



Kenya National Highways Authority

Quality Highways, Better Connections

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HORN OF AFRICA GATEWAY DEVELOPMENT PROJECT

Credit No.: **P161305**

TERMS OF REFERENCE

CONSULTANCY SERVICES FOR PREPARING SOCIAL ASSESSMENT, GENDER AND GENDER BASED VIOLENCE ASSESSMENT AND MAPPING OF GBV SERVICE PROVIDERS FOR THE PROPOSED GARISSA - –DAADAB - LIBOI- HARHAR (A3) ROAD SECTION (211 Km)

1.0 Project Background

The Government of the Republic of Kenya (hereinafter called “Borrower”) has received financing from the International Development Association (IDA) (the “Bank”) in the form of a “credit” (hereinafter called “credit”) towards the cost of the Horn of Africa Gateway Development Project. The Government of Kenya intends to use a portion of the proceeds of the Credit for the upgrading of the Garissa - Modika – Daadab - Liboi – Harhar to bitumen standard of the road section.

The Kenya National Highways Authority (KeNHA), an implementing agency intends to apply a portion of the proceeds of this credit for provision of *Consultancy Services for preparing Social Assessment, Gender and GBV Assessment and Mapping of GBV Service Providers for the proposed Garissa-Dadaab-Liboi-Harhar (211km)*

The Kenya National Highways Authority (KeNHA), the implementing agency is undertaking preparation of road designs for the above road and as part of this important program, a Social Assessment needs to be carried out for the pastoralists’ communities living along proposed project areas in-line with Operation Policy of the Bank for Indigenous People since (OP 4.10) is triggered (OP 4.10).

1.1 Project Location

The proposed road starts in Tana River County at Madogo Junction (A3/B89), it takes a North-Easterly direction through Garissa, Modika Junction, Dadaab towns and terminates at Liboi Border Post town/Harhar. The total length of the road section is approximately 211km.

1.2 Rationale for the Project

The road section between Madogo Junction (A3/B89) and Modika Junction, 10Km from Garissa Town is a 7m wide single carriageway to bitumen standards including a narrow bridge at Tana

River crossing. The road section from Modika Junction - Dadaab is currently to gravel standard while the section between Dadaab to Liboi – Harhar is an earth road. The existing road has a very rough riding surface with corrugations on the raised sections and a thick layer of silty sand on low areas making it only passable by vehicles with raised chassis and four-wheel drives. There are several detours of varied lengths and widths along the road. The road is poorly drained with inadequate drainage structures.

Poor road access to the North-Eastern part of Kenya constrains the social and economic development prospects of the area. In order to address this constraint, the Government of Kenya intends to upgrade the Isiolo – Mandera road and Garissa - Daadab – Liboi- Harhar from its current unpaved state to paved road standard.

The Government proposes to adopt a four package approach for implementation of the Works to achieving this objective as tabulated below:

PACKAGE	SECTION	APPROXIMATE LENGTH KM
Lot 1	Madogo Junction (A3/B89), - Modika	17
Lot 2	Modika- Daadab	90
Lot 3	Daadab-Kulan	45
Lot 4	Kulan-Liboi - Harhar	59
	TOTAL	211

1.3 Objective of the Consultancy

This assignment is to provide an analysis of collective attachment the indigenous people have to the project area and evaluate the project’s potential positive and adverse effected on these groups of people. The analysis shall be based on free, prior and informed consultation with indigenous people on the project site. This assignment shall culminate to the preparation of Indigenous Peoples Plan.

The main objective of the Consultancy is to prepare a Social Assessment, Gender and Gender based violence assessment report and Map out Gender Based Violence Service Providers along the road project.

The Consultancy will involve two main tasks as follows:

1. Task 1: Social Assessment and Preparation of Indigenous Peoples Plan.
2. Task 2: Gender and Gender Based Violence Assessment and Mapping out GBV Service Providers.

Specific objectives of Task 1: shall entail the following:-

- a. To identify and prepare a comprehensive plan that will avert any potentially adverse effects from project interventions on vulnerable and marginalized groups of people/Indigenous People and where not possible or feasible, provide measures to mitigate or compensate such adverse impacts or examine project alternatives where adverse effects may be significant. .
- b. To enhance reach of the project benefits to the VMGs in an equitable manner and through institutions that respect and are able to serve them in a decentralized manner.
- c. Provide an analysis of collective attachment the Indigenous People have to the project area and evaluate the project's potential positive and adverse effects on these groups of people. The analysis shall be based on free, prior and informed consultation with indigenous people on the project site. This assignment shall culminate in the preparation of an Indigenous Peoples Plan.

