



**REPUBLIC OF KENYA**

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

**State Department for Housing and Urban Development**

**Second Kenya Urban Support Program (KUSP 2)**

**Project No.: P177048**

**Credit No.: 7349-KE; 7350-KE; IDA Grant Number E208-KE**

**Terms of Reference**

**For**

**Consulting Services for an Individual Urban Planning and Governance Specialist**

**Consultant at the Council of Governors**

**Contract No.: KE-MOTI-389531-CS-INDV**

**January 15, 2024**

**Client:**

Principal Secretary

State Department for Housing and Urban Development

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## **1. Background**

The Kenya National Urban Development Policy (NUDP), formally launched in early 2016, envisions secure, well-governed, competitive and sustainable urban areas and cities, and aims to facilitate sustainable urbanization through good governance and the delivery of accessible quality and efficient infrastructure and services. The Government in 2017 developed Kenya Urban Program (KenUP), a five (5) year program, as one of the programs to implement and operationalize aspects of the National Urban Development Policy with a clear focus on Kenya's urban areas. The total cost for the program was estimated at USD 1 billion.

Through its support to the urban sector in Kenya, the World Bank, in collaboration with the then Ministry of Transport, Infrastructure, Housing and Urban Development (MTIHUD), prepared the Kenya Urban Support Program (KUSP) at a cost of USD300million, which supported the implementation of KenUP. KUSP became "effective" on 11<sup>th</sup> January 2018 and is scheduled to end on 31<sup>st</sup> December 2023. KUSP has established and strengthened urban management institutions through county governments. It has been delivered through three windows: Window 1 at the National Government through the Urban Development Department (UDD) of the State Department for Housing and Urban Development (\$30.3m). County governments have received capacity-building funding through window 2 (\$22.2m). The bulk of the funding has been for urban infrastructure through urban boards under window 3 (\$247.5m).

As the first phase of KenUP ended in 2022, the Government of Kenya developed the second Kenya Urban Programme (KenUP2) strategy which is a deliberate government-led process of coordinating and rallying various actors for a common goal/vision for the desired resource mobilization to fund the National Urban Development Policy (NUDP) strategies in a set period of the next cycle of 5 years, horizon from July 2022.

As a continuation of its support to the urban sector in Kenya, the World Bank, together with the State Department for Housing and Urban Development (SDHUD) in the Ministry of Lands, Public Works, Housing and Urban Development (MLPWHUD), has prepared the Second Kenya Urban Support Program (KUSP2) at a cost of USD 350million (approved by the Board of Directors on June 15, 2023), which will support the implementation of KenUP2.

KUSP2 will be implemented in 45 counties and 79 municipalities including 2 refugee hosting urban areas under the SDHUD in liaison with the Council of Governors (CoG) and the Department of Refugee Services (DRS). The Program Development Objective (PDO) is to strengthen the capacities of urban institutions to:-

- (i) improve the delivery and resilience of urban infrastructure and services
- (ii) enhance private sector engagement in urban planning, and
- (iii) support the transition of refugee camps into integrated host communities and refugee settlements.

The program objective will be achieved through five main result areas: 1. Strengthened institutions for urban service delivery; 2. Integrated planning for Inclusive and resilient urban areas; 3. Inclusive and resilient urban infrastructure & services; 4. Improved private sector engagement/involvement; and 5. Improved integrated development between refugees and host communities.

The Government of Kenya, through SDHUD, now intends to use part of the KUSP2 funds to finance the Consultancy Services for an Urban Planning and Governance Specialist at the Council of Governors as an Individual Consultant.

The Consultant is also expected to be the principal liaison with the Council of Governors, the County Governments, Cities and Municipalities across the five result areas.

## **2. Objective of the assignment**

The primary objective of the assignment for the Urban Planning and Governance Specialist Consultant is to offer technical linkage between the National Program Coordination Team (NPCT) and the Council of Governors (CoG) Land, Housing and Urban Development Committee and coordinating participating Counties and Urban Boards in the implementation of the Kenya Urban Support Program Phase II.

## **3. Scope of the consulting services and specific tasks**

### **3.1 Scope of the consulting services**

The overall scope of the consultant is to support the program in the realization of the five Result Areas by providing technical and coordination linkage between the NPCT, CoG and the participating Counties and Municipalities.

### **3.2 Specific tasks**

The Consultant is expected to undertake the following tasks:

- (a) Mobilize County Governments in the preparation of timely annual work plans as related to the Program.
- (b) Assist the Program NPCT to ensure that Counties/Municipalities implement the Program activities in compliance with the Program Operations Manual, including safeguards activities and follow up on grievances planning, project implementation, M& E among others;
- (c) Convene County Executive Committee Members and Municipal Boards to address program related issues;
- (d) Mobilize the County Governments/municipalities to ensure timely Quarterly Financial Reporting and SOEs to the NPCT;
- (e) Mobilize the County Governments/Municipalities in timely preparation and submission of Quarterly Narrative Reports to NPCT, including updating of the GEMs tool;
- (f) Support the State Department of Housing and Urban Development in convening consultative meetings with County Governors on the Program and other urban interventions relevant to KUSP2;
- (g) Support the CoG Land, Housing and Urban Development committee on any other urban interventions and in linkages with the NPCT for the implementation of KUSP2
- (h) Support NPCT in planning county monitoring and evaluation visits, and delivery of technical assistance and capacity building to the counties;
- (i) Be a member and participate in NPCT activities
- (j) Advise the CoG Land, Housing and Urban Development committee and the NPCT on the challenges in implementation of the Program at the county level and propose mitigation measures;
- (k) Any other duty as may be assigned from time to time by the Program Coordinator, Land, Housing and Urban Development Committee and the Council of Governors.
- (l) Prepare an Annual Work Plan to execute the above-named tasks.
- (m) Prepare an Annual Progress Report showing the milestones achieved.

