

REPUBLIC OF KENYA



**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT STUDY REPORT
FOR BUS RAPID TRANSPORT (BRT) IN KENYA FACILITIES ON
THIKA SUPERHIGHWAY CORRIDOR (CLAY WORKS-RUIRU-
NAIROBI CBD-KENYATTA NATIONAL HOSPITAL SECTION)**

FINAL REPORT



PREPARED BY

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NEMA Reg No. 7284

April 2021

DOCUMENT CONTROL

PROPOSED BUS RAPID TRANSPORT (BRT) IN KENYA FACILITIES ON THIKA SUPERHIGHWAY CORRIDOR (CLAYWORKS-RUIRU-NAIROBI CBD-KENYATTA NATIONAL HOSPITAL SECTION)

EMPLOYER:

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Final Report

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Certificate of Declaration and Document Authentication

This document has been prepared in accordance with the Environmental Management and Coordination Act 1999 amended in 2015 and Environmental (Impact Assessment and Audit) (amendment) Regulations, 2019

This report is prepared for and on behalf of:

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DISCLAIMER:

This Environmental Impact Assessment Summary Project Report is based on literature review and findings from field assessment. It is however, subject to conditions in the Environmental Management and Coordination Act 1999 and amended in 2015 and Environmental (Impact Assessment and Audit) (amendment) Regulations, 2019.

FACT SHEET

Project Name	Design and Build Project for Bus Rapid Transport (BRT) in Kenya Facilities on Thika Superhighway Corridor (CLAYWORKS-Ruiru-Nairobi CBD-Kenyatta National Hospital Section)
ESIA Report	Environmental & Social Impact Assessment Study Report For Bus Rapid Transport (Brt) in Kenya facilities on Thika superhighway corridor (Clayworks-Ruiru-Nairobi CBD-Kenyatta National Hospital section)
Client	Nairobi Metropolitan Area Transport Authority
Project Activities	<ul style="list-style-type: none"> • Design for reconstructing 10 existing footbridges; • Design of BRT picking platforms; • Design of motorized and non-motorized lanes; • Design of one U-turn ramp; • Isolation of BRT lane from asphalt pavement; • Design of Kasarani transfer station; • Automatic traffic signals for Pangani underpass; • Detailed engineering designs for the smooth flow of traffic at the junctions and accesses; • Building of BRT infrastructure and roads; • Provision of office, laboratory and other facilities for the engineer; • Maintenance of the existing roads during construction; • Traffic control during construction; • Road markings, road signs and other ancillary facilities; • Any other works as may be specified by the Employer and the Employer's Representative.
Project Location	Kiambu and Nairobi City County
Target beneficiaries	Road users on Thika Superhighway Corridor - Clay works-Ruiru-Nairobi CBD-Kenyatta National Hospital Section
Lead Expert	Eng. Stephen Mwaura, Reg. Nr. 7284

ABBREVIATIONS & ACRONYMS

CEMMP	Construction Environmental Management and Monitoring Plan
EHS	Environment Health and Safety
ESIA	Environmental and Social Impact Assessment
EIA	Environmental Impacts Assessment
EHS	Environmental Health and Safety
GoK	Government of Kenya
HSP	Health and Safety Plan
EMCA	Environmental Management and Coordination Act
EMMP	Environmental Management & Monitoring Plan
ESIA	Environmental and Social Impact Assessment
NEMA	National Environment Management Authority
NEP	National Environment Policy
OSHA	Occupational Health and Safety Act
PAPs	Project Affected Persons
PPEs	Personal Protective Equipment
WIBA	Work Injuries and Benefit Act

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LIST OF ABBREVIATIONS

BRT		Bus Rapid Transport
EA	-	Environmental Assessment
ESIA	-	Environmental & Social Impact Assessment
EMCA	-	Environmental Management & Coordination Act
EMP	-	Environmental Management Plan
EMS	-	Environmental Management System
EMSF	-	Environmental Management & Social Framework
ESMP	-	Environmental & Management Social Plan
NaMATA	-	Nairobi Metropolitan Area Transport Authority
NEMA	-	National Environmental Management Authority
OSHA	-	Occupational Health & Safety Act
TOR	-	Terms of Reference

EXECUTIVE SUMMARY

E-1 Project Information

The Government of Kenya intends to establish, operate and manage the Bus Rapid Transit (BRT) system, which is the cost effective sustainable transportation system for the residents of Nairobi and the surrounding environs to ensure fast and orderly flow of traffic on urban streets and roads.

With the rapid development of economy in Nairobi, the improvement of people's living standard and the increasing frequency of trip activities, people's requirements for trip quality are increasing day by day and the degree of motorization is greatly improved, which brings great pressure to the urban traffic. Therefore, in order to ensure the sustainable development of the Nairobi transport system, it is necessary to energetically develop public transport, improve the service level of public transport and enhance the appeal of transit trip, so as to facilitate the travel of more residents. The government shall further strengthen the public transport priority, promote the public transport system reform, improve the public transport operation environment, optimize the public transport structure, persist in the preferential development of public transport to guide people's reasonable trip mode, and form a main pattern of new urban passenger transport. Therefore, the key to solve urban traffic jam lies in changing the resident trip structure. The low service level of common bus has led to the long trip time of citizens, dropping attraction of public transport, etc. International organizations and agencies such as the United Nations, the World Bank, the International Energy Agency (IEA) and the Union International Des Transports Publies (UITP) take BRT as a revolutionary solution for solving the problem of urban public transport and actively recommend it to major cities around the world.

The Nairobi-THIKA Road is a superhighway, and an important passenger transport corridor. Constructing BRT based on Thika superhighway is conducive to accumulating passenger flow, promoting the development from private-car transport to more high-quality public transport, and responding positively to the promotion of "transit metropolis" and "preferential development of urban public transport" on a global scale, and is conducive to the establishment of the brand image of public transport in Nairobi.

E-2 Legal and Regulatory Instruments

This Report has presented the relevant policies, legislation and institutional frameworks that guide preparation of ESIA, National, county level and international levels.

Policy provisions and Act of Parliament included in the report are Environmental Management

and Coordination Act of 2015(Amendment), Occupational Health & Safety, 2007 (OSHA 2007), Public Health Act Cap 242, The Physical and Land Use Planning Act, 2019, Land Planning Act Cap 303, Public Roads and Roads of Access Act (Cap 399), Traffic Act (Chapter 403, revised in 2012), County Governments Act, 2012, HIV Aids Prevention and Control Act (Act No. 14 of 2006), National Land Policy, Kenya Vision 2030, The National Transport and Road Safety Act, 2012, Employment Act 2007, Kenya Road Act, 2007 , National Gender and Equality Commission Act 2011, Land Laws with 2016 Amendments , Child Rights Act (Amendment Bill) 2014, Kenya Roads act 2007 and Kenya National Highways Authority,

E-3 Highlights of Stakeholder Consultations

Environmental Impact Assessment/Audit Regulations of 2003 with 2019 amendments require that in the process of conducting Scoping, Environmental Impact Assessment, the proponent shall in consultation with the Authority herein referred to as the National Environment Management Authority (NEMA); seek the views of persons who may be affected by the Project.

To comply with the above discussed statutes, stakeholders consultation at Project Report Stage of the ESIA involved consultations with key .The method of engagement involves key stakeholders meetings and workshops.

E-4 Project Impacts

Assessment of project impacts was based on analysis of the proposed project components and existing environmental conditions. The impacts arising during each of the phases of the proposed development namely construction, operation and decommissioning, can be categorized into:

- Impacts on biophysical environment;
- Health and safety impacts; and
- Social-economic impacts

Sections E.4.1 to E.4.4 below provides a summary of the project impacts both positive and negative discussed in this Report.

E-4.1 Positive Impacts during Construction Phase

Employment Opportunities: This project is anticipated to create employment opportunities for many people including staff directly or indirectly linked to the project. Direct Job creation will begin from the construction phase of the project whereby the locals will be tasked to undertake both informal and formal jobs at the construction site.

Technology transfer: The Project will be associated with technological and knowledge transfer to the local sector, this will be through the artisans employed and trained by the Project

Creation of market for construction material: The Project will require materials, some of which will be sourced locally and some internationally. These include, cement, sand, hardcore and chemicals. This will provide a ready market for suppliers in and outside the project area.

Impact on the socio- economy: The restrictions imposed by the traffic jam in the city daily on daily basis, affects the socio-economy of the community profoundly. Therefore leaving the roads in the present status will keep on holding back development to the city, thus hindering activities that would result in advancement from continuous development. Also the BRT project is likely to give employment to local community, improve/ enhance market access to various commercial areas creating more economic and business opportunities as well as other benefits that go along with urbanization

E-4.2 Positive Impacts during Operation Phase

Employment opportunities: Under Project operation, employment for the operation and maintenance activities of the BRT will be required, resulting in long-term employment opportunities for the local and national workforce.

Improved City and National Transport: It is important to restate the overall objectives behind the introduction of BRT in Nairobi, or indeed other projects designed to improved urban passenger transport. These are to transform Nairobi's current transport services towards an efficient, affordable, and environmentally sustainable urban transport system which promotes economic growth and decent employment.

Reduced emergency response time : The project expected to significantly reduce response time to emergencies as the BRT will help in decongesting traffic hence leading to reduced journey times for motorists and passengers travelling to work within the project area and beyond Nairobi;

Reduced cost of transport: It is expected that the BRT buses will charges passengers at lower rates than the current rates being charges by public transports. In addition the project is expected to decongest traffic significantly and save hundred millions of shillings per year. (Kshs 50 million shillings lost daily from the delays and fuel wastage caused by traffic jams, and accidents especially in urban areas).

Improved Health: The health benefits from the BRT scenarios stem from reductions in exposure to harmful pollutants which result to incidence of premature mortality, respiratory diseases among other diseases.

Improved air quality: The newer buses will be emitting lower emissions as per Euro III Emission Standards compared to the existing fleet with age ranging between 10 to 25 years of operational age. Oxides of nitrogen (NOx) react in the atmosphere to form nitrogen dioxide (NO₂) which can have adverse effects on health, particularly among people with respiratory illness. High levels of exposure have been linked with increased hospital admissions due to respiratory problems, while long term exposure may affect lung function and increase the response to allergens in sensitive people. NOx also contributes to smog formation, acid rain, can damage vegetation, contributes to ground level ozone formation and can react in the atmosphere to form fine particles ('secondary particles'). Therefore the newer buses will help reduce exposure to (NOx) hence improved air quality.

Realization of vision 2030: The Kenya Vision 2030 aspires for the country firmly interconnected through a network of roads, railways, ports, airports, water and sanitation facilities and telecommunications. Hence by implementing the BRT, this will lead to improved road interconnections.

E-4.3 Negative Impacts and Mitigation Measures during Project Construction Period

Associated Impacts	Management Actions
Labour Influx Impacts Human Rights and gender inclusivity Increased Transmission of communicable diseases including HIV/AIDS Disturbance of traffic and difficult of access Community accidents	<ul style="list-style-type: none"> • Effective community engagement and strong grievance mechanisms on matters related to labour • Comply to provisions of WIBA 2007 • Mainstream Gender Inclusivity in hiring of workers and entire Project Management as required by Gender Policy 2011 and 2/3 Gender Rule • Children under the age of 18 years should be hired on site as provided by Child Rights Act (Amendment Bill) 2014 • COVID 19 and HIV/AIDS Awareness Program and other communicable diseases to be instituted and implemented as part of the Contractor's Health and Safety Management Plan to be enforced by the Supervising Engineer
Disruption of	<ul style="list-style-type: none"> • Notify other services providers and

Associated Impacts	Management Actions
amenities access roads, services lines and driveways) causing inconveniences to the community	<ul style="list-style-type: none"> • Open small sections that can be reinstated within the shortest period to avoid public disruption • Mark the lines to avoid conflicts with other activities
Community accidents	<ul style="list-style-type: none"> • Provide notices, signage and information to the public for their safety at all locations • Install barriers along walkways, crossings and public places affected by the works for public safety • Where there are potential for nuisance from dust generation, ensure earth moving is under damp conditions (consider watering where necessary) • Inform immediate communities or stakeholders of the activities.
Public Health and safety risks Worker Occupational safety risks	<ul style="list-style-type: none"> • Notify public the intent to cut sections of the road for safety precautions • Provide signage and safety information in all work areas • Ensure compliance by workers with safety safeguards including the OHS, provision of safety gear and enforcement of application
Risks of solid waste mismanagement leading to pollution	<ul style="list-style-type: none"> • The contractor shall ensure that the machines and equipment are in good condition • Ensure proper handling of lubricants, fuels and solvents while maintaining the equipment • Any chemical or fuel spills shall be cleaned up immediately. The spilt liquid and clean-up material shall be removed, treated and transported to an appropriate site licensed for its disposal. • A safety and emergency response plan will need to be developed for all operations with emphasis on the protection of the environment prior to start up. • Any chemical or fuel spills shall be cleaned up immediately. The spilt liquid and clean-up material shall be removed, treated and

Associated Impacts	Management Actions
	<p>transported to an appropriate site licensed for its disposal;</p> <ul style="list-style-type: none"> • Storm water shall be diverted away from the fuel handling and storage areas. An oil water interceptor shall be provided to treat any rainwater from fuel storage and handling areas; • Measures should be taken to ensure proper storage of fuel, oil and bitumen. Oil-water interceptors or sumps should be constructed to capture discharge of oils, fats and other polluting liquids from maintenance workshops, vehicle and equipment washing bays and kitchen drains; • At the work sites the contractor will be expected to maintain strict surveillance particularly when working within the vicinity of water supply points and the rivers within the project area;
Air Quality Pollution	<ul style="list-style-type: none"> • Maintain construction equipment at high operational conditions such as to control emissions into the air. • Earth moving be done under damp conditions as much as possible to prevent emission of dust into the air, • Use of sprinklers to regularly water construction site, this suppresses the dust menace at construction sites • Provide People working in the sites with dust emissions to use dust masks to prevent respiratory infections.
Impact on soil resource	<ul style="list-style-type: none"> • Areas affected by construction related activities and/or susceptible to erosion must be monitored regularly for evidence of erosion, these include: areas stripped of topsoil, Soil stockpiles, Spoil sites, Borrow pits, Sites for bridges and drainage structures. • Monitoring should also be done during the operation phase to prevent road degradation by erosion caused by flash floods. • The contractor should develop an emergency response plan that includes spill response strategy. • Spills should be immediately addressed per the appropriate spill management plan and initiate soil clean up and soil removal if needed. Spill kits should be availed to aid this • Spill prevention practices and response actions should be applied in

Associated Impacts	Management Actions
	<p>refueling and vehicle use areas to minimize accidental contamination</p> <ul style="list-style-type: none"> • Containment around the garage, fuel store and fuelling station should be ensured so that these potentially polluting substances can be properly handled and any intended escape of material from that area can be contained until such time as remedial action can be taken • Proper handling of material through use of dip trays, directing spills to an oil sump which should be emptied into a designated disposal site
Excessive Vibration and Noise Pollution	<ul style="list-style-type: none"> • Avoid night time construction when noise is loudest; • Conduct periodic noise measuring and monitoring to determine levels and extent of harmful noise; • Clearly label the high noise areas; • Provide PPE personal protective equipment (PPE) including masks, goggles, scarfs, boots and overalls among other protective clothing to persons operating within or visit identified high noise areas. • In order to meet noise level requirements, the equipment should be equipped with standard noise attenuation features. Machines that exceed acceptable noise limits should be equipped with silencers or lagging materials or specially designed acoustic enclosures; • Inform local residents when construction activities are likely to generate excessive noise in order to minimize disruption to local residents through posters along construction sites. • Sensitize truck drivers to avoid hooting especially when passing through sensitive areas such as churches, residential areas and hospitals

E-4 .4 Project Negative Impacts and Mitigation Measures during Operation Phase

Associated Impacts	Management Actions
Waste Generation and Disposal	<ul style="list-style-type: none"> • Provision of solid waste storage bins. • Provision of adequately designed bins to prevent access by vermin. • Ensure that the solid waste generated is disposed of in an approved dumpsite or landfill. • Good design of on-site waste water treatment facilities including oil skimming tanks
Increased road carnage from increased traffic vehicles	<ul style="list-style-type: none"> • Traffic police should be spread to all places for control of speed • Speed humps at all strategic places including all busy places. • Enforce speed limits • Road signs properly installed and maintained • Traffic rules sensitization in schools and communities along the road.
Emergency responses	<ul style="list-style-type: none"> • Make prior arrangements with health care facilities such as a Health Centre in proximity. • Design and implement an Emergency Response Plan (ERP). • Coordinate with first aid organizations/agencies i.e. St. John's Ambulance, Red Cross to prepare for any eventuality. • Display telephone numbers of emergency response departments for all BRT Users and area residents in the project area to clearly see
Visual and landscape impact management	<ul style="list-style-type: none"> • Elaborate landscaping and maintenance of these sites can limit the viewpoints to the facilities and thus reduce their visual impact.
Increase Social Vices	<ul style="list-style-type: none"> • Consequently, decision makers should use materials that inhibit vandalism to preserve the image of BRT and keep stations safe • Proper security measures should be put in place to guard the stations for 24 hours to reduce cases of vandalism.
Traffic congestion	<ul style="list-style-type: none"> • Good design of exit and entry points for BRT to the depots • Sensitization of the drivers

E-5 Findings and Conclusion

- The major positive impacts of this Project will include improved health, air quality reduced emergency response time, improved city and national transport, employment opportunities as well as mitigating related diseases for the residents.
- The Project activities are likely to cause, albeit on a small scale, interruptions with traffic, risk of accidents, emission of dust, waste generation and increase in noise and vibration.
- The study has proposed several measures to reduce negative impacts including amelioration of social negative impacts, noise abatement, waste management, reduction of visual intrusion, reduction of soil erosion, prevention of accidents and health hazards.
- Monitoring has been identified as an important process in the protection of environment of the project area since it will reveal changes and trends brought about mainly by construction activities.

E-6 Recommendations

This assessment recommends the following provisions:

- (i) The Bid documents prepared for the Project incorporate the Environment, Social Health and Safety Provisions discussed under Chapter 7 (Environment and Social Impact Assessment and Mitigation Measures).
- (ii) The proponent to be given all the available support to implement this noble project.
- (iii) The licensing authority to issue the necessary licenses so that the work can commence
- (iv) Contractor will be required to commit to implementing the Environment, Social Health and Safety (ESHS) Provisions by developing site-specific (ESHS) plans.
- (v) At Project implementation stage, the Contractor to report to the Project management team comprising of the Consultant and the Project proponent on a monthly basis on how ESHS provision detailed in this ESIA are addressed at each Project Site.
- (vi) On completion of, NAMATA to commission an independent Consultant to undertake an initial Environment, Social, Health and Safety Audit as required by and Environmental (Impact Assessment and Audit) Regulations 2003 with 2019 amendments.
- (vii) The audit will identify nonconformities which the Contractor together with NAMATA will address through the defects liability period of the Project. This

audit will also form basis of annual Project self-audits by NAMATA.

On the basis of the above discussions, it can be concluded that the proposed project is environmentally, legally and socially acceptable. The potential significant environmental impacts can be adequately mitigated by the proposed measures and it is the responsibility of the proponent and all other actors to see to it that the measures are implemented. This way, the environmental threats will be downscaled to acceptable levels.

It is on the basis of the above, that it is recommended that the project be issued with the necessary clearance for the project to commence implementation.

CHAPTER 1 : INTRODUCTION

1.1 Background Information

An efficient urban transport system provides for the movement of people and goods within an urban area as well as linking the city to its environs (KIPPRA, 2005). People's ability to travel to and from their residences to their workstations, shops, schools, health centres and other social places is indispensable for a City to perform effectively. The ability to access such places plays a key role in choosing residential location since it affects household income and expenditure hence the need to facilitate moving people and not cars (Arnott & McMillen, 2006).). Among the other modes of transport, the road transport is the most commonly used globally.

In Kenya, urban population grew from one million in 1969 increasing at a rate of 7.9% (Hope, 2012) per year to 12 million by 2009 (KNBS, 2012). Nairobi's population increased from 350,000 in 1963 to 3.1 million in 2009 as per the 2009 Census (Kenya National Bureau of Statistics (KNBS), 2012), and to 4 million in 2019 as per the 2019 Census this explains the rising demand for transportation. In addition, there are over two million registered vehicles on Kenyan roads and the numbers are projected to shoot to five (5) and eight (8) million by year 2030 and 2050 respectively (Kenduiwo, 2014). In most Kenyan cities, with Nairobi leading, various means of transport compete for the same road space including buses, matatus, private cars, rickshaws (tuk tuk), motorcycle taxis (boda boda), bicycles, pedestrians, hand carts among others. The high rate of urbanization coupled with the competition of the same road space by various modes of transport have raised the demand of transportation infrastructure which has not been met adequately hence the traffic jams in most urban areas with the worst traffic congestion being experienced in Nairobi.

With the rapid development of economy in Nairobi, the improvement of people's living standard and the increasing frequency of trip activities, people's requirements for trip quality are increasing day by day and the degree of motorization is greatly improved, which brings great pressure to the urban traffic. Therefore, in order to ensure the sustainable development of the Nairobi transport system, it is necessary to energetically develop public transport, improve the service level of public transport and enhance the appeal of transit trip, so as to facilitate the travel of more residents. The government shall further strengthen the public transport priority, promote the public transport system reform, improve the public transport operation environment, optimize the public transport structure, persist in the preferential

development of public transport to guide people's reasonable trip mode, and form a main pattern of new urban passenger transport. Therefore, the key to solve urban traffic jam lies in changing the resident trip structure. The low service level of common bus has led to the long trip time of citizens, dropping attraction of public transport, etc. International organizations and agencies such as the United Nations, the World Bank, the International Energy Agency (IEA) and the Union International Des Transports Publies (UITP) take BRT as a revolutionary solution for solving the problem of urban public transport and actively recommend it to major cities around the world.

The Nairobi-THIKA Road is a superhighway, and an important passenger transport corridor. Constructing BRT based on Thika superhighway is conducive to accumulating passenger flow, promoting the development from private-car transport to more high-quality public transport, and responding positively to the promotion of "transit metropolis" and "preferential development of urban public transport" on a global scale, and is conducive to the establishment of the brand image of public transport in Nairobi.

1.2 Scope of the Project

The scope of the works for the project is as follows:

- Design for reconstructing 10 existing footbridges;
- Design of BRT picking platforms;
- Design of motorized and non-motorized lanes;
- Design of one U-turn ramp;
- Isolation of BRT lane from asphalt pavement;
- Design of Kasarani transfer station;
- Automatic traffic signals for Pangani underpass;
- Detailed engineering designs for the smooth flow of traffic at the junctions and accesses;
- Building of BRT infrastructure and roads;
- Provision of office, laboratory and other facilities for the engineer;
- Maintenance of the existing roads during construction;
- Traffic control during construction;
- Road markings, road signs and other ancillary facilities;

Any other works as may be specified by the Employer and the Employer's Representative.

The Project will be constructed in 2 phases:

- Phase I: Clay works-Nairobi CBD Section
- Phase II: Clay works-Ruiru-Nairobi CBD-Kenyatta National Hospital (KNH).

1.3 Project Justification

Nairobi is ranked among the ten most congested cities in the world based on the Number global traffic index, which evaluates commute times, carbon emissions, and overall inefficiencies of the traffic system. The index indicates that the average commute time is fifty seven minutes, with high inefficiencies resulting from heavy personal motor vehicle use and slow public transport services. Data from the Kenya National Bureau of Statistics (KNBS) show that the country registers approximately eight thousand new vehicles a month, a volume that cannot be sustained in the long term as evidenced by the current congestion levels.

The main residential area is distributed along the east and west direction of the city, so the traffic trip volume along the east and west direction is large, which can cause traffic jam. According to the current road network structure, the density of east-west roads is insufficient.



Figure 1-1: Current Road Network structure in Nairobi

Nairobi's public transport system is almost entirely within the informal economy. There are an estimated 10,000 14, 25 and 33-seater matatu buses in the system (Envag Associates 2012), along with a growing number of boda-boda motorcycle taxis and tuk-tuk three-wheelers. Matatus are all privately owned. Some owners may own just one vehicle, others may own an entire fleet. The matatu industry has become notorious in Kenyan media for inefficiency, congestion, violent criminality, pollution and corruption. On the other

hand, it offers cheap transport for hundreds of thousands of Nairobi commuters, is highly flexible and has a very vibrant matatu street culture, with “pimped-up” matatus attracting customers with music, graffiti art, lighting and video systems. It also informally employs many thousands of people.

The proportion of public transport mode in the whole traffic trip mode is relatively low (see the figure below). The bus stations are mainly located near the railway stations at present, not distributed at the attraction and generation points of transit trip and are not along the transport corridor. The current stations are basically the straight line bus stops, and the stopping of the buses has a certain influence on other vehicles and is not safe. Matatu and bus share about 33%-40% in bus trip.

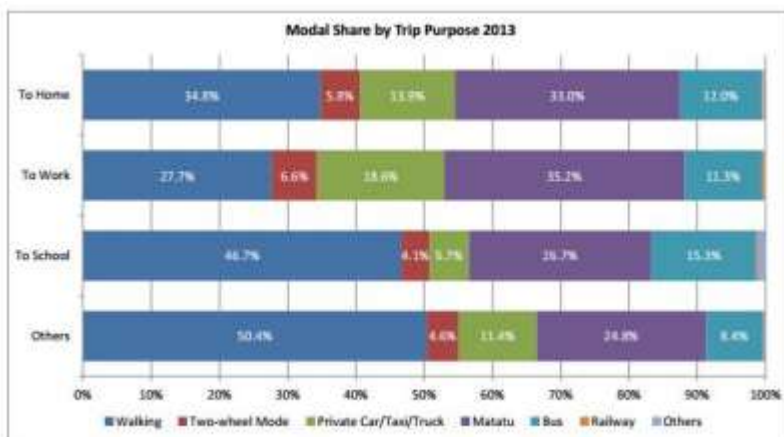


Figure 1-2: Division of traffic trip mode in Nairobi

According to World Bank estimates, city residents on average spend an hour to travel to work and another 60 minutes commuting back home due to traffic congestion.

With the development of Nairobi's economy and the increase of private cars, traffic jam is getting worse and worse. A park and ride facility is planned for construction at Kasarani to allow commuters heading to the city center to leave their vehicle and take BRT transport for the remainder of the journey. There shall be a Bus terminal at KNH, and depots in Kasarani and Ruiru as well as transfer station at Nairobi Railway station. Along the corridor will be a Non- Motorized Transport. Other corridor are line one running from James Gichuru Road/Waiyaki Way to Jomo Kenyatta International Airport While line Two stretches from Lang'ata Road to Ngong Road, Juja Road, Komarock Road to Ruiru. Line Three will run from Githurai through Thika Road to Moi Avenue in the central business district and

terminate at Kenyatta Hospital. Four will cover around T-mall to Jogoo Road while line Five shall be along Outering Road.

1.4 Significance of the of the project

The overall objective of this project is to *improve the infrastructure on Thika Superhighway so as to* provide Bus Rapid Transport (BRT) for Ruiru-Nairobi CBD-Kenyatta National Hospital Section

1.5 Objectives of ESIA Assessment

1.5.1 General Objective

The purpose of an environmental assessment (EA) is to aid decision making and to ensure that the project under consideration is environmentally and socially sound and sustainable.

This ESIA assessment has been conducted in compliance with the Environmental Impact Assessment Regulation as outlined under the Gazette Notice No. 56 of 2003 amended in 2019 established under the Environmental Management and Coordination Act (EMCA), 1999 (Amended in 2015)

1.5.2 Specific Objectives of ESIA Investigations

This Environmental & Social Impact Assessment (ESIA) is expected to achieve the following objectives:

- i) To present existing environmental, social and cultural setting of the target project area
- ii) To identify potential environmental and social impacts (direct and indirect), including opportunities for enhancement; this includes the cumulative impact of the proposed project and other developments which are anticipated;
- iii) To generate feasible alternative investments, sites, technologies, and designs,
- iv) To provide preventive, mitigating, and compensatory measures
- v) To provide detailed results of the public consultation and
- vi) To prepare an Environmental and Social Management and monitoring Plan to mitigate the identified impacts so as to ensure sustainability of the proposed Projects.
- vii) To recommend cost effective measures to be implemented to mitigate against the expected impacts

1.6 ESIA Approach and Methodology

The ESIA was carried out in line with the provisions of the Environmental Management and Coordination Act, 1999 and the Amendment Act of 2015 and the Environmental (Impact Assessment and Audit) Regulations 2003 emended in 2019

1.6.1 Environmental Screening

Environmental screening was carried out to determine whether an ESIA study is necessary for this project and at what level of evaluation. This took into consideration the requirements of the Environmental Management and Coordination Act (EMCA), 1999 with 2015 amendments, and specifically the second schedule of the same Act. From the screening process, together with visits to the proposed site carried out since 2018 the ESIA team concluded that this project will require an ESIA done before commencement of proposed project works.

1.6.2 Environmental Scoping

A scoping exercise was carried out to determine the range of issues to be addressed in the ESIA, the significant issues that would need detailed study and those that were not significant. Determination of the boundaries of the ESIA in terms of the geographical extent and timing was also done. The outcome of the scoping exercise was a Terms of Reference (ToR) which was prepared and submitted to NEMA on March 2021 for approval in accordance with Environmental (Impact Assessment and Audit) Regulations 2003 emended in 2019 Regulations. The ToR was approved on March 17, 2021 (Annex 2) enabling progress to detailed ESIA study.

1.6.3 Baseline data collection

Baseline data was collected on the proposed project site and the immediate neighbourhood. The data collection begun in 2018 during field reconnaissance and continued through the detailed ESIA study phase.

The data collected was on aspects such as: topography; local flora and fauna; soils and geology; socioeconomics, existing and past activities including human settlements; local surface and ground water resources; ambient air quality and noise levels (qualitative); waste management practices; and natural resources and cultural heritage aspects of the project areas.

1.6.4 Field visits and Stakeholder Consultations

Public/stakeholders opinion/views through Consultation and Public Participation (CPP) exercises were carried out to: inform project stakeholders of the proposed project; to explain the likely impacts (positive/negative) of implementing the project; and to obtain views, concerns, comments and suggestions from interested and affected parties regarding the proposed project.

Stakeholder identification and analysis was carried to determine who the project affected people were and the most appropriate means of engagement. Field visits were meant for physical inspections of the project site in order to gather information on the state of environment. Several photos of the project site were taken for inclusion in this report.