Specific objectives of Task 2: shall entail the following:-

Ensure that gender issues are appropriately considered during the preparation and implementation of the Project. The Consultant will support the development of an in-depth gender assessment to better understand whether there are inherent inequalities along gender lines in the project implementation process describe the barriers for women's empowerment and participation in the Project and recommend the opportunities that would enhance?/strengthen the integration of gender equality into the Project's planning and implementation processes.

- a) To identify and understand the gendered power dynamics in the Project area.
- b) To understand the barriers to gender equality in the Project area.
- c) To ensure that greater gender justice and equality in gender relations is promoted.
- d) To identify training gaps amongst community which would serve the project in ensuring capacity and ownership for successful gender-equitable implementation.
- e) To help develop a monitoring plan which outlines key gender considerations for each project activity in order to assist with the team's implementation and future learning
- f) To undertake an assessment of GBV service providers that maps out services available to survivors of GBV in the project area.
- g) To assess the prevalence of all types of GBV within the project area.
- h) To understand the cultural drivers of GBV within the project area.

2.0 Scope of the Consultancy

Task 1: Social Assessment and Preparation of Indigenous Peoples Plan. The scope of work for the Social Assessment (SA) shall contain the following: as per OP4.10:

This consultancy shall undertake an elaborate Social Assessment in accordance with OP 4.10. The region through which the project traverses through is mainly inhabited by pastoralists who are categorized as marginalized groups in Kenya.

The inhabitants in this region live in abject poverty and with characteristics consistent with provisions of OP 4.10 hence the need to determine the presence of indigenous people/VMG at the project site and identify impacts and risks that may result due to project activities. The implementing agency (KeNHA) intends to engage a consultant to conduct a social assessment in line with the OP 4.10 for enhanced safeguard of the indigenous people/VMG in the project.

This assignment shall provide an overview of the demographic, social, cultural and political characteristics of the Indigenous People in the project area and the projects' potential positive and adverse effects on VMGs and how the positive impacts can be enhanced and social risks managed.

The assignment shall be based on free, prior, and informed consultation with Indigenous people in the project area and will assess whether they provide their broad support for the project.

The Social Assessment shall entail the following:

(a) establish an appropriate gender and intergenerational inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation among the borrower, the affected IP/VMG communities, their representative organizations if any, and other local civil society organizations (CSOs) identified by the affected the VMGs as representing or able to promote their development needs;

(b) use consultation methods appropriate to the social and cultural values of the affected VMGs and their local conditions and, in designing these methods, gives special attention to the concerns of VMG women, youth, and children and their access to development opportunities and benefits; and

(c) Provide a framework to provide affected VMG communities with all relevant information about the project (including an assessment of potential adverse effects of the project on the affected VMGs) in a culturally appropriate manner at each stage of project preparation and implementation.

(d) Provide current economic profile on VMG communities and larger North Eastern Region. A descriptive analysis of the current and future socio-economic impacts should include the following;

- The demographic profile of the population – age, education, household incomes;
- Employment and occupations in the region; and
- Social and Economic Land use/tenure.

The assignment will also develop a standalone Vulnerable and Marginalized Group Plan.

Scope of Works for Social Assessment and Preparation of Indigenous People Plan

(a) A review, on a scale appropriate to the project, of the legal and institutional framework applicable to Indigenous Peoples/VMGs.

The scope shall entail carrying out an institutional analysis of the key institutions (government and non-government) at the national, regional and local levels, and include civil society organizations that interact with Indigenous People in regards to this sector, the area and the proposed project activities. This analysis shall also identify the constraints and opportunities for utilization of existing institutions.

Review of the legal framework shall be on a scale appropriate to the project and applicable to the indigenous people. This shall further entail identification of legal issues, especially those relating to recognition of juridical status, organizational structure, and land tenure systems and security of indigenous peoples.

(b) Gathering of baseline information on the demographic, social, cultural, and political characteristics of the affected IPs/VMGs, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.

