



REPUBLIC OF KENYA

**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING, URBAN
DEVELOPMENT AND PUBLIC WORKS**

STATE DEPARTMENT FOR HOUSING AND URBAN DEVELOPMENT

Second Kenya Informal Settlements Improvement Project (KISIP2)

Credit No: 6759-KE

Terms of Reference

For

**Consultancy services for Development of county specific Slum Upgrading and
Prevention strategies for 5No. Counties of Nairobi, Machakos, Nyeri, Kirinyaga and
Kiambu (Cluster 3)**

Contract No. KE-MOTI-382354-CS-QCBS

October 2023

1. Introduction

The Government of Kenya has received credit from the International Development Agency (IDA) and additional financing from the French Development Agency (AFD) towards the cost of the Second Kenya Informal Settlements Improvement Project (KISIP2) and intends to apply part of the proceeds of the credit to procure **Consultancy services for Development of county specific Slum Upgrading and Prevention strategies for 5No. Counties of Nairobi, Machakos, Nyeri, Kirinyaga and Kiambu.**

The overall project development objective is to improve access to basic services and tenure security of residents in participating urban informal settlements and strengthen institutional capacity for slum upgrading in Kenya.

This Project, while concentrating on informal settlements, complements existing and past urban operations in Kenya, which address the urban infrastructure deficit and urban institutional challenges. It supports the Governments' affordable housing agenda as it seeks to complement the demand-side and supply-side operations to improve housing affordability.

Component 1: Integrated Settlement Upgrading

This component supports settlement upgrading through two main interventions classified under two sub-components:

Subcomponent 1.1: Tenure regularization: Coordinates regularization of tenure for people living on uncontested public lands, whose process includes: development of a local physical plan for the settlement which lays out land parcels and wayleaves for infrastructure like roads, drainage, walkways; surveying with physical placement of beacons to demarcate the parcels as per the plan; preparation and issuance of letters of allotment based on the survey plan; and Issuance of titles.

Sub-component 1.2: Infrastructure upgrading: Coordinates infrastructure investment portfolio whose menu includes: water and sanitation systems, storm water drainage, solid waste collection and settlement sorting, pedestrian walkways, cycle paths, roads, street and security lighting, vending platforms, public parks, and green spaces. It further includes investments related to prevention of crime and violence, including but not limited to community centers.

Component 2: Socio-economic Inclusion Planning

This component supports community development plans to enhance social and economic inclusion, identifies beneficiaries who fit the eligibility criteria of government programs but are excluded and connects them appropriately, supports participatory crime and violence mapping, monitors the employment of local labor, carries out community capacity building and awareness raising for various project interventions including community-based solid waste management.

Component 3: Institutional Capacity Development for Slum Upgrading

This component undertakes a set of activities designed to strengthen the capacity of counties and national government institutions carry out slum upgrading and prevention such as: assisting national government institutions and counties review existing slum upgrading policies and strategies (e.g. the 2005-2020 National Slum Upgrading and Prevention Strategy); supporting the development of county-specific slum upgrading and prevention policy and strategies; developing and carrying out activities to build capacities of national and county teams mandated

to implement such policies and strategies including technical assistance, training, workshops and learning events, experience sharing and peer-learning activities among others; developing financing mechanisms for slum upgrading at County level and; developing strategies to plan for urban growth; enhancing fiduciary and contract management across counties.

Component 4: Program Management and Coordination

This component supports activities of the NPCT and the CPCTs related to national and county-level project management and coordination, including planning, surveying, engineering, fiduciary (financial management and procurement), safeguards compliance and monitoring, monitoring and evaluation (M&E), communication and community development.

2. Background and rationale to the study

In recent years, rapid urbanization has brought about significant challenges related to slums and informal settlements in Kenya. The growth of these settlements has been accompanied by issues such as inadequate housing, poor infrastructure, lack of basic services, and a plethora of social and environmental concerns. Recognizing the urgent need to address these challenges, the Kenyan Government took a significant step by introducing the National Slum Upgrading and Prevention Policy through Sessional Paper No. 2 of 2016. This policy marked a milestone in the country's efforts to enhance living conditions for residents of slums and informal settlements.

The overarching objective of this assignment is to facilitate the development of County Specific Slum Upgrading and Prevention Strategies, aligning with the provisions set forth in the National Slum Upgrading and Prevention Policy (Sessional Paper No. 2 of 2016), the National Slum Upgrading and Prevention Strategy, and other pertinent guidelines. The aim is to create comprehensive, practical, and contextually relevant strategies that address the unique challenges faced by different Counties in Kenya regarding slum upgrading and prevention.