CHAPTER 2 : PROJECT DESCRIPTION

2.1 Project Location

The proposed BRT roads project is envisaged to be constructed on the existing Thika Superhighway (A2S and A2S R). The line of the Project starts from Kenyatta National Hospital Terminal to Ruiru Depot, with a total length of 28.5km. It is planned with a special lane, with a length of approximately 21.68 km. It is planned with 13 groups of 25 BRT halfway stations along the whole line (two transfer stations with line1 will be reserved for long term and not included into the quantities of this phase), including Kenyatta National Hospital Terminal (including original and terminal station), Ruiru Depot (including original and terminal station), and Kasarani Depot (including transfer between line 2 and line 5)

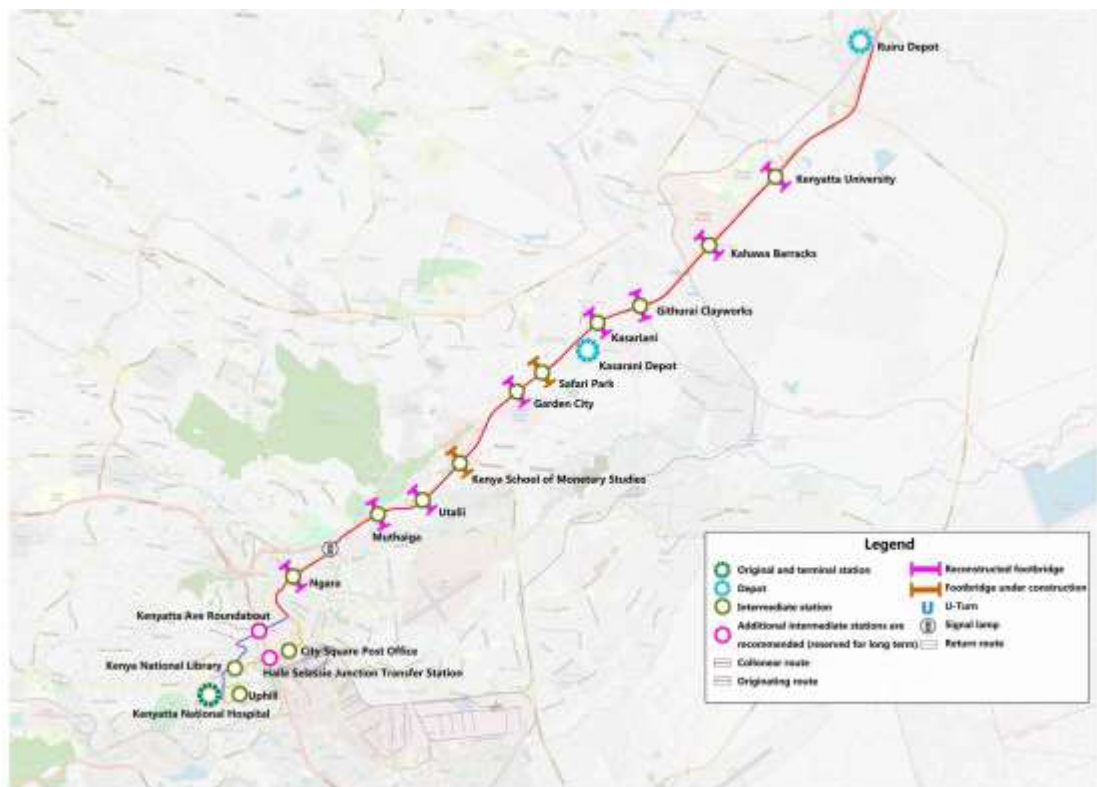


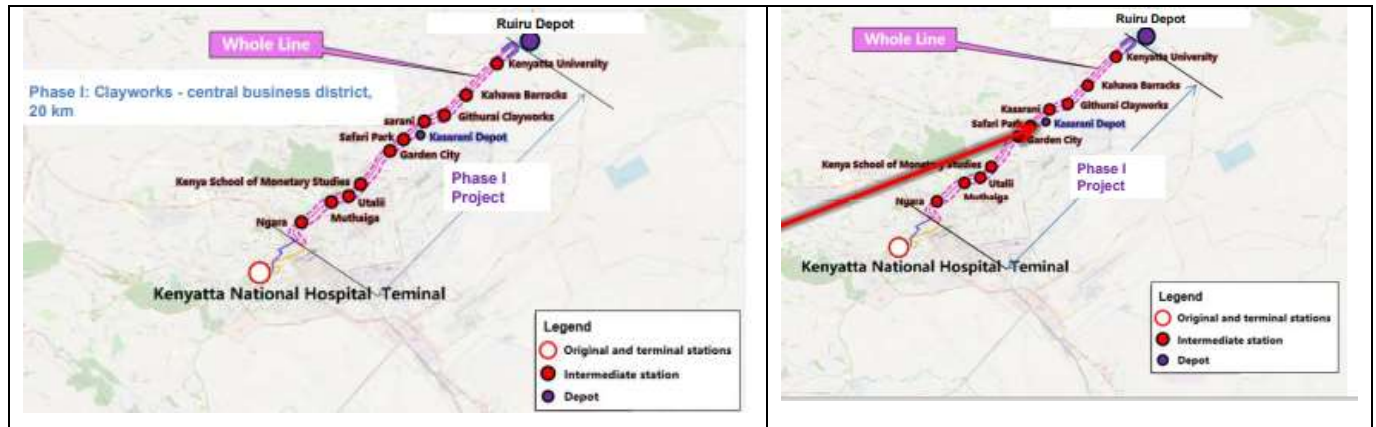
Figure 2-1: Conceptual Scheme for BRT Line 2 in Nairobi

2.2 Project Roads Description

Phase I: 20 stations in 10 groups in total.

- Platform: separated island platform
- Traversing form: footbridge

Kasarani Depot is located at the southeast corner of the intersection between Thika Superhighway and Kasarani Road in Nairobi. The base covers an area of 51,186m² (including 36,015 m² for short-term use and 15,171 m² for long-term expansion). The base is approximately 192.91 m in width at the north end, 75.19 m in width at the south end and 301.86 m in length from the north to the south. It is about 285 m from Kasarani Road.



Kenyatta National Hospital Terminal It is located on the East of Kenyatta Hospital and the west of Hospital Rd in Nairobi. Land area: 9,483 m². The base is about 58.4 m in length from east to west and 162.396 m in length from north to south.

Phase II Project

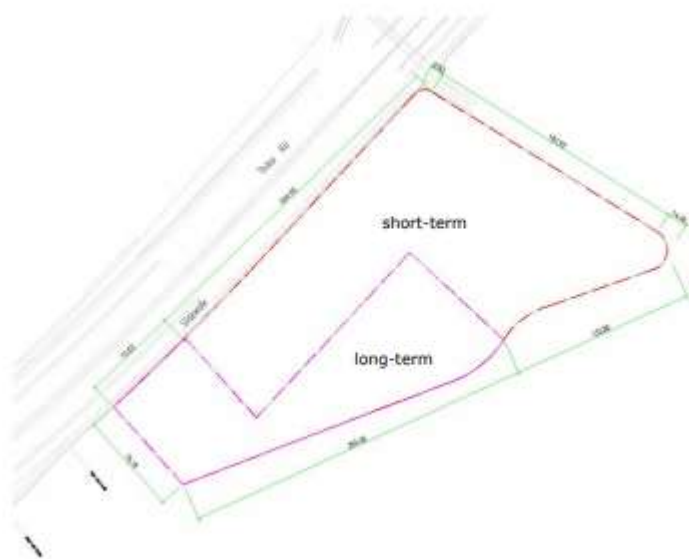
Halfway station: Clay works-Ruiru-Nairobi CBD-Kenyatta National Hospital (KNH) Section, with a total length of 7 km, and a scale of 4 m * 70 m. Two transfer platforms will be reserved for long term, with a scale of 4 m * 91 m. Entry format is crosswalk pull-in. Mainly include :

1. Three halfway stations
2. One depot
3. 3. One original and terminal station



Figure 2-2 Original and terminal station and depot: Ruiru Depot, Kenyatta National Hospital Terminal

Kasarani Depot Kasarani Depot is located at the southeast corner of the intersection between Thika Superhighway and Kasarani Road in Nairobi. The base covers an area of 51,186 m² (including 36,015 m² for short-term use and 15,171 m² for long-term expansion). The base is approximately 192.91 m in width at the north end, 75.19 m in width at the south end and 301.86 m in length from the north to the south. It is about 285 m from Kasarani Road.



CHAPTER 3 : POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

3.1 Introduction

Environmental and Social Impact Assessment is an instrument for environmental management and development control. It is now accepted that development projects must be economically viable, socially acceptable and environmentally sound. It is a condition of the Kenya Government for developers to conduct Environmental and Social Impact Assessment (ESIA) on the development Projects. According to Sections 58 and 138 of the Environmental Management and Coordination Act (EMCA) No. 8 of 1999 with 2015 amendments and Section 3 of the Environmental (Impact Assessment and Audit) Regulations, 2003 with 2019 amendments (Legal Notice No.101), construction of buildings require an Environmental and Social Impact Assessment study report prepared and submitted to the National Environment Management Authority (NEMA) for review and eventual licensing before the development commences. This was necessary as many forms of developmental activities cause damage to the environment and hence the greatest challenge today is to maintain sustainable development without interfering with the environment.

3.2 Environmental policy

This ESIA has been prepared to fully comply with environmental and social safeguard policies as and procedures as per various Regulations by National Environment Management Authority, in Kenya.. Table 3-1 shows the relevant policies.

3.3 Relevant Kenya Policies

Table 3-1: Policy Framework

No	Policy	Applicability
1.	Environmental Management and Coordination Act of 2015(Amendment)	The Act provides for the establishment of a legal and institutional framework for the management of the environment and for matters connected therewith and incidental thereto. Just as in the new constitution, Part II of EMCA confers to every person the right to a clean and healthy environment and to its judicial enforcement. The new Constitution and EMCA therefore obligates the project's Executing Agency and Contractor to work in a clean environment and not to contravene the right of any person within its zone of

No	Policy	Applicability
		<p>influence, to this entitlement. EMCA has provided for the development of several subsidiary legislations and guidelines which govern environmental management and are relevant to the project implementation. These include:</p> <ul style="list-style-type: none"> • The Environmental (Impact Assessment and Audit) Regulations, 2009 Legal Notice No. 101 • The Environmental Management and Coordination (Waste Management) Regulations, 2006 Legal Notice No. 121 • The Environmental Management and Coordination (Water Quality) Regulations, 2006 Legal Notice No. 120 • The Environmental Management and Coordination (Noise and Excessive Vibration Pollution) (Control) Regulations, 2009 Legal Notice No. 61 • The Environmental Management and Coordination (Conservation of Biological Diversity and Resources, Access to Genetic Resources and Benefit Sharing) Regulations, 2006 Legal Notice No. 160 <p>Relevance</p> <p>The contractor for civil works will be required to ensure compliance with the above regulations in order to promote a healthy and safe working environment throughout the construction phase. This shall include regular inspection and maintenance of equipment and prohibition of unnecessary hooting of vehicles.</p>
2.	Occupational Health & Safety, 2007 (OSHA 2007)	<p>The said Act requires that before any premises are occupied or used a certificate of registration should be obtained from the chief inspector. The occupier must keep a general register with provision for health, safety and welfare of workers on site. For safety, fencing of the premise and dangerous parts must be done. There should be provision for clean and sanitary working conditions. More so there must be also provision of quality and quantity wholesome drinking water.</p>

No	Policy	Applicability
		<p>Relevance</p> <p>The safety, health and welfare of all the workers associated with the proposed BRT will need to be assured in line with all the provisions of this Act throughout the Project lifecycle (construction and operational phases).</p>
3.	Public Health Act Cap 242	<p>Part IX section 115 of the Act states that no person or institution shall cause nuisance or condition liable to be injurious or dangerous to human health section 116 requires that local Authorities take all lawful necessary and reasonable practicable measures to maintain their jurisdiction clean and sanitary to prevent occurrence of nuisance or condition liable to injuries or dangerous to human health</p> <p>Relevance</p> <p>Implementation of the proposed BRT will need to be carried out in a manner that does not compromise public health and safety. In particular, all the waste and emissions generated during Project implementation will need to be managed in an appropriate manner so as to prevent any associated public health risks..</p>
4.	The Physical and Land Use Planning Act, 2019	<p>The said Act section 29 empowers the Local Authorities to reserve and maintain all land planned for open spaces, parks, urban forests and green belts. The same section allows for prohibition or control of the use and development of an area.</p> <p>Section 30 states that any person who carries out development without development permission will be required to restore the land to its original condition. It also states that no other licensing authority shall grant license for commercial or industrial use or occupation of any building without a development permission granted by the respective local Authority.</p> <p>Relevance</p> <p>NAMATA shall secure all mandatory approvals and permits as required by the law. Moreover, an ESIA process for the proposed by will be BRT will be undertaken. The provisions included in</p>

No	Policy	Applicability
		these Acts will be considered as part of resettlement planning for the proposed BRT.
5.	Land Planning Act Cap 303	<p>Section 9 of the subsidiary legislation (the development and use of land Regulations 1961) under which it requires that before the Local Authority submits any plans to the minister for approval, steps should be taken as may be necessary to acquire the owners of any land affected by such plans. Particulars of comments and objections made by the landowners should be submitted, which intends to reduce conflict of interest with other socio economic activities.</p> <p>Relevance</p> <p>This project follows a designated public road corridor and has no issues of encroachment or need to acquire private land</p>
6.	Public Roads and Roads of Access Act (Cap 399)	<p>Sections 8 and 9 of the Act provides for the dedication, conservation or alignment of public travel lines including construction of access roads adjacent to lands from the nearest part of a public road. Sections 10 and 11 allows for notices to be served on the adjacent land owners seeking permission to construct the respective roads.</p> <p>Relevance</p> <p>NAMATA will issue notices to road users before commencing construction activities</p>
7.	Traffic Act (Chapter 403, revised in 2012)	<p>This Act consolidates the law relating to traffic on all public roads. The Act also prohibits encroachment on and damage of roads including land reserved for roads. This project is under the provisions of this Act</p> <p>Relevance</p> <p>In line with the requirements of this Act, The contractor will need to install and properly maintain all the necessary road signs along the proposed BRT, and liaise with Kenya police in regulating traffic along this road during the operational phase. Moreover, aspects of preventing traffic obstruction on roads</p>

No	Policy	Applicability
		impacted by construction of the proposed BRT will need to be considered during the construction phase.
8.	County Governments Act, 2012	<p>Part II of the Act empowers the county government to be in charge of functions described in Article 186 of the constitution, (county roads, water and Sanitation, Health). Part XI of the Act vests the responsibility of planning and development facilitate the development of a well-balanced system of settlements and ensure productive use of scarce land, water and other resources for economic, social, ecological and other functions across a county. This arrangement has been adopted for interventions in order not to conflict with provisions of the Kenyan Constitution.</p> <p>Relevance</p> <p>The provisions included in these Acts were considered as part of stakeholder engagement process for the ESIA study for the proposed BRT.</p>
9.	HIV Aids Prevention and Control Act (Act No. 14 of 2006)	<p>This Act is to promote public awareness about the causes, modes of transmission, consequences, means of prevention and control of HIV and AIDS. It also seeks to positively address and seek to address conditions that aggravate the spread of HIV infection.</p> <p>Relevance</p> <p>Public Awareness and creation on HIV and AIDs will be done by the contractor</p>
10.	National Land Policy	<p>Chapter 2 of the policy is linked to constitutional reforms; regulation of property rights is vested in the government by the Constitution with powers to regulate how private land is used in order to protect the public interest. The Government exercises these powers through compulsory acquisition and development control. Compulsory acquisition is the power of the State to take over land owned privately for a public purpose. However, the Government must make prompt payment of compensation.</p> <p>Chapter 4 of the land policy under Environmental Management Principles, the policy provides actions for addressing the</p>

No	Policy	Applicability
		<p>environmental problems such as the degradation of natural resources, soil erosion, and pollution. For the management of the urban environment it provides guidelines to prohibit the discharge of untreated waste into water sources by industries and local authorities; it also recommends for appropriate waste management systems and procedures, including waste and waste water treatment, reuse and recycling.</p> <p>The policy goes further to advocate for environmental assessment and audit as a land management tool to ensure environmental impact assessments and audits are carried out on all land developments that may degrade the environment and take appropriate actions to correct the situation. Public participation has been indicated as key in the monitoring and protection of the environment. Chapter 4 further advocates for the Implementation of the polluter pays principle which ensures that polluters meet the cost of cleaning up the pollution they cause, and encourage industries to use cleaner production technologies.</p> <p>Relevance</p> <p>The project proponent shall implement the ESMP to ensure that the environment within project area and adjacent areas is not polluted by the subsequent activities during construction and operational phases. Health and safety measures will have to be maintained The proponent will also ensure that any affected land owner is promptly compensated.</p>
11	Kenya Vision 2030	<p>The Kenya Vision 2030 aspires for the country firmly interconnected through a network of roads, railways, ports, airports, water and sanitation facilities and telecommunications. According to Vision 2030,</p> <p>Relevance</p> <p>The proposed project is in line with the vision 2030 as it will lead to improved transport.</p>
12	The National Transport	This Act provides for the establishment of the National Transport

No	Policy	Applicability
	and Road Safety Act, 2012	<p>and Safety Authority (NTSA), the powers and functions of the authority, and for connected purposes. Section 22 of this Act provides for the establishment of county transport and safety committees in each county whose roles are to:</p> <ul style="list-style-type: none"> • Oversee the management and regulation of the road transport system by the Authority at the county level; • Prepare and submit to the Authority such audit reports as the Authority may require on the safety, reliability and efficiency of the road transport system within the county; • Advise the Authority on matters affecting the road transport system within the county; and • Perform such other functions as may be assigned to it by the Authority. <p>Relevance</p> <p>NAMATA will need to disclose the proposed BRT activities with the respective county transport and safety committees in the two counties traversed by the proposed BRT.</p>
13	Employment Act 2007,	<p>The Act is enacted to consolidate the law relating to trade unions and trade disputes, to provide for the registration, regulation, management and democratization of trade unions and employers organizations and federations. Its purpose is to promote sound labour relations through freedom of association, the encouragement of effective collective bargaining and promotion of orderly and expeditious dispute the protection and promotion of settlement conducive to social justice and economic development for connected purposes.</p> <p>This Act is important since it provides for employer – employee relationship that is important for the activities that would promote management of the environment at a workplace.</p> <p>Relevance</p> <p>The contractor will be bound by this law to abide to its stipulations on employee management and relations.</p>

No	Policy	Applicability
		The contractor must respect workers' rights to join (or not join) unions of their choice and to engage with those unions which workers are members of in relation to collective bargaining, disciplinary proceedings and retrenchment of workers.
14	Kenya Road Act, 2007	<p>This Act provides for the establishment of the KeNHA, the Kenya Urban Roads Authority (KURA) and the Kenya Rural Roads Authority (KeRRA), and provides for the powers and functions of the authorities and for connected purposes.</p> <p>Section 4 of this Act specifies the function of KeNHA, specifically; Section 4(1) states that "The Highways Authority shall be responsible for the management, development, rehabilitation and maintenance of national roads." Section 29 of this Act further indicates that in exercising the powers, an Authority shall do as little damage as possible, and, where any person suffers damage, no action or suit shall lie against the Authority, but he shall be entitled to such compensation thereof as may be agreed between him and the concerned Authority, or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice.</p> <p>Relevance</p> <p>In implementing the proposed BRT, NAMATA and the contractor will need to ensure that minimum damage, if any, is caused and all affected persons are appropriately compensated.</p>
15	National Gender and Equality Commission Act 2011	<p>The over-arching goal for NGECC is to contribute to the reduction of gender inequalities and the discrimination against all; women, men, persons with disabilities, the youth, children, the elderly, minorities and marginalized communities.</p> <p>Relevance</p> <p>This Act will be applied during hiring of workforce on site</p>
16	Land Laws with 2016 Amendments	It is the substantive law governing land in Kenya and provides legal regime over administration of public and private lands. It also provides for the acquisition of land for public benefit. The

No	Policy	Applicability
		<p>government has the powers under this Act to acquire land for projects, which are intended to benefit the general public.</p> <p>Relevance</p> <p>The Project proposed will be implemented within the existing road and Government land</p>
17	Child Rights Act (Amendment Bill) 2014	<p>This Act of Parliament makes provision for parental responsibility, fostering, adoption, custody, maintenance, guardianship, care and protection of children. It also makes provision for the administration of children's institutions, gives effect to the principles of the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child.</p> <p>Relevance</p> <p>The contractor under this Project will be required to comply to provisions of the Act during Project implementation</p>
18	Kenya Roads act 2007	<p>The Act gives management, development, rehabilitation and maintenance of national roads of the Highways Authority to the highway authority</p> <p>Relevance</p> <p>The contractor under this Project will be required to comply to provisions of the Act during Project implementation</p>
19	Kenya National Highways Authority	<p>Kenya National Highways Authority (KeNHA) is an autonomous road agency, responsible for the management, development, rehabilitation and maintenance of international trunk roads linking centres of international importance and crossing international boundaries or terminating at international ports(Class A road), national trunk roads linking internationally important centres (Class B roads), and primarily roads linking provincially important centres to each other or two higher-class roads (Class C roads). Their Vision A leading Highways Authority committed to quality, safe and adequate National Trunk Roads.</p>

No	Policy	Applicability
		Relevance The contractor under this Project will be required to comply to provisions of the Act during Project implementation

CHAPTER 4 : ENVIRONMENTAL AND SOCIAL BASELINE CONDITION

4.1 Introduction

Baseline conditions entail the sum-total of all biophysical and geo-physical condition of the project area. Gathering of baseline data is necessary to meet the following objectives:

- To understand key social, cultural, economic, and political conditions in areas potentially affected by the proposed project;
- To provide data to predict, explain and substantiate possible impacts;
- To understand the expectations and concerns of a range of stakeholders on the proposed development;
- To inform the development of mitigation measures; and
- To benchmark future socio-economic changes/impacts and assess the effectiveness of mitigation measures.

4.2 Physical Environment

4.2.1 Location of project area

There are hospitals, universities and CBD areas along THIKA Road, and the land use planning is mainly aimed at residential land, public facilities land and industrial land . The area around the starting point of the line mainly covers business, office and public facilities.

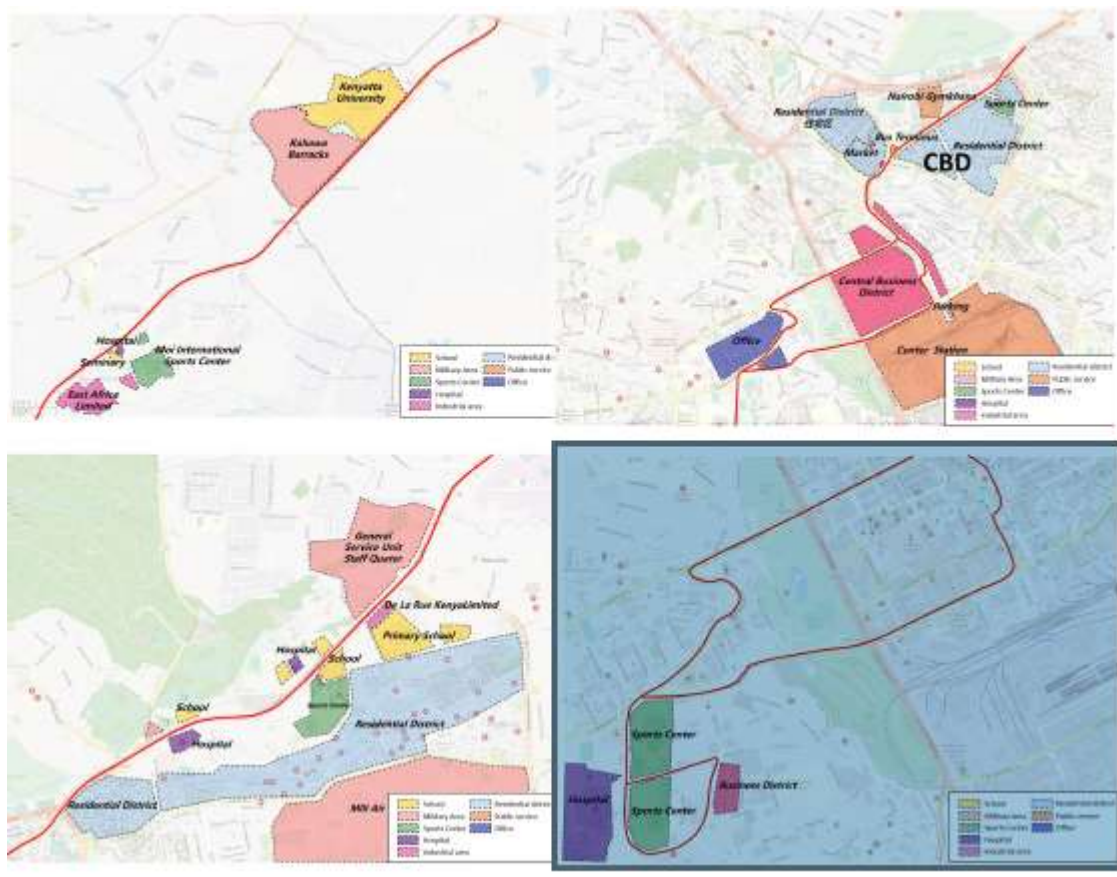


Figure 4-1: Area profile

4.2.2 Topography and Drainage

Nairobi main drainage follows the regional slope of the volcanic rocks towards the east, while subsidiary internal drainage into the Rift region is confined to the western part. The lava plains east of the line Ruiru-Nairobi-Ngong are underlain by a succession of lava flows alternating with lakebeds, streams deposits, tuffs and volcanic ash. These plains, comprising mainly the Athi plains and the northern section of the Kapiti plain, extend westwards, rising from 4900 feet (1493 m) at the Athi River to 6000 feet (1829 m) in the faulted region near Ngong. The lava plains are criss crossed with steep-walled gullies and canyon-like gorges, such as those along the Mbagathi valley. Further east this valley widens slightly where soft material is being actively eroded (Saggerson, 1991). The land of the project is reasonably flat and more details of its geotechnical nature will be known after the geotechnical survey whose report will be part of this ESIA report.

Ruiru and kasarani area are in Kiambu County and are characterized by steep slope and deep valleys, physiographic of the region is influenced by Aberdare ranges with topography

varying from steep in the western region and undulating landforms volcanic ranges in the Northern.

4.2.3 Hydrogeology and Soils

In general, one aquifer type is present in the study area; that associated with weathered rocks usually encountered beneath the soil cover and the overlying compact or un-weathered rock. Aquifers located in the weathered inter-volcanic zones or the erosional surfaces 'old land surfaces' are of regional extent and have high potential yield because the physical transmission of water within the aquifer is generally uniform

The rocks in the Nairobi area mainly comprise a succession of lavas and Pyroclastic of the Cainozoic age and overlying the foundation of folded Precambrian schist's and gneisses of the Mozambique belt (Saggerson, 1991). The crystalline rocks are rarely exposed but occasionally fragments are found as agglomerates derived from former Ngong volcano. The soils of the Nairobi area are products of weathering of mainly volcanic rocks. Weathering has produced red soils that reach more than 50 feet (15m) in thickness (Saggerson, 1991). A geotechnical investigation of the soil within the project site will be conducted and the findings and recommendations were made be part of this report.

The geology of the area is part of the Eastern Border Zone of the Rift Valley, filled with kainozonic volcanic and sediments underlying the upper Athi generating good aquifers. Soils on the other hand develop from weathering activities of the volcanic rocks and are highly fertile with high levels of perforation.

Typical tropic red soils (Latosols) are also dominant in some sections within the project area. They have a high clay content, a thin, but fertile, humus layer and a distinct aggregate structure. These characteristics make them resistant to soil erosion. The soils of the gentle to sloping slopes of the middle and low altitudes are covered by light red soils. There are also a lot of patches of grey soils (Gleysols, "vlei soils"). Shallow, stony soils are located on the steep slopes around the channels. The flat areas are swampy. Soil erosion and mass movement are one of the major problems in the catchment.

4.3 Biological Environment

This section describes key biological elements, including the identification and distribution of dominant, rare and unique flora and faunal species within the region of concern (proposed project site and other potentially affected areas).

4.3.1 Flora

Natural vegetation in proposed project area has been cleared to pave way for the establishment of both residential and commercial developments. The natural vegetation in the project area has thus been greatly modified. The remnants of the natural vegetation of the site and its environs are few scattered trees, mainly acacia shrubs as well as grass. The site has exotic plants and the project proponent is encouraged to do a lot of landscaping to provide greenery and maintain a healthy environment. Figure 4: Current state of project site with Acacia shrubs and natural grass

4.3.2 Fauna

The project site is situated within a commercial zone in Industrial Area of Nairobi City and Kiambu Counties where human activities have altered the natural habitat for animals over the years. The project's effect may seem insignificant to such lives but it is of great concern to the environment at large. It is expected that the area may be populated by small mammals such as mice, rats, moles and other members of the rodent family. Bird species were also observed at the site during the site meetings. None of the faunal species observed are rare or endangered.

4.4 Socio-economic Environment

4.4.1 Land use

Urban land use refers to spatial distribution of social and economic activities. Accordingly, an up-to-date land use inventory is frequently required to facilitate urban planning and growth patterns as well as monitoring of urban expansion. A study by the Department of Resource Surveys and Remote Sensing (DRSRS 1994) identified eight major land-use classes in Nairobi - Residential use, industrial, commercial and service centers, infrastructure land use, recreational areas, urban agriculture as well as water bodies and riverine areas. The current land-use of the project area is the existing Thika super highway..

4.4.2 Economic Activity

The economy and the environment are closely linked, as natural resources are the basis of production, manufacturing and waste disposal. Environmental resources such as forests, water and land have a vital role to play in boosting economic growth and reducing poverty. While it may be argued that economic growth brings many benefits to people, the attendant pollution loading and resource depletion poses great risks to human health and the environment. If not managed properly this may even jeopardize the viability of the economic activities being supported. Nairobi is a major contributor to Kenya's economy: it generates over 45 per cent of GDP; employs 25 per cent of Kenyans and 43 per cent of the country's urban workers (UN-Habitat 2006). The paradox is that the financial capacity of the Nairobi City County is extremely limited, largely because of poor resource management and a weak revenue collection system. As a result, there is a 200 per cent shortfall between the revenue collected per capita (\$7 on average) and per capita expenditure (\$21) (UN Habitat 2006). The project area is in a commercial environment that will be boosted by improved livelihoods of persons who can be engaged in these commercial activities through employment.

4.4.3 Population

Population is a major driver of environmental change in Nairobi and as such is a determinant of other parameters such as solid-waste-generation rates, land-use patterns and settlement, and water consumption. The population of Nairobi grew from 8,000 in 1901 to 118,579 in 1948 (Rakodi 1997). By 1962, the city had a population of 343,500 people, although some of this could be attributed to extension of the city's boundaries. Between the 1948 and 1962 censuses, the population grew at an average rate of 5.9 per cent per annum, compared with 7.6 per cent in the previous 12-year period. The population in 2009 was 1.1 million as per the 2009 Census (Kenya National Bureau of Statistics (KNBS), 2012), and 4 million in 2019 as per the 2019 Census.

4.4.4 Employment Trend

As Nairobi's population increases, so does the demand for jobs. Currently, 56.6 per cent of women and 68.6 per cent of men aged between 15 and 50 are economically active (CBS et al. 2004). Between 1989 and 1997, the combined formal and informal sector employment growth was 2.3 per cent per annum, less than half that of the rate of population growth (Post Buckley International Inc.1998). It is estimated that about 500,000 people join the labour force annually. Most of these are unable to secure employment and thus remain unemployed or end

up in traditional agriculture and in the informal sector (Odhiambo and Manda 2003). The 1997–1998 labour force survey showed that 9 per cent of people in Nairobi were employed and 24 per cent unemployed (CBS 2003b). It is possible that most of the beneficiaries of this proposed project are employed in casual jobs within the industrial commercial area.

