minor and will inherit from their children. Further the customary inheritance rules grant daughters the smallest share of inheritance compared to their counterpart sons as inheritance rules divide heirs into three degrees, where the first degree obtains the largest share, and the third degree the smallest. Under this scheme, "the first degree is for the first son, the second degree is

for other sons, and the third degree is for daughters. Thus, daughters inherit less than both their older and younger brothers.

## **2. Project Objectives and Expected Outcomes**

The overall objective of Program is improving women access to property ownership through inheritance. Specific objective is to contribute to improving inheritance laws by conducting review of customary inheritance law and rules in Tanzania.

Through the project life, the program will strive to achieve three key results as detailed below.

1. Improved women access to and control of property ownership through inheritance.
2. Improved customary inheritance law and rules in Tanzania.
3. Generated evidence for evidence-based advocacy

Therefore, for the purpose of being able to measure the progress and outcome of the activity at the end, TAWLA intend to conduct Review of Tanzania Customary Inheritance Laws and Rules.

## **4. Purpose and scope of the Review**

### **a) The purpose of Review**

The purpose of this review is to highlight the discriminatory nature of the existing customary inheritance laws with the view of generating evidence which will be used as an advocacy tool to the engagement with relevant authorities.

### **b) The scope of the Review**

The scope of this review includes development of an inception report to detail the methodology and approaches, develop data collection tools, undertake the Review (documents reviews for data collection), presentation of key findings in a stakeholders' forum based on draft report, and preparation and submission of a final report.

## **5. Review methodology**

The Review should employ mixed methods and participatory approaches. However, the Consultant is expected to articulate the proposed methodology based on his/her understanding of these Terms of Reference.

### **Timelines**

The Review will be carried within 45 calendar days. The details of the timeframe within the parameters of the 45 days are outlined below;

Time	Activity
1 <sup>st</sup> March -08 <sup>th</sup> March 2021	Submission of inception report
9 <sup>th</sup> -13 <sup>th</sup> March 2021	Review of applications and contracting
15 <sup>th</sup> March 2021	Tools developed and secure approval from TAWLA
15 <sup>th</sup> -22 <sup>nd</sup> March 2021	Desk Review
23 <sup>rd</sup> March -02 <sup>nd</sup> April 2021	Data collection
18 <sup>th</sup> APRIL 2021	Submission of first draft report
23 <sup>rd</sup> APRIL 2021	Presentation of findings in the validation meeting
30 <sup>th</sup> APRIL 2021	Submission of the final report

## 6. Expected outputs/ deliverables

The following are the key deliverables;

Review stage	Expected deliverable / output
Preparatory stage	<ul style="list-style-type: none"> <li>- Data collection tools approved by TAWLA</li> <li>- Inception report detailing design, methodology and approaches</li> </ul>
Data collection stage	<ul style="list-style-type: none"> <li>- Raw gathered data</li> <li>- Clip or audio recording if electronic devices have been used in data collection.</li> <li>- Original recording of the FGD and in-depth interviews</li> </ul>
Data analysis	<ul style="list-style-type: none"> <li>- Original syntax / database of SPSS analysis or other data analysis software used.</li> <li>- Original transcripts of all qualitative data (in Swahili)</li> <li>- Translation of original transcript in English language</li> </ul>
Report writing stage	<ul style="list-style-type: none"> <li>- Draft report for TAWLA and stakeholders meeting</li> <li>- Final report incorporating the views of key stakeholders from the validation meeting.</li> <li>- Power point presentation slides</li> </ul>
Report submission	<ul style="list-style-type: none"> <li>- Final Review report</li> </ul>

## **Section I: Information to Consultants**

1. To be evaluated, bidders **MUST** include the following in the proposal

- (a) A copy of registration certificate, TIN and VAT certificate (if applicable)
- (b) Bid form
- (c) Summary of Costs
- (d) Contact reference for a least 3 reputable organizations, preferably NGO; and
- (e) A copy of a previous reports of a similar nature undertaken

### **2. Payment Schedule**

- a) The consultant is expected to pay all government taxes for which they are responsible. Where applicable, TAWLA shall deduct all applicable government taxes and submit them to the Tanzania Revenue Authority (TRA)
- b) Terms of payment, two instalments, 50% after submitting first draft and 50% after submitting final report.