### **4. Duration and location of the assignment**

The Consultant will be contracted for an initial period of twelve (12) months and will be engaged **for a max. of 20 working days a month**. It is intended that thereafter the provision of the services will be **extended** for a further twelve (12) months, based on satisfactory performance and business need following annual reviews by the office of the Program Coordinator, the Council of Governors and availability of funds and continuation of the program.

The Consultant will generally be based in Nairobi (Kenya) at the Council of Governors Offices. The position may involve travels to the participating counties. All such travel shall be approved in advance by the Coordinator or by the Council of Governors in consultation with the coordinator.

## **5. Reporting requirements and timelines for deliverable**

The Consultant will report to the KUSP2 Coordinator through the Component Head. There shall be no subordinate staff management responsibilities.

The Consultant will generally work from Monday to Friday from 0800h to 1700h.

The Consultant shall be responsible for providing services in line with the ToR.

The following deliverables will be expected from the consultant:

- i) Annual work plan.
- ii) Monthly Reports covering tasks outlined in (a-m above)
- iii) Annual progress report showing the milestones achieved
- iv) Summary of technical and capacity building activities report;
- v) Briefs and concept notes for the various activities where applicable
- vi) Technical reports, status reports and advisories

All reports will be submitted within 7 days after the end of reporting month or period in hard and soft copies (in Microsoft Word, Excel, or Power Point, or in any other format as may be deemed appropriate by the Component Head). These reports will accompany the consultant's timesheet for payment.

## **6. Payment schedule/Remuneration**

Payment will be monthly upon submission and approval of the monthly reports, timesheets, and invoice.

The Consultant will be remunerated based on a monthly rate, which will be negotiated with the successful candidate during the contract negotiations. Remuneration will be based on national competitive rates, commensurate with the selected candidate's area of expertise and work experience provided has satisfactorily fulfilled all requirements.

Where for some reason it becomes impractical for the Consultant to work full time, in a given period, or month, the client may decide to pay the consultant on a pro rata basis based on actual

time input depending on circumstances and merits. Any eligible and approved reimbursable expense shall be paid upon submission and approval of relevant verifiable supporting documentation and receipts.

## **7. Minimum requirements for Consultant's qualifications and experience**

The Consultant should have the following minimum qualifications and experience:

- (a) At least a Master's Degree in Urban and Regional Planning or related field from a university recognized in Kenya.
- (b) Registered with the relevant professional body recognized in Kenya.
- (c) General experience: Should have at least 10 years of demonstrable experience relevant to the assignment.
- (d) Specific experience: Should demonstrate having undertaken at least two (2) similar assignments as an advisor on governance issues and at least one (1) in last five years. In addition, the applicant should demonstrate knowledge and experience in Devolution and Intergovernmental relations and working with donor-funded projects/programs.

## **8. Management and accountability of the assignment**

The Ministry of Lands, Public Works, and Housing and Urban Development is the Client for these services. The Principal Secretary, SDHUD has appointed a Program Coordinator (for KUSP2) to whom the Consultant will report on all contractual matters.

The Program Coordinator will also be responsible for all payments to the consultant once the work has been accepted and cleared for payment by the Head of Planning component. The Consultant will report on all technical matters to the planning component head and will work as part of his/her team. The Client will assign relevant staff to work with the consultant for purposes of capacity building and knowledge transfer.

## **9. Obligations of the Client**

The Client will provide the following support to the Consultant:

- a) Office space, office equipment (shared printer, copier, scanner), stationery, internet access, and transport services for official use in delivery of the services.
- b) All available relevant documentation to the consultant, such as the Project Appraisal Document, Periodic reports, Implementation Manual, etc.
- c) Contacts of key stakeholders.
- d) Introductory letters to key stakeholders to facilitate communication.
- e) Facilitate review and dissemination meetings with key stakeholders; and
- f) Facilitate liaison with other program implementing partners.

## **10. Obligations of the Consultant**

The Consultant shall be responsible for the provision of own computer, with requisite software to perform the assigned duties.

## **11. Confidentiality, propriety rights of Client in reports and records.**

All the reports, data, and information developed, collected, or obtained from the implementing agencies etc Client and other Institutions during this exercise shall belong to the Client. No use shall be made of them without prior written authorization from the Client.

At the end of the Services, the Consultant shall relinquish all data, manuals, reports and information (including the database, codes, and related documentation) to the Client and shall make no use of them in any other assignment without prior written authority from the Client.