4.4.5 Water Resources

Although Nairobi City County relies mainly on piped water supplies, the sources of these supplies lie outside the city. The surface streams and rivers are heavily contaminated by domestic and industrial effluents and solid wastes. Naturally rivers are expected to cleanse themselves as they move downwards, but this is not the case with the Nairobi River and its tributaries, because there are many sources of organic pollution along the river. Water supply in the area of the project is from Nairobi Water and Sewerage Company (NWSC) though the supply is not regular and water shortage is experienced some days of the week in the project area. The natural groundwater quality is generally good and reaches the drinking water standards for most constituents, except for fluoride, which often exceeds 1 mg/l (Foster and Tuinh of 2005). There is planned that there will be two boreholes constructed to supplement the water from NWSC for use in the affordable units.

4.4.6 Waste Management

Waste management is a growing problem in Nairobi. Increasing urbanization, rural-urban migration, rising standards of living and rapid development associated with population growth have resulted in increased solid waste generation by industrial, domestic and other activities. The increase in solid waste generation has not been accompanied by an equivalent increase in the capacity of the relevant urban authorities to deal with this problem. Only about 40 per cent of the waste generated in Nairobi is collected by the City County of Nairobi, the private sector collects about 20 per cent and the balance is left uncollected, or is disposed off through other means, including by burning, dumping in pits and other unauthorized places, or is collected by the numerous nongovernmental organizations, community- based groups and other ad hoc or voluntary groups (Ikiara 2006). It is estimated that there are at least

60 private companies engaged in solid waste collection services in the city (JICA 1998 in UNEP/NEMA 2005). The existing waste management practice in the neighborhood of the proposed project site and within the Nairobi City County in general includes collection by contracted companies and dumped at dumping sites, mainly Dandora dumpsite in Eastland's in Nairobi City County. Therefore, the neighborhood of the proposed site relies on private

garbage collectors to dispose of solid wastes. The proponent will be required to contract a licensed solid waste transporter to collect and transport solid waste from the site for dumping at approved sites.

On liquid wastes management, domestic waste water will be directed to existing sewer lines in the project area.

CHAPTER 5 : ANALYSIS OF PROJECT ALTERNATIVES

5.1 Introduction

The purpose of this section of the ESIA is to examine feasible alternatives to the project and, highlight the benefits of and general rationale for the project that need to be considered against any potential environmental cost. The general principle involved in identifying option(s) to the proposed development is to ensure that the option chosen, which indeed may be the ‘non development’ option, would result in optimal returns in social and environmental capital: In effect, the option chosen should bode well not only for the developer, but also for the environment and stakeholders in the area.

This section is a requirement in line with Regulation 18(1) of Legal Notice 101 specifies the basic content of an Environmental Impact Assessment report subsequent to which, subsection (i) requires an analysis of alternatives including project site, design and technologies and reasons for preferring the proposed site, design and technologies.

Feasible land-use options are compared in terms of lowest costs and most benefits criteria: environmental impacts, social acceptability, economics (including productivity of land-use) and design feasibility. However, under this study the alternative that was considered for the project was basically focused on:

- Proposed Project Option
- No action alternative
- Alternative transport modes
- Alternative materials and technology
- Alternative route

5.2 Proposed project option

The objectives of the BRT project are:

- To reduce growth in private motorized vehicles, thus reducing traffic congestion and greenhouse gas (GHG) emissions through upgrade to their transit systems;
- To implement improved non-motorized transport infrastructure; a apply travel demand management; as well as other supporting policies
- To have a comfortable public transport system at reasonable cost to the users and yet profitable to the operators, using quality high capacity buses which meet international service standards, environmentally friendly operating on exclusive lanes at less travelling time.

- To increase the level of mobility of the majority of residents enhancing their participation in wide range of economic and social activities

To facilitate the use of Non-Motorised Transport (NMT) by improving service roads

There shall be a Bus terminal at KNH, and depots in Kasarani and Ruiru as well as transfer station at Nairobi Railway station. Along the corridor will be a Non- Motorized Transport.

Other corridor are line one running from James Gichuru Road/Waiyaki Way to Jomo Kenyatta International Airport While line Two stretches from Lang'ata Road to Ngong Road, Juja Road, Komarock Road to Ruiru., Line Three will run from Githurai through Thika Road to Moi Avenue in the central business district and terminate at Kenyatta Hospital. Line Four will cover around T-mall to Jogoo Road while line Five shall be along Outering Road.

The impacts and mitigation measures for this alternative are discussed in detail throughout this report.

The positive impacts have been identified. This alternative will have minimal impacts on the physical environment and has considered the necessary measures to eliminate the identified issues of concern. The alternative is likely to have the greatest implications on socio-economic environment of the area and surrounding communities. Due to the proposed quality of the development, it is anticipated that it would provide a major opportunity for area development, employment opportunities via business environment and accessibility to services to both the residents and non-residents of the area. In addition, a development of this caliber will add to the locality's ability to fuel the growth and development of the wider environment.

The Merits of this alternative are as follows:

- Improved City and National Transport
- Improved Air quality
- Creation of job opportunities
- The property (land) value will appreciate
- Visual and aesthetic amenities will be improved;
- The local and national economies will improve through creation of Market for Construction Materials
- Technology Transfer

From the above analysis of alternatives, the 'Proposed Project Option' is the most valid option that should be adopted since it has more positive impacts to the environment and the

community in the project area as a whole with minimal negative impacts that can be minimized or avoided with the implementation of the proposed mitigation measures in the ESMMP

5.3 “No-action” Alternative

This “alternative” implies maintenance of the status quo. That is, the proposed project is put on hold and the current mode of transport in the proposed project area will be maintained. This would have far reaching negative implications on the environment in its totality including among others:

- Continued air pollution
- Congestion of the city
- slow mobility will persist and worsen with time: the local communities would continue to suffer from wastage of time on roads due to inadequate transport opportunities
- The sick and pregnant would continue shouldering the same difficulties while on transit to health facilities.
- Pupils and workers would reach at their respective schools and offices very late.
- The cost of transport will increase more and more

This being the case then, “No Project Alternative” is discarded in favor of the Preferred Alternative which will lead to realization of the project objectives which are for the good of the greatest majority.

5.4 Alternative transport modes

The proposed BRT project will be aimed at using the existing roads. The alternative to the existing roads would be railway transport, air and water ways. Looking at the way how Nairobi is built and continue to expand, it is evident that most of the housing structures continue to follow these old roads and also developing towns are clustered along these roads that connect the city to other major towns such as the CBD , Ruiru, Thika, and Juja towns , Railway lines as alternative to the proposed BRT project. The existing railway line In the proposed project areas traverses, Kasarani , Githurai, and Ruiru urban areas and does not meet the demand of transport hence majority of resident in this have no no other option rather than use the road transport . Any new railway infrastructure may have to be freshly constructed thus triggering significant impacts of involuntary resettlement. The effects to residents in the

project area will be impacted as this will also include involuntary settlement to pave way for the railway in. The proposed project does not involve resettlement hence was considered Water Transport as an alternative to the Proposed BRT Project. The proposed project areas is not connected to big water bodies and therefore they cannot benefit from this alternative. Therefore existing road network still seem plausible to be improved to cater for the ever growing number of population in Nairobi

5.5 Alternative materials and technology

The proposed project will be constructed using modern, locally and internationally accepted materials to achieve public health, safety, security and environmental aesthetic requirements. Equipment that saves energy and water will be given first priority without compromising on cost or availability factors. The use of gravel, sand and cement that meet the Kenya Bureau of Standards requirements is recommended

5.6 Alternative route

The important aspect of this project road is that it is envisaged to follow the existing alignment that is free from encroachment; therefore the alternatives to the project route become limited.

CHAPTER 6 CONSULTATIONS AND PUBLIC PARTICIPATION

6.1 Introduction

Public participation basically involves engaging members of the public to express their views about a certain project. Public participation tries to ensure that due consideration will be given to public values, concerns and preferences when decisions are made. Public involvement is a fundamental principle of the ESIA process. Timely, well planned and appropriately implemented public involvement programs will contribute to ESIA studies and to the successful design, implementation, operation and management of proposals. Specifically, public involvement is a valuable source of information on key impacts, potential mitigation measures and the identification and selection of alternatives. It also ensures the ESIA process is open, transparent and robust, characterized by defensible analysis. Nearly all ESIA systems make provision for some type of public involvement. This term includes public consultation (or dialogue) and public participation, which is a more interactive and intensive process of stakeholder engagement. Most ESIA processes are undertaken through consultation rather than participation. At a minimum, public involvement must provide an opportunity for those directly affected by a proposal to express their views regarding the proposal and its environmental and social impacts.

6.1.1 Objectives of the Public Consultations

The overall goal of the consultation process is to disseminate project information and to incorporate the views of the project beneficiaries and Project Affected Persons (PAPs) in the design of the mitigation measures and a management plan.

The specific aims of the consultation process are to:

- Improve Project design and, thereby, minimize conflicts and delays in implementation;
- Facilitate the development of appropriate and acceptable entitlement options;
- Increase long term project sustainability and ownership;
- Reduce problems of institutional coordination;
- Make the resettlement process transparent; and
- Increase the effectiveness and sustainability of income restoration strategies, and improve coping mechanisms.

An important element in the process of impact assessment is consulting with stakeholders to gather the information needed to complete the assessment. The main objectives of stakeholders consultations were to:

- **Inform:** Promote stakeholder understanding of issues, problems, alternatives, opportunities and solutions through balanced and objective information sharing;
- **Consult:** To obtain feedback and acknowledge concerns and aspirations of stakeholders on analysis, alternatives, and decisions with regard to housing projects
- **Engage:** Work directly with stakeholders to ensure that their concerns and aspirations are understood and considered and to assure them that their concerns / aspirations would be directly reflected in the developed alternatives; and that feedback will be provided on how their input influenced the final decision.
- **Empower:** Make stakeholders partners in each aspect of the decision, including development of alternatives and identification of preferred solution so as to ensure ownership of subprojects at grassroots level.

6.2 Stakeholders consultation Methodology

Consultations and public participation exercise for the assessment was carried out as from 2018 to 2021.

6.3 Outcome of consultations

Stakeholders consultation were held with several leaders within the project area. Minutes of the stakeholders, meetings are part of the annexure (Annex 5).

CHAPTER 7 : POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7.1 Introduction

This ESIA assessment has been systematically conducted to determine whether the proposed Project will have a diverse impact on the environment. The Environmental Management and Co- ordination Act (EMCA) No .8 of 2015 provide the legal and statutory guideline for the Environment and Social Impact Assessment process in Kenya.

The impacts in this Chapter have been generated based on the analysis of the proposed environment in relation to the proposed project. The impacts arising during each of the phases of the proposed development namely construction, operation and decommissioning, can be categorized into:

- Impacts on biophysical environment;
- Health and safety impacts
- Social-economic impacts

7.2 Definition and Classification of Environment Impact

An environmental impact is any change to the existing condition of the environment caused by human activity or an external influence. Impacts may be:

- Positive (beneficial) or negative (adverse);
- Direct or indirect, long-term or short-term in duration, and wide-spread or local in the extent of their effect.

Impacts are termed cumulative when they add incrementally to existing impacts. In the case of the project, potential environmental impacts would arise during the construction and the operations phases of the Project and at both stages, positive and negative impacts would occur.

7.2.1 Impact Assessment and Scoring

The impact analysis were done using the Leopold matrix which is a grid that is used to identify the interaction between project activities, which are displayed along one axis, and environmental characteristics, which are displayed along the other axis. For the identification of impacts a breakdown of the environment into elements or factors that may be affected and a breakdown of the various actions or activities of the project under study were done.

The potential impacts associated with the proposed development have been assessed as presented in **Table 7-1**. Precautionary principle was used to establish the significance of

Table 7-1: Impact Rating Criteria for Environment and Social Risks

Extent		Duration		Intensity		Probability		Weighting Factor (WF)		Significance Rating (SR)		Mitigation Efficiency		Significance Following Mitigation (SFM)	
Footprint	1	Short term	1	Low	1	Probable	1	Low	1	Low	0-19	High	0,2	High	0-19
Site (1km radius)	2	Short to medium	2			Possible	2	Low to Medium	2	Low to Medium	20-30	Medium to High	0,4	Medium to High	20-30
Location	3	Medium term	3	Medium	3	Likely	3	medium	3	medium	40-59	medium	0,6	medium	40-59
Sub County	4	Long term	4			Highly likely	4	Medium to high	4	Medium to high	60-79	Low to medium	0,8	Low to medium	60-79
County	5	Permanent	5	High	5	High	5	High	5	High	80-100	low	1,0	ow	80-100

Definition of Terms

Extent: An area of influence covered by the impact. In this sense, if the action produces a much-localized effect within the space, it is considered that the impact is low (1). If, however, the effect does not support a precise location within the project environment, having a pervasive influence beyond the project footprint, the impact will be at location level (3) or could be County (5)

Timing: Refers to the moment of occurrence, the time lag between the onset of action and effect on the appearance of the corresponding factor. We consider five categories according to this time period is zero, up to 1 year (short term), or more than two years, which are called respectively medium term (3), long-term (4), and permanent (5).

Intensity: refers to the degree of impact on the factor, in the specific area in which it operates, ranked from low (1) to high (5).

Probability: Refers to the likelihood of the impact occurring during the project implementation, this is also ranked as Probable (1) to highly probable.

impacts and their management and mitigation i.e. information, the Environmentalist erred on the side of caution.

7.3 Positive Impacts during Construction Phase

7.3.1 Employment Opportunities

This project is anticipated to create employment opportunities for many people including the following staff directly or indirectly linked to the project

- Supervising Engineering team
- Contractors staff (Managerial, skilled and unskilled labour force)
- Suppliers of plants, machinery, materials, and other essential services

Direct Job creation will begin from the construction phase of the project whereby the locals will be tasked to undertake both informal and formal jobs at the construction site.

7.3.2 Technology transfer

The Project will be associated with technological and knowledge transfer to the local sector, this will be through the artisans employed and trained by the Project

7.3.3 Creation of market for construction material

The Project will require materials, some of which will be sourced locally and some internationally. These include, cement, sand, hardcore and chemicals. This will provide a ready market for suppliers in and outside the project area.

7.3.4 Impact on the socio- economy

The restrictions imposed by the traffic jam in the city daily on daily basis, affects the socio-economy of the community profoundly. Therefore leaving the roads in the present status will keep on holding back development to the city, thus hindering activities that would result in advancement from continuous development. Also the BRT project is likely to give employment to local community, improve/ enhance market access to various commercial areas creating more economic and business opportunities as well as other benefits that go along with urbanization.

7.4 Negative Impacts during Construction Phase

7.4.1 Project Social Risks

The Project activities as described in the report have the potential of triggering various social risks both at Project Construction Phase and Operation Phase. This assessment has identified potential social risks associated with the Project as listed below and analyzed in **Table 7-2** below.

- (i) Labour Influx Impacts
- (ii) Human Rights and gender inclusivity
- (iii) Increased Transmission of communicable diseases including HIV/AIDS
- (iv) Disturbance of traffic and difficult of access
- (v) Community accidents

Table 7-2: Impacts on Social Setting

Impact Sources	Project Impacts to social setting of the Project area		Mitigation Efficiency
Nature of impact	(i) Labour Influx Impacts (ii) Human Rights and gender inclusivity (iii) Child protection (iv) Increased Transmission of communicable diseases including HIV/AIDS (v) Community accidents		
Reversibility of impact	Yes		
Mitigation Measures	As detailed below		
Affected stakeholders	Workers and Community		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-5	
	<i>Duration</i>	Medium term-4	
	<i>Probability</i>	Likely – 4	
Significance	Weigh ting	(Extent+ Intensity +Duration + Probability)x WF(2+3+3+3) x1=11 (Low)	Low

Labour Influx Effects

This impact is triggered during Project Construction Phase due to the Project attracting various categories of workers from local, national and international markets. This therefore leads to

concentration of people in one area drawn from diverse social and cultural backgrounds often resulting to a number of issues as listed below;

- (i) Strain on various resources especially water resources for road works
- (ii) Grievances from local community members over job opportunities.
- (iii) Sexual Offences
- (iv) Teenage Pregnancies

Mitigation Measures to Labour Influx Impacts

- (i) Effective community engagement and strong grievance mechanisms on matters related to labour
- (ii) Effective contractual obligations for the contractor to adhere to the mitigation of risks against labour influx, the contractor should engage a local community liaison person as provided for in chapter 6
- (iii) Proper records of labour force on site while avoiding child and forced labour
- (iv) Comply to provisions of WIBA 2007
- (v) Develop and implement a children Protection Strategy, this strategy will ensure that no child under the legal age of 18 years is employed to the Project.

Human Right and Gender Inclusivity

This impact is triggered during Project Construction Phase due to the potential of the Contractor's failure to comply with the following provisions;

- (i) Gender Inclusivity requirements in hiring of workers and entire Project Management as required by Gender Policy 2011 and 2/3 gender rule.
- (ii) failure to protect Human Risk areas Associated with, Disadvantaged Groups, Interfering with Participation Rights, and interfering with Labour Rights

Mitigation Measures of Human Rights and Gender Requirements

- (i) Mainstream Gender Inclusivity in hiring of workers and entire Project Management as required by Gender Policy 2011 and 2/3 Gender Rule.
- (ii) The existing community structures headed by location chiefs should be involved in local labour hire, emphasize the requirement of hiring women, youth and people with disability.

- (iii) Protecting Human Risk areas Associated with, Disadvantaged Groups, Interfering with Participation Rights and interfering with Labour Rights

Child Protection

The possibility of contractor children abuse is through hiring of child labour, also labour force on site might abuse children within the Project area through sexual advance that could lead to early pregnancies and school dropout including exposure to communicable diseases such as HIV and AIDS. The contractor will undertake the below listed mitigation measures.

Mitigation Measures to child protection

- (i) Develop and implement a Children Protection Strategy that will ensure minors are protected against negative impacts associated by the Project.
- (ii) All staff of the contractor must sign, committing themselves towards protecting children, which clearly defines what is and is not acceptable behaviour
- (iii) Children under the age of 18 years should be hired on site as provided by Child Rights Act (Amendment Bill) 2014

Increase in Prevalence of Communicable Diseases

This impact is triggered during Project Construction Phase due to the Project attracting various categories of workers from local, national and international markets. This therefore leads to concentration of people in one area drawn from diverse social and cultural backgrounds often resulting to people engaging in risky sexual activities.

Mitigation Measures to Risk of Communicable Diseases

- (i) COVID 19 and HIV/AIDS Awareness Program and other communicable diseases to be instituted and implemented as part of the Contractor's Health and Safety Management Plan to be enforced by the Supervising Engineer.
- (ii) Strict compliance to WHO and GoK mitigation measures for fight against Covid -19 that include Maintaining the social distancing and Personnel hygiene which include frequent washing of hands
- (iii) Periodic COVID 19 and HIV/AIDS and other communicable diseases Awareness Workshops for Contractor's Staff
- (iv) Access to Contractor's Workforce Camps by outsiders to be controlled
- (v) Contractor to provide standard quality condoms to personnel on site

Disturbance of traffic and difficulty of access

During construction there will be heavy duty vehicles that come to construction site to deliver various construction materials. BRT roads will affect the cross street traffic by the adjustments specified for the intersections. This will increase congestion and long traffic jams from the increasing number of vehicles in the city.

Mitigation measures to Disturbance of traffic and difficulty of access

- Provide diversion routes where possible.
- Give a construction itinerary in advance so that the potentially affected population can use alternative routes and start early to get to their destinations on time.
- Erect warning signs of on-going works.
- Expedite construction works so as to reduce the times where roads are blocked.
- Traffic department should approve crossing plan prior to construction, and should approve obstruction times during construction.
- Access of residents should be facilitated by installing appropriate temporary bridges.
- Suitable warning signs should be placed at near locations and should be visible at night.
- Alternatives access ways should be communicated to the road users.

Community accidents

Use of heavy machinery in site clearing presents safety hazards. Vehicular movements can cause accidents to community members resulting in injuries and probably death.

Mitigation measures to Disturbance of Community accidents

- Ensuring that the drivers and machine operators hired to work on the site are qualified.
- Establish and enforce a strict code of conduct for all project drivers including outside suppliers delivering materials. The code should focus on safety, especially speed, and loading, especially banning all carriage of staff, workers and passengers except in seats.
- Appropriate signs must be erected on the site to warn workers and community members.
- The surrounding community should be sensitized on health and safety.

7.4.2 Waste Generation Impacts (Liquid and Solid)

During construction, solid waste will be generated from a wide range of project activities. Some of the waste includes, wrapping materials discarded by the workers on site, food waste from kitchens, waste from the workshops and offices consisting of waste papers, and containers etc.

Also, during construction various types of liquid waste will be produced such as leakages (oil and grease) of fuels and lubricants from the construction equipment's and workshops. Ground water (e.g. through water wells) and surface water contamination may also occur if the contractors do not follow pollution control measures. Ground water can be contaminated through leaching of contaminated soil both during construction and operation phases of the BRT project. To minimize pollution and visual intrusion, the waste will have to be managed appropriately as provided by Waste Management Regulation of 2006. **Table 7-3** provides impact scoring for waste generation on site.

Table 7-3: Waste Generation Impacts

Impact Sources	Adverse Impact associated with Health and Safety		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> - Impact involves pollution of the environment caused by construction generated solid and liquid waste which include waste water, fuels, oils, hazardous substances and other liquid pollutants. - These waste could pose health and sanitation risks when washed away into water bodies 		High
Reversibility of impact	Yes		
Affected stakeholders /areas	Workers and Community		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-5	
	<i>Duration</i>	Medium term-4	
	<i>Probability</i>	Likely – 4	
Significance	Weighting	(Extent+ Intensity +Duration + Probability)x WF(2+5+4+4) x4=60 (Medium to High)	Medium to high

Waste Management Mitigation measures are summarized below.

Solid Wastes Impacts Mitigation Measures

- (i) The contractor shall develop a comprehensive waste management plan prior to commencement of works
- (ii) Properly labelled and strategically placed waste disposal containers shall be provided at all places of work
- (iii) Litter bins should have secured lids to prevent animals and birds from scavenging
- (iv) All personnel shall be instructed to dispose of all waste in a proper manner
- (v) Recycling of construction material shall be practiced where feasible e.g. containers and cartons
- (vi) Earth spoils shall be disposed of in pre identified sites

Liquids Wastes Impacts Mitigation Measures

- (i) Water containing pollutants such as concrete or chemicals should be directed to a conservancy tank for removal from the site where applicable
- (ii) Potential pollutants of any kind and form shall be kept, stored and used in such a manner that any escape can be contained
- (iii) In case of any form of pollution the contractor should notify the Supervising Engineer
- (iv) Wash areas shall be placed and constructed in such a manner so as to ensure that the surrounding areas including groundwater are not polluted
- (v) No grey water runoff or uncontrolled discharges from the site or working areas to any

Hazardous wastes Impacts Mitigation Measures

- (i) The contractor shall ensure that the machines and equipment are in good condition
- (ii) Ensure proper handling of lubricants, fuels and solvents while maintaining the equipment
- (iii) Any chemical or fuel spills shall be cleaned up immediately. The spilt liquid and clean-up material shall be removed, treated and transported to an appropriate site licensed for its disposal.
- (iv) A safety and emergency response plan will need to be developed for all operations with emphasis on the protection of the environment prior to start up.

- (v) Any chemical or fuel spills shall be cleaned up immediately. The spilt liquid and clean-up material shall be removed, treated and transported to an appropriate site licensed for its disposal;
- (vi) Storm water shall be diverted away from the fuel handling and storage areas. An oil water interceptor shall be provided to treat any rainwater from fuel storage and handling areas;
- (vi) Measures should be taken to ensure proper storage of fuel, oil and bitumen. Oil-water interceptors or sumps should be constructed to capture discharge of oils, fats and other polluting liquids from maintenance workshops, vehicle and equipment washing bays and kitchen drains;
- (vii) At the work sites the contractor will be expected to maintain strict surveillance particularly when working within the vicinity of water supply points and the rivers within the project area;

7.4.3 Air Quality Pollution

Potential air pollution caused by emissions from construction equipment (carbon, hydrocarbons, particulate matter,) Emission of dust from trucks and vehicles accessing the construction areas and camp sites. The potential impacts on air quality will occur mostly in the excavation and demolition areas and other equipment's used at construction area such impacts may affect the immediate residential houses and commercial premises as illustrated in **Table 7-3** below.

Table 7-4: Air Quality Impacts Rating

Impact Sources	Impact trigger from Construction activities involving excavations and plant movement on site	Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> High traffic flows the project alignment Emissions During off loading and on-loading of materials Hydro carbons exhausts from plant and equipment on site. Sensitive receptors that might be impacted by poor air quality include: <i>residents near the proposed area and road users</i> 	High
Reversibility of impact	Yes (Air quality Regulations of 2014)	

Affected parties	Community, workers		
Magnitude	<i>Extent</i>	Site-2	
	<i>Intensity</i>	High-5	
	<i>Duration</i>	Medium-4	
	<i>Probability</i>	High-5	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+5+4+5) x 3= 48 (high)	medium

Mitigation Measures

- Maintain construction equipment at high operational conditions such as to control emissions into the air.
- Earth moving be done under damp conditions as much as possible to prevent emission of dust into the air,
- Use of sprinklers to regularly water construction site, this suppresses the dust menace at construction sites
- Provide People working in the sites with dust emissions to use dust masks to prevent respiratory infections.

7.4.4 Impact on soil resources

Removal of vegetation cover during site clearance hard surfacing and channelling of floodwater will expose soil to water and wind which are agents of erosion soil erosion and flooding.

The impacts therefore likely to be triggered by the Project activities on soil resource include;

- Soil contamination caused by oils and fuel leaks from construction equipment
- Soil erosion due to clearing of vegetation hard surfacing and channeling of floodwater.

The assessment also identified that less significance impacts are anticipated on Soil resource as discussed in **Table 7-5** below.

Table 7-5: Impacts on Soil Resources

Impact Sources	Project activities which could lead to soil compacting and interference with soil structure hence making top soils loose and susceptible to agents of erosion.	Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> • Destruction of Soil Structure due to top soil breaking 	High

	leading to soil erosion <ul style="list-style-type: none"> • Movement of plant and equipment could result to soil compacting which inhibits soil aeration leading to death of soil microorganisms. • Soil contamination caused by oils and fuel leaks from construction equipment leading to Oil Acidity increase • Soil Erosion due to clearing of vegetation cover hard surfacing and channeling of floodwater which results to death of soil microorganism and reduced soil productivity 		
Reversibility of impact	Yes		
Affected stakeholders /areas	Terrestrial ecosystems		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x1= 11 (Low) to Medium)	Low

Mitigation measures

a) Soil Erosion due to Clearing of hard surfacing and channeling of floodwater

- Areas affected by construction related activities and/or susceptible to erosion must be monitored regularly for evidence of erosion, these include: areas stripped of topsoil, Soil stockpiles, Spoil sites, Borrow pits, Sites for bridges and drainage structures.
- Monitoring should also be done during the operation phase to prevent road degradation by erosion caused by flash floods.

b) Road Works Resulting to Soil Compaction

- Split compacted area to reduce runoff & re-vegetate where necessary
- Vehicles to be kept in designated access roads.

c) Road Works Resulting to Soil Pollution

- The contractor should develop an emergency response plan that includes spill response strategy.
- Spills should be immediately addressed per the appropriate spill management plan and initiate soil clean up and soil removal if needed. Spill kits should be availed to aid this
- Spill prevention practices and response actions should be applied in refueling and vehicle use areas to minimize accidental contamination
- Containment around the garage, fuel store and fuelling station should be ensured so that these potentially polluting substances can be properly handled and any intended escape of material from that area can be contained until such time as remedial action can be taken
- Proper handling of material through use of dip trays, directing spills to an oil sump which should be emptied into a designated disposal site
- Refuel in designated refueling areas that include a temporary berm to limit the spread of any spill.
- Proper maintenance of machinery and equipment to avoid or minimize leakages from machines

7.4.5 Excessive Vibration and Noise Pollution

Construction Phase for the proposed project will most likely result in noise emissions as a result of the machines that will be used and construction vehicles delivering materials to site. Noise and excessive vibration can be a nuisance to the local community if construction works begin too early in the day and continues into the night as indicated in **Table 7-6** on Noise generating activities such as equipment operations and the workers themselves could be a public nuisance to nearby settlements and commercial centres, health centres and schools especially those within 200 m of the project site. As required, OSHA 2007 and EMCA 2015 Noise and Excessive Vibration 2009 should be adhered to. **Table 7-7** below provides permissible noise levels for a residential and construction sites

Table 7-6: Permissible Noise levels

MAXIMUM PERMISSIBLE NOISE LEVELS FOR CONSTRUCTION SITES (Measurement taken within the facility)			
		Day	Night
i.	Health facilities, educational institutions, homes for disabled etc.	60	35
ii.	Residential	60	35
iii.	Areas other than those prescribed in (i) and (ii)	75	65

Table 7-7: Impacts Associated with Noise and Vibrations

Impact Sources	Construction activities that may cause excessive vibration and noise pollution		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> Hearing impairments to construction workers, neighboring communities and institutions including schools near project working areas. 		Medium
Reversibility of impact	No		
Affected stakeholders / areas	Workers, persons living or working near project site		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Short to medium-2	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability)x WF(2+3+2+3) x3= 30 (Low to Medium

		Low-Medium)	
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Mitigation Measures

To control noise pollution:

- Avoid night time construction when noise is loudest;
- Conduct periodic noise measuring and monitoring to determine levels and extent of harmful noise;
- Clearly label the high noise areas;
- Provide PPE personal protective equipment (PPE) including masks, goggles, scarfs, boots and overalls among other protective clothing to persons operating within or visit identified high noise areas.
- In order to meet noise level requirements, the equipment should be equipped with standard noise attenuation features. Machines that exceed acceptable noise limits should be equipped with silencers or lagging materials or specially designed acoustic enclosures;
- Inform local residents when construction activities are likely to generate excessive noise in order to minimize disruption to local residents through posters along construction sites.
- Sensitize truck drivers to avoid hooting especially when passing through sensitive areas such as churches, residential areas and hospitals

7.5 Positive Impacts during Operational Phase

7.5.1 Employment opportunities

Under Project operation, employment for the operation and maintenance activities of the BRT will be required, resulting in long-term employment opportunities for the local and national workforce..

7.5.2 Improved City and National Transport

It is important to restate the overall objectives behind the introduction of BRT in Nairobi, or indeed other projects designed to improved urban passenger transport. These are to transform Nairobi's current transport services towards an efficient, affordable, and environmentally sustainable urban transport system which promotes economic growth and decent employment.

7.5.3 Reduced emergency response time

The project expected to significantly reduce response time to emergencies as the BRT will help in decongesting traffic hence leading to reduced journey times for motorists and passengers travelling to work within the project area and beyond Nairobi;

7.5.4 Reduced cost of transport

It is expected that the BRT buses will charges passengers at lower rates than the current rates being charges by public transports. In addition the project is expected to decongest traffic significantly and save hundred millions of shillings per year. (Kshs 50 million shillings lost daily from the delays and fuel wastage caused by traffic jams, and accidents especially in urban areas).

7.5.5 Improved Health

The health benefits from the BRT scenarios stem from reductions in exposure to harmful pollutants which result to incidence of premature mortality, respiratory diseases among other diseases.

