



Kenya National Highways Authority

Quality Highways, Better Connections

LAKE VICTORIA BASIN DEVELOPMENT PROJECT (LVBDP)

GRANT No.: IDA E5920

TERMS OF REFERENCE (TOR)

REQUEST FOR EXPRESSIONS OF INTEREST FOR CONSULTANCY SERVICES FOR UPDATING OF THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND THE RESETTLEMENT ACTION PLAN (RAP) FOR THE LAKE VICTORIA BASIN DEVELOPMENT PROJECT (LVBDP): HOMA BAY – NYAGWETHE - MUHURU BAY ROAD (APPROX. 350 KM) AND ASSOCIATED SPUR ROADS

TENDER NO. KeNHA/2947/2026

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1.0 Project Background

The Government of Kenya (GoK) has received financing from the International Development Association (IDA) towards the implementation of the Lake Victoria Basin Development Project (LVBDP). The Project seeks to improve regional connectivity, promote socio-economic development, and enhance access to markets and social services within the Lake Victoria Basin through upgrading and rehabilitation of priority road transport corridors.

As part of the LVBD, GoK, through the Kenya National Highways Authority (KeNHA), proposes to upgrade selected road sections forming a continuous transport corridor within the Lake Victoria Basin. The proposed road sections include the Homa Bay-Mbita-Nyagwethe-Sori-Muhuru Bay Road and spur Roads. The Project traverses Homa Bay and Migori Counties and passes through environmentally and socially sensitive areas, including sections adjacent to Lake Victoria. The corridor has been subject to phased development, design revisions, and scope adjustments over time.

An Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) were previously undertaken in 2017 for the Homa Bay-Mbita-Nyagwethe-Sori_Muhuru Bay Road Section and an Environmental Impact Assessment (EIA) Licence was issued by the National Environment Management Authority (NEMA) for these sections. However, since completion of the 2017 ESIA and RAP, the project context has materially changed due to revised engineering designs and standards, expansion of the project footprint to include additional links and spur roads, changes in land use and settlement patterns, increased environmental and social sensitivity along the corridor, amendments to environmental legislation under the Environmental Management and Coordination Act (EMCA), and the application of the World Bank Environmental and Social Framework (ESF, 2018). These changes necessitate the preparation of an updated ESIA and RAP for the Project.

1.1 The Client and Name of the Assignment

The Government of Kenya, through the Kenya National Highways Authority (KeNHA) as the implementing agency, hereby issues these Terms of Reference (ToR) for the procurement of consultancy services for the preparation of an Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) for the Lake Victoria Basin Development Project (LVBDP).

The assignment covers the following road sections: Homa Bay-Mbita-Nyagwethe-Sori_Muhuru Bay Road.

The scope of the consultancy shall comprise:

- Updating of the existing ESIA and RAP for the Homa Bay-Mbita-Nyagwethe-Sori - Muhuru Bay Road road and spur roads to reflect revised engineering designs, expanded project scope, current environmental and social baseline conditions, applicable national

legislation, and the requirements of the World Bank Environmental and Social Framework (ESF, 2018).

KeNHA requires the Consultant to provide all technical and professional services necessary for the successful execution of the assignment, including all tasks that are explicitly stated or reasonably implied, to ensure that the ESIA and RAP are prepared in accordance with national legal and regulatory requirements, World Bank safeguard policies, and good international industry practice.

The overall purpose of this ToR is to procure consultancy services for the preparation and updating of the ESIA and RAP for the LVBDP to support informed decision-making, facilitate environmental licensing by NEMA, ensure compliance with World Bank due diligence requirements, and enable sustainable implementation of the proposed road upgrading works.

1.2 Project Location

The proposed Project is located in the western region of Kenya within the Lake Victoria Basin and traverses Migori and Homa Bay Counties. The Project comprises selected road sections forming part of the Lake Victoria Basin Development Project (LVBDP), providing critical connectivity along the Lake Victoria lakeshore and linking inland settlements and trading centres.

The Project covers the following road sections:

- Homa Bay-Mbita-Nyagwethe-Sori_Muhuru Bay Road

The Project roads pass through a mix of urban centres, peri-urban settlements, rural trading centres, and predominantly agricultural areas. Portions of the alignment traverse environmentally and socially sensitive areas, including sections adjacent to Lake Victoria, associated wetlands, and riparian ecosystems. The corridor is also characterized by roadside developments, public utilities, community facilities, and areas of relatively high population density, presenting notable environmental and social risks.

Owing to the varied biophysical and socio-economic conditions along the Project alignment, the proposed ESIA and RAP will adopt a project-wide approach while addressing section-specific environmental and social impacts, including land acquisition, resettlement, and livelihood restoration requirements arising from the proposed upgrading works.



