ADVERTISEMENT

REQUEST FOR PROPOSAL

FOR

LOT 1

RESTORATION OF NAROMORU RIVER (UPPER NOLTURESH RIVER) THROUGH CONSTRUCTION OF SAND DAMS

LOT 2

CONSTRUCTION OF 2 SAND DAMS ALONG KIMANA RIVER

RFP NO. WWF K/LTK/098

To be received on or before 5.00 P.M.

On Friday 17th May 2024.

E mail: tenders@wwfkenya.org
1.0 Letter of invitation

World Wide Fund for Nature Kenya (WWF-Kenya) is a locally registered non-governmental conservation organization; an affiliate of WWF International. WWF has been working in Kenya since 1962 alongside the government, civil society, private sector organizations, and local communities to contribute towards providing an enabling environment for the achievement of a healthy natural environment supporting people and sustainable development in Kenya.

WWF Kenya is in the process of sourcing for proposals for:

Lot 1 Restoration of Naromoru River (Upper Nolturesh River) Through Construction of Sand Dams

Lot 2 Construction of 2 Sand Dams Along Kimana River.

Prices quoted should be net inclusive of all costs and taxes, must be expressed in Kenya shillings and shall remain valid for a period of 120 days from the closing date of the tender.

Eligible candidates should submit completed Proposal Documents marked with the Tender Name and Number addressed to the Procurement Coordinator and sent via email to tenders@wwfkenya.org to be received on or before 5pm on Friday 17th May 2024.

For any clarifications, please email your query to kenya.procurement@wwfkenya.org no later than 15th May 2024 at 5pm.

2.0 General Requirements

2.1 Eligible Applicants

2.1.1 This Request for Proposal is open to all suppliers eligible as described in the application documents. Successful applicants shall later be contacted for the provision of services as required by WWF-KENYA.

2.1.2 Applicants shall adhere to WWF-KENYA Prevention of Fraud, Bribery and Corruption (Revised). Please find the link where this policy is located:


2.1.3 Applicants shall bear all costs associated with the preparation and submission of their application and WWF-KENYA will not be responsible or liable for those costs regardless of the conduct or outcome of the application process.

2.1.4 The applicants shall furnish, as part of the application, documents establishing the applicant’s eligibility to apply and their tender to perform the contract if accepted.

2.1.5 The documentary evidence of the applicant’s tender to perform the contract if the application is accepted:

a) That the applicant has requisite financial and technical capability necessary to execute the contract

b) That the applicant has an established physical and postal address for ease of contact and is accredited by the Kenyan Government to trade in the category applied for.

c) That the applicant is willing to do business with WWF-Kenya and shall allow credit facilities as
per WWF Kenya’s terms and conditions of contract.

d) That the questionnaire is to be fully and comprehensively completed in all respects and all
documents must be submitted in English Language
c) If insufficient space has been provided on the questionnaire for the answers, please provide
the answers as supplementary on separate sheets
f) Please note that by responding to this questionnaire you accept that all answers provided
are legally binding and should the need arise, may be used as evidence in a court of law.
Further, WWF-Kenya reserves the right without further recourse to verify at its own cost the
accuracy of any answers provided herein.
g) Applicants will meet all costs associated with preparation and submission of their
applications
h) Any information given and later found to be incorrect shall lead to disqualification of the
Applicant
i) The completed document shall be signed off and initialed by Director/Partner of the
Organization and rubber stamped on each page and signed on the last page in the space provided
j) Canvassing will lead to automatic disqualification of the Applicant.
k) Late submission will not be accepted. Any application (s) received after the date of closure
will be considered as late and disqualified.
l) Applicant is not listed on the UN and other Global Watchlists

2.2 Goods/Services eligibility and conformity

2.2.1 The applicant shall furnish as part of this application, documents establishing the eligibility and
conformity to the application documents of all goods/services which the applicant proposes to
supply if accepted.