7.5.6 Improved air quality

The newer buses will be emitting lower emissions as per Euro III Emission Standards compared to the existing fleet with age ranging between 10 to 25 years of operational age.. Oxides of nitrogen (NO_x) react in the atmosphere to form nitrogen dioxide (NO₂) which can have adverse effects on health, particularly among people with respiratory illness. High levels of exposure have been linked with increased hospital admissions due to respiratory problems, while long term exposure may affect lung function and increase the response to allergens in sensitive people. NO_x also contributes to smog formation, acid rain, can damage vegetation, contributes to ground level ozone formation and can react in the atmosphere to form fine particles ('secondary particles'). Therefore the newer buses will help reduce exposure to (NO_x) hence improved air quality.

7.5.7 Realization of vision 2030

The Kenya Vision 2030 aspires for the country firmly interconnected through a network of roads, railways, ports, airports, water and sanitation facilities and telecommunications. Hence by implementing the BRT, this will lead to improved road interconnections.

7.6 Negative Impacts during Operation Phase

7.6.1 Generation of liquid and solid wastes at depots and workshops

The operation of the BRT has the potential of significantly increasing the solid waste including used spare parts and written off or worn-out buses. This material can be handled with the same care as county solid waste and should be carried to the designated dumpsite for proper disposal. The volume of solid waste is anticipated to be medium; hence, it must be well disposed. Waste Generation and Disposal Impacts

Table 7-8: Impacts Associated with liquid and solid waste at the depots and workshops

Impact Sources	Waste Generation and disposal		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> Impact involves pollution of the environment These waste could pose health risks and interfere with aesthetic look 		Medium
Reversibility of impact	Yes		
Affected stakeholders /areas	Fauna and flora, rivers and streams, the immediate residents and commercial premises		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x3= (Low to Medium)	Low to Medium

Mitigation Measures

- Provision of solid waste storage bins.
- Provision of adequately designed bins to prevent access by vermin.
- Ensure that the solid waste generated is disposed of in an approved dumpsite or landfill.

- Good design of on-site waste water treatment facilities including oil skimming tanks

7.6.2 Traffic Congestion

There will also be potential problems from traffic congestion caused by buses entering and leaving the depot, pollution from exhaust fumes and excessive noise from the vehicles themselves and from other workshop activities.

Table 7-9: Impacts Associated with traffic congestion

Impact Sources	Traffic congestion		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> • Impact involves air pollution of the environment • Delayed time to reach various destinations 		Medium
Reversibility of impact	Yes		
Affected stakeholders /areas	Road users		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x3= (Low to Medium)	Low to Medium

Mitigation Measures

- Good design of exit and entry points for BRT to the depots
- Sensitization of the Drivers

7.6.3 Increased road carnage from increased traffic vehicles

In Kenya, over 3,000 people die through road accidents every year, most of them in their prime (15-45 years). The major cause of accident include over speeding drunken driving, distraction of

the driver, red light Red Light Jumping., and .Non-adherence to lane driving and overtaking in a wrong manner.

Table 7-10: Impacts Associated with traffic congestion

Impact Sources	road carnage		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> Road accidents leading to injury or death 		Medium
Reversibility of impact	Yes		
Affected stakeholders /areas	Members of the public and BRT Management		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x3= (Low to Medium)	Low to Medium

Mitigation Measures

- Traffic police should be spread to all places for control of speed
- Speed humps at all strategic places including all busy places.
- Enforce speed limits
- Road signs properly installed and maintained
- Traffic rules sensitization in schools and communities along the road.

7.6.4 Emergency Response

The operation of the proposed project will involve workers who may become ill or have accidents. In addition, disasters such as, road accidents are real possibilities.

Table 7-11: Emergency Response Impacts

Impact Sources	Emergency response		Mitigati on Efficien cy
Nature of impact	<ul style="list-style-type: none"> The BRT Buses will lead to increased road accident if not well managed 		Medium
Reversibility of impact	Yes		
Affected stakeholders /areas	Workers		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-5	
	<i>Duration</i>	Medium term-4	
	<i>Probability</i>	Likely – 4	
Significance	Weighting	(Extent+ Intensity +Duration + Probability)x WF(2+3+3+3) x1=11 (Low)	Low

Mitigation Measures

- Make prior arrangements with health care facilities such as a Health Centre in proximity.
- Design and implement an Emergency Response Plan (ERP).
- Coordinate with first aid organizations/agencies i.e. St. John's Ambulance, Red Cross to prepare for any eventuality.
- Display telephone numbers of emergency response departments for all BRT Users and area residents in the project area to clearly see

7.6.5 Visual and landscape impact management

Once the temporary working areas have been reinstated, much of the landscape will return to its former condition.. The depot, BRT lines and workshops will be permanent and visible features of the project. Although landscaping plans such as establishment planting of trees around the site boundaries are proposed, these facilities may not be entirely out of sight for the public.

Table 7-12: visual and landscape impact management

Impact Sources	Visual and landscape		Mitigation Efficiency
Nature of impact	• visual impacts		Medium
Reversibility of impact	Yes		
Affected stakeholders /areas	The immediate residents		
Magnitude	Site – 2	Site – 2	
	Medium-5	Medium-5	
	Medium term-4	Medium term-4	
	Likely – 4	Likely – 4	
Significance	(Extent+ Intensity +Duration + Probability)x WF(2+3+3+3) x1=11 (Low)	Low	(Extent+ Intensity +Duration + Probability)x WF(2+3+3+3) x1=11 (Low)

Mitigation measures

- Elaborate landscaping and maintenance of these sites can limit the viewpoints to the facilities and thus reduce their visual impact.

7.6.6 Increased Social Vices

As with any public construction project, BRT stations may suffer from vandalism and misuse. Anticipating these problems can reduce the future costs of station maintenance

Table 7-13: increase in social vices

Impact Sources	Increased in social vices		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> Vandalism of BRT buses, users and associated facilities 		Medium
Reversibility of impact	Yes		
Affected stakeholders /areas	Management and passengers		
Magnitude	Site – 2	Site – 2	
	Medium-5	Medium-5	
	Medium term-4	Medium term-4	
	Likely – 4	Likely – 4	
Significance	(Extent+ Intensity +Duration + Probability)x WF(2+3+3+3) x1=11 (Low)	Low	(Extent+ Intensity +Duration + Probability)x WF(2+3+3+3) x1=11 (Low)

Mitigation measures

- Consequently, decision makers should use materials that inhibit vandalism to preserve the image of BRT and keep stations safe
- Proper security measures should be put in place to guard the stations for 24 hours to reduce cases of vandalism.

7.7 Negative impact of Decommissioning

7.7.1 Loss of jobs and income

The people that will be employed to operate and maintain the BRT will lose their jobs immediately after the closure of the project. The loss of jobs will have far reaching impacts as it

will lead to loss of income and social stress. NAMATA will also lose revenue from the fee received from BRT bus users.

Table 7-14: Impacts on Loss of income

Impact Sources	Loss of income		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> Loss of income after closure of the project 		High
Reversibility of impact	Yes		
Affected stakeholders /areas	Employees and their dependents		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x1= 11 (Low) to Medium)	Low

Mitigation measures include:

- Notify the employees in advance on the project closure date and adequately compensate them;
- Dismissal procedures to be compliant with Employment Act, 2007;
- Provide counseling and alternative skills for alternative activities;
- Employer should find alternative means of livelihood for the staff who were employed at the treatment plant.
- Customers to be notified in advance of the proposed decommissioning.

7.7.2 Noise Pollution

Activities likely to produce noise during decommissioning include removal of DEPOT infrastructure, demolition of any structures built on site.

Table 7-15: noise pollution

Impact Sources	Noise pollution		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> High noise levels can impair hearing 		High
Reversibility of impact	Yes		
Affected stakeholders /areas	Resident and workers		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x1= 11 (Low) to Medium)	Low

Mitigation measures:

- Schedule noisy activities during the day time period;
- Use silencers on machines where possible;
- Ensure machinery is well maintained to reduce noise emitted.

7.7.3 Solid Waste Material

It is expected that large amounts of solid waste material arising during decommissioning from tidying up and packaging materials, wood and steel crates, cardboard, wrapping materials, boxes, sacks, drums, cans and chemical containers and any other unused materials. During demobilization such kind of wastes need proper management otherwise it may turn out to be a

nuisance in the camp area and they can even cause diseases to neighbouring residents. However, all useful materials are moved from site. Although demolition waste is generally considered as less harmful to the environment since they are composed of inert materials, there is growing evidence that large quantities of such waste may lead to release of certain hazardous chemicals into the environment.

Table 7-16: Solid waste material

Impact Sources	Solid waste		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> large amounts of solid waste material arising during decommissioning 		High
Reversibility of impact	Yes		
Affected stakeholders /areas	Resident and workers		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x1= 11 (Low) to Medium)	Low

Mitigation measures:

- Disposal of solid waste in compliance with EMCA 2006 Waste Management Regulations;
- Segregation of waste to encourage reuse and recycling;
- Ensuring that the contracted waste collector is registered with NEMA to collect and dispose wastes.

7.7.4 Occupational health and safety

If not handled with care the demolition may lead to exposure of hazardous chemicals to workers and surrounding communities which poses as health risks to them. Machinery and equipment used for the same also possess as danger to the workers if not handled well and with the correct PPE.

Table 7-17: Occupational health and safety

Impact Sources	Occupational health and safety		Mitigation Efficiency
Nature of impact	<ul style="list-style-type: none"> hazardous chemicals 		High
Reversibility of impact	Yes		
Affected stakeholders /areas	Workers and surrounding communities		
Magnitude	<i>Extent</i>	Site – 2	
	<i>Intensity</i>	Medium-3	
	<i>Duration</i>	Medium-3	
	<i>Probability</i>	Likely-3	
Significance	Weighting	(Extent+ Intensity +Duration + Probability) x WF (2+3+3+3) x1= 11 (Low) to Medium)	Low

Mitigation measures:

- Provide the correct PPE for the workers when conducting the demolition activities;
- Conduct training on health and safety procedures to the workers prior to commencement of demolition;
- Proper plans should be made prior to demolition so as to contain waste that poses as health risk to human beings and the environment, to prevent the workers and surrounding communities from getting into contact with it.

The Decommissioning Management Plan is included in the ESMMP in Chapter 8.

CHAPTER 8 : ENVIRONMENTAL AND SOCIAL MANAGEMENT AND MONITORING PLAN (ESMMP)

8.1 Purpose and Objectives of ESMMP

The specific objectives of the ESMMP are to:

- Serve as a commitment and reference for the contractor to implement the ESMMP including conditions of approval from NEMA.
- Serve as a guiding document for the environmental and social monitoring activities for the supervising consultant, contractor and the client management including requisite progress reports.
- Provide detailed specifications for the management and mitigation of activities that have the potential to impact negatively on the environment.
- Provide instructions to relevant Project personnel regarding procedures for protecting the environment and minimizing environmental effects, thereby supporting the Project goal of minimal or zero incidents.
- Document environmental concerns and appropriate protection measures; while ensuring that corrective actions are completed in a timely manner.

8.2 Auditing of ESMMP

NAMATA and the Contractor shall conduct regular audits to the ESMMP to ensure that the system for implementation of the ESMMP is operating effectively. The audit shall check that a procedure is in place to ensure that:

- The ESMMP being used is the up to date version;
- Variations to the ESMMP and non-compliance and corrective action are documented;
- Appropriate environmental training of personnel is undertaken;
- Emergency procedures are in place and effectively communicated to personnel;
- A register of major incidents (injuries, complaints) is in place and other documentation related to the ESMMP
- Ensure that appropriate corrective and preventive action is taken by the Contractor once instructions have been issued

8.3 Management Responsibility of ESMMP

In order to ensure the sound development and effective implementation of the ESMMP, it will

be necessary to identify and define the responsibilities and authority of the various persons and Organizations that will be involved in the project. The following entities should be involved in the implementation of this ESMMP:

- NAMATA
- NEMA;
- Contractor;
- Supervising Engineer;
- County Governments of Nairobi and Kiambu

8.3.1 Nairobi Metropolitan area Transport (NAMATA)

NAMATA is the project proponent, will be charged with the responsibility of ensuring that the proposed development has been put up in an environmentally sound manner. This can be achieved by inclusion of environmental specifications in the tender documents, selection of renowned environmentally conscious contractors and supervision to ensure that the objectives of this ESMMP are met.

8.3.2 National Environment Management Authority (NEMA)

The responsibility of NEMA is to exercise general supervision and co-ordination over all matters relating to the environment and to be the principal instrument of Government of Kenya in the implementation of all policies relating to the environment.

8.3.3 The Contractor

The persons/firms contracted to put up the proposed decentralized Treatment Facility will be required to comply with the requirements of the ESMMP within this report. To ensure strict compliance environmental specifications of this ESMMP should form part of the contract documents.

8.3.4 Consultant

The sourced consultant will have to ensure that the proposed ESMMP is up to date and is being used by the contractor. Periodic audits of the ESMMP will have to be done to ensure that its performance is as expected.

8.3.5 County Government of Nairobi and Kiambu

The relevant departmental officers in the above local authorities should be called upon where

necessary during Project implementation to provide the necessary permits and advisory services to the Project implementers.

Tables 8-1 and 8-2 present the ESMMP for the proposed Project during construction, operation and decommissioning phases respectively.

Table 8-1: Construction Phase: Environmental and Social Management and Monitoring Plan

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
Labour Influx Impacts Human Rights and gender inclusivity Increased Transmission of communicable diseases including HIV/AIDS Disturbance of traffic and difficult of	• LOW	<ul style="list-style-type: none"> • Effective community engagement and strong grievance mechanisms on matters related to labour • Comply to provisions of WIBA 2007 • Mainstream Gender Inclusivity in hiring of workers and entire Project Management as required by Gender Policy 2011 and 2/3 Gender Rule • Children under the age of 18 years should be hired on site as provided by Child Rights Act (Amendment Bill) 2014 • COVID 19 and HIV/AIDS Awareness Program and other communicable diseases to be instituted and implemented as part of the Contractor's Health and Safety Management 	All Workers Contractor Ministry of Health	<ul style="list-style-type: none"> • Number of Trainings Held • Availability of Training reports • Attendance list of participants during the training sessions 	500,000

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
access Community accidents		Plan to be enforced by the Supervising Engineer			
Disruption of amenities access roads, services lines and driveways) causing inconveniences to the community	• Medium	<ul style="list-style-type: none"> Notify other services providers and Open small sections that can be reinstated within the shortest period to avoid public disruption Mark the lines to avoid conflicts with other activities 	Responsibility Contractor(s) Supervision	<ul style="list-style-type: none"> Number of complaints from community due to lack of certain services 	No direct costs
Community accidents	• Medium	<ul style="list-style-type: none"> Provide notices, signage and information to the public for their safety at all locations Install barriers along walkways, crossings and public places affected by the works for public safety Where there are potential for nuisance from 	All work areas Responsibility Contractor(s)	<ul style="list-style-type: none"> Accidents occurrence incidences Cases of respiratory complication at nearby health center 	500,000

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
		dust generation, ensure earth moving is under dump conditions (consider watering where necessary) <ul style="list-style-type: none"> Inform immediate communities or stakeholders of the activities. 			
Public Health and safety risks Worker Occupational safety risks	<ul style="list-style-type: none"> Medium 	<ul style="list-style-type: none"> Notify public the intent to cut sections of the road for safety precautions Provide signage and safety information in all work areas Ensure compliance by workers with safety safeguards including the OHS, provision of safety gear and enforcement of application 	Responsibility Contractor(s) Supervision	<ul style="list-style-type: none"> Accidents occurrence incidences 	500,00
Risks of solid waste mismanagement leading to pollution	<ul style="list-style-type: none"> Medium 	<ul style="list-style-type: none"> The contractor shall ensure that the machines and equipment are in good condition Ensure proper handling of lubricants, fuels and solvents while maintaining the equipment Any chemical or fuel spills shall be cleaned up 	Construction areas and campsite Responsibility Contractor(s)	<ul style="list-style-type: none"> Number of complaints from community not happy with waste management of spoil material 	500,000

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
		<p>immediately. The spilt liquid and clean-up material shall be removed, treated and transported to an appropriate site licensed for its disposal.</p> <ul style="list-style-type: none"> • A safety and emergency response plan will need to be developed for all operations with emphasis on the protection of the environment prior to start up. • Any chemical or fuel spills shall be cleaned up immediately. The spilt liquid and clean-up material shall be removed, treated and transported to an appropriate site licensed for its disposal; • Storm water shall be diverted away from the fuel handling and storage areas. An oil water interceptor shall be provided to treat any rainwater from fuel storage and handling areas; • Measures should be taken to ensure proper 	Supervision		

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
		<p>storage of fuel, oil and bitumen. Oil-water interceptors or sumps should be constructed to capture discharge of oils, fats and other polluting liquids from maintenance workshops, vehicle and equipment washing bays and kitchen drains;</p> <ul style="list-style-type: none"> At the work sites the contractor will be expected to maintain strict surveillance particularly when working within the vicinity of water supply points and the rivers within the project area; 			
Air Quality Pollution	Medium	<ul style="list-style-type: none"> Maintain construction equipment at high operational conditions such as to control emissions into the air. Earth moving be done under dump conditions as much as possible to prevent emission of dust into the air, Use of sprinklers to regularly water 	<p>All Workers and surrounding neighborhood</p> <p>Responsibility Contractor(s)</p>	<ul style="list-style-type: none"> Cases of respiratory complication at nearby health center 	No direct cost associated

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
		<p>construction site, this suppresses the dust menace at construction sites</p> <ul style="list-style-type: none"> • Provide People working in the sites with dust emissions to use dust masks to prevent respiratory infections. 			
Impact on soil resource		<ul style="list-style-type: none"> • Areas affected by construction related activities and/or susceptible to erosion must be monitored regularly for evidence of erosion, these include: areas stripped of topsoil, Soil stockpiles, Spoil sites, Borrow pits, Sites for bridges and drainage structures. • Monitoring should also be done during the operation phase to prevent road degradation by erosion caused by flash floods. • The contractor should develop an emergency response plan that includes spill response strategy. 		<ul style="list-style-type: none"> • Eroded areas onsite 	500,000

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
		<ul style="list-style-type: none"> Spills should be immediately addressed per the appropriate spill management plan and initiate soil clean up and soil removal if needed. Spill kits should be availed to aid this Spill prevention practices and response actions should be applied in refueling and vehicle use areas to minimize accidental contamination Containment around the garage, fuel store and fuelling station should be ensured so that these potentially polluting substances can be properly handled and any intended escape of material from that area can be contained until such time as remedial action can be taken Proper handling of material through use of dip trays, directing spills to an oil sump which should be emptied into a designated disposal site 			

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
Excessive Vibration and Noise Pollution	Low to Medium	<ul style="list-style-type: none"> • Avoid night time construction when noise is loudest; • Conduct periodic noise measuring and monitoring to determine levels and extent of harmful noise; • Clearly label the high noise areas; • Provide PPE personal protective equipment (PPE) including masks, goggles, scarfs, boots and overalls among other protective clothing to persons operating within or visit identified high noise areas. • In order to meet noise level requirements, the equipment should be equipped with standard noise attenuation features. Machines that exceed acceptable noise limits should be equipped with silencers or lagging materials or specially designed acoustic enclosures; 	<p>All Workers and surrounding neighborhood</p> <p>Responsibility Contractor(s)</p>	<ul style="list-style-type: none"> • Reported complaints from neighbor community and institutions 	No direct cost associated

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget (SHs)
		<ul style="list-style-type: none"> • Inform local residents when construction activities are likely to generate excessive noise in order to minimize disruption to local residents through posters along construction sites. • Sensitize truck drivers to avoid hooting especially when passing through sensitive areas such as churches, residential areas and hospitals 			
ESMMP	Million KES 2.5M				

Table 8-2: Operational Phase: Environmental and Social Management and Monitoring Plan

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget
Waste Generation and Disposal	Low to Medium	<ul style="list-style-type: none"> Provision of solid waste storage bins. Provision of adequately designed bins to prevent access by vermin. Ensure that the solid waste generated is disposed of in an approved dumpsite or landfill. Good design of on-site waste water treatment facilities including oil skimming tanks 	NAMATA NEMA COUNTY GOVERNMENT	<ul style="list-style-type: none"> Waste bins Onsite Contracted licensed waste handler 	To be established at operation phase and included in the operation of the projects
Increased road carnage from increased traffic vehicles	Low to medium	<ul style="list-style-type: none"> Traffic police should be spread to all places for control of speed Speed humps at all strategic places including all busy places. Enforce speed limits Road signs properly installed and maintained Traffic rules sensitization in schools and communities along the road. 	NAMATA COUNTY GOVERNMENT	<ul style="list-style-type: none"> Complains from road users 	

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget
Emergency responses	Medium	<ul style="list-style-type: none"> • Make prior arrangements with health care facilities such as a Health Centre in proximity. • Design and implement an Emergency Response Plan (ERP). • Coordinate with first aid organizations/agencies i.e. St. John's Ambulance, Red Cross to prepare for any eventuality. • Display telephone numbers of emergency response departments for all BRT Users and area residents in the project area to clearly see 	NAMATA	<ul style="list-style-type: none"> • Time taken to respond to emergencies 	
Visual and landscape impact management	Medium	<ul style="list-style-type: none"> • Elaborate landscaping and maintenance of these sites can limit the viewpoints to the facilities and thus reduce their visual impact. 	NAMATA		
Increase Social Vices	Medium	<ul style="list-style-type: none"> • Consequently, decision makers should use materials that inhibit vandalism to preserve the image of BRT and keep stations safe 	NAMATA	<ul style="list-style-type: none"> • Reported cases relating to vandalism of any of BRT 	

Associated Impacts	Impact Levels	Management Actions	Target Areas& Responsibilities	Monitoring Indicator	Budget
		<ul style="list-style-type: none"> Proper security measures should be put in place to guard the stations for 24 hours to reduce cases of vandalism. 		facilities	
Traffic congestion	Medium	<ul style="list-style-type: none"> Good design of exit and entry points for BRT to the depots Sensitization of the drivers 	NAMATA	<ul style="list-style-type: none"> Number of complains from road users 	

8.1 Decommissioning Phase

The decommissioning phase of a project includes restoring the environment to its original form once all the operational activities of the project have ceased. The necessary activities, mitigation measures, allocation of responsibilities, time frames and costs pertaining to prevention, minimization and monitoring of all potential impacts associated with the decommissioning and closure phase of the project are outlined in the table below.

Table 8-3: Decommissioning Phase ESMP

Associated Impacts	Impact Levels	Management Actions	Responsibilities	Budget
Loss of Jobs and Income	Low	<ul style="list-style-type: none"> Notify the employees in advance on the project closure date and adequately compensate them; Dismissal procedures to be compliant with Employment Act, 2007; Provide counseling and alternative skills for alternative activities; Employer should find alternative means of livelihood for the staff who were employed at the treatment plant. Customers to be notified in advance of the proposed decommissioning 	Contractor	To be established at decommissioning phase
Noise Pollution	Low	<ul style="list-style-type: none"> Schedule noisy activities during the day time period; Use silencers on machines where possible; 	Contractor	

Associated Impacts	Impact Levels	Management Actions	Responsibilities	Budget
		<ul style="list-style-type: none"> Ensure machinery is well maintained to reduce noise emitted 		
Solid Waste Material	Low	<ul style="list-style-type: none"> Disposal of solid waste in compliance with EMCA 2006 Waste Management Regulations; Segregation of waste to encourage reuse and recycling; Ensuring that the contracted waste collector is registered with NEMA to collect and dispose wastes. 	Contractor	
Occupational Health and Safety	Low	<ul style="list-style-type: none"> Conduct training on health and safety procedures to the workers prior to commencement of demolition; Proper plans should be made prior to demolition so as to contain waste water that poses as health risk to human beings and the environment, to prevent the workers and surrounding communities from getting into contact with it. 	Contractor	

CHAPTER 9 : CONCLUSIONS AND RECOMMENDATIONS

9.1 Introduction

This ESIA Study has attempted, in an integrated manner, to cover all the components of the proposed project. It has identified the adverse impacts and as appropriate, recommended feasible and attainable mitigation measures. In this light, it is imperative that the Environment Management and Monitoring Plan be fully implemented. The Plan should also feed into The Proponent's evident commitment to environmental conservation.

9.2 Findings and Conclusion

- The major positive impacts of this Project will include improved health, air quality reduced emergency response time, improved city and national transport, employment opportunities as well as mitigating related diseases for the residents.
- The Project activities are likely to cause, albeit on a small scale, interruptions with traffic, risk of accidents, emission of dust, waste generation and increase in noise and vibration.
- The study has proposed several measures to reduce negative impacts including amelioration of social negative impacts, noise abatement, waste management, reduction of visual intrusion, reduction of soil erosion, prevention of accidents and health hazards.
- Monitoring has been identified as an important process in the protection of environment of the project area since it will reveal changes and trends brought about mainly by construction activities.

9.3 Recommendations

This assessment recommends the following provisions:

- (viii) The Bid documents prepared for the Project incorporate the Environment, Social Health and Safety Provisions discussed under Chapter 7 (Environment and Social Impact Assessment and Mitigation Measures).
- (ix) The proponent to be given all the available support to implement this noble project.
- (x) The licensing authority to issue the necessary licenses so that the work can

commence

- (xi) Contractor will be required to commit to implementing the Environment, Social Health and Safety (ESHS) Provisions by developing site-specific (ESHS) plans.
- (xii) At Project implementation stage, the Contractor to report to the Project management team comprising of the Consultant and the Project proponent on a monthly basis on how ESHS provision detailed in this ESIA are addressed at each Project Site.
- (xiii) On completion of, NAMATA to commission an independent Consultant to undertake an initial Environment, Social, Health and Safety Audit as required by and Environmental (Impact Assessment and Audit) Regulations 2003 with 2019 amendments.
- (xiv) The audit will identify nonconformities which the Contractor together with NAMATA will address through the defects liability period of the Project. This audit will also form basis of annual Project self-audits by NAMATA.

On the basis of the above discussions, it can be concluded that the proposed project is environmentally, legally and socially acceptable. The potential significant environmental impacts can be adequately mitigated by the proposed measures and it is the responsibility of the proponent and all other actors to see to it that the measures are implemented. This way, the environmental threats will be downscaled to acceptable levels.

It is on the basis of the above, that it is recommended that the project be issued with the necessary clearance for the project to commence implementation.

Annexes

Annex 1: Lead Expert License

FORM 7 (r.15(2))


nema
nashigira yote | chini vya | unjika vya

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY(NEMA)
THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

ENVIRONMENTAL IMPACT ASSESSMENT/AUDIT (EIA/EA) PRACTICING LICENSE


License No : NEMA/EIA/ERPL/14193
Application Reference No: NEMA/EIA/EL/19622

M/S **Mwaura Stephen Mburu**
(individual or firm) of address
P.O. Box 21504-00100, Nairobi

is licensed to practice in the
capacity of a (Lead Expert/Associate Expert/Firm of Experts) **Lead Expert**
registration number **7284**

in accordance with the provision of the Environmental Management and Coordination Act Cap 387.

Issued Date: **2/25/2021** Expiry Date: **12/31/2021**


Signature.....
(Seal)
Director General
The National Environment Management
Authority

P.T.O.

ISO 9001: 2008 Certified

Annex 2: Approved ESIA TOR



NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

Mobile Lines: 0724-253 398, 0723-363 010, 0735-011 046
Toll-free Wireless: 020-21 01370, 020-2183718
Incident Lines: 0786-101 100, 0741-101100

P.O. Box 67819, 00300
Papa Road, Nairobi, Kenya
E-mail: director@nema.go.ke
Website: www.nema.go.ke

NEMA/TOR/5/2/234 **17th March 2021**

Nairobi Metropolitan Area Transport Authority
State Department for Housing & Urban Development
Ministry of Transport, Infrastructure, Public Works,
Housing and Urban Development
P. O. Box 30177-00100
NAIROBI

**RE: ACKNOWLEDGEMENT AND APPROVAL OF TERMS OF REFERENCE
(TOR) FOR ENVIRONMENTAL IMPACT ASSESSMENT**

We acknowledge the receipt of TOR for the above subject.

Pursuant to the Environmental Management and Coordination Act, 1999 the second schedule and the Environmental (Impact Assessment and Audit) Regulations 31 and 35, your terms of reference for the Environmental Impact Assessment (EIA) for the proposed **BUS RAPID TRANSPORT (BRT) IN KENYA FACILITIES ON THIKA SUPERHIGHWAY CORRIDOR (CLAYWORKS-RUIRU-NAIROBI CBD-KENYA NATIONAL HOSPITAL)** has been approved.

You shall submit ten (10) copies, a soft copy summarised version of the ESMP in **WORD** form and one electronic copy of your report prepared by a registered expert to the Authority.



