



## **REPUBLIC OF KENYA**

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

**State Department for 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 AN OPERATOR TO IMPLEMENT  
SETTLEMENT LEVEL COMMUNITY DEVELOPMENT PLANS IN SIX (6NO.)  
SELECTED INFORMAL SETTLEMENTS IN KILIFI COUNTY (PHASE 1 CDPS)**

**Contract No: KE-MOTI-395766-CS-QCBS**

**January, 2024**

**Client:**

State Department for Housing and Urban Development,  
Attn: Principal Secretary  
6th Floor, Ardhi House  
1<sup>st</sup> Ngong Avenue, Nairobi, Kenya  
Telephone: +254-02-2729200  
Email: [kisip2.procurement@housingandurban.go.ke](mailto:kisip2.procurement@housingandurban.go.ke)

## 1.0 Introduction

The Government of Kenya has received a credit from the International Development Agency (IDA) towards financing the Second Kenya Informal Settlements Improvement Project (KISIP2) and intends to apply part of the proceeds of the credit to procure **Consulting Services for an Operator to Implement Settlement Level Community Development Plans in 6 (Six) selected informal settlements in Kilifi County**. The Settlement Level Community Development Plans (CDPs) for the selected informal settlements have been prepared and include sub action plans on; socio economic inclusion plan, community investment plan, crime and violence prevention action plan, community solid waste management plan and the community disaster Management plan.

The project complements existing and past urban development initiatives in Kenya which address infrastructure deficit and institutional challenges. The interventions of the project greatly support the Governments' affordable housing agenda as it seeks to complement the demand-side and supply-side operations to improve housing affordability. 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. The project components are highlighted as below:

### **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 and land use development 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 list of beneficiaries and or 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**

The project through socio-economic inclusion planning seek to enhance social and economic inclusion of the targeted beneficiaries. 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 National Project Coordination Team (NPCT) and the County Project Coordination Teams (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.

### **2.0 Objective of the Consulting Services**

The objective of this assignment is to support the implementation of the settlement level community development plans (CDPs) prepared through a participatory approach together with beneficiary communities in selected informal settlements. The prioritized investments in the CDPs are to be implemented through the labor- intensive community works (LICW) model. The objectives are;

- a. Leverage community-led approaches in the identification, prioritization, design and implementation of settlement level investments to enhance their appropriation and sustainability;
- b. Utilization of labor- intensive techniques and inclusive employment practices to create opportunities for gainful engagement for unskilled and semi-skilled settlement based labor;
- c. Technical skill building for disfavored youth demographic through apprenticeship style models of vocational engagement;
- d. Sustainable utilization of locally sourced labor and material for settlement level infrastructure upgrading, improvement and maintenance.
- e. Define and entrench partnership approach between community and counties and urban boards to operate and maintain the facilities and services.
- f. Develop the capacity of local stakeholders to develop community led approaches.
- g. Capitalize on this experience to improve the design of KISIP2 facilities in these settlements

### **3.0 Scope of Services and Specific Tasks of the Assignment**

#### **3.1. Scope of the Services**

The scope of services covers 6 (Six) informal settlements located in Kilifi County (Annex 1).

The Operator will be tasked with:

- a) Together with communities, review and validate the list of priority investments within the participating settlements and packages as Settlement Level Community Development Plans (CDPs) covering the following thematic areas: Socio-economic Inclusion Plan; Crime and Violence Prevention Plan; Solid Waste Management;
- b) Conducting technical feasibility and Environmental and Social (E&S) due diligence on proposed investments;
- c) Support the strengthening of governance and implementation structures at both the community and county level to effectively support the identification, co-designing, implementation, operation and maintenance of community investments;
- d) Co-designing of community investments together with communities and in close collaboration with the County Government;
- e) Drawing bill of quantities for agreed-upon settlement level community investments;
- f) Sourcing and supply of goods and construction materials;
- g) Identification and supervision of unskilled and semi-skilled labor from the community;
- h) Capacity building and handholding of identified community workers and relevant county officers;
- i) Supervision and quality assurance of works of the implementation and delivery of community investments;
- j) Support to activate the sites, and ensure proper O&M for the first six months of operation through the preparation of a costed O&M plan with responsibilities assigned as appropriate ; and

- k) In collaboration with the relevant county board, planning for commissioning and operations and maintenance (O&M), oversight and monitoring and handover

The consultant is expected to undertake activities that will ensure that outputs are consistent with the professional and legal requirements, and through consultative and well documented processes that guarantees authenticity and ownership of stakeholders.