2.2.2 The documentary evidence of the eligibility of goods and services shall consist of a statement in
the price schedule, brochures, catalogues of the goods and services offered; which in some case
shall be confirmed against the certificate of origin issued at the time of shipment.

2.3 Corrupt and Fraudulent practices

2.3.1 WWF-Kenya requires that applicants observe the highest standards of ethics during the
procurement processes and the execution of contract. In pursuance of the WWF-Kenya Prevention
of Fraud, Bribery and Corruption Policy available at:
https://wwfke.awsassets.panda.org/downloads/wwf-kenya-revised-policy-on-prevention-of-
fraud-bribery-and-corruption---third-party-.pdf WWF-Kenya:

a) Defines for the purpose of this provision, the terms set forth below as follows
   i. “Corrupt practice” means the offering, giving, receiving or soliciting of anything of value to
      influence the action of WWF-Kenya officers in the procurement process or in contract execution
      including acceptance of this application.
   ii. “Fraudulent practice” means a misinterpretation of facts in order to influence a procurement
       process of execution of a contract to the detriment of WWF-Kenya and includes collusive
practices among suppliers (prior to or after application submissions) designed to establish item prices, artificial noncompetitive levels and to deprive WWF-Kenya the benefit of free and open competition.

b) Will reject a proposal for award if it determines that the applicant recommended for award (acceptance) has engaged in corrupt or fraudulent practices in competing for the application (acceptance in question)

c) Will declare an applicant ineligible either indefinitely or for a stated period of time to be awarded any contract if it at any time determines that the applicant has engaged in corrupt or fraudulent practices in competing for the contract.

2.4 Special Provisions

All suppliers should comply with WWF’S ESSF and statement of principles. Refer to the link below:
https://wwf.panda.org/discover/people_and_conservation/advancing_social_policies_and_principles/

3.0 Requirements in response to the Scope of Works

3.1 Mandatory Statutory Documents

Bidders that do not submit the following documents will not be considered for evaluation.

- Company Profile
- Company PIN certificate
- Certificate of Registration
- Valid Tax Compliance Certificate
- Bank details
- CR12
- Industry Accreditation NCA, EPRA etc, licenses or registration letters from the relevant regulatory authority for these services.
- Application form duly signed by the authorized signatory and Completed Business Questionnaire

3.2 Technical Proposal

Refer to the BoQ and Evaluation Matrix

3.3 Financial Proposal (Fill in the Bill of Quantities (BoQs) document

*Note: The contractor should submit a separate financial and technical proposal.*

3.4 Taxes

The Contractor is responsible for government taxes and insurance. WWF-Kenya shall retain gross fee withholding tax as per the Income Tax Act, Cap. 470, Laws of Kenya, and subsequently make remissions to the Kenya Revenue Authority.
## 4.0 Evaluation Matrix

<table>
<thead>
<tr>
<th>Evaluation Criteria</th>
<th>Evaluation Details</th>
<th>Maximum Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience</td>
<td>- Proof of a minimum of 5 years of experience related to similar works</td>
<td>30%</td>
</tr>
<tr>
<td></td>
<td>- Attach 3 reference/recommendation letters of similar works</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Attach 3 contracts/PO’s for similar works</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Schedule of ongoing contracts</td>
<td></td>
</tr>
<tr>
<td>Capacity/ Skills and</td>
<td>- The contractor should possess extensive field work experience (minimum 10 years) in sand dam construction in Kenya, and show clear evidence of how their work contributes to landscape restoration.</td>
<td>30%</td>
</tr>
<tr>
<td>Organizational Structure</td>
<td>- Qualifications and CV of Proposed key personnel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Organization structure and company profile</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Proposed equipment and machinery- indicate whether owned or leased (copies of agreements)</td>
<td></td>
</tr>
<tr>
<td>Schedule of Services</td>
<td>- Attach work plan</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>- Indicate delivery period</td>
<td></td>
</tr>
<tr>
<td>Financial Statement</td>
<td>2 Years audited financial statement</td>
<td>5%</td>
</tr>
<tr>
<td>Financial Proposal</td>
<td>(Lowest Evaluated Bid/Bidders Price*20)</td>
<td>25%</td>
</tr>
</tbody>
</table>