Figure 1: Location Map

1.3 Project Description

The proposed Project entails the upgrading of the Homabay – Nyagwethe – Muhuru Bay Road to bitumen standards under the Lake Victoria Basin Development Project (LVBDP). The Project is being implemented by the Government of Kenya through the Kenya National Highways Authority (KeNHA) with financing from the International Development Association (IDA).

The road upgrading works will generally follow the existing alignment and will involve improvement of the road geometry and pavement structure to meet applicable design standards. The scope of works includes construction of carriageway and shoulders, improvement of horizontal and vertical alignment where required, provision of drainage structures such as culverts and lined drains, and improvement of junctions and access points.

Additional Project components will include construction and rehabilitation of bridges and cross-drainage structures, provision of pedestrian and non-motorised transport facilities within built-up areas, installation of road safety features, signage and road furniture, and relocation or protection of affected public utilities. Construction activities will require establishment of temporary facilities including campsites, material sites, and access roads.

Upon completion, the upgraded road is expected to improve all-weather access along the Lake Victoria lakeshore, facilitate movement of people and goods, support fisheries, agricultural and trade activities, and enhance connectivity between Homa Bay and Migori Counties. Implementation of the Project will, however, involve land acquisition and may result in environmental and social impacts, including displacement of persons, loss of assets and livelihoods, and potential impacts on sensitive ecological receptors, thereby necessitating the preparation of an Environmental and Social Impact Assessment (ESIA) and a Resettlement Action Plan (RAP).

Table 1: Breakdown of road sections

Section Description	Total Length (Km)
Homabay – Nyagwethe - Muhuru Bay	350

1.4 The Rationale for the Project

The proposed upgrading of the Lake Victoria Basin Development Project (LVBDP) is intended to improve transport efficiency, safety, and reliability within the Lake Victoria Basin and to support regional trade, economic growth, and social development. The corridor serves as a critical link between lakeshore communities, agricultural production areas, urban centres, and regional and cross-border markets.

Implementation of the project is subject to compliance with national environmental and social legislation and the requirements of the World Bank Environmental and Social Framework (ESF,

2018). While an ESIA and RAP were undertaken in 2017 for parts of the corridor, subsequent changes in project design, scope, and regulatory context have rendered those studies insufficient to support current project implementation.

Accordingly, there is a need to prepare a consolidated ESIA and RAP that updates the existing environmental and social studies for previously assessed sections, to ensure regulatory compliance, facilitate environmental licensing, and support sustainable implementation of the LVBD.

1.4 Project History

Detailed engineering design for the Lake Victoria Ring Roads (LVRR), excluding identified critical missing links, was completed in 2017. A feasibility study, Environmental and Social Impact Assessment (ESIA), and Resettlement Action Plan (RAP) were prepared in the same year based on preliminary designs and the environmental and social baseline conditions prevailing at that time.

Since completion of the 2017 studies, the project has undergone substantial evolution. Subsequent design reviews have introduced revised alignments, updated drainage and structural designs, and a restructured contract packaging approach to support phased implementation. The project scope has also been expanded to include additional missing links, spur roads, and feeder roads connecting the main corridor to key economic nodes such as markets, fish landing sites, and agricultural production areas. These additions have significantly expanded the project footprint and associated environmental and social risks, including increased land acquisition requirements, potential resettlement, additional watercourse crossings, interaction with sensitive ecosystems, and heightened community and road safety concerns in previously unassessed areas.

The regulatory and financing context has also changed materially. Amendments to environmental legislation under EMCA and its subsidiary regulations have introduced more stringent requirements for ecological assessment, pollution control, climate risk integration, and resettlement planning. In parallel, the project is subject to the World Bank Environmental and Social Framework (ESF, 2018), which establishes enhanced standards for labour and working conditions, community health and safety, biodiversity conservation, stakeholder engagement, prevention of sexual exploitation and abuse and sexual harassment (SEA/SH), and land acquisition and involuntary resettlement under ESS5. As a result, the 2017 ESIA and RAP are no longer compliant with current national and international safeguard requirements.

In 2023, KeNHA commissioned a comprehensive design review that confirmed significant changes in the project's environmental and social context, including expanded settlement patterns, emergence of new community markets and fish landing sites, increased ecological sensitivity along shoreline and wetland areas, altered hydrological conditions, and cumulative pressures from other regional infrastructure developments. These changes, combined with population growth and intensified land use, have rendered the baseline data and impact assessments from the 2017 studies outdated.