### **3.2. Specific Tasks of the Assignment**

#### **a) Desk Study**

The Desk Study will comprise of the following activities:

- i. Undertake a desk review of Government and the World Bank policies and guidelines, as well as reports relevant to the assignment and the targeted settlements;
- ii. Review the settlement- level community development plans for the selected informal settlements to validate prioritized community investment in the sub action plans. These include; socio economic inclusion plans, community investment plans, crime and violence prevention action plans, community solid waste management plans and community disaster management plans;
- iii. Review of County Integrated Development Plans (CIDP) for proposed settlement level investments to identify overlaps between proposed CDPs priorities and planned CIDP investments. Overlapping priorities will be harmonized in consultations with County Governments and communities;

The summary report on the outcome of the desk review should be presented as part of the detailed inception report.

#### **b) Community/Stakeholder Mobilization and Sensitization**

In close collaboration with the National Project Coordination Team (NPCT), respective, County Governments, and other key stakeholders, including community representatives, the operator, guided by the project stakeholder engagement framework (SEF) shall undertake:

- i. Mobilization of community and strengthening of community structures including Settlement Executive Committees (SEC) and Grievance Redress Committees (GRCs) clearly elaborating roles and responsibilities for each as per the approved Project Appraisal Manual (POM);
- ii. Support the strengthening of governance and implementation structures at both the community and county level to effectively support the execution of these activities;
- iii. Based on identified settlement level community investments;
  - o Consult residents of the settlement in order to gather their usage expertise (identification of public spaces actually used, hazards identified, etc.) and confirm their expectations and needs for the settlement.
  - o Ensure that the process has been implemented in a participatory approach, and for investments no longer deemed relevant by local residents, adjust the list of investment using a variety of participatory tools such as exploratory walks, sensitive mapping, consultation workshops or any other innovative tool.
  - o The operator will take into account the different levels of public and will propose methodologies adapted to the expectations and expression habits of each level of public. The operator will be committed to the principle of social inclusion of different population groups, in particular women and people with disabilities. Particular attention will be paid to the specific needs of women.
- ii. Document the deliberations made in discussion forums, including consultations with communities from the targeted settlements and other stakeholder engagements. The report should include stakeholders' analysis, list of participants disaggregated by sex, age (specify youth and elderly participants) and disability, including how the needs of the vulnerable groups were accommodated during meetings, signed minutes and a comprehensive capacity building report.

The summary report on the outcome of community/stakeholders' mobilization should be presented as part of the detailed inception report.

**c) Selection and Identification of Unskilled and Semi-Skilled Community Labor**

- i. Prepare and apply a competitive selection criterion for the identification, selection and ranking of community labor to implement the proposed community investments. The criteria will provide equal opportunities to all members of the community while incorporating the needs of young women/mothers, persons with disabilities and other identified vulnerable groups. This criterion will be prepared in consultation with SEC, and approved by the National Project Coordination Team in consultation with respective counties prior to implementation.
- ii. Apply the approved selection criteria to identify a longlist of community workers to be engaged in the implementation of community investments. Preference will be accorded to settlement based organized groups (CBOs/CSOs) demonstrating inclusive representation of youth, women, persons with disabilities and other vulnerable groups.
- iii. Conduct a capacity assessment of the selected workers to identify and profile the available labor supply against project demand and draw up a primary workers list and a ranked waiting list. There will be a separate list for unskilled and semi-skilled labor. The list should not contain persons that have alternative form of paid employment.
- iv. Conduct a simplified capacity assessment exercise of semi-skilled labor to identify critical capacity gaps relative to demand. Identified capacity gaps can be supplemented from outside the settlement in discussion with the Settlement Executive Committees and the County Government representatives.