**Total Score** 100%
### Completed Business Questionnaire and trade references

<table>
<thead>
<tr>
<th></th>
<th>Name of Organization</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Postal Address</td>
<td>P.O Box……………………… Code………………</td>
</tr>
<tr>
<td></td>
<td>Physical location of Business Premises</td>
<td>Town……………………………………………</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Street………………………………………..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>…………………………………………..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Building Name……………………………</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Floor…………………………………………</td>
</tr>
<tr>
<td></td>
<td>Contacts</td>
<td>Telephone…………………………………</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax No………………………………………</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Email……………………………………….</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Website……………………………………..</td>
</tr>
<tr>
<td></td>
<td>Nature of Organization (e.g. Sole Proprietorship, Public Limited Company, Partnership etc.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Names of the Proprietor, Directors or Partners</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Proprietor</td>
<td>1. …………………………………………..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. …………………………………………..</td>
</tr>
<tr>
<td></td>
<td>- Partnership</td>
<td>3. …………………………………………..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. …………………………………………..</td>
</tr>
<tr>
<td></td>
<td>Business Operations</td>
<td>Year established…………………………</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Duration of Business Operation………………</td>
</tr>
<tr>
<td></td>
<td>Company Registration No. (Attach )</td>
<td>Number…………………………………</td>
</tr>
<tr>
<td></td>
<td>VAT Registration No. (Attach Copy)</td>
<td>Number………………… Attached copy?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes No.</td>
</tr>
<tr>
<td></td>
<td>PIN</td>
<td>Number………………………...</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>
| **State Credit Period** Proposed is (30 days Minimum)  
NB: WWF K will not make any advance payments. |   |   |
| **State Tender Validity Period** (Minimum Proposed is 120 days) | **State Tender Validity Period** (Minimum Proposed is 120 days) |   |
| **Performance Bond**  
The Contractor shall procure and deliver to WWF Kenya a performance bond for an amount equivalent to 10% of the total amount payable. If the total cost is equivalent or more than Ksh 3,000,000 |   |   |
| **Contact Person**………………………………………  
Job Title……………………………………………… |   |   |
| **Registration with Regulatory relevant bodies**  
Body……………………………………………  
Category of Registration……………………………………… |   |   |

Provide contact details for three referees for previous/current work that is similar or the same to the one now applied for. Note that the referees may be contacted without further reference to you.  
(Attach documentary evidence of existence of the contract)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| **A**  
Have you previously been contracted by WWF-Kenya? (Tick one)  
YES NO |   |   |
|   | Describe the contract and nature of works  
……………………………………………  
……………………………………………  
And for how long……………………….When…………. |   |   |
| **Others Organizations or Companies** |   |   |
| **B**  
Organization Name |   |   |
<p>| <strong>Contact Name and Position Office &amp;</strong> |   |   |
| <strong>1. Mobile Tel No.</strong> |   |   |
|   | Email Address |   |
|   | Service provided |   |
| <strong>Organization Name</strong> |   |   |
| <strong>Contact Name and Position Office &amp;</strong> |   |   |
| <strong>2. Mobile Tel No.</strong> |   |   |
|   | Email Address |   |
|   | Service provided |   |
| <strong>Organization Name</strong> |   |   |
| <strong>Contact Name and Position Office &amp;</strong> |   |   |</p>
<table>
<thead>
<tr>
<th>Mobile Tel No</th>
<th>Email Address</th>
<th>Service provided</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TRADE REFERENCES**