In view of the above, a consolidated ESIA and RAP is required to assess the updated project design, incorporate the expanded corridor and associated spur and feeder roads, establish current baseline conditions, and ensure compliance with prevailing Government of Kenya regulations and the World Bank ESF. The updated studies will provide a robust basis for environmental licensing, risk management, stakeholder engagement, and sustainable implementation of the Lake Victoria Basin Transport Corridor.

1.6 Consultant Services Supervision Arrangement

The consultancy services for the preparation of the ESIA and RAP for the project will be supervised by the Kenya National Highways Authority (KeNHA). The assignment will be executed with KeNHA as the Client, and the Director of Highway Design and Survey will act as the Client's Representative.

Under the Director of Highway Design and Survey, the Deputy Director, Environment and Social Safeguards, who will host this assignment, will be responsible for overall quality control, coordination of project activities, and ensuring compliance with environmental and social safeguards.

2.0 The ESIA Study Preparation

The Consultant shall undertake the preparation of an Environmental and Social Impact Assessment (ESIA) for the Lake Victoria Basin Development Project (LVBDP) in accordance with these Terms of Reference. The ESIA shall be prepared to a standard acceptable to the Government of Kenya and the World Bank and shall provide a comprehensive and legally defensible basis for environmental licensing, decision-making, and project implementation.

In undertaking the assignment, the Consultant shall ensure:

- i. Compliance with the World Bank Environmental and Social Framework (ESF, 2018), recognizing the project as a High-Risk operation based on its nature, scale, ecological sensitivity, expanded footprint, and significant land acquisition and resettlement implications. The ESIA shall also be fully aligned with applicable laws, regulations, and policies of the Government of Kenya, including EMCA and its subsidiary regulations, as well as the requirements of NEMA
- ii. Consistency with project technical and planning documentation, including updated engineering designs for geometry, pavements, drainage, and structures; traffic and road safety studies; hydrological and materials investigations; design review outputs; and other relevant technical studies. The ESIA shall be closely coordinated with the preparation and updating of the Resettlement Action Plan (RAP), as well as associated social assessments, including gender and vulnerability considerations.

These Terms of Reference cover the preparation of the updated ESIA for: Homabay – Nyagwethe – Muhuru Bay road, to reflect revised designs, expanded scope, and current E&S baseline conditions.

The ESIA shall establish a coherent environmental and social management framework applicable across all corridor sections and associated spur and feeder roads, and shall guide mitigation, monitoring, and compliance throughout construction, operation, and maintenance of the LVBD.

2.1. Objectives of the Consultancy

The overall objective of this consultancy is to update the existing Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) for the Lake Victoria Basin Development Project (LVBDP), ensuring that all project components are environmentally sound, socially acceptable, and compliant with applicable national legislation and the World Bank Environmental and Social Framework (ESF, 2018).

The assignment shall therefore be:

- Updating of the existing ESIA to reflect changes in scope, updated engineering designs and standards, expanded project footprint, and restructured contract packaging;

The studies shall support KeNHA in obtaining the requisite environmental approvals and licenses, and in facilitating effective, compliant, and sustainable implementation of the LVBD.

2.2 Specific Objectives

The specific objectives of this assignment are to:

- a) Undertake environmental and social screening and scoping for the for the entire project section including the feeder and spur roads. Scoping shall define the project area of influence, identify sensitive receptors, cumulative impact zones, and vulnerable hotspots across the project life cycle.
- b) Establish updated environmental and social baseline conditions within the project area of influence, covering demographic, socio-economic, land use, and biophysical characteristics. Particular attention shall be given to newly affected areas arising from expanded scope, including missing links, spur and feeder roads, and ancillary facilities, in line with applicable national requirements and the World Bank ESF.
- c) Assess environmental and social risks and impacts proportionate to the revised project scope and risk profile, addressing both updated existing sections and newly assessed components. The assessment shall cover direct, indirect, and cumulative impacts associated with alignments, material sources, structures, settlements, and sensitive receptors, in accordance with the World Bank ESF, General EHS Guidelines, GIIP, and relevant national legislation.