- The **baseline information** will be built on the existing data using quantitative and qualitative methods for primary data collection including participatory techniques, not limited to: in-depth interviews, key informant interviews, focus group discussions and household surveys. The **data should be disaggregated** in such a way as to assist with understanding the key risks and impacts of the project. The rationale for sampling methods should be stated.
- Provide relevant demographic, social, economic, cultural and political information regarding the **characteristics of the VMGs**, including relevant baseline data for monitoring and evaluation purposes. The baseline will describe the social/cultural features that differentiate social groups in the project area, their different interests in the project, and their levels of influence and involvement. This component shall also

entail description of the social and kinship organization of VMGs/communities, degree of social cohesion, networks, and support systems, conflict resolution mechanisms and local institutions (customary and other). Similarly, determine religious and cultural elements as they are likely to affect and be affected by the proposed project intervention.

- Provide political background relevant to the project which includes instability and possible insecurity particularly in relation to border areas, local labor influx, local material extraction etc as well as possible elite capture.
- Map out the exact **locations of VMGs** and the dominant communities in relation to the proposed project area, including current and traditional occupancy within the project areas, current and historical uses of natural resources among others. If no reliable maps are available, conduct a detailed participatory mapping showing natural resources territories that are presently used and which have been traditionally owned or customarily used or occupied by VMGs with emphasis on the links between VMGs and natural resources;
- Identify **local knowledge** relevant for the proposed project, and how it may be affected and used during project implementation.
- Analyze the **economic livelihood and production systems**, including degree of isolation from or integration in the market economy, sources of revenues from remittances, etc;
- Describe **degree of self-subsistence and seasonal patterns** experienced by the VMG/Communities resources consumption patterns; description of baseline information on the land and territories currently inhabited and natural resources used, and areas which the affected VMGs have traditionally owned, or customarily used or occupied;

c) **Taking the review and baseline information into account, the identification of key project stakeholders and the elaboration of a culturally appropriate process for consulting with the IPs/VMGs at each stage of project preparation and implementation.**

- Provide an analysis of **vulnerability of the affected Indigenous People communities** given their distinct circumstances and close ties to land and natural resources, as well as their lack of opportunities relative to other social groups in the communities, regions or national societies in which they live. This should also include identification of any persons who would be considered more vulnerable and at greater risk of experiencing negative impacts;
- Elaborate on the **capacity of local existing indigenous institutions** to represent VMGs and be effective interlocutors for them in their participation in project

- implementation and their relationship to the implementing agency and other development and donor agencies;
- Describe the existing VMG **Governance structures and procedures** and propose Grievance Redress Mechanism and Complaint Handling Process. This shall entail the local grievance redress mechanism, existing channels/spaces of communication, complaints uptake, sorting and handling organs as well as feedback mechanism.

(d) An assessment, based on free, prior, and informed consultation, with the affected IP/VMG communities, of the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected IPs/VMGs given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies which they live.

- Identify **key project stakeholders**, including groups directly affected by the project and other groups likely to be indirectly impacted; other stakeholders including those in other Bank or donor related projects, stakeholders involved in financing and implementing who could be such commercial, financial and other non-governmental agencies, and government agencies;
- Undertake an elaborate **participatory and consultation approaches** preferred by, or appropriate for affected VMGs to inform the framework for **a free, prior and informed consultation and participation** at each stage of project and sub-projects preparation and implementation;
- Identify **stakeholders' perceptions of, and suggestions** to, the project as envisaged, and potential design alternative. This will include the current IP/VMGs views of the proposed project and its social effects including the degree of community support and specific areas of potential opposition and conflict.

(e) The identification and evaluation, based on free, prior, and informed consultation with the affected IPs/VMGs, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

- Undertake needs analysis of the community development projects/roadside amenities along the corridor with VMGs. Participatory approaches should be employed in undertaking community needs appraisal to enhance ownership and social acceptance.
- Identify the social risks inherent in the proposed project and provide analysis of the opportunities and constraints likely to **impact and social risks** on the affected

Indigenous Peoples. The social risks and impacts to be explored shall include the following:-

1. The conflict potential of the project, particularly around county/kinship boundaries which may be flashpoints of conflict including mitigation measures;
 2. The potential impacts of labour influx and recommendations for area specific mitigation measures;
 3. Provide best practice experiences for recommendations of employment of locals for manual labour;
 4. Women's roles and empowerment and measures to promote their participation in the project;
- Identify the various **short-term and long-term interventions and action plans** required to ensure that negative impacts from the project are addressed and that the VMGs participate in the project benefits. The process should ensure adequate inclusion, consultation and participation of women, youth and other vulnerable groups. The interventions and action plans should be in line with KeNHA's mandate to the extent to which it complies with the World Bank OP 4.10 that requires the borrower to apply due diligence in ensuring the rights and interests of VMGs are safeguarded through its operational guidelines;