Do any of the following apply to your Organization, or to (any of) the Director(s)/Partners/Proprietor(s)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Yes/No</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Have you or your principals been subject of legal proceedings for insolvency, bankruptcy, receivership or your business activities suspended for related reasons?</td>
<td>Yes/No</td>
<td>If Yes give details</td>
</tr>
<tr>
<td>Has been convicted of a criminal offence related to business or professional conduct</td>
<td>Yes/No</td>
<td>If Yes give details</td>
</tr>
<tr>
<td>Have you had any contracts terminated for poor performance in the last five years, or any contracts where damages have been claimed by the contracting authority/client?</td>
<td>Yes/No</td>
<td>If Yes give details</td>
</tr>
<tr>
<td>Have you fulfilled your obligations to pay taxes and social security contributions for the last three years?</td>
<td>Yes/No</td>
<td>Attach certificate of Tax compliance</td>
</tr>
</tbody>
</table>

---

**Application Form**

*(To be submitted in the letterhead of the tenderer)*
Date: ______________________

To: P.O. BOX 62440-00200
NAIROBI

Property no.118, Along
Dagoretti Road, Karen

1. Having examined the tender documents including, Ref. No.……………… (insert number), the receipt of which is hereby duly acknowledged, we the undersigned, submit our tender for…………………………………….

…………………………………………… (Description of Goods and Services)

……………………………at a total cost of Kshs ……………………..including VAT………………and
WHT…………………………………………………………………………………………

in conformity with the said application documents all or part of the items that may be required and are within our capability to supply.

2. We undertake, if our application is accepted, to deliver services in accordance with the delivery schedule and credit terms specified in the schedule of requirements or official order, signed by authorized staff of WWF-KENYA.

3. We agree to abide by this application for the period of processing, preparation and execution of the tender application together with acceptance thereof which together shall constitute a binding agreement between us.

4. We agree to abide by and uphold WWF-KENYA’s general terms and conditions of contract

5. We agree to abide by and uphold WWF-KENYA policy on Prevention of Fraud & Corruption and WWF’S ESSF and statement of principles.

6. We understand:

   a) That this is a tender/quotation application for consideration to supplier for goods/services.

   b) That WWF-KENYA is not bound to accept this application or any other that it may receive.

Details of Authorised Signatories

Should award of this tender be made to us, the following person is authorized to execute the contract (Director/CEO/Manager).

Name……………………………………………….

Designation………………………………

Email………………………………………….

Phone…………………………………………

Dated this________________ day of_____________ 20_________________________

(Signature) (In the capacity of)

Duly authorized to sign tender for and on behalf of _________________

Rubber Stamp/Company Seal

LOT 1
TERMS OF REFERENCE(ToR)
RESTORATION OF NAROMORU RIVER (UPPER NOLTURESH RIVER) THROUGH CONSTRUCTION OF SAND DAMS IN LOITOKITOK SUBCOUNTY, KAJIADO COUNTY.

World Wide Fund for Nature (WWF)-Kenya, an affiliate of the WWF Network has been operating in Kenya since 1962 and is registered as an independent local non-profit, non-governmental organization since October 2016. Its aim is to promote sustainable strategies for conservation and sustainable development. WWF-Kenya is working towards a healthy natural environment by supporting people, improved governance and policy approaches in Kenya. Focusing on various geographical and thematic areas in Kenya, WWF-Kenya works in the Coastal Kenya region, South of Kenya and in the Kenya Rift Lakes (KRL) Region. Thematically, the organization is working on forestry, freshwater, wildlife, marine ecosystems, agriculture, climate and energy, cross-cutting policy and environmentally important governance practices.