**d) Co-designing, Preparation of Bill of Quantities and Co-build Identified Community Investments**

- i. Subject the longlist of identified investments in the CDPs through a screening and due diligence process to determine eligibility criteria in terms of investment menu, availability of land, financial and E&S viability,
- ii. Together with participating communities, co-design community investments with due attention to universal access (access for persons with disabilities), sociocultural dynamics, efficient utilization of public spaces and use of recyclable material (green designs).
- iii. Prepare the final list and budget allocation for each investment
- iv. Subject design to a review and approval process by the County Government and submission to the National Project Coordination Team.
- v. Prepare bills of quantities following detailed approved designs. The bill of quantities will require approval by the respective County Governments and National Project Coordination Team prior to implementation.
- vi. Supply the locally available construction material using WB procurement guidelines
- vii. Assign workers to tasks based on expertise and experience for semi-skilled workers and artisans and interest and suitability for unskilled labor. Assignment of tasks will take into consideration the need for demonstrated skill building for unskilled workers.
- viii. Develop modalities of implementation and Operation and maintenance i.e if it is a social facility, the operator will have to identify who would operate the services
- ix. Supervise the implementation of the community investments with the highest consideration for quality and resource efficiency.
- x. Generate a list of engaged community workers for payment. The list will be validated by the Settlement Executive Committee and the County Government and will be subject to audit by independent fiduciary agents. Payments rates will be guided by labor guidelines as detailed in the Project Operations Manual (POM)
- xi. Receive, collate and resolve complaints and grievances as they occur-, maintaining a clear log of the types of issues presented, the location and profile of the complainant (sex, category of complainant e.g., project beneficiary, worker or other interested party) and case resolution/closure timeline. Ensure that the grievance redress mechanism is transparent, confidential, efficient and accessible to all community members and stakeholders. The

operator will refer to SEC, County Government and National Project Coordination team on unresolved and escalated grievances as necessary.

e) **Commissioning, Operations and Maintenance**

- i. Commissioning of completed investments as required.
- ii. Geo-tagging and catalogue of completed investments with documented hand over to the community/SEC and, or County Government as applicable. The geo-tagged investments should be compatible with the KISIP system.
- iii. Preparation of an operation and maintenance plan with considerations of sustainability and user optimization where applicable
- iv. Training and capacity building of settlement residents to operationalize and maintain completed investments where applicable.
- v. Contribution to the activation of the facilities together with the County Government, as well as with the residents and CSO that participated in the implementation of the project. In particular, facilitate the implementation of innovative management solutions for the facilities, and help remove barriers to use.

f) **Capitalization**

Documented capitalization of the various phases from community involvement to investment delivery. This will include;

- a. The scale of the project
- b. Innovation and blocking factors
- c. The resources mobilized (time, budget, human resources, etc.)
- d. The implementation procedure, etc. for replicability purposes
- e. Analysing lessons learnt

**4.0 Duration of the Assignment**

The assignment shall be for a period of twelve (12) months from contract commencement date.

**5.0 Reporting requirements and timelines for outputs/reports**

The consultant shall submit the following reports. The specified copies of each of the listed reports shall be sent to the client at the following address:

Principal Secretary  
State Department for Housing and Urban Development  
Attn: KISIP2 National Coordinator  
P.o Box 30119-00100  
6th Floor, Ardhi House  
1st Ngong Avenue  
Nairobi, Kenya  
Telephone: +254-020-2729200  
Email: [kisip2.procurement@housingandurban.go.ke](mailto:kisip2.procurement@housingandurban.go.ke).