The Social Assessment shall also

- Provide a short description of the **rationale for the SA and its scope, the key issues which the SA needs to investigate and address, list of activities to be undertaken, methodologies to be employed, geographical areas to be covered**, etc. The methodology to be used to obtain the various information and data sets should be described in detail. This would include both quantitative and qualitative methods. The process of conducting free, prior and informed consultation with affected VMGs should also be detailed;
- Based on available information, provide a brief **description the project** (the project objectives, a short summary describing the project components, and project sites/areas, and the potential impacts on VMGs to the extent that these are known at the time of the SA);

In addition the preparation of the social assessment in accordance with the OP 4.10 shall ensure adoption of a **Plan for free, prior and informed consultations** and continued consultations and participation throughout the project cycle. The objectives of free, prior and informed consultations are to:

- (i) Inform affected vulnerable indigenous peoples about the proposed project;
- (ii) Assess in a participatory manner the possible project benefits and adverse impacts; and

- (iii) Agree on measures to enhance benefits or mitigate adverse impacts that will be incorporated into the project's design. The extent and methodology of the consultations are based on the project type, possible impacts, and the circumstances of affected peoples;

The social assessment for IPs/VMGs shall also include a standalone **Vulnerable and Marginalized Group Plan (VMGP)** that sets out measures to ensure that the VMGs affected by the project receive culturally appropriate social and economic benefits.

The Vulnerable and Marginalized Group Plan shall include the following:-

- a) A summary of the social assessment,
- b) A summary of results of the free, prior and informed consultation with the affected indigenous people's communities/VMG that was carried out during the preparation and that led to broad community support of the project,
- c) A framework for ensuring free, prior and informed consultation with the affected Indigenous Peoples' communities/VMGs during project implementation,
- d) An action plan indicating measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies,
- e) Where potential adverse effects on Indigenous Peoples/VMGs are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- f) The cost estimates and financing plan for the proposed VMGP.
- g) Accessible procedures appropriate to the project to address grievances by the affected Indigenous Peoples' communities/VMGs arising from project implementation. Design for the grievance procedures should take into account the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.
- h) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting of the implementation of the VMGP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

Activities and Reporting

The Social Assessment report shall be a succinct, practical and precise document containing the following:

1. Executive Summary: a summary of the **Social Assessment** and its methodology, key findings and recommendations.

2. Findings, including stakeholder and institutional analyses, and a description of the data and information gathered.
3. Description of the process of free, prior, and informed consultation with the affected VMGs/communities.
4. Socio-economic and other relevant baseline data.
5. Maps of the VMGs/communities areas, currently and traditionally occupied, used or owned.
6. Description of the legal and institutional context pertaining to Indigenous Peoples/VMGs and the sector in the country.
7. Description of potential benefits of the project to the VMGs (and other communities).
8. Description of potential adverse impacts on VMGs/communities (and other stakeholders).
9. Detailed recommendations for project design (in comparison to alternative designs options stipulated in the ESIA) and implementation, including recommendations on potential social infrastructure to ensure that project benefits are culturally appropriate, sustainable, and appropriate mitigation measures for any adverse impacts.
10. Detailed recommendations for capacity building and institutional strengthening of local communities
11. Detailed recommendations for participation of and free, prior, and informed consultation with VMGs during project implementation, monitoring, and evaluation.
12. Description of the proposed Grievance Redress Mechanism and Complaint Handling Procedure for VMGs during project implementation.
13. Description of appropriate disclosure arrangements for the social instruments to all affected communities.
14. The evaluation of the extent of broad community support for the project, including any formal agreements reached with VMGs/communities and/or their organizations. Should be supported by data based evidence.
15. *Annexes*: In addition, the **Social Assessment** should include annexes on specific issues, such as: the itinerary of the social assessment process, relevant maps, minutes of meetings and signed participants lists and photos, financial implications and a proposed budget and plan to follow through with the recommendations.
16. A standalone Vulnerable and Marginalized Group Plan

Task 2: Preparation of Gender, Gender Based Violence Assessment and Mapping out GBV Service Providers.