WWF-Kenya, WWF-Germany and several international organizations (IUCN, WRI, FAO, World Bank, AUDANEPAD and GIZ) are jointly implementing a Large-scale Forest Landscape Restoration (FLR) program in Africa in 4 countries namely; Cameroon, Kenya, Rwanda and Malawi running under the title Alliance for Restoration of Forest Landscapes and Ecosystems in Africa (AREECA). The program is funded by the International Climate Initiative (IKI) of the German Federal Ministry of the Environment, Nature Conservation and Nuclear Safety (BMU). In Kenya, the program is being implemented in Kajiado County and is building on an emerging cross-border program that will be scaling up the important commitment of the WWF Network of contributing to forest landscape restoration efforts (FLR) and to meet Kenya’s obligations under the Bonn Challenge/AFR100 of restoring 5.1 million ha of deforested and degraded lands by 2030. This is being done through the Ministry of Environment & Forestry (MoEF) and closely working with Kenya Forest Service (KFS), and the Kajiado County Department of Environmental and Natural Resources. The program offers on-site support for the implementation of FLR measures in Forest Reserves, farmlands and rangelands. In addition, the program supports capacity building and policy advice at different levels to upscale the implementation of the FLR approach on-site, to mobilize additional resources for FLR, to exchange regional experiences on FLR and to monitor the results of FLR.

The project is being undertaken in southern Kenya, area defined by a drainage system associated with Mt. Kilimanjaro. It is within Kajiado County and in Loitokitok sub-county, a landscape defined by the land mosaic of natural forest (Loitokitok forest), farmland and rangeland (dominated by livestock and wildlife use). Within those areas suitable FLR intervention measures determined during Restoration Opportunity Assessment Mapping and Baseline Studies will be implemented. The goal of the project is that stakeholders at national, regional and local level have increased economic, ecological and climate-related benefits from appropriately planned Large-scale Forest Landscape Restoration. Overall, this projects aims to contribute to restoration on 5,000 ha with direct intervention resulting to increase of ecosystem and socio-economic functionality of 25,000 ha of deforested and degraded landscapes in Loitokitok sub county in southern Kenya.
Rationale for the contract service

Sand dams, a rainwater harvesting technique, are small dams constructed across ephemeral streams. During the rainy season, water is stored in the sand that accumulates behind the dam. Sand dams provide communities in drylands with water during the dry season via pools, and shallow wells. Sand dams contribute to local water storage, largely from an artificial new aquifer through improved water table, ensuring higher water quality and availability. Sand dams provide downstream benefits, as they reduce the peak river flow and therefore reduce downstream floods. They thus help, lessen the impacts of drought, desertification, and climate change by enhancing green areas, and recharging the groundwater. The restoration of adjacent areas (100 meters around the dam should include community based (participatory) measures, with high participation of the area communities/beneficiaries.

Objectives

To enhance water flows in Naremoru river through construction of three (3) sand dams at 3 different sites

Scope of the work for 3 sand dams, include but not limited to:
- Equipment and personnel mobilization to the site;
- Site clearance;
- Foundation set up and excavation
- Construction of the dam and wing walls
- Removal of formwork
- Backfilling and finishing
- Curing and site clean up

Methodology

In delivering this assignment, the methodology will include but not limited to:
- Site preparation
- Construction of sand dam
- Sand dam curing and site clean up
- Restoration of adjacent sites through erosion control measures (50 meters around each sand dam)
- Training of community members on sand dam maintenance

Deliverables.

The contractor should deliver functioning sand dams and 3 community groups mobilized and trained in sand dam maintenance

Duration of the assignment

The assignment will take 90 working days

Assignment area

Naremoru river, Loitokitok sub-county, Kajiado County

Filling of BQs

Below is the BQs to be filled
LOT 2
TERMS OF REFERENCE FOR RESTORATION OF KIMANA THROUGH CONSTRUCTION OF 2 SAND DAMS IN LOITOKITOK SUBCOUNTY, KAJIADO COUNTY.

1. Background Information

World Wide Fund for Nature (WWF)-Kenya, an affiliate of the WWF Network has been operating in Kenya since 1962 and is registered as an independent local non-profit, non-governmental organization since October 2016. Its aim is to promote sustainable strategies for conservation and sustainable development. WWF-Kenya is working towards a healthy natural environment by supporting people, improved governance and policy approaches in Kenya. Focusing on various geographical and thematic areas in Kenya, WWF-Kenya works in the Coastal Kenya region, South of Kenya and in the Kenya Rift Lakes (KRL) Region. Thematically, the organization is working on forestry, freshwater, wildlife, marine ecosystems, agriculture, climate and energy, cross-cutting policy and environmentally important governance practices.