- d) Analyse feasible project alternatives, including alignment, design, construction, and implementation options, considering the updated designs and newly incorporated sections, and considering environmental, social, technical, and economic factors.
- e) Identify and propose measures for avoidance, minimisation, mitigation, and enhancement of environmental, social, health, and safety impacts associated with the project and its ancillary facilities.
- f) Conduct meaningful stakeholder engagement and public consultations across all project components, ensuring inclusive participation of project-affected persons, vulnerable and marginalised groups, County Governments, and relevant institutions, in accordance with national requirements and the World Bank ESF.
- g) Integrate findings from the Social Assessment and RAP into the ESIA, ensuring consistency with revised alignments, updated designs, and the distribution of affected assets, livelihoods, and communities across both updated and newly assessed sections.
- h) Prepare a comprehensive Environmental and Social Management Plan (ESMP) aligned with the updated project design and ESF requirements, including institutional arrangements, monitoring indicators, implementation responsibilities, and cost estimates.
- i) Develop costed, package-specific ESMPs for individual contract packages or subprojects, clearly linking identified impacts to corresponding mitigation measures.
- j) Document all outputs in formats acceptable to KeNHA, NEMA, and the World Bank, in compliance with the ESF, General EHS Guidelines, GIIP, and applicable national legislation.
- k) Apply GIS-based spatial analysis throughout the assignment to support mapping of sensitive receptors, cumulative impacts, climate risk hotspots, and vulnerability patterns, and to inform risk-based assessment, ESMP development, disclosure, and implementation at both corridor-wide and package-specific levels.

2.3 Scope of Consultancy

2.3.1 General Requirements

The Consultant shall perform all work described herein and provide the personnel, expertise, and resources necessary to achieve the objectives of this assignment. All tasks shall be undertaken in accordance with accepted professional standards and fully comply with applicable environmental and social assessment procedures.

In carrying out this work, the Consultant shall cooperate fully with KeNHA and relevant government agencies, which will facilitate access to project information, provide available data, and offer logistical support as required.

2.3.2 The Scope of ESIA Consultancy

The Consultant shall prepare an ESIA for the Lake Victoria Basin Development Project (LVBDP) as follows:

- Prepare an updated ESIA for the Homabay – Nyagwethe – Muhuru Bay Road, reflecting changes in project design, footprint, baseline environmental and social conditions, regulatory requirements, and Environment and Social Standards (ESS) since the 2017 assessment.
- Integrate findings from the newly introduced scope to ensure the updated data comprehensively covers all components, including the main carriageway, missing links, and ancillary facilities.
- Ensure the updated ESIA provides a robust, legally defensible basis for environmental licensing, environmental and social risk management, and sustainable implementation of the LVBD.

All ESIA activities shall comply with the Government of Kenya legal, regulatory, and institutional framework for environmental, social, health, and occupational safety management, including EMCA (Cap. 387, 1999) and the Environmental (Impact Assessment and Audit) Regulations, 2003, as amended in 2015 and 2019. The studies shall also conform to the World Bank ESF (2018), relevant World Bank General EHS Guidelines, and GIIP, and shall be fully aligned with updated feasibility studies, revised engineering designs and standards, design review outputs, contract packaging, the RAP, Social Assessment, and other relevant technical project documentation.

The Consultant shall prepare the ESIA report to ensure it covers, but is not limited to, the following:

Task 1: Executive Summary

The Summary should include:

- A description of the proposed project;
- The rationale for the upgraded and revised proposed project.
- A summary of the social, environmental, and biophysical profile of the areas within the project's influence;
- The geographical area that the project will influence, reflecting updated alignments and contract packaging;
- Screening and scoping of environmental and social risks and impacts arising from the revised project footprint;
- Identification of any significant potential environmental and social impacts, risks, and opportunities;
- Summary of key issues and opportunities identified during the ESIA preparation;
- Mapping of stakeholders and a summary of stakeholder engagement processes and feedback, highlighting concerns raised by communities around the project area of influence;
- Summary of key recommendations of the Environmental and Social Management Plan (ESMP); and

- Reference and integrate findings from the updated Resettlement Action Plan (RAP), Social Assessment, and any other associated environmental and social studies prepared under the project;
- A summary of KeNHA's systematic approach to managing environmental, social, health, and safety aspects of the sub-project, including monitoring arrangements and institutional responsibilities.

Task 2: Background

This section should include:

- Explain the purpose of preparing an updated ESIA, including the timeline of its preparation.
- The revised scope and objectives of the ESIA
- The revised Terms of Reference (ToR) and the methodology of the ESIA
- Summarize existing literature, studies, and assessments on the project corridor; KeNHA will provide available documentation to serve as a baseline reference.