The need for these County Specific Slum Upgrading and Prevention Strategies arises from the recognition that the challenges posed by slums and informal settlements are multifaceted and often require localized interventions. While the National Slum Upgrading and Prevention Policy provides a broad framework, it is essential to tailor strategies to the specific circumstances of each county. This involves a comprehensive assessment of the existing policy landscape, institutional frameworks, resource availability, and local stakeholders' perspectives.

The Consultant's engagement encompasses a range of vital tasks that collectively contribute to the development and implementation of effective strategies. The analysis of the National Slum Upgrading and Prevention Strategy, the National Slum Upgrading and Prevention Policy, and other relevant national policies and instruments will serve as a foundation for the subsequent steps. By understanding the existing policy landscape, the Consultant will be better equipped to identify areas of alignment and discrepancies, thereby paving the way for coherent and practical county-specific strategies.

Furthermore, the assignment underscores the importance of stakeholder engagement. Collecting the views, aspirations, and concerns of relevant stakeholders is crucial for designing strategies that resonate with the needs of the local communities. The participatory approach seeks to ensure that the strategies are not only well-informed but also possess a higher likelihood of successful implementation due to the buy-in and ownership of key stakeholders.

The culmination of this effort will result in the formulation of County Slum Upgrading and Prevention Strategies. These strategies will outline actionable steps, institutional arrangements, and resource mobilization/financing mechanisms for slum upgrading and prevention within each county. The inclusion of guidelines for operationalizing these strategies further ensures that the proposed solutions are translated into tangible outcomes on the ground.

In essence, this assignment represents a significant opportunity to address the challenges of slums and informal settlements in Kenya at the County level. By bridging the gap between National policies and local realities, the development of County Specific Slum Upgrading and Prevention Strategies holds the potential to create lasting positive impacts on the lives of millions living in these settlements.

3. Objective of the consultancy

The main objective of this assignment is to Develop County Specific Slum Upgrading and Prevention Strategies in line with the provisions of the National Slum Upgrading and Prevention Policy (Sessional paper No.2 of March 2016), National Slum Upgrading and Prevention Strategy, and other relevant guidelines.

Specifically, the Consultant will:

- a. Undertake an analysis of the National Slum Upgrading and Prevention Strategy, the National Slum Upgrading and Prevention Policy (Sessional paper No. 2 of 2016), and other relevant national policies and instruments relevant to slums/informal settlements, human settlements and urban development, in as far as they relate to county-specific issues touching on slum upgrading and prevention;
- b. Prepare County Slum Upgrading and Prevention strategies, including resource mobilization/financing, Operations and maintenance and capacity-building strategies;
- c. Undertake stakeholders' engagement and collect views meant to improve the content, format and implementability of the strategies;
- d. Operationalize the county strategies by drafting relevant guidelines and toolkits; and
- e. Undertake sensitization of stakeholders to ensure adaptability of the strategies and guidelines to local practical realities.

3. Scope of Services

The specific tasks in this assignment will be to:

- i. Analyze the current countrywide institutional framework (policy, legal and relevant instruments) relating to slum upgrading (including the National Slum Upgrading and Prevention Policy and the National Slum Upgrading and Prevention Strategy) to establish the prescribed framework for slum upgrading and prevention in Kenya.
- ii. Review the *de facto* institutional framework for slum upgrading and prevention within each county, highlighting possible opportunities and bottlenecks relating to those particular arrangements. Where there is discrepancy with the *de jure* and *de facto* arrangements, identify the conditions that allow the prevailing situation.
- iii. Undertake stakeholder engagements, review relevant studies and collect stakeholder views and aspirations meant to inform the substance and format of the proposed strategies.

- iv. By integrating findings from the review of national and county-level slum upgrading institutional framework (policy and legal framework, strategies, programs and projects), draft feasible county slum upgrading and prevention strategies with clear responsibilities between the different levels of government, together with clearly defined institutional arrangements for implementation. Pay particular attention to resource mobilization/financing and capacity building strategies for slum upgrading and prevention.
- v. Conduct stakeholder meetings/workshops at various stages of the strategy development.
- vi. Draft feasible guidelines, toolkits and any other relevant instruments to operationalize the strategies and present the same to the relevant stakeholders for consideration and validation.
- vii. Organize dissemination workshops with relevant stakeholders to sensitize the public on the strategy in the relevant counties.