**Attn: KISIP National Coordinator**

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Table 1: Reporting requirements and timelines for deliverables/reports

<b>Outputs/Reports</b>	<b>Timeline for submission of output/deliverable after contract commencement date</b>	<b>Format of presentation</b>
Revised detailed work plan for execution of tasks and a methodology.	2 weeks	3 hard copies and a digital copy
Inception report on the outcome of desk review and stakeholder mobilization & sensitization including setting up of governance structure/management committee	1 month	3 hard copies and a digital copy
Report on identification and selection of the Community Workers and a capacity assessment of identified workers.	2 <sup>nd</sup> Month	3 hard copies and a digital copy
Report of workers engaged and work done	Bi-weekly	3 hard copies and digital copy
Final list of investment with allocation of budget based on the due diligence process.	3 <sup>rd</sup> Month	3 hard copies and a digital copy
Detailed approved designs, Bill of Quantities (BQs) of Identified community investments and a list of identified community workers with projected payment schedule.  (The designs, BQs, list of workers and payment schedule should be acceptable to the County Government and National Project Coordination Team- (The Management committee)	4 <sup>th</sup> month	3 hard copies and a digital copy
Comprehensive implementation report with a catalogue of completed investments (With documented proof of evidence on Co-designing/ community participatory design workshops)	10 <sup>th</sup> Month	3 hard copies and a digital copy
Site activation, management operation and maintenance plan	11 <sup>th</sup> Month	3 hard copies and a digital copy
Final completion report	12 <sup>th</sup> month	hard copies and a digital copy

### **Monthly/ ad hoc reports accompanying reimbursement requests during implementation**

The operator shall prepare and submit ad hoc reports accompanying reimbursement (wages) requests during implementation.

### **6.0 Minimum Consulting firm's qualifications and experience requirements**

The **shortlisting criteria** are:

1. **Core business and years in business:** The firm shall be registered/incorporated as a Civil Society Organization with at least fifteen (15) years relevant experience in implementing community based socio-economic activities and related assignments for the urban poor at a national scale;

2. **Relevant experience:** The firm shall demonstrate as having successfully executed and completed at least two (2) projects of similar nature both in scope and complexity in similar operating environment in the last ten (10) years. Details of the assignment-Name and address of the client, scope, value, and period shall be provided in the submitted expression of interest(EoI);
3. **Technical and managerial capability of the firm:** The firm shall demonstrate as having the requisite technical capacity including relevant equipment, tools, software etc. and managerial capacity to undertake the assignment in the submitted company profile(s). **Key Experts will not be evaluated at the shortlisting stage.**
- 4.

## **7.0 Team Composition and Minimum Qualification and Experience Requirements for the Key Experts**

The operator shall provide well qualified and experienced professionals as required and appropriate for completion of the assignment. They should possess necessary resources to undertake services of such nature, including equipment and software required. The key professionals shall personally carry out (with any assistance of junior staff deemed appropriate) the services as described in this TOR. The key experts to be provided by the Consultant for this assignment are as follows: -

### **1. Team Leader**

- a) A minimum of a Master's Degree in a Social Sciences related field from a university recognized in Kenya.
- b) Validly registered and holding current annual practicing license from a relevant professional body recognized in Kenya.
- c) A minimum of ten (10) years general experience in designing and implementing at least 2 socio-economic interventions at a national scale.
- d) A minimum of five (5) years of specific experience in working in similar assignments in informal settlement upgrading initiatives .

### **2. Civil Engineer**

- a) A minimum of Bachelor's Degree in Civil Engineering other related field from an institution recognized in Kenya.
- b) A minimum of ten (10) years general experience in civil engineering field.
- c) A minimum of five (5) year's specific work experience in General Administrations or Operations or construction management in similar work environment.
- d) Registered and holding current annual practicing license from Engineer Board of Kenya or other engineering professional body recognized in Kenya.
- e) Project management professional certification.

### **3. Architect/designer**

- a) A minimum of Bachelor's Degree in Architecture or other related field from an institution recognized in Kenya.
- b) A minimum of ten (10) years general experience.
- c) A minimum of five (5) year's specific work experience in architecture or designing in similar work environment.

### **4. Quantity Surveyor**

- a) A minimum of a Bachelor's degree of Quantity Surveying or equivalent from an institution recognized in Kenya.
- b) A minimum of ten (10) years general experience in quantity surveying
- c) A minimum of five (5) specific experience in working with communities in donor-funded projects and/or government agencies implementing similar projects in informal settlements.
- d) Must be registered and have a valid, current practising license with BORAQS or equivalent professional body recognized in Kenya.