Task 3: Detailed Description of the Proposed Project

The Consultant shall concisely describe:

- Geographic location and project traverse, the current site conditions, including maps of sufficient detail showing the project site, and the full area likely to experience direct, indirect, and cumulative environmental and social impacts.
- The Proposed Project, including its background, justification, key design features, construction approach, operational characteristics, and decommissioning considerations. The technology to be deployed, construction phasing, and material inputs/by-products should be quantified where feasible.
- Offsite and ancillary facilities required for implementation, including access roads, quarries, borrow pits, waste disposal sites, construction camps, asphalt and batching plants, laydown areas, water sources, material storage facilities, and other ancillary activities, as well as the identification of primary suppliers; and
- The Project Cost and timelines

Task 4: Policy, Legal, Regulatory and Institutional Framework

This section shall discuss the current policy, legal, and administrative frameworks within which the ESIA/ESMP and RAP will be carried out. Most particularly, the consultant will:

- Outline the Government of Kenya policies, laws, and regulations for the management of environmental and social issues, including labour, health, and safety requirements;
- Describe the reporting requirements as provided for under EMCA Cap 387;
- Analyse the requirements of the World Bank Environmental and Social Framework (ESF), including the World Bank General Environment Health and Safety Guidelines and applicable Good International Industry Best Practices (GIIBP);

- Review the environmental, social, and safety policies of KeNHA;
- Identify relevant international environmental agreements, conventions, and treaties to which Kenya is a party.
- Identify the institutional framework relevant to the project's environmental, social, safety, and health management.

Task 5: Description of the Environmental and Socio-economic Baseline

The consultant will collect, collate and present baseline information on the existing environmental and socio-economic characteristics of, within, and around the subproject sites/area of influence. This will entail the current information on the project area, including an accurate description and delineation of the project and any associated aspects, and environmental and social baseline data at the appropriate level of detail sufficient to inform characterization and identification of risks and impacts and mitigation measures.

Baseline characterization shall incorporate GIS mapping to spatially represent project influence areas, land use dynamics, sensitive habitats, settlement patterns, socio-economic features, and ecosystem services distribution.

The baseline will:

- i. Present data directly relevant to decisions about sub-project location, design, operation, or mitigation measures, including:
 - *Physical environment* such as topography, landforms, geology, soils, climate, air quality, ambient noise, surface, and ground hydrology). This will include appropriate baseline parameter measurements for noise, air, and water quality levels at sampled locations. As applicable, any climate change trends and related implications of these physical environmental parameters on the project will be identified;
 - *Biological environment*, including biodiversity, fauna, flora, animal migration corridors, endangered species, critical natural habitats, forests, protected and sensitive areas, as well as any associated ecosystem services within the project's zone of influence);
 - *Socio-economic and cultural environment* (such as demography, settlements, community structures, vulnerable and marginal groups, indigenous community sources of livelihoods and distribution of income, land tenure and ownership, waste management facilities, employment and labour markets, community health and safety including road safety, land use, gender aspects and cultural heritage); Mapping of sensitive receptors, critical habitats, watercourses, cultural heritage sites, settlements, and livelihood zones using GIS and high-resolution spatial datasets;
- ii. Identify any changes anticipated before the project commences;
- iii. Consider current and proposed development activities within the subproject area but not directly connected to the project to inform assessment of potential cumulative project impacts;
- iv. Collate available data from existing sources; and, if necessary, collect original data;
- v. Include data directly provided and confirmed by relevant data sources, such as Kenya National Household Survey (KNHS), Kenya National Bureau of Statistics, County Integrated Development Plans (CIDP), National Environment and Management Authority (NEMA), Kenya Wildlife Service (KWS), National Museum of Kenya (NMK), Kenya Forestry Service (KFS) among others and

- vi. Identify and estimate the extent, quality, accuracy, and reliability of available data, key data gaps, and uncertainties associated with predictions, and specify topics that do not require further attention.

Task 6: Climate Risk Assessment, Climate Change Impacts, and Adaptation Planning

The Consultant shall undertake a comprehensive climate risk and vulnerability assessment for the project in accordance with national climate legislation and international financing standards, including the World Bank Standards.

The assessment shall utilize existing scientific data and updated climate projections for the Lake Victoria Basin region to evaluate temperature trends, extreme rainfall events, precipitation variability, flash floods, erosion susceptibility, and hydrological variations affecting floodplain and lakeshore influences. Climate risk evaluation shall include:

- Historical climate trend analysis for Western Kenya (temperature shifts, precipitation trends, frequency of heavy rainfall events).
- Projection of extreme weather events relevant to road infrastructure performance and lifecycle.
- Mapping of high-risk climate hazards, including precipitation variability, flooding, shoreline erosion, slope instability, drainage overload, and overtopping risks.
- Identification of climate risk hotspots along the corridor (e.g., highland escarpments, sandy soils, flood plains, lakeshore settlements, and river crossings).

The analysis shall integrate outputs from hydraulic and hydrological models under the Design Review to evaluate the adequacy of drainage, bridges, culverts, embankments, and shoreline protection structures against current and projected rainfall return periods.