WWF-Kenya is implementing a Master Plan and Model Large-scale Transboundary Landscape Program for Sustainable Development and Nature Conservation (BMZ II Project). The project is supported by the Germany Federal Ministry for Economic Cooperation and Development in partnership with WWF-Germany. In Kenya, the program is being implemented in Kajiado South Sub-County, Kajiado County covering the Amboseli/Chyulu sub-landscape. This project area is of outstanding importance for the conservation of global biodiversity as well as water that is used for horticulture, wildlife, livestock and hotel industry that have substantial contribution to the Kenyan GDP.

The project goal is to contribute to a well-managed, transboundary model landscape where ecosystem connectivity and functionality are maintained or restored, resources are used sustainably and there is a sustainable balance between development and conservation ensuring livelihoods improvement for the local communities in wider Amboseli Ecosystem. To achieve the goal, project implementation is through collaboration and partnership with likeminded stakeholders working within the landscape. They include National and county ministries and agencies, Civil Society Organizations and local community groups. Overall, this projects aims to contribute to rangeland restoration, water management, functioning Community Based Natural Resource Management models, stakeholder’s coordination and policy and governance for natural resources.

2. Rationale for the contract service

Sand dams, a rainwater harvesting technique, are small dams constructed across ephemeral streams. During the rainy season, water is stored in the sand that accumulates behind the dam. Sand dams provide communities in drylands with water during the dry season via pools, and shallow wells. Sand dams contribute to local water storage, largely from an artificial new aquifer through improved water table, ensuring higher water quality and availability. Sand dams provide downstream benefits, as they reduce the peak river flow and therefore reduce downstream floods. They thus help, lessen the impacts of drought, desertification, and climate change by enhancing green areas, and recharging the groundwater.

3. Objectives

To enhance water flows in Kimana river through construction of two (2) sand dams at 2 priority sites.

4. Scope of the work for 2 sand dams, include but not limited to:
   - Equipment and personnel mobilization to the site;
   - Site clearance;
   - Foundation set up and excavation
   - Construction of the dam and wing walls
   - Removal of formwork
   - Backfilling and finishing
   - Curing and site clean up

5. Methodology

In delivering this assignment, the methodology will include but not limited to:
   - Site preparation
   - Construction of sand dam
   - Sand dam curing and site clean up
   - Restoration of adjacent sites through erosion control measures (100 meters around each sand dam)
   - Training of community members on sand dam usage and maintenance

6. Competency

The consultant should possess extensive field work experience (minimum 5 years) in sand dam construction in Kenya, and
show clear evidence of how their work contributes to landscape restoration.

7. Deliverables
The contractor should deliver functioning sand dams as per the attached BQs and 2 community groups mobilized and trained in sand dam maintenance. Form and train a management committee for each dam.

8. Work Schedule
The assignment will take 90 working days

9. Assignment area
Kimana river is one of the major rivers in Loitokitok sub-county, Kajiado County. The river starts from Mt. Kilimanjaro region in Tanzania draining down to river Tsavo. The river is intermittent (With some sections being seasonal) becoming dry in some parts during dry seasons. Springs form most of the water flowing through the river on the lower parts. Highest percentage of the water is abstracted for farming purposes with the lower parts of the river receiving little or no water. The two selected sites for construction of the sand dams as described above experience substantial amount of water flowing during rainy season which reduces with reducing rains to almost becoming dry during drought period.

10. Filling of BQs

How to apply
Interested Contractors should submit their separate technical and financial proposals to tenders@wwfkenya.org and clearly indicate the title and number of the tender on the subject by 5pm on Friday 17th May 2024 at 5pm.

Only shortlisted applicants will be contacted for further engagement.

PLEASE NOTE: that WWF-KENYA reserves the right to accept or reject applications made pursuant to the tender at its own discretion without assigning any reason thereof.