**5. Financial/Economic sustainability advisor**

- a) A minimum of a Bachelor’s degree in accounting, business, economics or related field from an institution recognized in Kenya.
- b) Must have at least ten (10) years relevant experience in finance field.
- c) A minimum of five (5) working with communities in donor-funded projects and/or government agencies in developing business models

**6. Environmental Expert**

- a) A minimum of a bachelor’s degree in environmental studies from a university/institution recognized in Kenya.
- b) A minimum of ten (10) years’ experience in the environmental related field.
- c) Must be registered and in possession of Valid, current practicing certificate from NEMA or equivalent body recognized in Kenya.
- d) A minimum of 5 years’ experience of conducting ESIA, SEA and RAPs in donor funded or government agencies implementing similar projects.

**7. Sociologist/Community development Expert**

- a) A minimum of a Bachelor degree in sociology, gender studies, community development or related social sciences from a university recognized in Kenya.
- b) A minimum of ten (10) years of general experience in social and community development.
- c) A minimum of five (5) years of specific experience working with communities in implementation of similar donor-funded projects and/or government agencies projects.

**8. Gender Inclusion Expert.**

- a. A minimum of a Bachelor degree in sociology, gender studies, community development or related social sciences from a university recognized in Kenya.
- b. A minimum of ten (10) years of general experience in relevant field
- c. A minimum of five (5) years of specific experience working with donor-funded projects and/or government agencies in engaging the community level to ensure conflict resolution and conducting gender analyses and mainstreaming gender.

**9. GIS Expert.**

- a. A minimum of a Bachelor degree in Land Surveying, with proven skills in Geospatial information (GIS) from a university recognized in Kenya.
- b. A minimum of ten (10) years of relevant work experience
- c. At least five (5) years of specific experience working in database development.
- d. Must be a member of the Institution of Surveyors of Kenya (ISK) or equivalent body recognized in Kenya.

**8.0 Estimated Time Inputs for Key Experts**

The number of key experts and the estimated time input for each key expert for the assignment are presented in Table 3.

**Table 3: Estimated Time Inputs for Key Experts**

S/No	Key and Support Staff	No.	Input months (staff-months)
<b>Key Staff</b>			
1	Team Leader	1	Full time (12 months)
2	Architect/Space designer	1	7 months
3	Construction Manager/Engineer	1	Full time (12 months)
4	Environmental Expert	1	7 months
5	Sociologist/Community Development Expert	1	Full time (12 months)
6	Gender expert	1	5 months
7	Quantity Surveyor	1	6 months

<b>S/No</b>	<b>Key and Support Staff</b>	<b>No.</b>	<b>Input months (staff-months)</b>
<b>Key Staff</b>			
8	GIS Expert	1	4 months
9	Financial/Economic sustainability advisor	1	5 months
	<b>TOTAL</b>		<b>70</b>
<b>Support Staff</b>			
1	Administrative assistants	2	10 months
2	Architects/Space designers	1	5 months
3	Engineers	2	5 months
4	Social Expert	1	7 months
	<b>TOTAL</b>		<b>27</b>

### **9.0 Responsibilities of the Client**

The National Project Coordination Team will collaborate with the respective County Governments in making available the following documents relevant to the project subject to the extent of availability of such information:

- KISIP 2 Documents: Appraisal Document (PAD) and Project Operations Manual (POM)
- Settlement Level Community Development Plans
- Stakeholder engagement framework (SEF)
- LICW manual
- The Client will also facilitate access to Government Departments and introduction to respective County Governments and the settlement.

### **10.0 Responsibilities of the operator**

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

#### **Annex 1: List of settlements**

<b>No</b>	<b>County</b>	<b>Name of Informal Settlements</b>
1.	Kilifi	Kalolo Kibaoni Baya Magonzi Muyeye Phase 1 Mtaani Kisumu Ndogo