The scope of the task

The Consultant shall undertake the following activities:

- i. Review of secondary data related to gender on the Project area and identify gaps relevant to knowledge and practice

- ii. Conduct an in - depth Stakeholder analysis and consultation based on an appropriate sampling plan and use of gender analysis tools to be administered in the Project area in order to collect the relevant primary data; This should include CBOs, NGOs, Health facility operators, Police service, traditional and community leaders among other relevant stakeholders.
- iii. Conduct a series of age appropriate and community level consultations with women, men, boys and girls as potential beneficiaries of GBV services to understand key barriers in accessing services (including community perceptions of and attitudes towards GBV).
- iv. Assess the availability, accessibility and affordability of GBV prevention and response services.
- v. Carry out gender assessment in all the Project roads in order to determine the specific situation of women, men, with regard to access to opportunities in employment, decision making, land and resource ownership and access to services, patterns of power and decision making; paying attention to intersectionality.
- vi. Carry out an analysis of cultural norms and beliefs, gender roles, responsibilities and time used and how the project will affect these aspects of their lives (Positive and negative).
- vii. Analysis of the laws, policies, regulations and institutional practices.
- viii. The Consultants' analysis should help uncover the underlying causes of gender inequalities and address causality in a manner that allows for an intervention that meets the different needs of both men and women.
 - a. In particular: -assess how the gender division of labour and patterns of decision-making affect the Project;
 - b. assess who has access to and control over resources, assets and benefits, including project benefits;
 - c. assess the patterns of power and decision making.
 - d. assess the barriers and constraints on women and men participating in and benefiting equally from the project.
- (viii) Facilitate focus group discussions to assess gender-based impacts, issues/needs that may arise from the Project and understand awareness levels on gender issues in infrastructure projects;
- (ix) Prepare a project gender strategy and action plan for addressing the gender issues from the Project to ensure equality of outcomes for men, women and youth throughout the Project's planning and implementation;
- (x) GBV assessment and map GBV prevention and response services in the project area
- (xi) Conduct an assessment and provide in the report the prevalence of GBV/SEA-SH within the areas traversed by the project road.
- (xii) Identify best practices on GBV prevention and referral pathways that could be replicated and implemented in the local project setting
- (xiii) Liaise closely with the consultants preparing the project design, Resettlement Action Plan (RAP) and the Environmental and Social Impact Assessment (ESIA) to ensure that the

findings of the Gender Assessment are incorporated into the Project design, RAP and ESIA.

- (xiv) Provide expert advice on budget provisions to ensure men and women's involvement including budgets for vulnerable groups and women-specific activities in the Project; and
- (xv) Prepare a gender-responsive Project results framework and monitoring and evaluation plan; and
- (xvi) Prepare a report of the findings from the gender assessment process.

Activities and Reporting

The Consultant report on the findings of the gender assessment will cover, but is not limited to the following:

i. Preparation of an Executive Summary

The Summary should include:

- Description of the Proposed Garissa – Daadab – Liboi – Harhar Project;
- Rationale for the Proposed Garissa – Daadab – Liboi - Harhar Project;
- Significant gender impacts and arising from Garissa – Daadab – Liboi - Harhar Project;
- Sociocultural Environment
- Any Significant issues and opportunities.
- GBV assessment and mapping of GBV service providers in the project area
- Summary of key findings of the gender assessment opportunities; and
- KeNHA's systematic approach to manage the gender issues from the proposed Garissa – Daadab – Liboi - Harhar project including monitoring procedures.

ii. Preparation of Inception Report:

This will include the following activities:

- Conduct stakeholder consultations and finalize/confirm
 - a. The purpose of the gender assessment and Social Assessment for this Proposed Garissa – Daadab – Liboi - Harhar Project.
 - b. Process and the timeline of the proposed assessment.
- Undertake a desk review of existing documents to assess information gaps necessary to complete the activity
- Summarize available literature on the proposed Garissa – Daadab – Liboi - Harhar Project and its potential impacts; KeNHA will provide available literature to the Consultant, which will serve as a starting point; and
- Summarize Project descriptions including
 - a. The Proposed Garissa – Daadab – Liboi - Harhar Project (construction and operations), including the technology to be used and construction timeline;
 - b. Project ancillary facilities and potentially linked activities that may be required (access roads, quarries, worker camps, and raw material or product storage facilities); and

- c. Geographic location and areas of traverse (provided by KeNHA)

iii. Review of Policy, Legal, Regulatory and Institutional Framework

This section shall review and discuss the policy, legal, and administrative frameworks within which the gender assessment takes place.