JOSEPH MAKAU
FOR: HEAD EIA SECTION

Our Environment, Our Life, Our Responsibility



ISO 9001:2015 Certified

Annex 3: PIN Details of Client (NaMATA)

 **KENYA REVENUE AUTHORITY**
www.kra.go.ke

PIN Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

Certificate Date : 05/07/2017
Personal Identification Number
P051651925A

This is to certify that taxpayer shown herein has been registered with Kenya Revenue Authority

Taxpayer Information

Taxpayer Name	THE NAIROBI METROPOLITAN AREA TRANSPORT AUTHORITY
Email Address	KINGORIPKK@GMAIL.COM

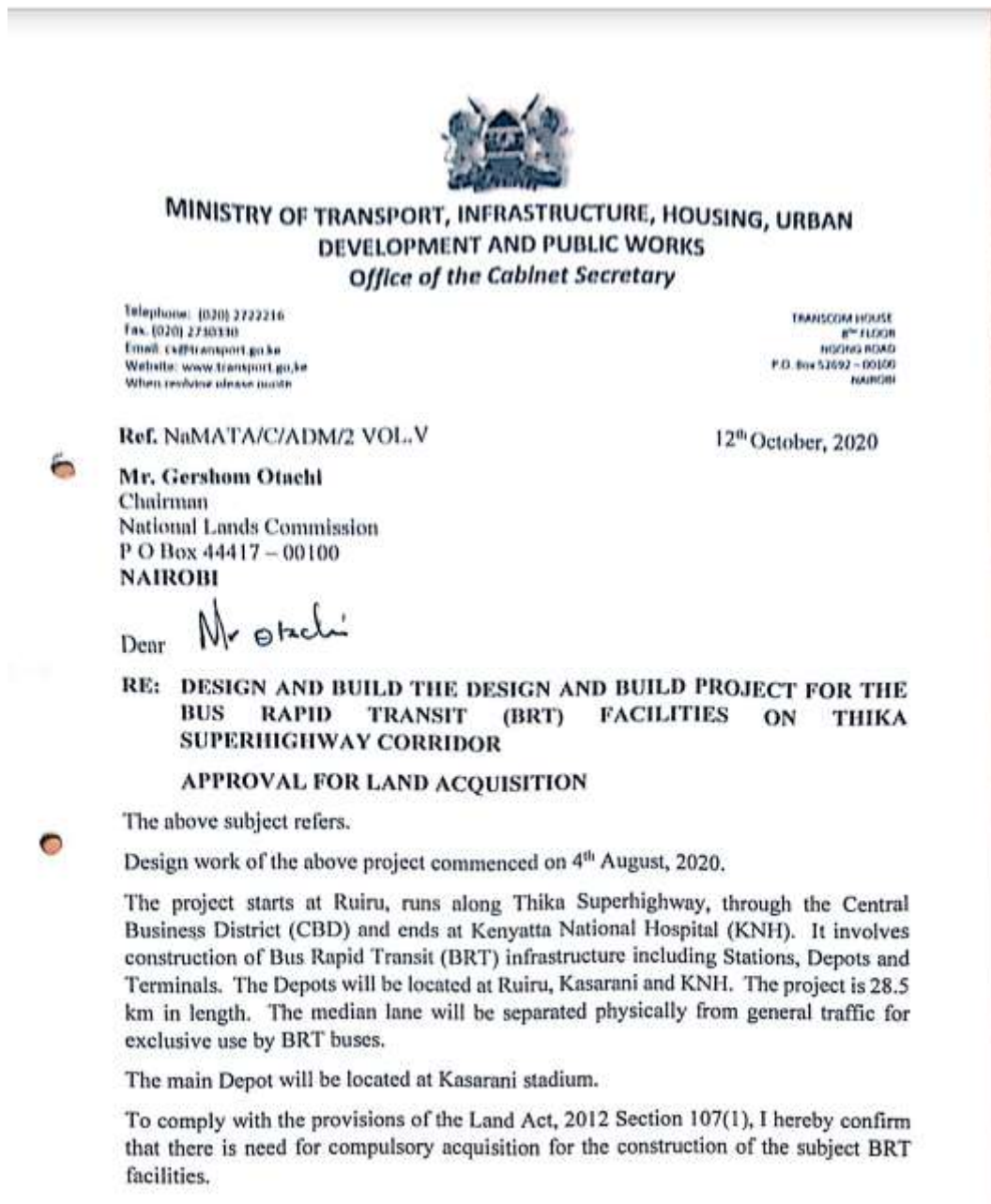
Registered Address

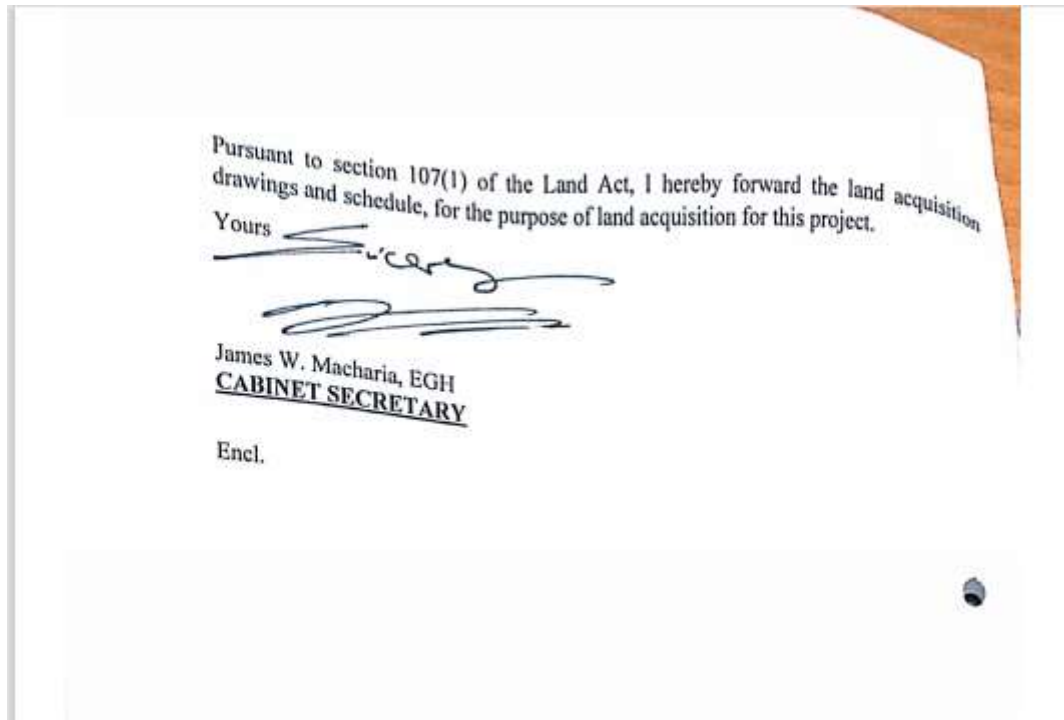
L.R. Number :	Building : TRANSCOM HOUSE
Street/Road : COMMUNITY	City/Town : NAIROBI
County : Nairobi	District : Westlands District
Tax Area : Kilimani	Station : West of Nairobi
P. O. Box : 52692	Postal Code : 00200

Tax Obligation(s) Registration Details

Sr. No.	Tax Obligation(s)	Effective From Date	Effective Till Date	Status
1	Income Tax - Company	04/07/2017	N.A.	Active

The above PIN must appear on all your tax invoices and correspondences with Kenya Revenue Authority. Your accounting end month is December unless a change has been approved by the Commissioner-Domestic Taxes Department. The status of Tax Obligation(s) with 'Dormant' status will automatically change to 'Active' on date mentioned in "Effective Till Date" or any transaction done during the period. This certificate shall remain in force till further updated.

Annex 4: Land Acquisition – Compulsory Acquisition by Government as per the Land Act 2012



Annex 5: Minute and attendance sheet

MINUTES OF MEETING BETWEEN FEDERATION OF PUBLIC TRANSPORT SECTOR (FPTS) AND NaMATA HELD ON WEDNESDAY 7TH NOVEMBER, 2018 IN THE 9TH FLOOR BOARDROOM, PUBLIC WORKS AT 10.30 AM.

MEMBERS PRESENT

No.	NAME	ORGANIZATION
1.	Eng. Francis Gitau	NaMATA (Chairing)
2.	Mary W. Chege	Board Chair
3.	James M. Ng'ang'a	Ag. CEO NaMATA
4.	Eng. Amos Njoroge	Board Member
5.	Francis Parsimei	Board Member
6.	Muhammed Dagane	Board Member
7.	Edwins Mukabanah	FPTS
8.	Richard W. Kanoru	FPTS
9.	Simon Kimutai	FPTS
10.	Charles Kabugi	FPTS
11.	Githaiga Weru	FPTS
12.	Benson Mwenda Ng'ang'a	FPTS
13.	John Katimbwa	FPTS
14.	Jimal Ibrahim Hassan	FPTS
15.	Albert Karakacha	FPTS
16.	John Metho	FPTS
17.	Dickson Mbugua	FPTS
18.	Michael M. Kariuki	FPTS
19.	Justin Gatuita	NaMATA- Taking Minutes
20.	Emmanuel Wanyama	NaMATA

Absent with apology

1. Ronald Ndegwa -NaMATA Board

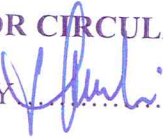



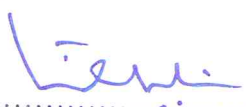
Agenda

- Call to Order
- Prayers
- Introduction
- Attendance/ apologies
- Adoption of Agenda
- Reading and Confirmation of minutes of the meeting held on 19.09.2018
- Matters arising
- Report on Gazettement
- Transition work plan

- A.O.B
- Closure

MIN NO.	AGENDA ITEM	ACTION BY
1-7/11/2018	<p><u>OPENING</u></p> <p>The Chair called the meeting to order at 10.51 am followed with prayer led by Githaiga Weru. This was followed by self-introduction of members present.</p> <p>The Chair welcomed all the members to the meeting and confirmation and adoption the agenda of the meeting was done.</p>	
2 -7/11/2018	<p><u>READING AND CONFIRMATION OF THE PREVIOUS MINUTES</u></p> <p>The Ag. CEO NaMATA took the members through the minutes of the previous meeting. Members confirmed that the minutes were true deliberation of the meeting. The minutes were proposed by Michael Kamau and seconded by Githaiga Weru.</p>	
3-7/11/2018	<p><u>MATTERS ARISING</u></p> <p>The following matters arose from the minutes of the previous meeting;</p> <p>1. Report on training</p> <p>The training which was undertaken by the members was noted and members appreciated a lot.</p> <p>The challenges encountered were noted and measures had been put in place to avoid such inconveniences in future.</p> <p>2. Report on MOU</p> <p>Members were informed that the MOU was awaiting the date for signing by the CS</p> <p>3. Gazettement of the Taskforce</p> <p>Members were informed that the request for the taskforce gazettelement had been forwarded to the Attorney General</p> <p>4. Benchmarking tour</p> <p>Members were informed that the management was awaiting for the no objection from the World Bank.</p> <p>Members were advised to proceed on the documentation process.</p> <p>Members were also informed that Ms Grace Kamau, a Senior state Counsel had been nominated as the officer in charge of</p>	

	bench marking tours and will be liaising with the Secretary of the Federation on logistics issues	
4-7/11/2018	<p>TRANSITION WORKPLAN</p> <p>The list of the activities to be undertaken during transition was tabled in the meeting as below;</p> <ol style="list-style-type: none"> 1) Public transport priority measure 2) BRT infrastructure provision 3) Route network plan 4) Capacity building 5) Stakeholders mapping 6) Communication strategy 7) Legal and Regulatory framework 8) Fare collection mechanism 9) Traffic management 10) Operation plan 11) Transition plan 12) Rolling stock 13) Training <p>Members deliberated on them and requested for the formation of sub-committee to deliver on these activities.</p>	
5-7/11/2018	<p>MEMBERS REMARKS AND RESOLUTIONS</p> <p>The following were issues were raised and discussed:-</p> <ol style="list-style-type: none"> 1) Members deliberated on the issue of committee allowances and it was resolved that this will be done as per the Salary and Remuneration Commission (SRC) circular. 2) Members discussed the two transactions advisors whom were being procured to assist the NaMATA and the Federation. The Federation was requested to provide TOR for engagement for their preferred transaction advisor to enable the EU to procure for them. 3) The federation was also tasked to provide atleast three CVs of their preferred transaction advisor to be submitted to the EU. 4) Members discussed the co-option of the federation members to the NaMATA board and the meeting was informed that from the previous NaMATA Board meeting it was resolved that the federation members be co-opted to the committee 5) Members were assured that the NaMATA Board will work together in order to achieve the intended solution of 	

	<p>challenges facing the public transport within the NMA region</p> <p>6) Members were also informed that NMA Counties acknowledges the challenges facing the public transport and solution will be realized when both the federation and NaMATA work as a team in support of all planned initiatives.</p>	
6-7/11/2018	<p>ANY OTHER BUSINESS (AOB)</p> <ol style="list-style-type: none"> 1. Members felt that there was a need to be undertaking public participation of all stakeholders 2. On planned PSV crackdown the members requested the federation to develop the list of grievances and the wish list to be forwarded to the CS. 	
	<p>There being no other business the meeting was adjourned at 12.33 pm.</p> <p>SIGNED FOR CIRCULATION</p> <p>SECRETARY  14.11.2018</p> <p>DATE  </p> <p>CO - SECRETARY</p> <p>DATE</p> <p>CONFIRMED AS TRUE RECORD OF PROCEEDING.</p> <p>CHAIRMAN  16/11/18</p> <p>DATE</p> <p>Co - CHAIRMAN </p> <p>DATE 14/11/18</p>	

**MINUTES OF MEETING BETWEEN NaMATA AND FEDERATION OF PUBLIC
TRANSPORT SECTOR (FPTS) HELD ON WEDNESDAY 14TH NOVEMBER, 2018 IN 8TH
FLOOR BOARDROOM, TRANSCOM HOUSE AT 10.30 AM.**

MEMBERS PRESENT

No.	NAME	ORGANIZATION	EMAIL ADDRESS	PHONE NUMBER
1.	Eng. Francis Gitau	S/DOI, NaMATA Board Member (Chairman)	<i>fgitau@gmail.com</i>	0722615416
2.	Edwins Mukabanah	FPTS (Co-Chair)	<i>emukabanah@gmail.com</i>	0722713807
3.	Mary W. Chege	NaMATA Board Chairperson	<i>mary.chege@emsi.co.ke</i>	0719161298
5.	Ronald Ndegwa	NaMATA Board Member	<i>ronald.ndegwa@gmail.com</i>	0722849419
6.	Eng. Amos Njoroge	NaMATA Board Member	<i>amosnjoroge2017@gmail.com</i>	0799762637
7.	Francis Parsimei	NaMATA Board Member	<i>parsimei.gitau@gmail.com</i>	0723806564
8.	James M. Ng'ang'a	Ag CEO, NaMATA	<i>ngangajmn@gmail.com</i>	0722837416
9.	John K. Mwangi	NaMATA Staff (Taking Minutes)	<i>mwangi.jk14@gmail.com</i>	0720856126
10.	Richard W. Kanoru	FPTS	<i>matatutvo@gmail.com</i>	0722938844
11.	Justin Gatuita	NaMATA Staff	<i>jgatuita@yahoo.com</i>	0717380304
12.	Charles Kabugi	FPTS	<i>charleskabugi64@gmail.com</i>	0721113509
13.	Githaiga Weru	FPTS	<i>githaigaw@yahoo.com</i>	0722610462
14.	Benson M. Ng'ang'a	FPTS	<i>censonmwenda2013@gmail.com</i>	0722438482
15.	John Katimbwa	FPTS	<i>mamatuwelfare@yahoo.com</i>	0722372591
16.	Jimal Ibrahim Hassan	FPTS	<i>i.jamal892014@gmail.com</i>	0729600002
17.	Albert Karakacha	FPTS	<i>karakacha@invescoassurance.co.ke</i>	0721727821
18.	Simon Kimutai	FPTS	<i>skimutai@invescoassurance.co.ke</i>	0722522275
19.	John Metho	FPTS	<i>methumethu60@gmail.com</i>	0722832598
20.	Dickson Mbugua	FPTS	<i>dicker@yahoo.com</i>	0722670996
21.	Michael M. Kariuki	FPTS	<i>kariukim57@gmail.com</i>	0722823203
22.	Samuel N. Kamau	FPTS	<i>kamaucity@gmail.com</i>	0724791214
23.	Mercy W. Nyagah	FPTS	<i>mercy@shikwenyagah.co.ke</i>	0722224974

Absent

1. Dagane Muhamed - CECM – Nairobi County Government
2. Dr Juliet Kimemiah - CECM – Kiambu County Government
3. Eng M. Aluanga - CECM – Machakos County Government

Agenda

1. Prayers
2. Introduction
3. Attendance/Apologies
4. Adoption of Agenda
5. Presentation of Co-option letters
6. Confirmation of Minutes of previous meeting
7. Matters Arising
8. MOA - Memorandum of Agreement – NaMATA/FTPO
9. Secretariat
10. Sub-committees
11. A.O.B

MIN NO.	AGENDA ITEM	ACTION BY
1-14/11/2018	Opening & Introductions The Chairman called the meeting to order at 10.50am and requested the Co-chairman to open with prayers. This was followed by self-introduction of members present. The Chair welcomed all the members to the meeting and requested them adopt the tabled agenda. He proposed to amend the agenda to provide for a brief ceremony to present appointment letters to the members. The agenda was adopted – proposed by Githaiga Weru and seconded by Dickson Mbugua.	
2-14/11/2018	Presentation of co-option letters to members. The Chairman requested the Chairperson of NaMATA Board to present appointment letters to members. In her address before presentation, the Chairperson NaMATA informed members that following previous deliberations on this issue, letters were prepared to appoint them as co-opted members of the Industry Transition and Transformation subcommittee of the NaMATA board's Technical and Strategy committee. The appointment was for a period of six months effective 3 rd October 2018 or until gazettelement	

	<p>of the Task Force on Transition and Transformation of the Transport Sector, whichever is earlier. She then presented the letters to eleven members and apologized for the remaining two whose letters she noted had typographical errors that needed to be corrected. Members were requested to sign the attached acceptance form and submit back to NaMATA.</p> <p>As regards the Terms of Reference (TORs) for the subcommittee, members were informed that initially the TORs were prepared for only line 2 (Thika Road Corridor) but will now be amended to include the whole Nairobi Metropolitan Area (NMA).</p>	
3-14/11/2018	<p>Attendance/Apologies</p> <p>At this juncture the Chairman requested the Co-chairman – Mr Mukabana to chair the rest of the meeting session. The Co-chairman thanked the Chairperson of NaMATA Board for presenting the co-option letters and expressed hope that the TORs will be ready soon.</p> <p>The issue of representation in view of absence of three County CECMs – Nairobi, Kiambu & Machakos – was raised and it was resolved that their absence be noted. To avoid members having to write their details during every meeting, it was proposed that a list be prepared with members details such that during subsequent meetings members will only be required to sign against their printed names.</p>	<p>Ag CEO</p> <p>Ag CEO</p>
4-14/11/2018	<p>Confirmation of Minutes of previous meeting</p> <p>Members went through the meeting and they were confirmed to be a true record of the previous meetings deliberations – proposed by D. Mbugua and seconded by J. Metho. In order to give members time to go through minutes prior to meeting, it was also resolved that the secretariat ensures minutes are circulated via email within 48hours after the meeting.</p>	Secretariat
5-14/11/2018	<p>Matters arising</p> <p>1) Min 3-7/11/2018</p> <ul style="list-style-type: none"> • Report on Training – concerns noted and action taken. • Report on MOU – MOU witnessed by the Cabinet secretary. It was resolved that a copy be made and be forwarded to the Registrar of Societies. It was proposed that in order to get publicity and stakeholders buy-in a ceremony to endorse the witnessing involving all five NMA governors that constitute the NMA council be organized. • Gazettement of Taskforce – this had been forwarded to the AG. There was need to fast-track it • Benchmarking Tour – Grace Kamau had been nominated as the officer in charge. No objection from the World Bank was still being awaited. The Chairman explained that obtaining a “No objection” from the bank was a procurement process that takes time. He undertook to pursue it with the Bank. 	<p>Chairman & CEO NaMATA</p> <p>Chairman</p>

	<p>Co-chairman indicated that there was need to prepare in advance and liaise with host city transport companies clarifying to them the various objectives.</p> <p>Chairperson NaMATA requested members to forward through their legal officer scanned copies of passport, yellow fever vaccination card, ID and PIN certificate to Grace Kamau of NaMATA.</p> <p>At this juncture the Chairperson left the meeting to attend to other engagements.</p> <p>2) Min 4-7/11/2018 Transition Work plan - Since this was a substantive item in the day's agenda, this was deferred to later when it was to be discussed fully</p> <p>3) Min 5-7/11/2018</p> <ul style="list-style-type: none"> • Issuing of appointment letters to co-opted members – refer to minute 2-14/11/2018 above • Committee allowances – refer to minute 5-14/11/2018 above; members to submit documents through their legal officer by the end of the day. • TOR for engagement of Transaction advisors- Secretariat had shared a hard copy with the Co-chairman who confirmed having received. Ag CEO NaMATA was requested to share a soft copy with members. <p>The Chairman clarified that Transaction Advisor (TA) is not a "person" but a service with expert time allocation (for the various expertise required) embedded in the package</p>	<p>Secretariat</p> <p>FPTS members</p> <p>FPTS members</p> <p>CEO NaMATA</p>
6-14/11/2018	<p>Secretariat</p> <p>The Chairman reported that a technical sub-committee comprising of NaMATA, KeNHA, KURA, NTSA and Ministry -MOTIHUD &PW will be formed. There will be training for the various cadres of members</p> <ul style="list-style-type: none"> • Training of management staff • Training of Technical staff • Training of operators. • From the industry there will be training of drivers, mechanics, and other related staff • Training on corporate governance which will involve induction of co-opted members. The Chairman will pursue with World Bank and European Union. 	

7-14/11/2018	<p>Sub-committees</p> <p>The Chairman reported that already there was a sub-committee on legal being lead by Grace Kamau from NaMATA and Mercy Nyagah from FPTs.</p> <p>As regards other subcommittees the Co-chairman took members through engagement guidelines from FPTs herein attached as appendix.</p>	
	<p>There being no other business the meeting was adjourned at 13:00P.M. with a closing prayer conducted by Mr Francis Parsimei</p> <p>Signed for Circulation</p> <p>Secretary.....<i>[Signature]</i>.....21.11.2018.....Date <i>[Signature]</i></p> <p>Co - Secretary.....Date</p> <p>CONFIRMED AS TRUE RECORD OF PROCEEDING.</p> <p>CHAIRMAN.....<i>[Signature]</i>.....DATE 23/11/18</p> <p>Co - CHAIRMAN.....<i>[Signature]</i>.....DATE 21/11/18</p>	<p>ALL</p> <p>Secretary</p> <p>Chairman</p>

ENGAGEMENT GUIDELINES FROM FEDERATION OF PUBLIC TRANSPORT OPERATORS

1	Public Transport Consultative Forum - GoK and FPTO	Standing Committee Terms of Reference
2	Memorandum of Agreement on BRT - NaMATA and FPTO	Preparations of MoA Signing Ceremony
3	BRT Taskforce	Terms of Reference Gazettement of Taskforce Co-optation in NaMATA Board Committee
4	Capacity Building	Study Tours Workshops Training of Management Staff Training of Technical Staff Training of Operatives
5	Formation of Secretariat	Structure of Secretariat Budget / Funding Office Space Technical Team <ul style="list-style-type: none"> • CEO - Transaction Advisor • Project Manager • Legal • Transport Engineer • Equipment Engineer • Transport Planner
6	Formation of Sub - Committees	Communication / Marketing HR / Capacity Building Infrastructure / Technology Research / Planning / Strategy Operation / Commercial

		<p>Finance / Investment</p> <p>Policy / Legal / Regulation</p>
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MEETING BETWEEN NaMATA AND FEDERATION OF PUBLIC TRANSPORT SECTOR (FPTS)

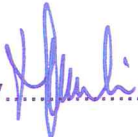


On Wednesday 6th February, 2019 at 10.30 Am

9th Floor Boardroom, Works Building.

Minutes:

No.	NAME	ORGANIZATION
<u>Members Present</u>		
1.	Eng. Francis Gitau	CEO, NaMATA and Co-chair
2.	Edwins Mukhabana	Chair ABOK (Co- Chair FPTS)
3.	John Metho	FPTS
4.	Benson M. Ng'ang'a	FPTS
5.	Michael M. Kariuki	FPTS
6.	Richard W. Kanoru	FPTS
7.	Charles Kabugi	FPTS
8.	Githaiga Weru	FPTS
9.	Simon Kimutai	FPTS
10.	Albert Karakacha	FPTS
11.	Jihn Katimbwa	FPTS
12.	Dickson Mbugua	FPTS
<u>In Attendance</u>		
13.	David S. Maswili	NaMATA Management (Taking Notes)
14.	Abdi Ibrahim	NaMATA Management
15.	Wanyama Emmanuel	NaMATA Management
16.	Justin Gatuita	NaMATA Management
17.	Kochalle J	NaMATA Management
18.	Eric Trel	NTU Consultant (Management)
<u>Absent With Apology</u>		
1.	Dagane Muhamed	CECM – Nairobi County Government (NaMATA Board Member)
2.	Ronald Ndegwa	NaMATA Board Member
3.	Eng. M. Aluanga	CECM – Machakos County Government
4.	Jimal Ibrahim	FPTS
5.	Samuel N. Kamau	FPTS

MIN NO.	AGENDA ITEM	ACTION BY
1-23/01/2019	Opening & Introductions The Chairman called the meeting to order and requested Mr. Gatuita to open with prayers. This was followed by self-introduction of members present. The Chair welcomed all the members to the meeting, and requested them to adopt the tabled agenda. The agenda was mentioned and adopted.	<ul style="list-style-type: none"> Chair
	Review of Previous Minutes Members went through the minutes of the previous two meetings dated 5 th December and 23 rd January. The minutes were proposed by Mr. Benson Mwenda and confirmed by Mr. Charles Kabugi as the true copies of the deliberations after a few typographical corrections were made	<ul style="list-style-type: none"> All
	Matters Arising 3.1 Non-Disclosure Agreement (NDA) The meeting was informed that the NDA which was to be signed by members was not yet ready and a draft would be presented in the next meeting. 3.2 Terms of Reference (TOR) The Meeting was informed that the draft TORs for the three experts would be shared in the next meeting for discussion. The draft TORs for the taskforce will be shared for discussions during the next meeting. 3.3 Benchmarking Meeting was informed that the planned study tours will be rescheduled as other financing avenues are sought, it was mentioned that the EU could be a possible partner	<ul style="list-style-type: none"> Grace Mercy Eric David
2-23/01/2019	Consultancy Services Eric Trel who is the lead technical advisor to the NaMATA management gave a brief on the various consultancy services required. He informed the meeting that there was an informal agreement with the European Union (EU) to finance the procurement of the experts. It was agreed that the FPTs would present their nominees' CVs for consideration by the EU.	<ul style="list-style-type: none"> FPTS Eric David
6-23/01/2019	Any other Business (AOB) 1. Inclusivity : it was agreed that the other operators who might feel left out of the FPTs, which is an apex body will be included as the operation cascade down to the local mwanachi.	<ul style="list-style-type: none"> ALL

	<p>2. Members sought information on the BRT buses procurement and ownership, the CEO informed the meeting that the ownership as well as other operation modalities will be dealt with when developing the Business Model while a brief on the importation of buses will be given in the next meeting by NaMATA.</p> <p>3. The members raised concerns on the ongoing licensing of low capacity buses by NTSA since that would be in contradiction of introducing high capacity public transport. The CEO informed the meeting that a Project Delivery Unit (PDU) drawing membership from key state agencies had been established to create synergy in delivery of the MRTS project.</p>	
	<p>There being no other business the meeting was adjourned at 11:45 A.M.</p> <p>Signed for Circulation</p> <p>Secretary.....Date</p> <p>Co - Secretary  13. Feb 2017.....Date</p> <p>CONFIRMED AS TRUE RECORD OF PROCEEDING.</p> <p>CHAIRMAN..... - 15/02/19</p> <p>....DATE.....</p> <p>Co - CHAIRMAN..... D</p> <p>ATE.....13/2/17</p>	<ul style="list-style-type: none"> • ALL • Secretary • Chair man



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MINUTES (AMENDED) OF THE MEETING BETWEEN NAMATA AND FEDERATION OF PUBLIC TRANSPORT SECTOR (FPTS) ON WEDNESDAY 13TH FEBRUARY, 2019 AT 10.00 AM 9TH FLOOR BOARDROOM, WORKS BUILDING.

No.	NAME	ORGANIZATION
Members Present		
1.	Eng. Francis Gitau	CEO, NaMATA and Co-chair
2.	Mary Chege	NaMATA Board Chair
3.	Edwins Mukabanah	Chair ABOK (Co- Chair FPTS)
4.	John Metho	FPTS
5.	Benson M. Ng'ang'a	FPTS
6.	Michael M. Kariuki	FPTS
7.	Charles Kabugi	FPTS
8.	Githaiga Weru	FPTS
9.	Simon Kimutai	FPTS
10.	Albert Karakacha	FPTS
11.	Dickson Mbugua	FPTS
12.	Samuel N Kamau	FPTS
In Attendance		
1.	David S. Maswili	NaMATA Management
2.	Wanyama Emmanuel	NaMATA Management
3.	Kochalle Joseph	NaMATA Management (Taking Notes)
4.	Grace Kamau	NaMATA Management
Absent With Apology		
1.	Dagane Muhamed	CECM – Nairobi County Government
2.	Ronald Ndegwa	NaMATA Board Member
3.	Eng. M. Aluanga	CECM – Machakos County Government
4.	John Katimbwa	FPTS
Absent Without Apology		
1.	Richard Kanoru	FPTS
2.	Jimal Ibrahim	FPTS

2

	<p>The Chair promised the team that he will pursue with World Bank concerning funding of the FPTS benchmarking.</p> <p>Members also requested to be trained on corporate governance. The Chair agreed that there was need for that training for FPTS.</p> <p>The members also suggested that a regional conference can be held in Nairobi bringing together BRT experts within the region. This could be done by partnering with development partners such as UN, EU etc.</p>	<ul style="list-style-type: none"> • FPTS • FPTS
7-13/02/2019	<p>Consultancies-Terms of Reference (TOR)</p> <p>The Meeting was informed that the draft TOR for the three experts was ready and was briefly discussed. The members present adopted the TOR.</p> <p>FPTS agreed that it will forward at least three CVs for each of the expert positions for evaluation. The CVs will be ready during the next meeting.</p> <p>The Chair also informed the members that the Government had adopted the communication expert from NaMSIP who will do a communication plan. The plan was to be finished by Friday 15th February, 2019 and presented during the next meeting.</p>	<ul style="list-style-type: none"> • Maswili • FPTS • Chair
8-13/02/2019	<p>Terms of Reference for the Task Force</p> <p>Grace shared a draft of the TOR with the members and assured members that she is following up with the CS to ensure the Task Force will be gazetted as soon as possible.</p>	<ul style="list-style-type: none"> • Grace
9-13/02/2019	<p>Any Other Business (AOB)</p> <ol style="list-style-type: none"> 1. Members were concerned about the lack of representation of County Governments in the meeting and requested that all the CECs should be present in all meetings. The Chair assured the members that all the CECs support FPTS despite their absence. 2. Members noticed that the invitation letters were not addressed to everybody in the team. The letters should also be addressed to each member of the sub committee. 3. Members insisted on fast-tracking of MOA. 4. Members requested that they should go to South Africa for inspection of the 32 buses before they arrive in the country. The Chair agreed that he will brief the PS on the same. 5. Members suggested that there is need for in-house seminar to learn more about BRT from experts around the world. 	<ul style="list-style-type: none"> • All

	<p>6. Members also requested the Chair to plan for the 5 Governors to meet and discuss more about BRT.</p> <p>7. Members suggested that the Task Force should meet the 5 Governors.</p> <p>8. Members also felt that to strengthen the Task Force, it is necessary to have a meeting with the President. The Chair informed the meeting that NaMATA was evaluating the BRT expert and by end of February it will have one.</p> <p>9. The Chair requested Maswili to follow up on the evaluation of the BRT expert.</p> <p>10. Members were asked to keep time for the meeting.</p>	
	<p>Adjournment</p> <p>There being no other business the meeting was adjourned at 12:00 pm. It ended with a word of prayer from Benson Mwenda.</p> <p>Signed for Circulation</p> <p>Secretary.....</p> <p>Date</p> <p>Co - Secretary.....</p> <p>Date</p> <p>CONFIRMED AS TRUE RECORD OF PROCEEDING.</p> <p>CHAIRMAN..... 19/02/19</p> <p>DATE.....</p> <p>Co -</p> <p>CHAIRMAN.....</p> <p>DATE..... 19/2/19</p>	<ul style="list-style-type: none"> • All • Secretary • Chairman



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MINUTES OF THE MEETING BETWEEN NaMATA AND FEDERATION OF PUBLIC TRANSPORT SECTOR (FPTS) ON WEDNESDAY 20TH MARCH, 2019 AT 9.00 AM 9TH FLOOR BOARDROOM, WORKS BUILDING

No.	NAME	ORGANIZATION
Members Present		
1.	Eng. Francis Gitau	Ag.CEO, NaMATA and Co-chair
2.	John Metho	FPTS
3.	Benson M Ng'ang'a	FPTS
4.	Michael M Kariuki	FPTS
5.	Charles Kabugi	FPTS
6.	Githaiga Weru	FPTS
7.	Simon Kimutai	FPTS
8.	Albert Karakacha	FPTS
9.	Dickson Mbugua	FPTS
10.	Samuel N Kamau	FPTS
11.	John Katimbwa	FPTS
12.	Richard Kanoru	FPTS
In Attendance		
1.	Joseph Kochalle	NaMATA (Taking Notes)
2.	Grace Kamau	NaMATA
3.	Winnie Chore	NaMATA
Absent With Apology		
1.	Edwins Mukabanah	Co-chair FPTS
2.	Jamal Ibrahim	FPTS
3.	David Maswili	NaMATA
4.	Emmanuel Wanyama	NaMATA
Absent Without Apology		
1.	Mary Chege	
2.		
3.		