4. Deliverables

- a) An Inception Report detailing the tasks, methodology of execution and a work plan guiding the process and a schedule of engagement with the stakeholders.
- b) An Interim Report of the reviewed institutional framework, views and aspirations from stakeholders, and the strategy gaps to be addressed.
- c) Interim Draft Report of the county strategies developed
- d) Final Draft Strategies and Guidelines developed.
- e) Completion Report detailing the tasks undertaken, challenges and opportunities and the next steps.

5. Duration and Timetable for Reporting

The exercise should be completed within 24 weeks from the date of signing the contract. The consultant shall submit all draft and final reports to the Project National Coordinator in accordance to the schedule below.

No.	Deliverable	Weeks after commencement	Payment in %
1.	An Inception Report detailing the tasks, methodology of execution and a realistic work plan	2	25%
2.	An Interim Report of the reviewed information, views from stakeholders, and the strategy gaps to be addressed.	6	15%
3.	Interim Draft Report of the strategy developed	14	15%
4.	Final Draft Strategy and Guidelines developed.	18	20%
5.	Completion Report detailing the tasks undertaken, Challenges and opportunities and the next steps	24	25%

All draft reports shall be submitted in soft copies and three (3) hard copies to the KISIP National Coordinator. The Final Strategy and Guidelines shall be submitted in seven (7) hard copies.

6. Expertise Required

The selected Consultant firm will have demonstrated ability to:

- Conduct policy and gap analysis in the built environment, policy, finance, and governance and prepare appropriate recommendations.
- Undertake analysis on housing, informality and urban development issues.
- Coordinate team activities effectively;
- Effectively engage different stakeholders at the community, county and national levels;
- Be familiar with government procedures and processes; and
- Prepare and effectively disseminate policy documents to various stakeholders.

The Consultant will propose their own team composition as part of their proposal. However, it is envisaged that the core team will have the following expertise.

a) Urban Development Specialist: Team Leader

- Advanced University degree in the built environment disciplines and validly registered and in good standing by a relevant professional body.
- At least ten (10) years of professional experience in urban development and urban policy related work.
- Demonstrated ability and experience in human settlement analysis of slums and informal settlements.
- Must have undertaken a similar assignment within Kenya.
- Must demonstrate adequate leadership and team management skills.
- Must demonstrate a detailed understanding of the informal built environments in Kenya and their unique challenges.
- Demonstrated experience in presenting information to clients and stakeholders in verbal, visual and written format.

b) Urban Planner

- Advanced University degree in Urban and Regional Planning or its equivalent
- Be registered with the Physical Planners Registration Board
- Minimum eight (8) years of practical experience in urban development and land use planning
- Demonstrated experience in policy formulation and analysis
- Demonstrated ability and experience in human settlement analysis

c) Sociologist/Community Development Specialist

- A University degree in Sociology/Community Development, or its equivalent
- Minimum five (8) years of practical experience in community development, especially in urban contexts
- Demonstrated experience in socio-economic studies in slums/informal settlements in Kenya.
- Demonstrated experience in policy, plan and/or strategy formulation and analysis
- Demonstrated ability and experience in community mobilization and facilitation of public participation.

d) Legal/ Policy Expert

- A University degree in Law or its equivalent.
- Demonstrated experience in policy formulation and drafting of strategies/guidelines.
- Minimum of five (8) years' practical experience.
- Demonstrated understanding of Kenyan land law and urban development context.
- Must be registered and practicing in Kenya as an advocate.

e) Other key expertise required

The core team members should have at least a bachelor's degree with minimum five (7) years' experience in the following disciplines or their equivalents:

- Land Surveyor
- Land Economist
- Environmentalist

Team Leader will be in charge of reporting and coordination of all activities, and will be the main contact person in the team vis-à-vis the Client.

7. Responsibilities of the Client

The Client will provide to and collaborate with the Consultant in making available the following documents relevant to the project subject to the extent of availability of such information:

- Access to KISIP' existing database on informal settlements
- The National Slum Upgrading and Prevention Policy
- The National Slum Upgrading and Prevention Strategy
- The slum upgrading and prevention bill.
- KISIP II Project Appraisal Document (PAD)
- KISIP Operations Manual (POM)
- Other relevant policy documents.
- The Client will also facilitate the Consultant's access to Government departments both at the National and County level.

8. Responsibilities of the Consultant

The Consultant shall be responsible for the provision of all the necessary resources to carry out the Services such, project transportation for visits in counties, subsistence allowances, accommodation, information technology, and means for communications, organization of the workshops, reporting materials, insurance and any other required resources.