Most particularly, the Consultant will:

- Discuss the existing Government of Kenya laws and requirements pertaining to the management of gender issues, including labour, land and resource ownership, public consultation and participation, health and safety requirements;
- Follow the requirements of the Operation Standards triggered under the Project; and
- Review and analyse the gap between the triggered Operation Standards and Kenyans laws and policies on gender.

iv. Description of the Project Baseline

The Consultant will collect, collate and present baseline information on the existing environmental and socioeconomic characteristics of, within and around the subproject sites/area of influence. This task will include:

- Carry out household interview surveys to obtain the data on the socioeconomic and cultural environment (such as demography, settlements, community structures, vulnerable and marginal groups, sources and distribution of income, employment and labour markets, land use, and cultural heritage). The Consultant will prepare a data collection plan, including the proposed sample size and a survey questionnaire, and obtain approval from KeNHA before starting the data collection.
- Facilitate focus group discussions and key informant interviews to understand the needs and challenges of men and women and vulnerable groups. The Consultant will prepare the list of focus groups and key informants to be consulted and obtain approval from KeNHA before the commencement. The Consultant shall record the focus group discussions, key informant interviews and prepare the transcript of the discussions.
- Analyze the data and information obtained from household interview surveys and focus group discussions and present data directly relevant to decisions about Project location, design, operation, or mitigation measures, including:
 - Socioeconomic and cultural environment.
 - Stakeholder mapping including analysis of stakeholder influence and stakeholder dynamics.
- Provide baseline assessment of the Project area's cultural dynamics, youth and gender dynamics in the area. Additionally, the social characteristics of the Project area, including a description of production systems, labour, and household organization; and baseline information on livelihoods, social infrastructure and services within the Project area,

information on vulnerable groups within the Project area and living standards of the Project affected population;

- Identify anticipated gender related impacts prior to the Project's commencement; and
- Consider current and proposed development activities within the subproject area but not directly connected to the subproject.

v. Identification of Potential Gender Impacts that could result from the Project:

The Consultant shall review, analyse and describe all significant deviations from the baseline that might be caused by the Project, including environmental and social impacts, both positive and negative

During the assessment, the Consultant shall consider both biophysical and socioeconomic factors, such as (list is not exhaustive):

- Population changes and migration;
- Forms of social organization (ethnicity, clan/tribal structures, minority groups, including presence of indigenous peoples);
- Income sources and expenditure;
- Household sources of income;
- Gender-based violence;
- Labour issues and working conditions;
- Community health and safety;
- Conflict and social tensions;
- Physical and social infrastructure;
- Livelihood and income;
- Relocation and resettlement (ensure that the information is consistent with the Project's RAP);
- Grievance redress to damaged property/ complaints arising from construction impacts;
- Development resources;
- Improved access;
- Water resources and existing sanitation infrastructure;
- Effects on flora and fauna, air quality, water quality and quantity; and
- Cultural heritage.

This assessment will also include sex and gender disaggregated data for evidence-based identification of gender differences in vulnerabilities, gaps in resources, and opportunities for supporting gender mainstreaming and mitigation actions, the development of indicators, and a baseline for monitoring and reporting; multi-stakeholder consultations (interviews, surveys, working sessions, etc.).

vi. Development of the Gender Impacts and Mainstreaming Plan

The Consultant shall come up with a project gender strategy and action plan to address the identified gender issues and gaps. This will provide timeframes and implementation activities/roles, reporting responsibilities, description and technical details of monitoring measures, assessment of the institutional needs, staffing requirements and cost outlay for implementation.

The Consultant will identify feasible and cost-effective measures to avoid the potentially significant adverse gender impacts and mainstreaming identified in the Project. This plan will, apart from identifying mitigation measures, include the type of impact to which each mitigation measure relates to; and the conditions under which it is required (as appropriate in connection with any other mitigation plans (e.g., for involuntary resettlement, indigenous peoples, management of HIV/AIDS and other Sexually Transmitted Diseases (STDs), stakeholder engagement plans, grievance redress mechanism, child protection; gender equity and sexual harassment; labour rights and the employment of community members) required for the Project.