Specifically, the Consultant shall:

- i. Undertake climate disaster risk screening using nationally recognized and IPCC-aligned datasets.
- ii. Assess climate change impacts on construction and operation phases, including risks to drainage performance, flood-induced scouring, embankment erosion, slope failure, infrastructure overtopping, disruption of mobility, lakeshore flooding backflow, and risks to community health and safety.
- iii. Evaluate the sufficiency of existing and proposed hydraulic infrastructure, incorporating revised safety margins and freeboard requirements.
- iv. Recommend climate-resilient adaptation measures, include road safety installations features addressing climate exposure.
- v. Estimate greenhouse gas (GHG) emissions associated with construction and operational traffic forecasts, in accordance with World Bank requirements, and propose reduction measures.
- vi. Prepare a Climate Adaptation and Resilience Plan (CARP) that shall include:
 - Climate risk and vulnerability hotspots
 - Specific engineering and ecosystem-based adaptation interventions
 - A monitoring framework for climate stress factors (rainfall intensity trends, flooding recurrence, embankment instability)

- Long-term maintenance and inspection requirements linked to climate monitoring and rainfall data management by KeNHA and County Governments

vii. Integrate climate change risks and adaptation/mitigation measures into the ESIA and ESMP, ensuring mitigation actions, monitoring responsibilities, and climate-related reporting are costed and incorporated into contractual obligations.

All climate adaptation and mitigation measures shall be fully costed and integrated into contract packages, with clear implementation responsibilities assigned to the Contractor, the Supervision Engineer, and KeNHA.

Task 7: Identify Potential Environmental and Social Impacts that could result from the project:

The consultant will evaluate the project's potential environmental and social risks and impacts, examine project alternatives, identify ways to improve project selection, siting, planning, design, and implementation, and apply the mitigation hierarchy for adverse environmental and social impacts. Additionally, the consultant will seek opportunities to enhance the positive impacts of the project.

The consultant shall analyze and describe all significant deviations from the environmental and socio-economic baseline that might be caused by the project, including environmental and social impacts, both positive and negative. The consultant will develop an acceptable methodology/grading system for impacts to record severity.

More specifically, the consultant impact identification shall be supported by GIS overlay analysis to determine spatial relationships between the project footprint, sensitive receptors, land use changes, ecological features, floodplains, settlement clusters, and cumulative development influences.

During the analysis, the consultant shall consider both biophysical and socio-economic factors, such as (list is not exhaustive):

- Population changes and migration
- Forms of social organization (ethnicity, clan/tribal structures, minority groups, including the presence of indigenous peoples)
- Income sources and expenditure
- Household sources of income
- Gender-based violence
- Gender issues/SEA and SH
- Population influx
- Labour issues and working conditions
- Community health and safety
- Conflict and social tensions
- Physical and social infrastructure
- Changes in economic activities
- Relocation and resettlement (make sure that information in the ESIA is consistent with the RAP)
- Removal of structure/sites

- Physical Cultural heritage
- Development resources
- Improved access
- Water resources
- Accident rates
- Visual/aesthetic changes
- Vegetation clearance
- Mechanical disturbance
- Effects on flora and fauna as well as any associated ecosystem services
- Air quality, water quality, and quantity.
- Occupational health and safety
- Sensitive receptors along the road corridor,
- Climate change-related risks
- Project Waste Management
- Ancillary facilities and potentially linked activities

More specifically, the consultant will:

- i. Predict and assess the subproject's potential positive and negative environmental and social impacts (clearly articulated in respective sub-sections for environmental and social impacts) that might change the baseline conditions, in quantitative terms to the extent possible, during the construction, operation, and decommissioning phases;
- ii. Differentiate between short, medium, and long-term impacts, estimate the magnitude of impacts and identify generic (both environmental and social) impacts and site-specific impacts;
- iii. Identify mitigation measures and any residual negative impacts that cannot be mitigated; and
- iv. Explore opportunities for environmental and social enhancement.
- v. The consultant shall identify and analyze potential impacts on Indigenous Peoples and Vulnerable and Marginalized Groups (VMGs) in accordance with ESS7. This shall include:
 - Determination of the presence, location and cultural characteristics of Indigenous Peoples within the project-affected area.
 - Identification of project activities that may generate differentiated impacts on Indigenous Peoples in relation to land access, cultural heritage, socio-economic livelihoods, traditional resource use, or access to natural resources.
 - Assessment of potential restrictions on cultural practices or impacts on culturally significant sites and/or community institutions.
 - Identification of circumstances requiring Free, Prior and Informed Consent (FPIC), including activities that may affect land, natural resources, relocation, resettlement, or cultural heritage of Indigenous Peoples.