MIN NO.	AGENDA ITEM	ACTION BY
1-06/03/2019	Prayers The Chair called the meeting to order at 9:45 AM and requested Kochalle to open with a word of prayer. The Chair welcomed all the members to the meeting and thanked them for availing themselves.	<ul style="list-style-type: none"> Chair
2-06/03/2019	Apologies The members were informed of those who sent their apologies for not attending the meeting.	<ul style="list-style-type: none"> All
3-06/03/2019	Adoption of Agenda The Chair asked the members present to adopt the tabled agenda. The agenda was mentioned and adopted by all.	<ul style="list-style-type: none"> All
4-06/02/2019	Review and Confirmation of Minutes of Previous Meeting Members went through the minutes of the previous meeting dated 13 th February, 2019. There were a few amendments made: <ul style="list-style-type: none"> - Adding Mr. Katimbwa's name to the list of those absent with apologies. - Include Grace's name in the list of those present. The minutes were proposed by Mr. Mbugua and seconded by Mr. Metho as the true copies of the deliberations.	<ul style="list-style-type: none"> All
5-06/03/2019	Matters Arising from Minutes of the Previous Meeting 1. Memorandum of Agreement (MOA) <ul style="list-style-type: none"> - Grace informed the meeting that a harmonized draft MOA document was not yet ready and requested for more time. She assured the members that a draft will be ready during/before the next meeting. - She informed the team that she was waiting for additional material from Mercy and she will plan for a meeting with her. She raised a concerned about Mercy's compensation which might hinder the process. - The Chair together with all the members emphasized that the MOA document should have been ready and therefore it should be finalized immediately. Members were worried of the slow progress in getting the draft ready. - The Chair proposed and members agreed that terms of engagement for Mercy's expert hours to be included and be covered under TOR for Transaction Advisor 2 (Business and Financial Plan), these terms of engagement will make her more proactive and might speed up the MOA draft process. Notification on the same will be made officially to Mercy. 	<ul style="list-style-type: none"> Grace Grace All Chair Grace Grace

2. Gazettement of Task Force

- Grace informed the members that the Final Gazette Notice was signed by the Cabinet Secretary and Gazettement could be done in a week's time. She was waiting for the Principal Secretary to sign the forwarding letter she had drafted so as the Gazette Notice can be forwarded to Attorney General's office.
- The Chair requested Grace expedite the process and send the letter to PS through email since he was away and he can append his signature electronically.
- The meeting was interrupted by members from Association of Investors in Matatu Sector, represented by its chair and secretary. They informed the plenary that they wanted to be part of FPTs and be able to attend the meetings. The chair of the association apologized to the FPTs for previous comments and remarks the association made.
- The Chair informed them that the PS had received their letter and once he gives the directive, then NaMATA will send an official appointment letter to the association but in the meantime, the association can request for invitation to the meetings through Co-chair FPTs. Since no such invitation was presently available The Chair requested them to leave the meeting.

- Grace

- All

- Chair

3. Communication Plan

- The Chair informed the members that the communication plan was not yet ready and requested more time although the Authority has two experts who are in constant contact with his office.
- The experts were planning to roll out a Twitter handle and website for the Authority.

- Chair

- Chair

5.4. Benchmarking

- The Chair informed the members that the benchmarking for FPTs members will be financed by World Bank under MASTRIP project which is captured in the Project Preparation Advance application that was sent to the World Bank.
- He informed the members that a letter had been written to World Bank to requesting for 7million USD to cater for the majority of the outstanding works. He assured the members that he will inform them about the status of the same in two weeks' time.
- Chairman emphasized on the need to have an action plan that will give us a budget to run with but this can only happen after the MOA.

- Chair

- All

- All

- FPTs

	<p>6.5. CVs for the Experts</p> <p>The members were informed that the CVs were sent to Mr. Maswili so that they can be forwarded to EU for evaluation purposes.</p>	
6-06/03/2019	<p>Terms of Reference for Transaction Advisors</p> <p>Members were informed of updated TORs for the three transaction advisors.</p>	<ul style="list-style-type: none"> • All
7-06/03/2019	<p>Memorandum of Agreement</p> <p>As discussed under Matters Arising</p>	<ul style="list-style-type: none"> • Grace
8-06/03/2019	<p>Non-Disclosure Agreement</p> <ul style="list-style-type: none"> - Grace took the members through the draft NDA. - Mr. Kanoru raised a concern on the use of the word 'discussion' in the <i>Preamble</i>. He felt that the word was not binding and should be replaced with the word 'negotiation'. - Mr. Kanoru also sought clarification on clause 2.5 on <i>Obligation of the Parties</i>. The Chair clarified that the purpose of the clause was to ensure the interests of both parties were not jeopardized. - Winnie raised a concern on clause 5.1 about the use of English language only in the arbitral proceedings. She felt that it should be both English and Swahili. The members were in agreement. 	<ul style="list-style-type: none"> • All
9-06/03/2019	<p>Any Other Business (AOB)</p> <ol style="list-style-type: none"> 1. The members requested for more information on the visit to South Africa. The CEO requested them to wait for the signing of the contract. 2. Members asked about the visit of the FPTs to the five governors, but the CEO insisted that the Task Force should be gazetted first. 3. The members raised an issue about pending allowances. The Chair requested Kochalle to follow up with Abdi on the processing of the allowances. 4. The members thanked the Chair on how he handled the Association of Investors in Matatu Sector. 5. The members insisted on the fast-tracking of harmonized MOA document. 6. The members requested the Chair to set aside a date and discuss more on the 32 buses that are coming so that they can have full information to convey to the operators. 7. Mr. Mbugua pointed out some errors in the minutes concerning the inclusion of Mr. Katimbwa in the list of those absent without apology and yet he had sent his apologies. Grace also noted that her name was missing the 	<ul style="list-style-type: none"> • All

	<p>list of attendees yet she had attended the previous meeting.</p> <p>8. The members insisted that they will not accept apologies from the association of investors in Matatu sector, and that they will walk out if the association if ever allowed to join FPTS.</p> <p>9. Members were concerned that some senior officials from the Ministry of Transport were going around in Ruiru collecting public views on 14-seater matatus. They requested to be informed on what other activities the government is carrying out concerning public transport operations.</p> <p>10. The acting Co-chair closed the meeting and thanked the members for coming.</p>	
	<p>Adjournment There being no other business the meeting was adjourned at 11:20 AM. It ended with a word of prayer from Winnie.</p> <p>Signed for Circulation</p> <p>Secretary..... Date <u>27th March 2019.</u></p> <p>Co - Secretary..... Date</p> <p>CONFIRMED AS TRUE RECORD OF PROCEEDING. <u>04/04/19</u></p> <p>CHAIRMAN..... DATE.....</p> <p>Co -CHAIRMAN..... DATE.....<u>27/3/2019</u></p>	<ul style="list-style-type: none"> • All • Secretary • Chairman



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MINUTES OF THE MEETING BETWEEN NaMATA AND FEDERATION OF PUBLIC TRANSPORT SECTOR (FPTS) ON WEDNESDAY 27TH MARCH, 2019 AT 10.00 AM 9TH FLOOR BOARDROOM, TRANSCOM HOUSE

No.	NAME	ORGANIZATION
Members Present		
1.	Eng. Francis Gitau	Ag. CEO, NaMATA and Co-chair
2.	Edwins Mukabanah	Co-chair FPTS
3.	John Metho	Member, FPTS
4.	Benson M Ng'ang'a	Member, FPTS
5.	Michael M Kariuki	Member, FPTS
6.	Charles Kabugi	Member, FPTS
7.	Githaiga Weru	Member, FPTS
8.	Simon Kimutai	Member, FPTS
9.	Dickson Mbugua	Member, FPTS
10.	Samuel N Kamau	Member, FPTS
11.	John Katimbwa	Member, FPTS
12.	Richard Kanoru	Member, FPTS
13.	Jimal Ibrahim	Member, FPTS
14.	Albert Karakacha	Member, FPTS
In Attendance		
1.	David Maswili	NaMATA Secretariat lead
2.	Joseph Kochalle	NaMATA
3.	Eric Trel	NTU Consultancy to NaMATA
Absent with Apology		
1.	Mary Chege	Board member, NaMATA

MIN NO.	AGENDA ITEM	ACTION BY
1-10/04/2019	Prayers -The Chair called the meeting to order at 10:30 AM. It was opened with a word of prayer from Mr. Kochalle.	<ul style="list-style-type: none"> • Chair
2-10/04/2019	Apologies -The members were informed of those who sent their apologies for not attending the meeting.	<ul style="list-style-type: none"> • All
3-10/04/2019	Adoption of Agenda -The agenda was tabled and adopted after a few deliberations. -An item on progress of implementation of MRTS for NMA was added to the agenda list. -The Chair suggested that, onwards, the last item on the agenda list i.e. AOB should be replaced with 'Discussions' since some of the issues raised under that item were of great importance and critical to the operations of the Taskforce.	<ul style="list-style-type: none"> • All
4-10/04/2019	Review and Confirmation of Minutes of Previous Meeting -Members went through the minutes of the previous meeting dated 27 th March, 2019. -The minutes were proposed by Mr. Mbugua and seconded by Mr. Metho as the true copy of the deliberations of the previous meeting.	<ul style="list-style-type: none"> • All
5-10/04/2019	Matters Arising from Minutes of the Previous Meeting 1. Induction training of the Taskforce -Maswili informed the members that the induction training which was scheduled to take place on 10 th March, 2019 could not take place since the consultant from Kenya School of Government was not available. -Members were informed that the induction will be held on 17 th March, 2019 and the information on availability of consultant and venue shall be provided by the end of the week. 2. MOA -Mercy Nyaga was to present a draft harmonized MOA document but she was not present. 3. Technical Assistance Update -Eric informed the members that there was no progress made on the Expert CVs received. It was still a pending matter between FPTs and NTU.	<ul style="list-style-type: none"> • Maswili • Eric

	4. Members Allowances ?????	<ul style="list-style-type: none"> Maswili
6-10/04/2019	Presentation from Eric Trel on Work plan Development -Eric made a presentation on work plan and suggested that in order to be more effective, the members can be divided into four groups namely; <ol style="list-style-type: none"> Operations and Infrastructure Business and Financial Model Operating Company and Contract Transition and Communication -Members were satisfied with the presentation and suggested that a Legal advisor was required in addition to the three proposed transaction advisors being sourced by the NTU.	<ul style="list-style-type: none"> Eric
7-10/04/2019	MRTS Implementation Progress report -The Chair presented a report on the current status of MRTS implementation within the NMA. -The members discussed this topic at length with concerns raised on the procurement of the 32 (or 64???) BRT buses. -The members felt that since they had little information about the 32 buses, the matter of acquisition of buses should not be included in the report. They therefore, resolved not to adopt the report tabled by the Chair.	<ul style="list-style-type: none"> Chair
8-10/04/2019	Any Other Business (AOB) <ol style="list-style-type: none"> Chair agreed with the members that the benchmarking trip to South Africa was long overdue. He requested the secretariat to revisit a memo written to the PS and indicate the importance and urgency of the trip. Members suggested that the issue of the 32 buses should be an agenda in every meeting. The Chair proposed that the Taskforce should have a meeting twice a week since time was limited given the enormous amount of work ahead. The members suggested that the PS should be present during the next meeting to shade more light on the 32 buses. Members agreed that the induction training should be held after Easter holidays. The Chair requested the secretariat to prepare a draft report to the CS for discussion during the next meeting. 	<ul style="list-style-type: none"> All
	Adjournment There being no other business the meeting was adjourned at 1:45 PM. It ended with a word of prayer from Mr. Kanoru.	<ul style="list-style-type: none"> All

Signed for Circulation

Secretary.......... Date 5.24.19

• Secretary

Co - Secretary..... Date.....

CONFIRMED AS TRUE RECORD OF PROCEEDING

CHAIRMAN.......... DATE 09/04/19

• Chairman

Co -
CHAIRMAN.......... DATE 5/04/19

MINUTES OF 14th TASKFORCE ON TRANSITION AND TRANSFORMATION OF PUBLIC TRANSPORT SECTOR MEETING HELD ON 17TH APRIL, 2019 AT 11.00 AM 9TH FLOOR BOARDROOM, TRANSCOM HOUSE

No.	NAME	ORGANIZATION
Members Present		
1.	Eng. Francis Gitau	Chairman
2.	Edwins Mukabanah	Co-chair
3.	Michael M Kariuki	Vice Chairman
4.	John Metho	Member
5.	Benson Mwenda	Member
6.	Charles Kabugi	Member
7.	Githaiga Weru	Member
8.	Simon Kimutai	Member
9.	Dickson Mbugua	Member
10.	John Katimbwa	Member
11.	Richard Kanoru	Member
12.	Albert Karakacha	Member
STAFF SECONDED TO THE SECRETARIAT		
13.	Abdi H. Ibrahim	
IN ATTENDANCE		
14.	Winnie Chore	NaMATA Staff
15.	Emmanuel Wanyama	NaMATA Staff
INVITED EXPERTS		
16.	Eric Trel	NTU
17.	Teresa Ochino	NTU (Communication Expert)
APOLOGIES		
18.	Mary Chege	Independent Board member, NaMATA
19.	Ronald Ndegwa	Independent Board member, NaMATA
20.	Mohamed Dagane	CEC, NCCG (Member)
21.	David Maswili	Taskforce Secretariat
22.	Grace Kamau	Taskforce Secretariat
ABSENT WITHOUT APOLOGIES		
23.	Jimal Ibrahim Hassan	Member

AGENDA

1. Prayer
2. Attendance/ Apologies
3. Adoption of Agenda
4. Introductory Remarks
5. Review and Confirmation of Minutes of 13th Task Force Meeting
6. Matters Arising

7. Presentation on Implementation of MRTS (Pilot BRT Project) by NTU
8. Discussion on phases of implementation
 - 8.1 Phase 1- Complimentary High Capacity buses to commuter rail (Circular routes)
 - 8.2 Phase 2- Implementation of Lines 1,2,3 & 5
 - 8.3 Phase 3- Regional Services to County Headquarters
9. Way Forward

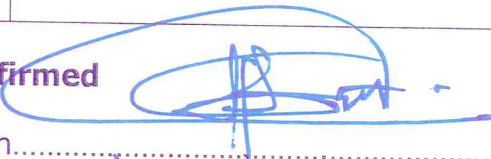

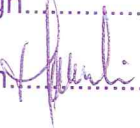
MIN NO.	AGENDA ITEM	ACTION BY
1/12/2019	<p>Prayers</p> <p>The meeting was called to order at 10:10 AM. It was led into a word of prayer Mr. Emmanuel Wanyama, NaMATA staff.</p>	Chair
2/12/2019	<p>Attendance/Apologies</p> <p>The members were informed that apologies had been received from Directors Mary Chege and Ronald Ndegwa. The meeting was also informed that Director Mohamed Dagane has been replaced as the CEC following the recent reorganization of NCCG. It was further said that David Maswili and Grace Kamau who are the members of the Secretariat were attending training in KSG and Arusha respectively.</p>	All
3/12/2019	<p>Adoption of Agenda</p> <p>The agenda was adopted without amendments</p>	All
4/12/2019	<p>INTRODUCTORY REMARKS</p> <p>4.1 REMARKS FROM THE CHAIR</p> <p>The chairman informed members that the PS wished to attend the meeting but had prior official commitments elsewhere and therefore sent his apology.</p> <p>He also informed the members that they were all bound by a common purpose and that all members were equal. He observed that the taskforce is expected to deliver on its mandate through the work streams which were to be constituted during the meeting.</p>	Chairman

	<p>The chairman further informed the members that there is need to strengthen the taskforce secretariat and proposed to second Mr. Abdi Ibrahim, Madam Mercy and Eng. Michael Njonge.</p> <p>4.2 REMARKS BY CO-CHAIR</p> <p>The Co-chair stated that he hoped NaMATA will soon come up with more information on the acquisition of high capacity buses. He also alluded to the magnitude of work awaiting the workstreams observing that the stakeholders especially MCAs of the five counties needed to be sensitized to bring them on board the MRTS programme for NMA.</p>	Co-Chair
5/12/2019	<p>REVIEW AND CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING</p> <p>The members were taken through the minutes of the previous meeting held on 27th March 2019. The minutes were proposed for confirmation by Metho and Seconded by Mr. Katimbwa.</p>	Secretariat
6/12/2019	<p>MATTERS ARISING</p> <p>5.1 CORRECTIONS</p> <p>The secretariat was tasked to correct minutes by replacing the 'FPTS' with 'Task Force on Transition and Transformation of the Public Transport Industry'</p> <p>5.2 MOA</p> <p>The discussions on this item was deferred since members of the secretariat were not present in the meeting to give a report besides this being one of the ToRs of work streams.</p> <p>5.3 Technical Assistance</p> <p>5.3 .1 It was reported that the FPTS had delegated to NTU to source for CVs of appropriate candidates whose period of experience should be flexible in order to hire an expert that will be acceptable and friendly to the industry so as to inculcate trust.</p> <p>5.3 .2 It was also proposed that the expert on SPV should double in providing legal expertise for the taskforce.</p>	<p>Secretariat</p> <p>NTU</p> <p>NTU</p>

	<p>5.3 .3 It was further agreed that the expert currently working on the BRT regulations be invited to make presentations on the legal issues to the task force. The members were informed that the PS had invited the BRT expert to the scheduled Bus demonstration workshop.</p> <p>5.3 .4 The members further agreed that NTU and ITDP be involved in the training and capacity building for the Task force. The meeting was however informed that the ITDP which provides capacity building, standards for MRTS programs and Advocacy for equity in the provision of all transport modes has its expertise limited to policy and designs development</p> <p>5.4 TASKFORCE ALLOWANCES</p> <p>The members were informed that the payment of allowances was work in progress.</p> <p>5.5 Formation of work streams</p> <p>The taskforce formed the following four work streams</p> <p><i>Operations and infrastructure</i></p> <ol style="list-style-type: none"> 1. Weru 2. Kivoi 3. Jamal 4. Katimbwa 5. Kamau <p><i>Business and Finance</i></p> <ol style="list-style-type: none"> 1. Katimbwa 2. Kamau 3. Kimutai 4. Metho 5. Jamal <p><i>Operating Company and Contracts</i></p> <ol style="list-style-type: none"> 1. Kanoru 2. Mbugua 3. Weru 4. Kariuki 5. Mwenda 6. Karakacha <p><i>Transition and Communication</i></p> <ol style="list-style-type: none"> 1. Kanoru 2. Karakacha 	<p>NTU</p> <p>Secretariat</p>
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	<p>3. Mbugua 4. Mwenda 5. Kariuki</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • Each member of the secretariat be assigned to a work stream. • The work streams to jointly come up with a work plan capturing all activities including induction and study tours for capacity building. • Local training be held regularly as part of capacity building for the Task Force. 	
7/12/2019	<p>PRESENTATION ON IUMPLEMENTATIOON OF MRTS (PILOT BRT PROJECT) BY NTU</p> <p>7.1 The Members were taken through a power point presentation on implantation of the MRTS pilot BRT project.</p> <p>7.2 The following the presentation members felt they are behind schedule and resolved that:</p> <ul style="list-style-type: none"> • The formation of the work streams be fast tracked to actualize the programme; • An appropriate communication strategy be developed for implementation; • The experience on line 2 be replicated to all the other BRT corridors; • The government to provide clarification on the aim of introducing the sixty-four (64) BRT Buses. • Clarification be further provided on whether the buses will be imported or will be locally assembled; • The media be brought on board the MRTS programme and Task force activities; 	

	<ul style="list-style-type: none"> • The proposed signalization of junctions be reviewed and synchronization with what Nairobi Metropolitan Services had previously done; • The development of investment, business and financial models/plans be fast tracked; • Presentations be made in all the taskforce future meetings; • The workstream on fleet characteristics o advise government on the quality of the buses; • The workstreams to prepare work plans inputs • The government to provide advisory to investors and manufacturers (KVM) against assembling BRT buses for which the market is not ready; • The works streams to fast track the establishment of and SPV so that people can invest in it. 	
8/12/2019	<p>DISCUSSIONS ON PHASES OF IMPLEMENTATION</p> <p>Phase I- Complimentary high capacity buses to Commuter Rail.</p> <p>8.1 This item was covered through the presentation. The members enquired about whether the Nairobi Regeneration Committee supports implementation of the MRTS Programme and NaMATA mandate in general.</p> <p>8.2 The Task Force resolved that:</p> <ul style="list-style-type: none"> • All the five NMA counties be sensitized and involved in the MRTS programmes and work of the Task force; • The pilot MRTS programme and work of the Task Force be delinked from NCCG activities and gazettelement; • KURA technical teams be asked to come up with a presentation on service plan during the next meeting. <p>Phase II- Implementation of Lines 1,2,3 & 5</p>	Secretariat

	<p>The Task Force resolved that:</p> <ul style="list-style-type: none"> a) The experience on Line 2 be replicated to all the other BRT Corridors. b) Public sensitization and engagements on BRT Line 2 and CBD pilot circular routes be conducted through the work streams. 	Secretariat
9/12/2019	<p>FORWARD</p> <p>The Task Force resolved that:</p> <p>9.1 the bus companies (Bus Mark and Mercedes Benz) be approached with a view to requesting them to sponsor the Task force for capacity building study tours and training;</p> <p>9.2 The secretariat be strengthened through the secondment of Mr. Abdi Ibrahim (for Administrative/Logistics, Ms. Mercy for contracts and Eng. Michael Njonge for Technical issues).</p>	Secretariat
<p>Minutes Confirmed</p> <p>Chairman: Sign  Date <u>26/04/19</u></p> <p>Co – Chair: Sign  Date <u>26/04/19</u></p> <p>Secretary: Sign  Date <u>24.04.2019</u></p>		

**INDUSTRY TRANSITION AND TRANSFORMATION TASKFORCE OF PUBLIC
TRANSPORT ON THURSDAY 30TH MAY, 2019 AT 10.00 AM 9TH LOWER
GROUND FLOOR BOARDROOM, TRANSCOM HOUSE**

F-c M.

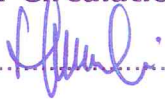





No.	NAME	ORGANIZATION
Members Present		
1.	Eng. Francis Gitau	Ag. CEO, NaMATA and Co-chair
2.	Edwins Mukabanah	Co-chair
3.	John Metho	Member
4.	Benson M Ng'ang'a	Member
5.	Michael M Kariuki	Member
6.	Charles Kabugi	Member
7.	Githaiga Weru	Member
8.	Simon Kimutai	Member
9.	Francis Parsimei	Member
10.	Samuel N Kamau	Member
11.	John Katimbwa	Member
12.	Richard Kanoru	Member
13.	Jimal Ibrahim	Member
14.	Albert Karakacha	Member
15.	Amos Njoroge	Member
16.	Ronald Ndegwa	Member
Secretariat		
1.	David Maswili	NaMATA
2.	Abdi Ibrahim	NaMATA
3.	Emmanuel Wanyama	NaMATA
4.	Abigael Muigai	NaMATA
Legal expert		
5.	Mercy Nyagah	FPTS Legal Expert
Absent with Apology		
1.	Mary Chege	Board member, NaMATA
2.	Dickson Mbugua	

MIN NO.	AGENDA ITEM	ACTION BY
1/05/2019	<p>Prayers</p> <p>The Chair called the meeting to order at 10:25 AM. It was opened with a word of prayer from Mr. Metho.</p>	<ul style="list-style-type: none"> Chair

2/05/2019	<p>Opening Remarks</p> <p>The Co-Chair welcomed all members and expressed his gratitude to members who had been away for joining the team. He thanked all members for their commitment to the task force and noted their well attendance to all the meetings.</p> <p>The Chair was excited with the conduct of business by the members and looked forward to have committee reports as soon as possible to ensure capacity building is achieved.</p>	<ul style="list-style-type: none"> • Co- Chair • Chair
3/05/2019	<p>Adoption of Agenda</p> <p>The agenda was tabled, it was proposed by Mr. Kariuki and Seconded by Mr. Mwenda. The agenda was adopted.</p> <p>Remarks from NaMATA board members</p> <p>The Chair welcomed CECs for Murang'a, Kajiado and Independent Board Member Mr. Ronald Ndegwa.</p> <p>The Board Members apologized for not having been consistent to the meetings, they had tight commitments elsewhere which had in away rendered them unable to attend the taskforce meetings, otherwise they were delighted to be back and committed to the team's work.</p> <p>They alluded that sticking issues like Benchmarking and members allowances must be resolved.</p> <p>They encouraged the team and noted that the team had the highest capability to solve the transport sector problems. It was a unique opportunity for the team to come up with solutions that had bedeviled the city for a long time.</p> <p>They noted that the taskforce was then key driver for Transformation and assured them of immense support from NaMATA Board, the issues emanating form the taskforce would be well articulated to achieve the transformation agenda.</p> <p>The opportunity glaring at the taskforce is that of provision of learning lessons for the region and the world on challenges encountered during the sector transformation.</p>	<ul style="list-style-type: none"> • All • Chair • Board Members

4/5/2019	<p>Review and Confirmation of Minutes of Previous Meeting</p> <p>Members were taken through the minutes of the previous meeting by the Secretariat dated 22nd May, 2019.</p> <p>The minutes were proposed by Mr. Kabugi and seconded by Ms. Mercy as the true copy of the deliberations of the previous meeting.</p>	<ul style="list-style-type: none"> • All
5/05/2019	<p>Matters Arising from Minutes of the Previous Meeting</p> <p>1. Benchmarking</p> <p>Members were informed that the UN-Habitat was ready to fund the benchmarking trip to Dare Salam. Positive Affirmation of the trip would be given after their General Assembly that was underway at Gigiri, Nairobi.</p> <p>They were also informed that the South Africa Trips was still awaiting the cost proposal from NaMATA management.</p> <p>The chair informed the secretariat not to limit the number of participants, since they needed to add more members to include:</p> <ul style="list-style-type: none"> • Chair of Transport and Housing Committee from the National Assembly • The Speaker of the National Assembly • The Chief Whip from Nairobi County • Technical Board Committee Members • Private Public Members. <p>2. INDUCTION</p> <p>It was resolved that induction of committee from various counties responsible for Transport on the transformation of the industry was very vital and needed to be fast tracked to gain good will during implementation.</p> <p>3. SITE VISIT</p> <p>Members agreed to visit the BRT Line 2 on 4th June, 2019 which will harbor the pilot phase.</p> <p>The secretariat to communicate to the members in regard to the meeting place, time and the days schedule of events.</p>	<ul style="list-style-type: none"> • Maswili • Maswili • Maswili

	<p>4. Communication Strategy, Activities No report was issued.</p> <p>5. Members Allowance</p> <p>The allowances were still work in progress and the members were assured payment after approval of the supplementary budget before Mid-June.</p> <p>The allowances will be paid through members bank accounts.</p> <p>Members noted that NaMATA problem was largely financial, if NaMATA won't be funded urgently, it would impair the activities and work plans.</p>	<ul style="list-style-type: none"> • Abigael • Abdi
6/05/2019	<p>Sub-committee briefs</p> <p>A. Business and Financial Model</p> <p>The chair of the subcommittee presented the subcommittee progress report to the taskforce which included draft work plan and budget.</p> <p>He reiterated that there was need for the committee to be provided with statistical information to enable it make sound decision on two policies i.e. Rolling Stock Funding and Infrastructure funding.</p> <p>The chair on his advisory note to the chair of the sub-committee, to explore adequately on the workplan road map that have been availed to them to ensure all issues set out are dealt with adequately</p> <p>Secretariat to guide the committee and stick on the set-out parameters to the committee.</p> <p>B. Operations and Infrastructure</p> <p>ITDP has been conducting survey, in all the corridors, the members of the taskforce tasked the secretariat to ensure survey is concentrated on BRT line 2 which is the pilot project.</p> <p>There was need to be upscaled on the KeNHA activities on BRT Line 2</p>	<ul style="list-style-type: none"> • Simon Kimutai

	<p>Park and ride facilities have not been studied well along the corridor.</p> <p>C. Operating Company and Contract The members proposed:</p> <ol style="list-style-type: none"> 1. Bus Ownership Company – this will majorly constitute car log book holders operating on Line 2, data will be obtained from NTSA portal. The sub-committee proposed ratio of ownership, where by the Government will have 20% shares and bus owners 40% others 40% 2. Bus Operating Company- there would be 20% government ownership and 80% shares ownership for current employees of the sacco as operators <p>D. Transition and Communication It was noted that the communication expert will package all the information to different groups, the expert will unveil the communication strategy to the taskforce in due time.</p>	
7/05/2019	<p>Any Other Business (AOB)</p> <ul style="list-style-type: none"> • Management to mobilize finances. • Meeting to between the chairmen of the subcommittee and secretariat to be held on 6th June, 2019. • It was noted, one of the taskforce members was sick and needed moral support from members. • Members were urged to take note of adverse politics and be careful in the use of social media. 	<ul style="list-style-type: none"> • All
	<p>Adjournment</p> <p>There being no other business the meeting was adjourned at 1:45 PM. It ended with a word of prayer from Mr. Kanoru.</p> <p>Signed for Circulation</p> <p>Secretary.......... Date.....</p> <p>Co - Secretary..... Date.....</p> <p>CONFIRMED AS TRUE RECORD OF PROCEEDING</p> <p>CHAIRMAN.......... DATE.....</p> <p>Co -CHAIRMAN.......... DATE.....</p>	<ul style="list-style-type: none"> • All • Secretary • Chairman

MINUTES OF 21ST TASK FORCE ON INDUSTRY TRANSITION AND TRANSFORMATION OF PUBLIC TRANSPORT SECTOR MEETING HELD ON THURSDAY 17th July, 2019 AT 10.00 AM IN THE 9TH FLOOR BOARDROOM, WORKS BUILDING

Members present

No.	NAME	DESIGN./ORGANIZATION
1.	Eng. Francis Gitau	Chair
2.	Edwins Mukabanah	Co-chair
3.	John Metho	Member
4.	Benson M Ng'ang'a	Member
5.	Michael M Kariuki	Member
6.	Charles Kabugi	Member
7.	Githaiga Weru	Member
8.	Simon Kimutai	Member
9.	Samuel N. Kamau	Member
10.	John Katimbwa	Member
11.	Richard Kanoru	Member
12.	Albert Karakacha	Member
13.	Eng. Amos Njoroge	Member
14.	Dickson Mbugua	Member
15.	Mary Chege	Member
SECRETARIAT		
16.	Abigail Muigai, Eng.	NaMATA
17.	Abdi Ibrahim	NaMATA
18.	Emmanuel Wanyama	NaMATA
19.	Mercy Nyagah	FPTS Legal Expert
INVITED TECHNICAL EXPERTS		
20.	Eric Trel	NTU
21.	Teresa Ochino	NTU
ABSENT WITH APOLOGY		
22.	Director Ronald Ndegwa	Member
23.	Jimal Ibrahim	Member
24.	David Maswili, Arch.	Secretariat
ABSENT WITHOUT APOLOGY		
25.	Grace Kamau	Secretariat

