



REPUBLIC OF KENYA

**MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN
DEVELOPMENT**

STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Second Kenya Informal Settlements Improvement Project (KISIP2)

Credit No: 6759-KE

Project ID: P167814

Terms of Reference

For

**CONSULTING SERVICES FOR INDIVIDUAL LAND ADMINISTRATION
CONSULTANT**

Reference No. KE-MOTI-357172-CS-INDV

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Client:

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1. INTRODUCTION

The Government of Kenya has received a credit from the International Development Agency (IDA) 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 a **Land Administration Consultant** to offer technical assistance to the Project.

The overall project development objective is to improve access to basic services and land 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.

The project has the following four components:

Component 1: Integrated Settlement Upgrading. This component supports settlement upgrading through two main interventions classified under two subcomponents:

Subcomponent 1.1: Tenure regularization

coordinates regularization of tenure for people living on uncontested public lands whose process includes: Development of a local physical and land use development plan for the settlement which lays out land parcels and infrastructure like roads, drainage, walkways; Surveying with physical placement of beacons (pegging) to demarcate the parcels as per the plan; Preparation and issuance of letters of allotment based on the survey plan; and Issuance of titles

Subcomponent 1.2: Infrastructure Upgrading

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

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 supports institutional and policy development at national and county levels; develops a capacity building plan for national and county levels to implement the Strategy and to develop understanding of slum upgrading processes; also supports

technical assistance, training, workshops and learning events, experience sharing and peer-learning activities with other counties, and other capacity building activities.

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. OBJECTIVE OF THE ASSIGNMENT

The primary objective of the assignment for the Land Administration consultant is to offer technical and advisory role to the project by ensuring that land tenure regularization activities are carried out efficiently, diligently, professionally and fast-tracking completion of tasks related to land administration. The consultant is expected to support the implementation of all project activities related to land tenure regularization, including ensuring that the outputs prepared under the Planning and Surveying consultancies are consistent with the professional and legal requirements towards achieving security of tenure for the project beneficiaries

3. SCOPE OF SERVICES AND SPECIFIC TASKS

3.1 The scope of services will include provision of liaison between the project and the Land Administration Directorate, National Land Commission and County Governments and working closely with these institutions.

3.2 The specific tasks will include and are not limited to:

- 1) Assisting in providing liaison between the project and the Land Administration Directorate, National Land Commission and County Governments and working closely with these institutions.
- 2) Assisting in conducting due diligence to determine the correct status of land proposed for intervention by project and securing the preliminary reservation and committal letters from the relevant institutions such as the National Land Commission and County Governments.
- 3) Working closely with technical team to undertake, determine and profile the beneficiaries under the project and offer appropriate technical advice.
- 4) Assisting the project in updating and maintenance of land information by ensuring all land earmarked for social infrastructure purposes (nursery and primary schools, health facilities, markets etc.) within informal settlements is secured for the common good of the residents.
- 5) Assisting in updating and recording of all documents relating to titling as submitted by planning and surveying consultants under the project.
- 6) Assisting in reviewing reports submitted by the planning and surveying consultants and offer technical advice from land administration and management aspects, and control the quality of the project outputs related to land tenure regularization.
- 7) Provide the project with overall technical assistance relating to land administration.

- 8) Participate and provide advice on land matters during community sensitization and stakeholder engagement meetings
- 9) Assist in follow up with National Land Commission, the Land Administration Directorate and ensure letters of allotments and or list of beneficiaries and leases/titles are prepared in line with the existing legislation.
- 10) Support the project to ensure GIS data and indicators related to land tenure regularization are consistent with the PDO targets.
- 11) Support in the preparation of the procurement documents for the activities related to land tenure regularization
- 12) Provide inputs for the development and execution of the project Communication strategy
- 13) Advise the project on alternative approaches to the issuance of individual land titles in the project's targeted informal settlements
- 14) Advise on how the project may provide direct tenure security to tenants in the project's targeted informal settlements
- 15) Support the project in the preparation of strategic documents related to land tenure and administration, including the national and county-specific slum upgrading and prevention strategies
- 16) Support in the design of capacity development activities related to land tenure regularization
- 17) Advise on the handling of complaints related to land tenure regularization
- 18) Follow up with respective institutions ensure timely preparation, registration and issuance of leases and titles to beneficiaries.
- 19) Perform any other Tasks that may be assigned by the client.