The Consultant will also come up with a plan for monitoring the implementation of the mitigation measures on impacts identified with specified monitoring measures, parameters to be measured, methods to be used, sampling locations, frequency of measurements, provisions for corrective actions and institutional arrangements, responsibilities, and procedures in the monitoring process. The Consultant will also provide budgetary estimates for implementing the gender assessment of the Project.

vii. Mapping of Service Providers

The scope of the activities shall entail the following:

- (a) Undertake an assessment of GBV service providers that maps out services available to survivors of GBV in the project area.
- (b) Establish partnerships with health, psycho-social and justice support service providers within the project area.
- (c) Strengthen existing GBV protection systems in the project area to ensure a robust GBV case management and response system is available throughout the life of the project.
- (d) Ensure collaboration with key actors within the community including the relevant administration offices and county authorities for enhanced sustainability of the interventions even after project closure.
- (e) The system put in place will be in line with the National Policy on the prevention of GBV and the 2014 SOP on the management of GBV cases.
- (f) In addition, the consultancy firm should consider capacity building including provision of training of key service providers on GBV response in line with the

existing National guidelines with a focus on front line service providers (including health staff, police and local magistrates where relevant).

viii. Preparation of Appendices

- References-written materials both published and unpublished, used in study preparation.
- Record of interagency and consultation meetings, including consultations for obtaining the informed views of the stakeholders. The record specifies any means other than consultations (e.g., surveys) that were used to obtain the views of all stakeholders.
- List of associated reports (e.g., Resettlement Action Plan (RAP), Design Reports, and Social Impact Assessment etc.).

3.0 Expected Outputs

The outputs of this assignment shall be:

- (i) Social Assessment Report
- (ii) Vulnerable and Marginalized People's Plan
- (iii) Gender Assessment Report
- (iv) Gender Based Violence Assessment Report with Gender Action Plan and Mapped GBV Service Providers

3.1 Qualification and Experience

Experience in the areas of implementation will be required. The consultant should deploy a Team with the following qualifications:

a) Team Leader (Sociologist)

He/ She must be a senior social scientist with at least twelve (12) years specialised experience community development in social assessments and participatory research methodologies in rural development including (agricultural livestock/pastoralist) projects. He/She should possess a post graduate degree in Social Sciences.

The Team Leader must have served in a similar capacity and with relevant experience in preparation of World Bank OP 4.10 Safeguard documents. He/She must also have proven sensitivity to VMGs/communities in the project area and cultural minority issues and appropriate familiarity with the cultures of the affected communities.

b) Gender Specialist

He/She must possess a post graduate Master's Degree in gender & development, sociology or other related field of study with at least five (5) years' specialised post qualification professional experience. He/She must have an experience in undertaking social assessments in at least three (3) projects.

c) Socio-Economist

He/She must possess a post graduate Master's Degree or equivalent in social sciences, economics, social development or related fields with at least five (5) years' implementation of social development sector policies, including experience in project development and management (He/She must have an experience in undertaking economic appraisal in at least three (3) projects.

d) Institutional Specialist

He/She must possess a post graduate Master's Degree in management or other related field of study with at least five (5) years' experience in institutional analysis and must demonstrate good knowledge of local institutions

e) Non Key Staff

The Consultant shall require research assistance among non-key staff

3.4 Services, Facilities and Materials to be provided by the Client

The Client will provide the following facilities and materials to the Consultant, for example:

- The Project Appraisal Document (PAD) and World Banks' applicable Operational Policies;
- Project feasibility and engineering design documents.
- Relevant background documentation and studies available making all necessary arrangements for facilitating the work of the Consultant and to provide access to government authorities, other Project stakeholders, and Project sites.

The Consultant shall be assisted by the KeNHA in any needed consultation/coordination with the Project Engineering and Design teams and the Environment and Social Safeguards team.

3.5 Enhanced security/safety during the assignment

The consultancy assignment will include a provisional amount of **KES 2,000,000** which is expendable on provision of such additional safety and security services during the assignment as may be appropriate, with the prior approval of the Client.

3.6 Schedule and Reporting

3.6.1 Schedule

The Consultant shall commence the Assignment within fourteen (14) calendar days after issuance of order to commence by the Client.