### **3. Bid validity period**

Bids will be valid for a period of 60 days the date of final submission of proposals

### **4.Preparation of the Proposals**

Technical proposal which shall provide the following information **[70%]**;

#### **7. Desired Qualifications and Experiences of the consultant**

Experience, reputation and experience in previous similar work. TAWLA is looking for a qualified, highly self-motivated, enthusiastic and innovative consultant/consulting firm with the following skills and qualifications **(20%)**:

- I. At least have an advanced degree in the Law.
- II. Experience in women rights projects particularly women access to property ownership through inheritance.
- III. Understanding of TAWLA profile
- IV. Fluency in English and Kiswahili
- V. Fair understanding of gender dynamics in Tanzania context and well understanding on the legal and policy framework related to women access to property ownership through inheritance.
- VI. Must be a Tanzanian or Tanzanian led company.

a) Understanding of “call of Consultants” and TAWLA Profile **(10%)**

b) A description of the methodology and the overall quality of the proposal and detailed activities schedule/work plan with time frame **(20%)**

c) Qualification of key personnel proposed to carry out the assignment and qualifications, must provide information indicating that they are qualified to perform

the services by submitting updated CV's, description of similar assignments, experience in similar conditions and relevant skills. Team composition (including sex-disaggregation) and level of effort of each proposed team member, if applicable **(20%)**

The minimum technical score required to pass for financial evaluation: **50% and above out of 70%**

Financial Proposal [ **30%**]

- a) In preparing the financial proposal, consultants are expected to take into account the requirements and conditions outlined in the RFP documents. Financial proposal should cover all cost to conduct the survey, to include;
- An itemized line by line budget proposal for consultancy fees/cost;
  - Administrative costs such as travel, accommodation, meals and stationary etc; and
  - Itemized field data collection expenses.
- b) The financial proposal should clearly indicate, as a separate amount, any applicable taxes(withholding tax), duties, fees, levies, and other charges imposed under the applicant law, on the consultants, the sub consultants, and their personnel; and
- c) The formula for determining the financial scores is the following:  
**Sf** = 30 x Fm/F, in which **Sf** is the financial score, **Fm** is the lowest price and **F** the price of the proposal under consideration.

Proposals will be ranked according to their combined technical (St) and financial (Sf) scores. The firm achieving the highest combined technical and financial score will be invited for negotiations.

## **5.Selection Criteria**

Selection Criteria: In order to determine the quote offering the best value for money, that is the best price to quality ratio, TAWLA will consider the following criteria;

- a) Specific experience of the consultants related to the assignment;
- b) Adequacy of the proposed work plan and methodology and understanding of the Terms of Reference;
- c) Qualifications and competence of the key staff for the Assignment;
- d) Total costs to carryout the assignment; and
- e) Reference.

## **6. Queries/Requests for Clarifications**

Queries/requests for clarifications must be directed to procurement unit at [mrisho.salehe@tawla.or.tz](mailto:mrisho.salehe@tawla.or.tz)

## **7. How to bid**

*Interested and suitably qualified consultant or consulting firm must send their CV accompanied with a letter of interest detailing their qualifications and experience by using the above-mentioned templates for the work as well as the inception report described to [electronic.bids@tawla.or.tz](mailto:electronic.bids@tawla.or.tz) not later than **1600PM** Tanzania Time on **Monday 08<sup>th</sup> March 2021***

### Section III: Forms

#### (a) Bid Form

[Location, Date]

To:

Executive Director

TAWLA

P.O. Box 9460

Dar es-Salaam

Dear Sir/Madam:

**RE: RFP No. TAWLA/FY21/001 to conduct review of Tanzania customary inheritance laws and rules**

We, the undersigned, offer to conduct the above consultancy work.

