



**Africa Environmental Health and Pollution Management Programme
P.O. Box 67839-00200
NAIROBI**

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

**TERMS OF REFERENCE (TOR) FOR CONSULTING SERVICES OF PROCUREMENT
SPECIALIST.**

Credit Number: TFOB3322

Project Number: P167788

PROCUREMENT/CONTRACT REF NO: KE-NEMA-423693-CS-INDV

AUGUST 2024

**Client:
National Environment Management Authority
Attn; Director General
P.O. Box 67839-00200, Nairobi
Elland House, Popo Road South c
Email: info@nema.go.ke**

1.0 INTRODUCTION

1.1 Background

The Government of Kenya (GoK), through the National Environment Management Authority (NEMA), has received funding from the Global Environmental Facility (GEF) via the World Bank Group for support on a project entitled Africa Environmental Health Pollution Management Program (AEHPMP). This is a regional project covering five African countries notably Kenya, Tanzania, Zambia, Senegal and Ghana to address challenges associated e-waste and mercury pollution. In Kenya the project is only focusing on sound management of e-waste to reduce UPOPs release and exposure from e-waste pollution.

1.2 Project Development Objective (PDO)

The Project is geared towards improving management of e-waste and mercury pollution in an environmentally sound manner in order to reduce UPOPs release and exposure. In Kenya the project focuses on sound e-waste management.

1.3 Project Components

The project is comprised of the following four components:

- 1. Component 1: Support for institutional strengthening, knowledge and capacity building** focuses on improving capacities of the National Environment Management Authority (NEMA), Ministry of Environment, Climate Change and Forestry and other relevant Stakeholders on sound management of e-waste. This will be realized through appropriate trainings, outreaches and knowledge exchanges among others approaches.
- 2. Component 2: Support for policy dialogue and regulatory enhancements** will contribute to the PDO largely by providing support for development and dissemination of key relevant regulatory frameworks that will advance sound management of e-waste in Kenya. This component will also provide support for dissemination of the enacted or gazetted regulatory frameworks for promoting compliance with regulatory frameworks to advance sound e-waste management for reducing release and exposure to UPOPs from e-waste.
- 3. Component 3: Support for demonstrating the application of technological tools and economic approaches** - this Component largely focuses on establishment of model e-waste demonstration pilot/s which provide for an e-waste circular economy presenting the appropriate e-waste value chains for promoting e-waste circularity to reduce e-waste

flows to open dumpsites and environment thereby control e-waste pollution and release as well as exposure to UPOPs from the e-waste.

4. **Component 4:** The component will provide the finance and capacity to support the management of the project to ensure coordinated and timely execution of project activities.

1.4 Location

The project has a national outlook but component three which focuses largely on establishment of a model e-waste circular economy supports facilities on a 2.49 Acres of land at Konza Technopolis City about 60 kilometers east of Nairobi along Mombasa road. A national environmental reference laboratory is also planned for Konza Technopolis City. The Konza Technopolis City sites on three counties notably Machakos, Makueni and Kajiado counties. E-waste collection facilities will also be established at major cities notably; Kisumu, Nakuru, Mombasa and Nairobi. Other project components have activities also line across the country.

1.5 Rationale

The project involves robust procurement of goods, consulting services and non-consulting services throughout the life of the project. This undertaking require on-boarding of dedicated and qualified project procurement specialist to back-up the existing NEMA procurement staff. The provision was approved by World Bank during the 6th Implementation Support Mission of November, 2023.

2.0 OBJECTIVE OF THE ASSIGNMENT

The objective is to recruit a Procurement Specialist who will provide project procurement implementation support to the Project Coordinating Unit (PCU).

3.0 SCOPE OF SERVICES AND SPECIFIC TASKS OF THE ASSIGNMENT

3.1 Scope of the services

The Procurement Specialist will be part of the Project Coordinating unit and will work to expedite project procurement activities under the project in an effective and efficient manner and completing the activities within the duration of the project.

3.2 Specific tasks of the assignment

The Specific tasks will include but not limited to the following:

- a) In liaison with project Coordinating Unit, the procurement specialist shall be involved in procurement planning and submission of the procurement plan on the Bank's STEP system for clearance.
- b) Advise the client on the best procurement approach for all procurement lines identified in the procurement plan and take part in management and monitoring of procurement activities of the project by handling each phase of the procurement cycle as per the World Bank Procurement Regulations, the provisions of the Financing Agreement (FA), Project Appraisal document (PAD), Project Procurement Strategy for Development document (PPSD) and the Project Implementation Manual.
- c) Ensure timely execution of procurement activities aligned with set road maps as captured on STEP ensuring all relevant procurement documents are uploaded on the Bank's procurement tracking system in a timely manner.
- d) Prepare Specific Procurement Notice (SPN), REOI, Bidding Documents and Request for Proposals (RFP) using approved Standard bidding documents and follow up the subsequent procurement steps for timely accomplishment after bidding documents and RFP issuance.
- e) Timely liaise with the Client to ensure relevant committees which play part in processing procurement activities at various levels are appointed on time perform their roles as per the letter.
- f) Participate in tender/RFQ/RFP evaluations and ensure timely preparation of relevant procurement processing reports whereas offering the required guidance to the committees in line with applicable procurement laws.
- g) Ensure prudent management of project procurement records. Including maintaining of individual files for every procurement activity and ensure the documents are easily accessible for reviews by the World Bank and Auditors.
- h) Take lead in contract management of various procurements identified in the project procurement plan to ensure contracts are delivered on time. Further, ensure all contracts are loaded on STEP system and roles defined for all contract managers as required to ensure smooth operations.
- i) Prepare monthly procurement progress reports showing procurement progress and areas which require interventions to keep on track. As well, prepare presentations and take part in the bank's support missions as and when required.
- j) Liaise with the client to address complaints from bidders and consultants' and closely work with the client for the proper and timely addressing of the complaints.