The expected schedule of the assignment is as follows:

- a) The Consultant shall commence the Assignment within fourteen (14) calendar days after issuance of order to commence by the Client.
- b) The Consultancy will take a total of sixteen (16) weeks

c) The following tentative time schedule shall be observed in carrying out the studies:

Key Milestone/Deliverable	Timeframe from issuance of order to commence by the Client	Report Copies	
		Soft (Word & PDF)	Hard
1. Commencement of assignment	2 weeks		
2. Inception Report	3 weeks	2	3
3. Draft Social Assessment Report, Draft Gender and GBV Assessment Report and Mapped GBV Service Providers	12 weeks	2	3
4. Validation workshop	14 weeks		
5. Final Social Assessment Report, Draft Gender and GBV Assessment Report and Mapped GBV Service Providers:	16 weeks	2	3

The consultant is expected to indicate clearly assignment critical milestones, with timing for each activity; taking into account the duration of the entire project implementation period. In addition to the above, the Consultant would, however, outline the scheduling of activities for the assignment and will prepare monitoring progress reports after every month from the start of consultancy.

3.6.2 Reports

The Consultant shall prepare and submit the following reports to the Client. All reports shall be in English and prepared on A4 metric size.

- I. **Inception Report:** This report shall summarize the scope and understanding of the task, a detailed work program of all major activities of the assignment, an initial list of key information, the methodology of selecting and organising community consultations, interview questionnaires (3 No. Hard copy and 2 No. Soft copy to Client).
- II. **Draft Social Assessment Report, Draft Gender and GBV Assessment Report and Mapped GBV Service Providers:** This reports shall summarize the findings, analyses, results and recommendations of the study, and shall contain all supporting materials. (3 No. Hard copy and 2 No. Soft copy to Client).
- III. **Final Social Assessment Report, Draft Gender and GBV Assessment Report and Mapped GBV Service Providers:** This report shall incorporate all revisions deemed

necessary arising from comments received from the Client and the Financier following discussions and agreement from the client and the Consultant. (3 No. Hard copy and 2 No. Soft copy to Client).

Format of the Reports

The reports shall be provided in CD-ROM in Microsoft Word for text, Microsoft Excel for tables/graphs and spread sheets and AutoCAD for drawings.

Submission of Reports

The above reports shall be submitted to:

Director (Highway Design & Safety)
Kenya National Highways Authority
P.O Box 49712-00100
NAIROBI

4.0 Assignment Coordination

Throughout the process of the consultancy, the consultant will provide regular updates of the work to the client and, as agreed during initial consultations, to key national authorities. These updates will summarize, among others, the status of tasks, resources, schedules, coordination with local authorities, etc., as well as issues that require attention. It is essential to ensure that the client and consultant are in agreement about the scope and progress of the preparation, and that there is an opportunity to review on a regular basis any difficulties or assistance that is required to enable the firm to complete its assignment.

This coordination is particularly critical because the consultant will require the participation of County authorities at various points in the preparation of the reports, in particular, in order to ensure that the procedures comply with national regulations and/or that the firm has required feedback and approvals to proceed in a timely manner and without undue delays.

5.0 Consultant Services Supervision arrangements

The assignment will be conducted with KeNHA as the Client and the Director of Highway Design and Safety as the Client's Representative.

Representing the Director of Highway Design and Safety; the Deputy Director, Environment and Social Safeguards under which this assignment will be housed will ensure overall quality control and coordinate various aspects of the project. Thus, the consultant will report directly to the Deputy Director of Environment and Social Safeguards under the Highway Design and Planning Directorate.

KeNHA will share with the World Bank and Project Management Office in the Ministry updates on the consultancy progress and activities.

6.0 Reporting and Ownership:

The consultant shall submit the reports as per the schedule to the Director (Highway Design and Safety).

KeNHA will be the substantive owner of the study reports and will have copyright ownership.

7.0 Confidentiality Statement

All data and information received during the assignment, from respondents, KeNHA and the World Bank are to be treated confidentially and are only to be used in connection with the execution of these Terms of Reference. All intellectual property rights arising from the execution of these Terms of Reference are assigned to KeNHA. The content of written materials obtained or prepared in this assignment will not be disclosed to any third parties without the expressed advance written authorization of KeNHA and/or the World Bank.

Further information may be obtained from the address below during weekdays (Mondays to Fridays from 0800 to 1700hours local time), excluding public holidays.

Attention: Deputy Director, Environment and Social Safeguards

Street Address: Kenya National Highways Authority
Barabara Plaza, Block A, 3rd Floor

Jomo Kenyatta International Airport (JKIA), off airport South Road, along Mazao Road

City: NAIROBI, KENYA

Telephone: +254 20 495-4116