FC

Agenda

1. Prayer
2. Attendance/Apologies
3. Adoption of agenda
4. Remarks from the Chair
5. Review and confirmation of minutes of previous meeting
6. Matters Arising
7. Progress reports from sub-committees
8. Way forward
9. Any Other Business (A.O.B)

MIN NO.	AGENDA ITEM	ACTION
1/21/2019	Prayers The Chair called the meeting to order at 10:25 am and was opened with prayer from Abigail Muigai.	
2/21/2019	Attendance/Apologies Apologies were received from Task force members, Director Ronald Ndegwa and Jimal Hassan as well as David Maswili of the Secretariat.	Secretariat
3/21/2019	Adoption of Agenda The agenda was adopted without any amendments. It was proposed by Mr. John Katimbwa and Seconded by Mr. Richard Kanoru.	Secretariat
4/21/2019	Opening Remarks from the Chair The Chairman welcomed the members and thanked them for their commitment to the transition and transformation of the public transport sector.	
5/21/2019	Review and Confirmation of Minutes of Previous Meeting 5.1 Review of minutes The members were taken through the minutes of the previous meeting held on 10 th July, 2019. 5.2 Confirmation of minutes The minutes were confirmed as the true records of the deliberations of the previous meeting. They were proposed by Mr. S.N. Kamau and seconded by Mr. Benson Mwenda.	Secretariat

6/21/2019	<p>Matters arising</p> <p>The members went through the matters arising which were mainly on review of lessons learnt from the study tour to South Africa.</p>	
7/21/2019	<p>Reports from sub-committees</p> <p>7.1. Operations and Infrastructure</p> <p>The chair of the subcommittee gave a progress report highlighting decisions of the sub-committee as follows:</p> <p>7.1.1. Presentations</p> <p>To make progress, the committee needed to be educated on the following through presentations:</p> <ul style="list-style-type: none"> - Bus specifications - Infrastructure design by KeNHA - Service plan and demand model by ITDP <p>7.1.2. Preparation of transition plan</p> <p>The sub-committee recommended that the taskforce needs to chart out a transition plan that would transform the industry gradually into BRT. It was also recommended that the following be included in the transition plan:</p> <ul style="list-style-type: none"> • Increase of parking fees for private vehicles • Harmonizing school transport • Encourage 24hr economy • Regulate delivery schedules • Encourage use of high capacity vehicles <p>7.2. Business and Finance</p> <p>The chair of the Business and Finance sub-committee gave a progress report highlighting decisions made by the sub-committee as follows:</p> <p>7.2.1 ownership model</p> <p>The sub-committee recommended that the government should own the buses and an operating contract be signed between the government and operators.</p> <p>7.2.2 Fare collection and ticketing</p> <p>The sub-committee recommended that a fare and ticketing system is required and this be provided by the government.</p>	<p>Secretariat</p> <p>Secretariat/NTU</p> <p>Secretariat</p>




	<p>7.2.3 Business model</p> <p>The sub-committee also give recommendations on various other aspects of the business model.(See report on file)</p> <p>7.3. Bus Operating Company and Contracts</p> <p>The chair of the sub-committee presented a report on progress made by the sub-committee stating that most of the activities left depended on input from other sub-committees. It was reported that:</p> <ul style="list-style-type: none"> - The draft Memorandum of Understanding (MOU) and Transport Service Contract (TSC) had been developed. - All the Sub-committees were required to give their input to enable the finalization of the MoU. <p>7.4. Communication and Transition sub-committee</p> <p>The Chairman of the sub-committee presented a brief report on progress made and recommendations of the sub-committee as follows:</p> <ul style="list-style-type: none"> ➤ A budget for the communication strategy was ready for presentation to the EU for release of funds. ➤ The taskforce is running out of time and the public does not have information about planned improvement and transformation of the public transport sector especially BRT. ➤ The taskforce is experiencing serious challenges, key among them been financing, time constraints and human resource. 	<p>Secretaries to sub-committees</p> <p>Secretariat/NTU</p>
8/21/2019	<p>WAY FORWARD</p> <p>8.1. The Secretariat to arrange for the following presentations and documents to be shared with the Taskforce:</p> <ul style="list-style-type: none"> ✓ Bus specifications ✓ Infrastructure design by KeNHA ✓ Service plan and demand model by ITDP. <p>8.2. The Secretariat in conjunctions with the NTU experts to prepare Task force transition plan to transform the industry gradually into BRT including, among other things, the following:</p> <ul style="list-style-type: none"> • Increase of parking fees for private vehicles • Harmonizing school transport • Encourage 24hr economy • Regulate delivery schedules • Encourage use of high capacity vehicles 	<p>Secretariat/KeNHA/ITDP</p> <p>Secretariat/NTU</p>

	8.3. All the Sub-committees to submit their deliverable inputs for the MOU to enable its finalization by the BOC and contracts sub-committee.	
9/21/2019	<p>Any Other Business (AOB)</p> <p>9.1. Task Force Retreat</p> <p>It was resolved that the management in conjunction with NTU team will organize a taskforce retreat to review the lessons learnt from the study tour to South Africa and also to refine and consolidate recommendations of the work streams into one Task force report. The date and venue of the retreat will be proposed during the next Task force meeting.</p> <p>9.2. Task Force allowances</p> <p>The members noted that the payment schedules containing analysis of task Force allowances were not exhaustive and had omissions.</p> <p>It was agreed that the Secretariat should review the analysis of the Taskforce allowances.</p> <p>9.3. Adjournment</p> <p>There being no other business to discuss, the meeting adjourned with prayer by Mr. John Metho at 12:45 PM.</p>	<p>Ag.CEO, NaMATA /NTU</p> <p>Secretariat</p>

MINUTES CONFIRMED

Chairman: Sign  Date 26/07/19

Co -Chairman: Sign  Date 21/07/19

  21.07.2019 

MINUTES OF 28TH TASK FORCE ON TRANSITION AND TRANSFORMATION OF THE PUBLIC TRANSPORT SECTOR MEETING HELD ON 4TH SEPTEMBER 2019, 10.30AM ON 8TH FLOOR BOARD ROOM, TRANSCOM HOUSE

MEMBERS PRESENT

S/NO.	NAME	POSITION
1	Eng. Francis Gitau	Chairman
2	Edwins Mukabanah	Co-Chair
3	Michael Kariuki	Member
4	John Metho	Member
5	Richard W. Kanoru	Member
6	Eng. Amos Njoroge	Member
7	Simon Kimutai	Member
9	Benson Mwenda	Member
11	John Katimbwa	Member
12	Charles Kabugi	Member
13	Dickson Mbugua	Member
14	Githaiga Weru	Member
15	Albert Karakacha	Member
16	Jimal Ibrahim Hassan	Member

ABSENT WITH APOLOGY

1	Mary Chege	Member
2	Ronald Ndegwa	Member
3	Francis Parsimei	Member
4	Grace Kamau	NaMATA

ABSENT WITHOUT APOLOGY

	None	
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SECRETARIAT

1	Abdi Ibrahim	NaMATA
2	Winnie Chore	NaMATA
3	Abigail Muigai	NaMATA

ALSO IN ATTENDANCE

1	Erick Trel	NTU
2	Geoff Gardner	NTU
3	Mercy Nyagah	FPTS legal expert (NTU)



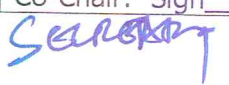

AGENDA

1. Prayer
2. Apologies/attendance
3. Adoption of agenda
4. Remarks from the Chair/co-chair
5. Review and confirmation of minutes of previous meeting
6. Reports from sub-committees
7. Matters arising
8. Any Other Business (A.O.B)

MIN. NO.	DELIBERATIONS ON AGENDA ITEMS	ACTION
MIN. 1/28/2019	PRAYER The meeting was called to order at 10.45am and was led into prayer by Ms. Winnie Chore.	
MIN. 2/28/2019	ATTENDANCE/APPOLOGY Apologies were received as noted above.	
3/28/2019	ADOPTION OF AGENDA The agenda was adopted without amendments. It was proposed by Eng. Amos Njoroge and seconded by Mr. Jimal Ibrahim.	
4/28/2019	REMARKS FROM THE CHAIR 4.1 The meeting was chaired by the Co-Chair of the Task force who is also Chairman of the FPTs. 4.2 The Chairman welcomed the members to the meeting and noted the presence of Mr. Geoff who is the Consultant for the Transport Service Contract. 4.3 It was noted that some of the Secretariat members particularly those who have been gazetted were not in the meeting. The Chair took exception with the absenteeism of members of the Secretariat as trend which he said continued to be perpetuated time and again.	
5/28/2019	REVIEW AND CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING 5.1 Review of minutes The members were taken through the minutes of the 27 th Task Force meeting by Winnie Chore. 5.2 Confirmation of the Minutes The minutes of the 27 th Task Force meeting were confirmed as true records of the deliberations of the previous meeting. The minutes were proposed for confirmation by Mr. Mwenda and seconded by Mr. John Katimbwa.	
6/28/2019	MATTERS ARISING 6.1 Registration of companies 6.1.1 The Legal Advisor for the FPTs informed the members that she is still waiting for submissions from the various associations. The associations were asked to submit the required documents so that the FPTs can embark on the registration of the BOC.	
		Mercy

	<p>6.1.2 The Legal Advisor was asked to share the list of the required documents on the group platform including certificate of registration/incorporation and tax pin.</p> <p>6.2 Signing of the MoU The MoU for the implementation of MRTS was signed between NaMATA representing the Government and FPTs during the meeting.</p> <p>6.3 Non-Disclosure Agreement (NDA) It was agreed that the NDA will be presented for signing in the next Task Force meeting.</p> <p>6.4 Financing of the communication plan The NTU Consultant reported that approval was being sought for procurement from the Chief Engineer Roads. The procurement was expected to be finalized by end of the week.</p> <p>6.5 Consultancy Services 6.5.1 The NTU Consultant on a point of clarifications stated that five consultancy services were to be recruited for NaMATA out of which three (3) were for the FPTs. 6.5.2 The NTU Consultant further informed the members that two of the experts for the FPTs have already been procured and appointed. These are the Business Model expert (Mr. Kihato) and Legal expert (Ms. Mercy Nyagah). 6.5.3 The remaining 3rd expert for the FPTs is currently vacant but is in the process of being procured and the CVs have already been submitted to the FPTs. 6.5.4 It was further mentioned that another short term expert Mr. Geoff has been recruited to handle the Transport Service Contract while there is another Legal expert working on the BRT regulations.</p>	<p>Secretariat/ chairmen</p> <p>Secretariat</p> <p>NTU</p> <p>NTU</p>
7/28/2019	<p>REPORTS FROM SUB-COMMITTEES</p> <p>7.1 Operations and Infrastructure subcommittee The Chairman presented the sub-committee's report with the following recommendations: (a) Copy of the signed MoU be availed to the Chairman of FPTs for retention; (b) The committee also made the following recommendations after the site visit to Thika Road:</p>	

	<p>(vii) The KRC Commuter Rail ticketing service provider be invited to do a demonstration of the system and subsequent visit to Commuter Rail station be organized;</p> <p>(viii) The FPTS affiliated associations to ask their private bus operators with interest to operate on the pilot route to submit written expression of interest to NaMATA;</p> <p>(ix) The necessary schedules be prepared and attached to the signed MoU ;</p> <p>(x) The Consultant for the TSC is expected to arrive Wednesday and it was recommended that a joint meeting for Business and Finance as well as Operating Company and Contracts be scheduled for 9th September 2019 at 2.30pm.</p> <p>7.3 Transition and Communication Committee</p> <p>(a) There is need to urgently plan for transition activities after release of the newspaper article;</p> <p>(b) The BOC be assigned responsibility to be in-charge of staff recruitment and training;</p> <p>(c) The final draft bus specifications should be in place by the time private bus operators/suppliers will be coming on board;</p> <p>(d) The committee recommends half day meeting with the Business Model Consultant to discuss the transition strategy;</p> <p>(e) The committee recommends the restructuring of the communication strategy to include meetings with County Transport Committees and Parliamentary Transport Committees.</p> <p>7.4 Operation Company and Contracts</p> <p>The Chairman presented a brief report indicating that the Committee is awaiting FPTS affiliated associations to finalize on the registration of their companies.</p>	
8/28/2019	<p>Way Forward</p> <p>8.1 It was proposed that the Task Force members should visit the TMC/BMC in order to get more detailed information.</p> <p>8.2 The proposed 'study' tour to Tanzania to funding from the world bank.</p> <p>8.3 ITDP be invited to make a presentation on the service plan for the pilot route.</p>	

	<p>8.4 The members requested the NTU Consultant (Erick) to be advising on financial matters as the procurement of an expert is being awaited.</p> <p>8.5 It was proposed that the Task Force should engage TATA, Scania, Kinglong and Utong among others to send their Expression of Interest.</p>	
9/28/2019	<p>Any Other Business (A.O.B)</p> <p>9.1 Members agreed that the work on the final report needs to start;</p> <p>9.2 It was agreed that the accountant from State Department of Housing/Urban Development and HR Officer be invited to the next meeting to explain issues about payment of task force allowances and taxation;</p> <p>9.3 The members were informed that NTSA is making changes in the industry and the taskforce wished to know whether NaMATA and NTSA were on the same page concerning the reforms in the sector;</p> <p>9.4 It was agreed also that the signed interim report will be shared with the members;</p> <p>9.5 It was suggested that an officer from SCAC be invited to enlighten members on the workings of a taskforce, its mandate, responsibilities and duties.</p> <p>9.6 It was mentioned that the public transport policy was in the process of being formulated including urban Mass Rapid Transit System (MRTS).</p> <p>9.7 To dispel the queries on harmonization with the county, NTSA and the taskforce, members noted that once the traffic model simulation is done, the taskforce will have something tangible to present to the stakeholders concerned for discussions and way forward.</p> <p>9.8 There being no other business, the meeting adjourned. At 1.15pm with prayers from Mr. Githaiga Weru.</p>	
<p>MIUNTES CONFIRMED</p> <p>Chairman: Sign  Date <u>13/09/19</u></p> <p>Co-Chair: Sign  Date <u>11.09.19</u></p> <p>  <u>11.09.2019.</u></p>		

MINUTES OF THE 29TH TASK FORCE FOR TRANSITION AND TRANSFORMATION OF THE PUBLIC TRANSPORT SECTOR MEETING HELD ON 11TH SEPTEMBER 2019, 10.00AM AT 9TH FLOOR BOARD ROOM WORKS BUILDING

MEMBERS PRESENT

S/NO.	NAME	POSITION
1	Edwin Mukabanah	Session Chair
2	Eng. Michael Njonge	NaMATA
3	Simon Kimutai	Member
4	Dickson Mbugua (dsa)	Member
5	Githaiga Weru	Member
6	Richard Kanoru	Member
7	John Katimbwa	Member
8	Charless Kabugi	Member
9	S.N. Kamau	Member
10	Eng. Amos Njoroge	Member
11	Michael Kariuki	Vice Chair, FPTs (Member)
12	Benson Mwenda	Member
13	John Metho	Member
ABSENT WITH APOLOGY		
14	Eng. Francis Gitau	Ag. CEO/Chairman
15	Grace Kamau	Secretariat
16	Jimal Ibrahim Hassan	Member
17	Albert Karakacha	Member
18	Mercy Nyagah	NTU Legal Advisor to FPTs
19	Mary Chege	Member
ABSENT WITHOUT APOLOGY		
18		
SECRETARIAT		
19	Abdi H. Ibrahim	NaMATA
20	Winnie Chore	NaMATA
ALSO IN ATTENDANCE		
21	Eric Trel	NTU Consultant
22	Fred Muhulu	Ass.PAC

AGENDA

1. Prayer
2. Attendance/Apology
3. Adoption of agenda
4. Remarks from the Chair
5. Review and confirmation of minutes of previous meeting
6. Matters arising

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7. Reports from sub-committees
8. BOC (Structure and operational plan)
9. Communication plan
 - Affirming dates for newspaper article and county forum
 - Flow of budget to communication
10. Any Other Business (A.O.B)

MIN. NO.	DELIBERATIONS ON AGENDA ITEMS	ACTION
1/29/2019	PRAYER The meeting was called to order at 10.20am and was led into prayer by Mr. John Metho.	
2/29/2019	ATTENDANCE/APOLOGY Apologies were received from the members as noted above.: •	
3/29/2019	ADOPTION OF AGENDA 3.1 The agenda was adopted albeit some amendments. 3.2 The NTU Consultant proposed the inclusion of an item on proposed series of meetings for Business Plan and BRT Regulations. 3.3 The agenda was proposed for adoption by Mr. Mwenda and seconded by Mr. Metho	
4/29/2019	REMARKS FROM THE CHAIR The Session Chairman who is also the Co-Chair of the Task Force informed members that he had received apology and brief from the Chair of the Task Force who was out of the Country on official duties. The brief, among other things, included the following proposed agenda items: (i) BOC (Structure and operational plan) (ii) Communication plan <ul style="list-style-type: none"> • Affirming dates for newspaper article and county forum • Flow of budget to communication (iii) Plan for the procurement of additional experts	Secretariat
5/29/2019	REVIEW AND CONFIRMATION OF MINUTES OF PREVIOUS MEETING 5.1 REVIEW OF MINUTES The members were taken through the minutes of the 28 th Task Force meeting by Mr. Abdi Ibrahim. 5.2 CONFIRMATION OF MINUTES	


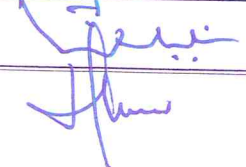
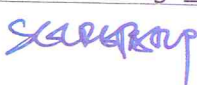
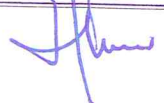
	<p>The minutes were confirmed as true records of the deliberations of the previous meeting albeit some corrections. The minutes were proposed for confirmation by Mr. Githaiga Weru and seconded by Mr. Michael Kariuki.</p> <p>5.3 CORRECTIONS OF MINUTES</p> <p>5.3.1 The name of Mr.Kamau who was in attendance in the previous meeting was left out in the list of attendance.</p> <p>5.3.2 Under page 4 bullet no. 3 it was also agreed that the proposal of Tom Mboya.as the ideal pilot route on availability of funds be shared with KeNHA for a recommendation and subsequent site visit.</p> <p>5.3.4 Page 6 signature section correct the spelling of minutes.</p>	Secretariat
6/29/2019	<p>MATTERS ARISING</p> <p>6.1 Registration of companies</p> <p>The meeting was informed that the associations have not submitted information required. The requirements had not yet been uploaded on the whatsapp platform. This agenda item, however, was not discussed exhaustively since the NTU Legal Advisor was not in attendance.</p> <p>6.2 Signed MoU</p> <p>It was observed that the MoU was signed but a copy had not been availed to the Chair of the FPTs. The meeting agreed that the same should be shared before end of the day even if it will be in soft copy.</p> <p>6.3 Non – Disclosure Agreement (NDA)</p> <p>The NDA was not available for signing since the two Legal Counselors were not in attendance. It was agreed that the matter will be reviewed in subsequent meetings.</p> <p>6.4 Financing of the communication plan</p> <p>It was confirmed that the program and budget for the communication plan was approved by the Chief Engineer, Roads ready for implementation.</p> <p>6.5 update on procurement of 3rd expert for FPTs</p>	<p>NTU Legal Advisor to FPTs</p> <p>Secretariat</p> <p>NTU Legal Advisor for FPTs</p>

	<ul style="list-style-type: none"> • The FPTs informed the meeting that they had made a background checks on the CV of the proposed expert and expressed some reservations. • The members were, however, informed that the aim of the consultancy service is to develop a financial model that informs the business plan. The expert is specifically to be hired to guide the FPTs on fleet financing and fleet ownership. The Members were assured that the competency of the expert will be subjected to checks at different levels. • The meeting resolved that the expert will be invited to meet the FPTs members to discuss key areas of concern to them. <p>6.6 Presentations from KeBS, Mechanical Department and KRC ticket Service Provider</p> <p>6.6.1 It was observed that the Task Force needed to come up with a checklist of the trivial queries they needed answers to so that the respective agencies can prepare accordingly. It was agreed that Eric and Eng. Njonge to come up with the check list</p> <p>The following issues are to be considered:</p> <ol style="list-style-type: none"> a) Service provider's experience in BRT bus ticketing; b) Flexibility of the KRC system possibility of extending its services to BRT Bus; c) Functionality of the KRC ticketing system, among others. <p>6.6.2 The meeting resolved that NaMATA should also make a presentation on its BRT specifications to the Task Force members</p> <p>6.6.3 It was also agreed that KeBS and Mechanical technical team will be invited to the next meeting, and KRC ticket service provider the week after.</p> <p>6.7 Task Force allowances and taxation</p> <p>The Deputy AAG was invited to explain and shed light on issues pertaining to payment of task force allowances and taxation. The Accountant explained that the payment of task force allowances is guided by circulars from Head of the Public Service, Ministry of Devolution, Directorate of Public Service Management and SRC. The members were taken through the provisions of the circular on payment of Task Force allowances.</p>	<p>NTU consultant</p> <p>Eng. Njonge/Winnie</p>
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	<p>Reason why the task force allowances cannot be paid soon after every sitting and what levels of taxation apply was explained in depth</p> <p>The members were also informed that it is important that they are deducted 30% tax to be on the safe side. It was further mentioned that these funds are held in a tax withholding account waiting for NaMATA to be appointed as a tax agent.</p> <p>The status of the NaMATA KRA's pin be presented in the next task force meeting.</p> <p>6.9 Task Force visit to KRC commuter rail station</p> <p>This was said to be subject to the presentation by the ticketing service provider.</p> <p>6.10 Work Plan for the Business Model Consultant</p> <p>It was reported that the consultant is due to arrive on 23rd September 2019 and that he has been provided with the necessary input to prepare the Work Plan;</p> <p>6.11 FPTs retreat</p> <p>The FPTs members recommended to the NTU that the FPTs be considered as the first stakeholder in the implementation of the communication plan so as to remain within the approved budget.</p> <p>6.12 List of risks</p> <p>The members were informed that the final list was to be discussed in the proposed FPTs retreat and was therefore work in progress.</p> <p>6.13 Release of news article</p> <p>It was reported that the article had been approved and the budget is readily available .and is only awaiting the Ag.CEO's signature. It was however agreed that Eng. Michael Njonge who was holding briefly for the Acting CEO could sign the article. It was further agreed that the advert will be placed in the Nation and standard Newspapers next week preferably Thursday.</p>	<p>Secretariat</p> <p>Eric/Eng. Njonge</p> <p>NTU</p>
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	<p>6.14 Task Force visit to TMC/BMC</p> <p>It was reported that one of the TMCs centered at KURA is currently in the process of being dismantled from the offices at 5th Ngong Avenue and being relocated to Barabara Plaza. Eng. Njonge was asked to see if the task force can visit the TMC before it is relocated.</p> <p>6.15 ITDP</p> <p>The meeting was informed that the ITDP was not ready to make a presentation of the service plan for pilot route and requested for more time.</p> <p>6.16 Interim Task Force report</p> <ul style="list-style-type: none"> • It was said that the CEO was expected to guide and is currently out of the country. • The Secretariat was asked to avail a binded copy of the interim Task Force Report to the Chair and members of the FPTs. <p>6.17 Invitation to County Transport and Parliamentary transport committees</p> <ul style="list-style-type: none"> ✓ The NTU consultant informed the meeting that the County Transport and Parliamentary committees will both be invited to BRT Line 2 sensitization workshop. ✓ It was also agreed that all the NMA counties be represented in the stakeholder engagement activities. 	<p>Eric</p> <p>Chair of FPTs</p> <p>NTU</p> <p>Eng. Njonge</p> <p>Secretariat</p> <p>Secretariat</p>
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7/29/2019	DIFFERMENT OF AGENDA ITEMS Due to the time factor, the members agreed to differ deliberations on the remaining agenda items.	
8/29/2019	WAY FORWARD 8.1 Registration of companies The Legal Advisor to FPTs to follow up with members on the submission of the required documents. 8.2 Signed MoU A copy of signed MoU be availed to the Chair of the FPTs before end of day. 8.3 Non – Disclosure Agreement (NDA) The NDA be availed in the next meeting for signing. 8.4 Financing of the communication plan The implementation of the communication plan be rolled out as soon as possible starting with the launching of the advert on the newspaper article. 8.5 Procurement of 3 rd expert for FPTs The expert be invited to meet the FPTs members to discuss key areas of concern to them. 8.6 KeBS, Mechanical Department and KRC Commuter Rail Service Provider The Eng. Njonge and NTU Consultant to prepare relevant standards against which presentation by three agencies can be gauged. 8.7 NaMATA to come with a presentation on its BRT specifications to the Task Force members during the next Task Force meeting.	Secretariat

	<p>8.8 Task Force agreed that a visit to KRC commuter rail station will be subject to the presentation by the ticketing service provider.</p> <p>8.9 The consultant was asked to present the work plan for the Business Model Consultant as soon as possible.</p> <p>8.10 Release of news article</p> <ul style="list-style-type: none"> • Eng. Michael Njunge to sign the article. • The advert be placed in the Nation and standard Newspapers next week preferably Thursday. <p>8.11 Taskforce agreed that ITDP be invited to make a presentation on the service plan for the pilot route.</p> <p>8.12 interim Task Force report</p> <p>The Secretariat to avail a bindered copy of the interim Task Force Report to the Chair and members of the FPTs.</p> <p>8.13 Invitation to County Transport and Parliamentary transport committees</p> <ul style="list-style-type: none"> ✓ The NTU consultant ensure the County Transport and Parliamentary committees have both been invited to BRT Line 2 sensitization workshop. ✓ It was also agreed that all the NMA counties be represented in the stakeholder engagement activities. 	
9/29/2019	<p>ANY OTHER BUSINESS (A.O.B)</p> <p>There being no other business to discuss, the meeting adjourned at 12.45pm.</p>	
<p>MINUTES CONFIRMED:</p> <p>Chairman: sign  Date <u>20/09/19</u></p> <p>Co-Chair: Sign  Date <u>17/09/2019</u></p> <p>  <u>7.0.9.2019.</u></p>		

MINUTES OF 35TH TASK FORCE MEETING HELD ON 4TH DECEMBER 2019 AT 8TH FLOOR BOARD TRANSCOM HOUSE

MEMBERS PRESENT

S/NO	NAME	POSITION
1	Eng. Francis Gitau	Chairman
2	Michael Kariuki	Member
3	Edwin Mukabanah	Co-Chairman
4	Simon Kimutai	Member
5	S.N. Kamau	Member
6	John Katimbwa	Member
7	John Metho	Member
8	Benson Mwenda	Member
9	Charles Kabugi	Member
10	Albert Karakacha	Member
11	Githaiga Weru	Member
12	Dickson Mbugua	Member
13	Richard Kanoru	Member
ABSENT WITH APOLOGY		
14	Ms. Mary W. Chege	Member
15	Eng. Amos Njoroge	Member
16	Mr. Francis Parsimei	Member
17	Mr. Ronald Ndegwa	Member
18	Mr. Jimal Ibrahim Hassan	Member
In attendance		
19	Michael Kihato	NTU Consultant
20	Mercy Nyagah	NTU Consultant
21	Mr. John Nguri	NTU Consultant
22	Teresia Ochino	NTU Consultant
SECRETARIAT		
23	Abdi Ibrahim	NaMATA Staff
24	Winnie Chore	NaMATA Staff
25	Emmanuel Wanyama	NaMATA Staff

AGENDA

- 1. Opening Prayer**
- 2. Attendance and apologies**
- 3. Adoption of agenda**
- 4. Introductory remarks**

5. Review of minutes of previous meeting

6. Reports from Sub-Committees

6.1 Operations and Infrastructure

6.2 Business and Finance

6.3 Operating Company and Contracts

6.4 Transition and Communication


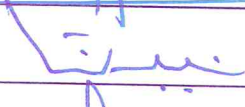
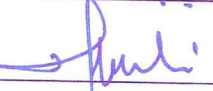
7. Presentations by Communication Expert on the communication Plan timetable

8 Any Other Business (A.O.B)

Min. no.	DELIBERATIONS ON AGENDA ITEMS	ACTION
1/35/2019	Opening prayers The Chairman called the meeting to order and requested Emmanuel Wanyama to lead the members into prayers.	
2/35/2019	ATTENDANCE/APOLOGIES Apologies were received from the following members: 1. Ms. Mary W. Chege 2. Eng. Amos Njoroge 3. Mr. Francis Parsime 4. Mr. Ronald Ndegwa 5. Mr. Jimal Ibrahim Hassan	
3/35/2019	ADOPTION OF AGENDA The agenda was adopted without any amendments. It was proposed by Mr. Dickson Mbugua and seconded by Mr. John Katimbwa.	
4/35/2019	INTRODUCTORY REMARKS 4.1 Remarks by Co-Chair The Chairman informed members that he has been away from the country for some time. He also observed the Secretariat's lack of consistency. He also noted and acknowledged the	

	<p>presence of the John Ngugi the NTU Consultant for Financial Models.</p> <p>4.2 Remarks by Chairman</p> <p>The Chairman welcomed the members noting that long since the last meeting was held and commending the members for their commitment. He also appreciated the assistant from the NTU.</p> <p>He also informed the members that the Government engaged the French Development Firm (Godec) on the PPA for 700million a big portion of which is training for the Task Force. It was stated that the Fund will provide the necessary status confirmed by January 2020. Similarly, there was a World Bank mission which confirmed that the Bank will assist the development of BRT Infrastructure. At the same time the Korea Development Aid pledged to support ITS programme in Nairobi.</p> <p>The Chairman gave the members the confidence that they are important in helping the government to implement a successful Public Transport Programme.</p>	
5/35/2019	<p>REVIEW OF MINUTES OF PREVIOUS MEETING</p> <p>5.1 Review of minutes</p> <p>The members were presented with and taken through minutes of the 34th Task Force meeting held on 13th November 2019.</p> <p>5.2 Confirmation of minutes</p> <p>The Minutes were proposed for confirmation by Mr. Karakacha and seconded by Kemboi.</p> <p>5.3 Corrections of minutes</p> <p>It was observed that the minutes had no absent with or without apology while Ms. Mary Chege, Eng. Amos Njoroge. Mr. Ronald Ndegwa and Francis Parsimei had tended their apologies. The members also recalled that Jimal Ibrahim Hassan was not in attendance. The Secretariat was asked to review the minutes for correction.</p>	
6/35/2019	<p>MATTERS ARISING</p>	