4. DURATION AND LOCATION

The assignment will be an overall period of **Seventeen (11) Months**. It is intended that this Consultancy will be contracted for a period of Seventeen (17) Months with a probation period of three (3) months.

The position is based in Nairobi, Kenya, at the Ministry of Lands, Public Works, Housing and Urban Development. It may involve travels to the participating counties.

5.0 REPORTING REQUIREMENTS AND TIMELINES FOR DELIVERABLES

The Consultant will be expected to deliver the following outputs:

Table 1: Reporting requirements

S/No.	Deliverables/Reports	Timelines after contract commencement	Format of submission
1.	A consolidated monthly progress report detailing tasks performed/achievements against targets, challenges and recommendations to address the challenges	Within 7 days after the end of the reporting month	Soft copy

The Consultant will prepare a monthly report highlighting the tasks performed, challenges, and specific recommendations on key action that should be taken to steer the project to success. The Consultant shall also, where required, prepare summary of

status report(s) of works execution. All reports prepared by the Consultant shall be reviewed and submitted to the National Project Coordinator.

6.0. PAYMENT SCHEDULE/REMUNERATION

The Consultant shall be remunerated based on a monthly rate, which will be negotiated with the successful candidate during Negotiations. Remuneration will be based on competitive rates, commensurate with the selected candidate's area of expertise and work experience, provided he or she has satisfactorily fulfilled all requirements stipulated here in above.

Payment shall be monthly upon submission and approval of the monthly reports. The consultant will submit to the National Project Coordinator, a monthly timesheet, with a supporting invoice, as the basis for payment for the consultancy services. Costs incurred by the Consultant outside the assignment location will be reimbursed upon submission of a statement of expense and verifiable supporting documentation to the KISIP2 National Coordinator.

7.0 MINIMUM QUALIFICATIONS AND EXPERIENCE REQUIREMENTS

The Consultant shall possess the following minimum qualifications and experience qualification:

- i. Must have a Degree in Land Economics, Land Administration or any Social Science or equivalent from a university recognized in Kenya.
- ii. Having an advanced degree in in Land Economics, Land Administration or any Social Science or equivalent or related field will be an added advantage.
- iii. Be a full member of Institution of Surveyors of Kenya (ISK), land administration managers chapter with a good standing.
- iv. A minimum of ten (10) years' experience as a Land administration and management officer or equivalent.
- v. Must be conversant with registration processes of all categories of land in Kenya.
- vi. Good working knowledge and experience in GIS and CAD software in database creation and manipulation of spatial data.

8.0 Management and Accountability of the Assignment

The KISIP 2 National Project Coordinator will be the Consultant's supervisor, and shall be responsible for coordination of activities of the consultant. On a day-to-day work basis, the consultant shall work and report to the Head of Sub Component 1.1 (Tenure regularization)

9.0 RESPONSIBILITY OF THE CLIENT

The client will provide working space adequately equipped and furnished, provide free of charge all available existing information including data and reports and will assist the Consultant in obtaining other relevant information and materials from governmental institutions and state authorities where necessary. However, it is the duty of the Consultant to check availability, quality and suitability of this information. The information, data, reports as mentioned above will be available for the consultant's unlimited use during execution of the proposed services for project purposes.

Where travelling individually on project duties, per diem allowance shall be paid according to the Public Service Job Group P rates. All individual travel shall be approved by the National Project Coordinator prior to the task.

10. RESPONSIBILITIES OF THE CONSULTANT

The Consultant shall be responsible for their own transport, accommodation, insurance, Airtime and other associated costs.

The consultant is expected to undertake activities that will ensure that outputs are consistent with the professional and legal requirements. All outputs will be presented using modern techniques/technology and will form part of the digital land information systems for informal settlements being generated by the Project. It is also required that the data is generated through a consultative process that guarantees authenticity and ownership.