The identification of impacts for the project will be closely coordinated with the preparation of the Resettlement Action Plans (RAP) and Social Assessment (SA) to ensure coherence and comprehensiveness.

Task 8: Analysis of Alternatives to the Proposed Project

The consultant will:

- i. Systematically compare feasible alternatives to the proposed road alignment and associated ancillary facilities, such as alignment, technology, design, and operation-including the "without project" situation-in terms of their potential environmental and social impacts;
- ii. Assess the alternatives' feasibility of mitigating the environmental and social risks and impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements;
- iii. For each of the alternatives, quantify the environmental and social impacts to the extent possible, and attach economic values where feasible;
- iv. State the basis for selecting the Project design proposed and the applicable EHS Guidelines and justify recommended emission levels and approaches to pollution prevention and abatement.

Task 9: Public Consultation and Disclosures

The consultant will conduct two rounds of public consultations (in line with World Bank Environment and Social Framework for high risk project requirements) to collect the concerns, expectations, and opinions of affected, concerned, and interested stakeholders of the project.

A robust stakeholder mapping and analysis shall be conducted to guide the preparation of the Stakeholder Engagement Plan (SEP) for the ESIA. Stakeholders to be consulted shall include, but are not limited to:

Government and Regulatory Agencies:

- Kenya Wildlife Service (KWS)
- Water Resources Authority (WRA)
- Kenya Forest Service (KFS)
- Lake Basin Development Authority (LBDA)
- National Museums of Kenya (NMK)
- National Environment Management Authority (NEMA)
- Respective County Governments of Homabay and Migori

Local and Community Stakeholders:

- Local communities, including fishing communities, farmers, traders, and transport operators
- Indigenous communities

- Fisheries and Beach Management Units (BMUs)
- Market committees where available along the proposed project roads

Other Key Stakeholders:

- Local administration, including County and Deputy County Commissioners
- Utilities, infrastructure, and service providers, including Kenya Power and Lighting Company (KPLC), Water Works Development Agency, and telecommunications operators
- NGOs and Civil Society Organizations (CSOs) operating within the basin

As mapped during stakeholder analysis, consultations with vulnerable and marginalized individuals and groups (VMGs) within the project-affected area shall be conducted using culturally appropriate, inclusive, and accessible methods.

Disclosure of the ESIA report shall be done in a manner, form, and language that is understandable and accessible across the Lake Basin counties, ensuring full public participation.

The consultant will carry out public participation and consultations on the positive and negative impacts of the proposed subproject, ensuring relevance to the revised project design and updated alignment.

The Consultant shall:

- i. Undertake meaningful consultation that fulfills the provisions of: ESS1: Assessment and Management of Environmental and Social Risks and Impacts, ESS4: Community Health and Safety, ESS5: Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement, ESS7: Indigenous Peoples / Sub-Saharan African Historically Underserved Traditional Local Communities, ESS8: Cultural Heritage; (Consultation with Indigenous Peoples shall be undertaken in a culturally appropriate manner and shall meet the requirements of ESS7 and FPIC obligations where applicable, and ESS10: Stakeholder Engagement and Information Disclosure.
- ii. Prepare and submit for approval a Stakeholder Engagement Plan (SEP) for the ESIA process, reflecting the updated project footprint and revised engineering design.
- iii. Document the public consultations, including: Dates, venues, and formats of consultation events, Lists and signatures of attendees, Photographs of consultation sessions, Summary of issues raised (positive and negative), How concerns, expectations, and feedback have been incorporated into the updated ESIA and final project design;
- iv. The consultant shall be responsible for public disclosure of the ESIA required by the provisions of ESS10: Stakeholder Engagement and Information Disclosure.

GIS spatial data shall be used to support stakeholder clustering, identification of marginalized groups by location, and planning consultation routes and venues across contract-package zones.

Spatial analysis to guide engagement of settlements and vulnerable groups located in flood-risk areas, ecologically sensitive zones, and areas affected by updated alignment changes.

In consideration of public health risks (e.g., disease outbreaks such as Covid-19), the consultant shall propose consultation approaches that ensure compliance with prevailing Ministry of Health guidelines, WHO recommendations, and KeNHA directives to protect both consultant staff and stakeholders. As part of the ESIA impacts analysis and mitigation planning, the potential public health implications (including communicable disease transmission risks) shall also be addressed.

Task 10: Development of the Environmental and Social Management Plan (ESMP)

The consultant will prepare a comprehensive Environmental and Social Management Plan (ESMP) for the Project.