	<p>6.1 3rd Consultant</p> <p>The Chairman informed the Members that the new face in the meeting was Mr. John Ngugi who was the 3rd Consultant. The Consultant was welcomed and briefed on the formation, constitution, mandate and progress of the Task Force. Mr. Ngugi was then asked to introduce which he did.</p> <p>The NTU Consultant confirmed that support for the Task Force and FPTs was now complete and that the consultants are complement one another.</p>	
7/35/2019	<p>SUB-COMMITTEE REPORTS</p> <p>7.1 Operations and infrastructure</p> <p>The Chairman presented the Committee's report to the members. The members raised concern that the tender document did not seem to have incorporated its recommendations. It was, however, stated that the tender is design and build meaning that all the recommendations will be taken care of off. The Sub-Committee recommended that bus stops be constructed at each overpass along the proposed BRT Line 2. The Sub-Committee also proposed the Task Force to visit the TMC at KURA offices. The Secretariat was asked to organize and follow up on scope of what is to be seen or discussed with KURA. It was also agreed that during the visit to the TMC, members will have an opportunity to see KRC ticketing installations.</p> <p>It was further stated that the sub-committee has not had any opportunity to see the demo bus. The members were, however, informed the demo bus is not for NaMATA.</p> <p>6.2 Operating Company and contracts</p> <p>The Chairman presented the Sub-Committee's report to the members.</p> <p>6.3 Transition and Communication</p> <p>The Chairman presented the sub-committee's report with the Communication Expert presenting summary of activities of the communication plan.</p> <p>The Communication Expert took the members through a</p>	

	<p>report on summary of proposed meetings with stakeholders. The Secretariat was asked to align Board meeting with the Task Force requests.</p> <p>The Transition and Communication sub-committee indicated that it need to invite NTSA to make presentation on the number of SACCOs operating on Line 2, the number of their employees, number of operators as well as staff.</p> <p>Mr. Kihato was asked to make a presentation on compensation models during the next meeting. FPTs to come up with mitigation measures on affected persons along BRT LINE 2 Thika. FPTs also to prepare the timetable for the consultant's up to April 2020. The consultants were also asked to prepare presentations and forward them to members in the circumstance the planned meeting fail to materialize.</p>	
8/35/2019	<p>TASK FORCE ALLOWANCES</p> <p>The Secretariat was asked to prepare and follow up payment of the Task Force allowances.</p>	
9/35/2019	<p>ANY OTHER BUSINESS (A.O.B)</p> <p>The Co-Chair commended NaMATA for securing offices at Cianda House observing that this will be an important milestone in the operationalization of the Authority.</p>	
<p>MINUTES CONFIRMED:</p> <p>Chairman sign  Date <u>16/12/19</u></p> <p>Co-Chair Sign  Date <u>11.12.19</u></p> <p>Secretary  Date <u>11.12.2019</u></p>		

MINUTES OF 37TH TASK FORCE ON TRANSITION AND TRANSFORMATION OF PUBLIC TRANSPORT SECTOR MEETING HELD ON 15TH JANUARY 2020, 10.00AM AT 9TH FLOOR BOARD ROOM, WORKS BUILDING

S/NO	NAME	POSITION
1	Eng. Francis Gitau	Chair
2	Edwins Mukabana	Co-Chair
3	Githaiga Weru	Member
4	Albert Karakacha	Member
5	John Metho	Member
6	S.N. Kamau	Member
7	Charles Kabugi	Member
8	Simon Kimutai	Member
9	Dickson Mbugua	Member
10	Francis Parsimei	Member
11	Richard Kanoru	Member
12	Dr. Juliet Kimemiah	Member
13	John Katimbwa	Member
14	Eng. Amos Njoroge	Member
ABSENT WITH APOLOGY		
15	Mary Chege	Board Director, member
16	Jimal Ibrahim Hassan	Member
17	Mwenda James	Member
18	Michael Kariuki	Member
19	David Maswili	Member
SECRETARIAT		
20	Abdi H. Ibrahim	NaMATA Staff
21	Emmanuel Wanyama	NaMATA Staff
IN ATTENDANCE		
22	Mercy Nyagah	NTU Consultant
23	Teresa Ochino	NTU Consultant

AGENDA

1. Opening prayer
2. Apology/attendance
3. Adoption of agenda
4. Quorum
5. Remarks from Chair and Co-Chair

6. Review of minutes of previous meeting

7. Matters arising

8. Reports on:

- Transport Service Contract (TSC) Ratification
- Bus Operating Company (BOC) Registration
- Roll out of the Communication Plan
- Adoption of the BRT Regulations
- Office Accommodation

9. Any Other Business (A.O.B)

10. Closure

Min. no.	DELIBERATIONS ON AGENDA ITEMS	ACTION
1/37/2020	OPENING PRAYER The Chairman called the meeting to order at 10.15am. The meeting was led into prayer by Mr. John Metho.	
2/37/2020	ATTENDANCE/APOLOGY Apologies were received from the following: 1. Benson Mwenda 2. Michael Kariuki 3. Jimal Ibrahim Hassan 4. Mary Chege 5. David Maswili	
3/37/2020	ADOPTION OF AGENDA The agenda was adopted without amendments. It was proposed by Mr. S.N. Kamau and seconded by Mr. John Metho.	
4/37/2020	INTRODUCTORY REMARKS 4.1 Remarks from the Chair The Chair wished members happy 2020 and observed that allot of work was done during the previous year. He underscored the need to finalize on the BOC, TSC and to develop an implementation plan noting that the Task Force is left with only two months. At this junction the Chair informed members that Mr. Eric Trel is bereaved and urged members to comradeship during this difficult time of mourning. 4.2 Remarks from the Co-Chair	

	<p>The Co-Chair also welcomed members and observed the intensity of the work that is left. He also observed that the press is demanding to know what is going on in the public transport sector. He mentioned that FPTs looked forward to meeting NTSA and will also engage with the new Principal Secretary for Transport.</p>	
5/37/2020	<p>REVIEW OF MINUTES OF PREVIOUS MEETING</p> <p>The Members were taken through minutes of the previous meeting. The minutes were proposed for confirmation by Mr. Albert Karakacha and seconded by Mr. S.N. Kamau.</p>	
6/37/2020	<p>MATTERS ARISING</p> <p>6.1 BRT Line 2 Design Process</p> <p>The members were informed that during the site visit many genuine questions were raised by the contractors/bidders which necessitated extension of tender and addendums to the contract document. It was also reported that evaluation of the tender documents will be done from 27th January 2020. It was further said that the pilot is expected to commence in May 2020. This is a design and build contract where the design cost is expected not to exceed Kshs 200million while the cost of development may vary.</p> <p>The question of what point in time the Task Force will engage the Design and Build Contractor was raised. The response was that once the Design and Build Contractor is brought on board, the Task Force will have an opportunity to engage the process. It was, however, said that the issue of service plan, budget and design must be agreed and harmonized first.</p> <p>6.2 Task Force Allowances</p> <p>Members requested their allowances to be prepared on time. It was further proposed that accounts division should produce P9 for the Task Force Members.</p> <p>6.3 Task force training</p> <ul style="list-style-type: none"> • The members requested to be provided with copies of 	

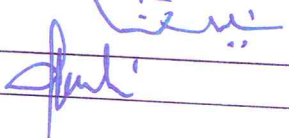
	<p>Mwongozo and chapter six of the Constitution of Kenya.</p> <ul style="list-style-type: none"> It was also agreed that members be taken for two days induction course. <p>6.4 Benchmarking study tour</p> <p>The members revisited the need for a bench marking trip to Dar-es-Salam. The Co-Chair was asked to come up with the areas of interest for the proposed Dar-es-Salam study tour.</p>	
7/37/2020	<p>Reports</p> <p>7.1 Transport Service Contract (TSC)</p> <p>It was reported that the FPTs gave feedback on the draft document and was sent back to the NTU Consultants for finalization. The Legal Expert for the FPTs was asked to engage the Consultants on the finalization of the TSC. Finally, it was agreed that the first draft of the TSC will form the basis for operating the pilot BRT project.</p> <p>7.2 Bus Operating Company (BOC)</p> <p>It was reported that there were some delays initially but the documents have been submitted for registration to the Registrar of Companies.</p> <p>At this juncture, it was said that the MoU, TSC and BOC will be adequate to engage with the Cabinet Secretary to launch the BRT operations.</p> <p>The NTU Communication Expert was asked to draft an appropriate communique under the communication plan. It was also agreed that the communique narrative needs to address issue of unemployment among the affected and timeline.</p> <p>It was further agreed that the Business and Finance Model as well as the operations experts needs to have their input on the TSC, BOC and BRT Regulations before they are submitted to the NaMATA Board.</p> <p>7.3 Roll out of communication plan</p> <p>The members were informed that the scheduled meetings</p>	

	<p>with the NaMATA Board and Benchmarking study tour, among other activities have been overtaken by event.</p> <p>The meeting with the NMA Council will also have to been postponed as a result.</p> <p>The other activities, however remain as planned since the funds for the communication plan have already been requested from the EU.</p> <p>7.4 BRT Regulations</p> <p>The meeting was informed that the FPTs was scheduled to discuss the draft with the Consultant.</p> <p>7.5 Task Force Secretariat Office</p> <p>The Members were informed that the offices at Cianda house are ready for occupation and that the Task Force Secretariat has already been allocated an office.</p>	
8/37/2020	<p>ANY OTHER BUSINESS (A.O.B)</p> <ul style="list-style-type: none"> • The need to come up with a strategy to counter the negative media coverage was underscored. It was said that since it is only the Cabinet Secretary who can issue a press or public statement, there is need to provide him with the appropriate information. • The members were cautioned against thinking of asking for another extension and hence the need to come up with timeline of deliverables was underscored. • It was also agreed that any new expert to be brought on board must be able to identify with the FPTs team. • The need to have all communication statements to be factual was underscored. • The need to focus mindset on achieving and actualizing the objectives of the Task Force as a legacy was also underscored. 	

	<ul style="list-style-type: none"> It was agreed that a matrix to chart the deliverables be prepared. 	
9/37/2020	CLOSING REMARKS <p>9.1 The Chairman commended members for decorum as a sign of commitment for the new year.</p> <p>9.2 The Co-Chair observed that other countries in the region are ahead of Kenya and underscored the need to catch up. He also underscored the need to change mindset and leave behind a better legacy.</p> <p>9.3 There being no other business to discuss, the meeting adjourned at 12.21pm.</p>	

MINUTES CONFIRMED:

Chairman: Sign  Date: 24/01/20

Co-Chair: Sign  Date: 22.1.21
22.01.2020

MINUTES OF 38TH TASKFORCE ON TRANSITION AND TRANSFORMATION OF THE PUBLIC TRANSPORT SECTOR MEETING HELD ON 29TH JANUARY, 2020. 10:00 AM AT 7TH FLOOR BOADROOM, CIANDA HOUSE.

S/NO	NAME	POSITION
1	Eng. Francis Gitau	Chair
2	Edwins Mukabanah	Co-chair
3	Michael Kariuki	Member
4	John Katimbwa	Member
5	Richard Kanoru	Member
6	Charles Kabugi	Member
7	Githaiga Weru	Member
8	S. N Kamau	Member
9	Simon Kimutai	Member
10	Dr. Juliet Kimemiah	Member
11	John Metho	Member
	ABSENT WITH APOLOGY	
12	Mary Chege	Member
13	Ronald Ndegwa	Member
14	Mwende Benson	Member
15	Mercy Nyaga	FPTS consultant
16	Albert Karakacha	Member
17	Eng. Amos Njoroge	Member
	SECRETARIAT	
18	Grace Kamau	
19	David Maswili	
20	Emmanuel Wanyama	
21	Abdi H. Ibrahim	
	IN ATTENDANCE	
22	Eric Trel	NTU consultant
23	Teresa Ochino	NTU consultant
24	Connie Ngachu	NaMATA


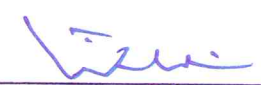
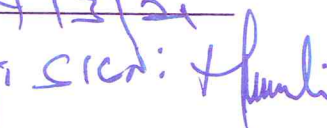
AGENDA

1. Opening prayer
2. Apology/ attendance
3. Confirmation of Quorum
4. Adoption of Agenda
5. Opening remarks
6. Review and confirmation of minutes of the previous meeting
7. Matters arising
8. Presentation on BRT Communique

9. Any other business (AOB)
10. Way forward.

Min No	Deliberation on Agenda items	Action
1/38/2020	OPENING PRAYER The chairman called the meeting to order at 10:45am. The meeting was led into prayer by Mr. John Metho.	
1/38/2020	ATTENDANCE/ APOLOGY Apologies were received as noted above.	
3/38/2020	CONFIRMATION OF QUORUM With majority being present the meeting proceeded.	
4/38/2020	ADOPTION OF THE AGENDA The agenda was adopted without amendments. It was proposed by Mr. Michael Kariuki and seconded by Mr. John Katimbwa.	
5/38/2020	OPENING REMARKS The Co-chair in his opening remarks congratulated both NaMATA and FPTs for acquiring an office at Cianda House. He stated that the location was convenient.	
6/38/2020	REVIEW & CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING The members were taken through the minutes of the previous meeting. The minutes were proposed for confirmation by Mr. John Metho and seconded by Mr. John Katimbwa.	
7/38/2020	MATTERS ARISING 7.1 BOC Registration The meeting was informed that forms for registration of the BOC had been presented to FPTs members and would be signed immediately after the meeting (on 29-1-2020). This will pave way for issuance of the registration certificate. 7.2 Transport Service Contract (TSC) Update Mr. Eric stated that he had not received comments from FPTs on the TSC. The Co-chair stated that FPTs had met on 28-1-2020 and discussed the TSC but did not finalize on their comments. FPTs requested that Mr. Gardner, the consultant preparing the TSC meets with them so that they can share their comments with him. It was also noted that Gardner will be available on the 3 rd week of February, and Mr Eric Trel requested to receive FPTs comments before Gardner arrives.	

	<p>Members proposed that Mr. John Nguri and Mr. Kihato (consultants/experts) should give their input on the TSC. Further efforts should be made to ensure that the two experts meet with FPTs at the same time instead of availing themselves individually. Mr. John Nguri the expert on business model requested to be provided with a copy of the TSC.</p> <p>The Chair informed the members that the NaMATA board had already approved a retreat during which the TSC will be discussed in detail, and a date will be communicated in due course. All the experts should be present during the retreat.</p> <p>It was reported that it will take time for NaMATA to fully take over and coordinate public transport in the NMA. In this endeavour, NaMATA will work closely with other relevant Government Agencies.</p> <p>7.3 Swivel</p> <p>Some members wanted to know if the government could introduce some controls on this business which they felt was creating unfair competition, but they were informed that NaMATA has no control over this transportation company.</p> <p>Some members felt that Swivel has not fully complied with the law as it has not been applying for clearance from the County Government. NTSA should not overlook the mandate of other government agencies when issuing licenses.</p>	
8/38/2020	<p>PRESENTATION ON BRT COMMUNIQUE</p> <p>8.1 It was agreed that there should be two presentations for stakeholders' engagement on BRT, one by FPTs and another by NaMATA .</p> <p>8.2 It was noted that NTU had prepared draft presentations for NaMATA and FPTs. The two institutions will look at the presentations so as to customize them and finalize.</p> <p>8.3 There was a proposal to include in the presentation the structure and composition of the NMA Council and the NaMATA Board.</p> <p>8.3 Some members proposed that the main principle of compensation of the affected should be that, no one should be left worse off. This should be captured in the presentation.</p> <p>8.4 FPTs members requested that NaMATA board confirms urgently whether or not there are funds available for compensation of the affected.</p> <p>8.5 Members agreed that the Taskforce should meet the NaMATA Board urgently either during the next board meeting or during a special board meeting.</p>	

9/38/2020	AOB There being no any other business the meeting ended at 12:52pm with a word of prayer by Teresa Ochino	
	MINUTES CONFIRMED:  Chairman: Sign _____ 07/02/20 Date: _____ Co-Chair: Sign  Date: <u>4/13/21</u> Secretary Sign:  05.02.20	

**MINUTES OF 39th TASK FORCE ON TRANSITION AND TRANSFORMATION OF
PUBLIC TRANSPORT SECTOR MEETING HELD ON WEDNESDAY 4th MARCH, 2020
AT 10.00 AM IN THE 7TH FLOOR BOARDROOM, CIANDA HOUSE**

FC
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Members present

No.	NAME	DESIGN./ORGANIZATION
1.	Eng. Michael Njonge	Chairing
2.	Dickson Mbugua Dsa	Member
3.	John Metho	Member
4.	Benson M Ng'ang'a	Member
5.	Michael M Kariuki	Member
6.	Charles Kabugi	Member
7.	Githaiga Weru	Member
10.	John Katimbwa	Member
11.	Richard Kanoru	Member
13.	Dickson Mbugua	Member
ABSENT WITH APOLOGY		
14.	Eng. Francis Gitau	Chair
15.	Edwins Mukabanah	Co-chair
16.	Ronald Ndegwa	Member
17.	Jimal Ibrahim	Member
18.	Samuel N. Kamau	Member
19.	Charles Kaira	NTU Expert
ABSENT WITHOUT APOLOGY		
20	Albert Karakacha	Member
21.	Simon Kimutai	Member
22.	David Maswili, Arch.	Secretariat
23.	Mary Chege	Member
24.	Eng. Amos Njoroge	Member
SECRETARIAT		
25.	Grace Kamau	Secretariat
26.	Winnie Vutagwa, Eng	Secretariat
27.	Mercy Nyagah	Secretariat
28.	Abdi Ibrahim	Secretariat
29.	Emmanuel Wanyama	Secretariat
INVITED TECHNICAL EXPERTS		
30.	Geoff Gardner	NTU
31.	Teresa Ochino	NTU

Agenda

1. Prayer
2. Attendance/Apologies
3. Adoption of agenda
4. Introductory remarks from the Chair
5. Review and confirmation of previous meeting
6. Presentation on TSC
7. Discussions
8. Any other business

MIN NO.	AGENDA ITEM	ACTION
1/39/2020	Prayers The Chair called the meeting to order at 10:30 am and was opened with prayer from Grace Kamau.	
2/39/2020	Attendance/Apologies Apologies were received from Task force members, members of the secretariat and NaMATA as recorded above.	Secretariat
3/39/2020	Confirmation of quorum With the members present quorum was confirmed and meeting proceeded.	
4/39/2020	Adoption of Agenda The agenda was adopted without amendments.	Secretariat
5/39/2020	Opening Remarks from the Chair The Chairman welcomed the members and thanked them for their commitment to the transformation of the public transport sector. As we move towards it's the implementation for the public to feel the impact of the transformation we are gearing towards. He further gave apologies on behalf of the chair of the taskforce.	All to Note
6/39/2020	Review and Confirmation of Minutes of Previous Meeting 6.1 Review of minutes The members were taken through the minutes of the previous meeting held on 29 th January, 2020. 6.2 Confirmation of minutes The minutes were confirmed with amendments (to include Dickson Mbugua in the absent with apologies list) as the true records of the deliberations of the previous meeting. They were proposed by Mr. Kariuki and seconded by Mr. Metho.	Secretariat

7/39/2020	<p>Matters arising</p> <p>The members went through the matters arising as follows:</p> <p>7.1. BOC Registration</p> <p>Members were informed that the BOC was registered (Simba Samawati) and registration certificate issued.</p> <p>7.2. Transport Service Contract Update</p> <p>It was noted that a lot of discussion was done during the retreat in Karen whereby comments were submitted through Kihato to the consultant. FPTS emphasized on the need for them to meet with Mr. Nguri for more of the business aspects of the contract to be well understood.</p> <p>7.3. Swivel</p> <p>Members resolved that was not to be discussed in this forum.</p> <p>7.4. Presentation on BRT communication</p> <p>Members were informed that the programs and presentations are ready. On top of that the messages will be tailor made for the specific targeted audience.</p> <p>As agreed in the last meeting, a meeting with the NaMATA board was scheduled for 28/02 that unfortunately FPTS wasn't available for. After they have agreed they will subsequently request for another appointment.</p> <p>7.5. Compensation</p> <p>FPTS will come up with a tentative budget for compensation that they will present for the board to give a way forward. The secretariat will also table a list of the affected for discussion. Furthermore FPTS should deliberate on the best practices compensation wise so as to guide the consultant accordingly.</p>	<p>FPTS</p> <p>Mr.Nguri</p> <p>FPTS</p> <p>FPTS</p>
8/39/2020	<p>TSC Presentation</p> <p>Mr. Gardner, took the members through the TSC presentation where he highlighted the following:</p> <ul style="list-style-type: none"> - Payment to be made following the acronym, PKOMF: Passenger, Kilometer, Operating, maintenance and Fee. - The traffic Act to include the BRT rules 2020. - Penalties recommended for the vehicle (intrusion in the BRT corridor and non-adherence to the regulations) is more of a long term venture. This will be possible once we step by step change the mindset of the people in abiding with the law. - Training of drivers will be facilitated. - It's recommended that the supplier of the buses will offer the drivers a thorough training. There will be adequate time between the delivery of buses and the start of operations to accommodate the training. 	<p>All to note</p>
9/39/2020	Any Other Business (AOB)	


Road safety solutions of Kenya is organizing a 3 day event somewhere between mid-April-early May where many relevant organizations will be invited, NaMATA being one of them. NaMATA was informed to get ready with a presentation

NaMATA

There being no other business to discuss, the meeting adjourned with prayer at 12:00 PM with a word of prayer from Mr. Githaiga Weru.

MINUTES CONFIRMED

Chairman: Sign  Date 13/03/20

Co -Chairman: Sign  Date 11.3.20

Secretary:  Date 11.03.2020

NAIROBI METROPOLITAN AREA TRANSPORT AUTHORITY

6TH Floor
Cianda House
Koinange Street
Email: info@namata.go.ke

P.O Box 30117-00100
NAIROBI, Kenya
Phone: +254 (0) 20 2734886

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MINUTES OF THE MEETING BETWEEN NaMATA, FPTs AND NTU ON THE PILOT BRT LINE 2 COMMUNICATIONS AND STAKEHOLDERS PLAN HELD ON 27TH JANUARY, 2021 AT PUBLIC WORKS BOARD ROOM 9TH FLOOR AT 10:00 AM

MEMBERS PRESENT

S/NO	NAME	ORGANISATION
1.	Eng. Francis Gitau - Chair	NaMATA
2.	Eng. Michael Njonge	NaMATA
3.	Edwins Mukabanah – Co-chair	FPTS
4.	Dickson Mbugua	FPTS
5.	Githaiga Weru	FPTS
6.	Michael Kariuki	FPTS
7.	John Metho	FPTS
8.	John Katimbwa	FPTS
9.	Charles Kabugi	FPTS
10.	Joseph Kochalle	NaMATA
11.	Abdi Ibrahim	NaMATA
12.	Emmanuel Wanyama	NaMATA
13.	David Maswili	NaMATA
14.	Winnie Chore	NaMATA
15.	Michael Kihato	NTU
16.	Teresa Ochino	NTU

AGENDA


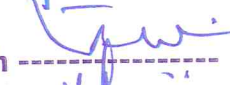
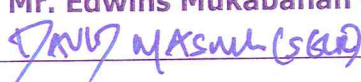
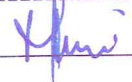

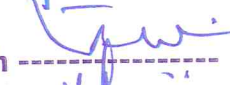
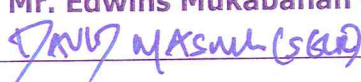
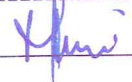

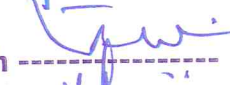
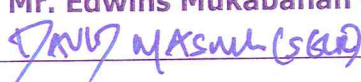
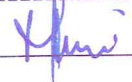
1. Prayer
2. Opening remarks
3. Adoption of the agenda
4. Information on BRT Line 2 by NaMATA
5. Stakeholder meetings presentation of messaging
6. Communications Plan Update
7. Adjournment

Min. No.	DELIBERATIONS ON AGENDA ITEMS	ACTION
1/2021	<p>PRAYER</p> <p>The meeting started at 10:08 A.M. The Chair welcomed the members to the meeting and requested Mr. John Metho to open the meeting with a word of prayer.</p>	All to Note
2/2021	<p>OPENING REMARKS</p> <p>The Chair recognized the presence of NTU consultants, NaMATA implementation team and the FPTs.</p> <p>The Chair informed the members that it was very important for NaMATA to keep the FPTs informed on the progress of the Piot BRT Line 2 and other BRT projects being planned by the Authority.</p> <p>He also informed the members that NaMATA was planning a series of site visits for the stakeholders in the coming weeks and months beginning Friday 29th January, 2021.</p> <p>The Chair recognized that there are a lot of actions and activities in the action plan that require actualization. It was time to take the message from the boardroom to the ground.</p> <p>The Chair welcomed the Co-Chair Mr. Mukabanah to make his opening remarks.</p> <p>The Co-chair raised concerns regarding the sacrifices made by the FPTs members to attend meetings without any facilitations since the term of the FPTs expired. He requested that the FPTs be made official and recognized so as to be legal and facilitated properly.</p> <p>The Co-chair also requested that it was time for the government to start sending out positive messages about the public transport operators since there were a lot of negative messages about the same in the public. The industry was playing a critical role in the transport space and therefore should be recognized.</p> <p>The Chair acknowledges the concerns raised by the FPTs.</p>	<p>All to Note</p> <p>All to Note</p> <p>All to Note</p> <p>All to Note</p> <p>All to Note</p> <p>All to Note</p> <p>All to Note</p>

	<p>received assistance from the French Government to build capacity for public transport stakeholders/operators.</p> <p>The FPTs members raised various concerns on the planned relocation of their members from the CBD by the NMS. The Chair requested that there should be a separate meeting for those concerns.</p> <p>The Chair acknowledged that as much as the plans were not harmonized, the members should see it as a blessing the various interventions being carried out by NMS such as land acquisition for bus terminals. NaMATA will only need to optimize them in the future.</p>	<p>All to Note</p> <p>All to Note</p>
5/2021	<p>STAKEHOLDER MEETINGS PRESENTATION OF MESSAGING</p> <p>Mr. Kihato presented to the members packaged messaging for various audiences. There was need to agree on the right message to the audience since this was key and very important.</p> <p>The message had the following contents;</p> <ul style="list-style-type: none"> • Government • NaMATA • FPTs • Taskforce on Transition and Transformation of the Public Transport Sector. • BRT • BRT Nairobi • Impact on the present transport sector • BRT fleet requirements • BRT corridors and implementation status • Memorandum of Understanding • Pilot BRT Line 2 – purpose • BRT Operating company (BOC) • Requirements for BRT operation • Fares and ticketing • Transport Service Contract • Transition <p>The Chair requested Mr. Kihato to only include the titles/roles of the members of the Taskforce instead of names since they could always change.</p> <p>It was important to lay out the basics about BRT. The</p>	<p>All to Note</p> <p>Mr. Kihato</p> <p>All to Note</p>

	<p>audience needed to understand that BRT was not just a bus but a system. The message on off-board ticketing needed to be emphasized for ease of communication. The message should be simple as well as pictorial.</p> <p>On lessons learnt, it was necessary so as to build confidence of the audience that BRT implementation was also happening elsewhere. Members requested that the photos of the FPTs benchmarking trip to South Africa should be included in the messaging.</p> <p>NaMATA to update on the progress of BRT Line 1 and Line 2. Progress photos of the ongoing works should be included in the messaging.</p> <p>The members requested NTU and NaMATA to include the total number of trips made by public transport vehicles in Nairobi and the percentage of those trips that would be taken up by BRT operations. This was to show the public transport operators that BRT will not take them out of business and they will still have an important role to play.</p> <p>The Chair requested Mr. Kihato to update the BRT corridors to include the revised corridors;</p> <ul style="list-style-type: none"> • Line 1 (Ndovu); Athi River – Limuru. • Line 2 (Simba); Kenol – Rongai • Line 3 (Chui); New Njiru – Showgrounds <p>The members enquired on whether the document signed between NaMATA and FPTs was a Memorandum of Understanding (MoU) or a Memorandum of Agreement (MoA). The Chair informed members that that will be confirmed.</p> <p>The members thought that it was high time for the newly registered associations to be invited to join the FPTs. Some had formed federations and therefore it would make it easier for them to be invited as one body.</p> <p>It was also felt that it was important for the new associations to be sensitized first before joining the FPTs.</p>	<p>Mr. Kihato</p> <p>NaMATA</p> <p>NTU/NaMATA</p> <p>Mr. Kihato</p> <p>All to Note</p> <p>NaMATA</p> <p>All to Note</p> <p>All to Note</p>
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	<p>The Chair advised the members that the Taskforce report should be ready and presented to the CS before requesting for extension of the term of the Taskforce.</p> <p>The Chair informed members that NaMATA was looking into the matter of hinging BRT Regulations on other legislative frameworks such as the County Governments Act.</p> <p>The Chair requested Mr. Kihato to substitute the name 'NTSA license' with 'NaMATA license' under the slide on requirements of BRT operations.</p>	<p>All to Note</p> <p>Mr. Kihato</p>
6/2021	<p>COMMUNICATIONS PLAN UPDATE</p> <p>Mr. Kihato made a presentation to the members on the stakeholder meetings schedule. The purpose of this was to update members on the stakeholder meetings schedule and agree on the way forward.</p> <p>He informed members that some dates were yet to be determined for example meetings with the NMA Council, Senate, National Assembly, County Assemblies Transport Committees and public consultation of BRT regulations.</p> <p>The members requested that the meetings with the NMA Council, Senate, National Assembly and County Assemblies Transport Committees should happen before the ones for public transport operators' associations. The Chair was in agreement with that and directed NTU to ensure the same.</p> <p>Teresa informed the members that NTU had done a stakeholder mapping and prepared specific messages to each stakeholder. This was presented to the members.</p> <p>The members raised concerns on the facilitation of attendees for the scheduled meetings. The Chair clarified that NTU had made arrangements to facilitate the meetings.</p> <p>The members also raised concerns of security issues during the meetings especially of public transport operators. They requested that the meeting should be</p>	<p>All to Note</p> <p>All to Note</p> <p>NTU</p> <p>All to Note</p> <p>All to Note</p> <p>All to Note</p>

	<p>attended only by those who have been invited through letters. The Chair also assured members that he will get in contact with police county commanders to provide security during the meetings.</p> <p>The members also enquired whether the public vehicles owners should be recognized as important stakeholders and engaged as well. It was agreed that they will be included in the second phase of the meetings.</p> <p>Members also requested that other government agencies should be sensitized so that they can all be speaking on the same page on matters BRT. The Chair told the plenary that NaMATA will handle the government side.</p> <p>Members requested NaMATA to provide data from NTSA on the number of public transport vehicles in Nairobi so as to estimate the value of the industry. The Chair directed Maswili to liaise with Conni Ngachu to provide such information to the members.</p> <p>As a final remark, the Chair informed the members that NaMATA was planning for sensitization exercise in form of site visits to Thika Road Pilot BRT project for various stakeholders for the next 2 to 3 months.</p>	<p>All to Note</p> <p>All to Note</p> <p>Maswili</p> <p>All to Note</p>												
7/2021	<p>ADJOURNMENT</p> <p>There being no other business, the meeting was adjourned at 1:00 P.M. with closing prayers from Winnie Chore</p>													
	<p>CONFIRMATION OF MINUTES;</p> <table> <tr> <td><u>Name:</u></td><td><u>Signature:</u></td><td><u>Date:</u></td></tr> <tr> <td>Eng. Francis Gitau</td><td></td><td>05/02/21</td></tr> <tr> <td>Mr. Edwins Mukabanah</td><td></td><td>03.02.21</td></tr> <tr> <td> Maswili (SKG)</td><td></td><td>03.02.21</td></tr> </table>	<u>Name:</u>	<u>Signature:</u>	<u>Date:</u>	Eng. Francis Gitau		05/02/21	Mr. Edwins Mukabanah		03.02.21	 Maswili (SKG)		03.02.21	
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