- k) Review the PPSD document/procurement manual to ensure it is aligned with project activities for smooth execution of procurement activities.
- l) Carry out any other task as may be deemed necessary by the project and guided by the project coordinator.

4.0 Duration and Location of the Assignment

The contract for the assignment shall be initially for one calendar year from contract commencement date. The contract shall be subject to extension for a further period as permitted by the project closing date, resource availability, and satisfactory performance.

The location of the assignment will be NEMA Head Office in Nairobi, Kenya.

5.0 Reporting Requirements and Timelines for Deliverables.

The Procurement Specialist shall forward monthly reports and monthly time sheet indicating activities undertaken within the month, and the outputs of the assigned activities as support of service performance for invoiced payment claims.

All reports will be submitted within seven (7) days after the end of the reporting month or period in hard and soft copies in Microsoft Word, Excel, or PowerPoint, or in any other format deemed appropriate by the Project Coordinator.

6.0 REMUNERATION/PAYMENT SCHEDULE

Remuneration will be payable on a monthly rate as negotiated with the successful candidate during contract negotiations. Remuneration will be based on national competitive rates, commensurate with the selected candidate's area of expertise and work experience.

The Procurement Specialist shall prepare and forward monthly payment invoice accompanied by monthly report and time sheet. Payment shall be upon approval of the monthly reports.

Fees payable does not include costs associated with project related travels, coordination/organization of project related activities and events, stakeholder dialogues, consultations and workshops. The project will meet these costs. Per diem allowances shall be paid equivalent to job group Q in Kenya Public Service.

7.0 MINIMUM QUALIFICATIONS AND EXPERIENCE REQUIREMENTS OF THE PROCUREMENT SPECIALIST

The Procurement specialist shall have the following minimum qualifications and experience requirements:

- i. A minimum of a Bachelor's degree in Procurement, Supply Chain Management, Engineering, Law, Business Administration, Commerce or related field from an institution/university recognized in Kenya.
- ii. A minimum of Eight (8) years of general experience in the procurement field.
- iii. A minimum of 5 years of specific experience in procurement in multi-development banks (MDBs) financed projects and with thorough Knowledge of the World Bank procurement regulations as well as Government of Kenya procurement laws and procedures.
- iv. Professional registration with valid membership and valid annual practising license from KISM or equivalent professional body recognized in Kenya.

8.0 Management and accountability of the assignment

The NEMA is the Client for these services. The client is represented by the Director General. The Director General of NEMA has appointed a Program Coordinator to whom the Procurement Specialist will report on all contractual matters.

The Client will be responsible for all payments to the consultant once the deliverables have been accepted and cleared for payment by the appointed consulting services contract supervisor. The Consultant will report on all technical matters to the supervisor and will work in close collaboration with his/her team. The Client may assign relevant staff to work with the Procurement Specialist for purposes of capacity building and knowledge transfer.

9.0 SERVICES /FACILITIES TO BE PROVIDED BY THE CLIENT

The Client will avail the following services/facilities to the Procurement Specialist during the contract execution:

- a) Office accommodation
- b) Computer, Printer/Copier, Stationary
- c) Internet Access
- d) All available relevant project documentation such as the Project Appraisal Document, reports, Program Operation Manual, etc.
- e) Transport to field assignments as and when required.

10.0 PERFORMANCE CRITERIA

Performance of Procurement specialist will be evaluated quarterly. The criteria used to measure his/her performance will be:

- a) Timely processing of procurement as per the approved procurement road maps.
- b) Ability to meet deadlines i.e. monthly reporting

11.0 CONFIDENTIALITY, PROPRIETY RIGHTS OF CLIENT IN REPORTS AND RECORDS.

All the reports, data, and information developed, collected, or obtained during performance of the contract from the client or other Institutions shall belong to the Client. No use shall be made of them without prior written authorization from the Client.

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

Expression of interest must be delivered in a written form by 11th September 2024 at 1000hours EAT and be dropped in the tender box located at National Environment Management Authority Headquarters, Elland House POPO Road South C Off Mombasa Road clearly indicating the Assignment title and Reference Number on the Envelope and addressed to:

The Director General
National Environment Management Authority
Popo Road, South C, off Mombasa Road
P.O.BOX:67839-00200,
NAIROBI.