In accordance with your Request for Proposal dated [Date]. Our Financial Proposal is for the sum of [Amount in words and figures]. This amount is exclusive of the local taxes, which we have estimated at [Amount(s) inwards and figures] (please name the respective tax type/name).

Our Financial Proposal shall be binding upon us subject to the modifications resulting from Contract negotiations, up to expiration of the validity period of the Proposal, i.e., [Date].

Commissions and gratuities, if any, paid or to be paid by us to agents relating to this Proposal and Contract execution, if we are awarded the Contract, are listed below:

Name and Address of Agents	Amount and Currency	Purpose of Commission or Gratuity
_____	_____	_____
_____	_____	_____
_____	_____	_____

We understand you are not bound to accept any Proposal you receive.

We remain,

Yours sincerely,

Authorized Signature:

Name and Title of Signatory:

Name of Firm:

Address:



**(b) Summary of Costs**

Costs	Currency(ies) <sup>1</sup>	Amount(s)
Consultants Fee		
Transport		
Accommodation		_____
Reimbursables		
Stationery and communication		
Other cost		
Subtotal		
Local Taxes		
Total Amount of Financial Proposal		

**(c) Relevant Services Carried Out in the Last three Years that Best Illustrate Qualifications**

Using the format below, provide information on each assignment for which you were legally contracted.

\_\_\_\_\_

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Assignment Name and Narrative Description of Project:	
Country	
Name of Client:	
No of Staff-Months; Duration of Assignment:  Start Date (Month/Year):  Completion Date (Month/Year):	
Approx. Value of Services (in TZS):	
Name of Associated Consultants, If Any:	
Contact details: contact names, emails, skype id etc	
Description of Actual Services Provided by You	

**(d) Understanding of call of Consultant", Comments and Suggestions of Consultants on the "call of Consultant" and on Data, Services and Facilities to be Provided by TAWLA**

A. Understanding of "call of Consultants" and TAWLA Profile.

B. Comments and Suggestions of Consultants on

1. call of Consultants" and TAWLA Profile:

- a.
- b.
- c.
- d.
- c.

C. The Data, Services, and Facilities to be Provided by the Client

- a.
- b.
- c.
- d.
- e.

**(e) Proposed Team Composition and Task Assignments**

<b>1. Technical/Managerial Staff</b>		
Name	Position	Task


<b>2. Support Staff</b>		
Name	Position	Task

**(f) Format of Curriculum Vitae (CV) for Proposed Professional Staff**

Proposed Position: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Name of Staff: \_\_\_\_\_

Profession: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Years with Firm/Entity: \_\_\_\_\_Nationality: \_\_\_\_\_

Membership in Professional Societies: \_\_\_\_\_

\_\_\_\_\_

Detailed Tasks Assigned: \_\_\_\_\_

\_\_\_\_\_

**Key Qualifications:**

*[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations. Use about half a page.]*

\_\_\_\_\_

**Education:**

*[Summarize college/university and other specialized education of staff member, giving names of schools, dates attended, and degrees obtained. Use about one quarter of a page.]*

\_\_\_\_\_

**Employment Record:**

*[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments. For experience in last ten years, also give types of activities performed and client references, where appropriate. Use about two pages.]*

\_\_\_\_\_

**Languages:**

[For each language indicate proficiency: excellent, good, fair, or poor in speaking, reading, and writing.]

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**Certification:**

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and my experience.

Full name of staff member: \_\_\_\_\_

[Signature of staff member; \_\_\_\_\_ Date:  
Day/Month/Year

Full name of authorized representative: \_\_\_\_\_

Signature of authorized representative of the firm] \_\_\_\_\_  
Date:

Day/Month/Year

### (g) Activity (Work) Schedule

[illegible]