The ESMP will provide time frames and implementation mechanisms, reporting responsibilities, description and technical details of monitoring measures, assessment of the institutional needs, staffing requirements, and cost outlay for implementation. The plan will show how management and mitigation methods are phased with project implementation. The plan will also include measures to prevent health hazards and to ensure safety in the working environment for the employees and the communities adjacent to the Project sites and project-affected people.

The ESMP will propose:

- Individual mitigation and monitoring measures during both construction, operation, and decommissioning assign institutional responsibilities and estimate the resources required for its implementation;
- Measures for preventing, minimizing, mitigating, or compensating for the adverse environmental and social impacts and enhancing beneficial impacts, including costs of the measures and monitoring requirements.

(a) Mitigation Plan

The consultant will identify feasible and cost-effective measures to avoid the potentially significant adverse environmental and social impacts identified in the project ESIA or otherwise reduce them to acceptable levels. The consultant will propose compensatory measures for residual impacts; if mitigation measures are not technically feasible, cost-effective, or sufficient and will explore opportunities for environmental enhancement. The plan distinguishes between the construction and operations phases.

The mitigation plan will:

- i. Identify and summarize all anticipated significant adverse environmental and social impacts (including those involving indigenous people or involuntary resettlement) and define both generic and site-specific environmental and social mitigation measures during construction and operation;
- ii. Provide technical details for each mitigation measure, including the type of impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, equipment descriptions, and

- operating procedures, as appropriate;
- iii. Include emergency/disaster preparedness and response plans;
 - iv. Describe in detail other plans that will be required during the construction and operation phases, including but not limited to Contractor ESMP, Occupational Health and Safety plans, Waste Management Plan, Labour Influx Plan, Biodiversity Management Plan, Cultural Heritage Management Plan, Traffic Management Plans, and Community Health and Safety Plan.
 - v. Describe in detail other plans that will be required during the construction and operation phases (e.g., Contractor ESMP, Occupational Health, and Safety plans, Waste management plan, labour influx plan, etc.);
 - vi. Estimate any potential environmental and social impacts associated with the proposed mitigation measures (in addition to costing of mitigation actions, which shall be included under the ESMP's implementation schedule).
 - vii. Provide linkage with any other mitigation plans (e.g., for involuntary resettlement, indigenous peoples, or cultural property) required for the subproject;
 - viii. The consultant will propose specific mitigation and enhancement measures addressing impacts on Indigenous Peoples in alignment with ESS7 and FPIC outcomes, including: (Measures to avoid or reduce adverse impacts on Indigenous Peoples' cultural heritage, livelihoods, access to natural resources or traditional land, Procedures governing FPIC requirements where relocation, cultural heritage or land use is affected)
 - ix. Include additional data collection to fill identified data gaps;

(b) Contractor clauses

The section will cover worksite health and safety, incident notification, the environmental and social management of construction sites; labour camps/area workers, HIV/AIDS and other Sexually Transmitted Diseases (STDs), stakeholder engagement plans, contractor's grievance redress mechanism, child protection, gender equity and sexual harassment, labour conditions and workers' rights and the employment of community members.

The consultant will:

Define standardized environmental and social clauses that KeNHA will include in the works' bidding documents and contracts for the construction and supervision consultants to ensure contractors' satisfactory environmental, social, health, and safety performance.

The clauses will cover key issues including Environment, Health, and Safety (EHS), environmental and social monitoring by the contractor, environmental and social liabilities, grievance mechanism for workers, stakeholder engagement plans, Child Protection Strategy, GBV/SEA/SH Action Plan, contractors' key personnel and training, compliance with statutory requirements, labour management of workers, and community health and safety, including traffic and road safety requirements.

(c) Monitoring Plan

- i. Defines monitoring objectives and indicators and specifies the type of monitoring, with linkages to the impacts assessed in the ESIA report and the mitigation measures described in the ESMP.
- ii. Provides (a) a specific description and technical details of monitoring measures, including responsibilities (KeNHA, Supervision Engineer/Consultant, contractor), the parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and a definition of thresholds that will signal the need for corrective actions; and (b) monitoring and reporting procedures to ensure early detection of conditions that necessitate particular mitigation measures, and to furnish information on the progress and results of mitigation.
- iii. Include the internal and external audits requirements and
- iv. Includes compliance monitoring of the socio-economic impact related to the concerns raised by individuals and communities affected by the subproject.
- v. Include dedicated monitoring indicators for Indigenous Peoples consistent with ESS7 (e.g Monitoring of culturally appropriate engagement and FPIC documentation, tracking of project impacts, mitigation effectiveness and participation outcomes for Indigenous Peoples)

(d) Institutional Arrangements

- i. Describe institutional arrangements, responsibilities, and procedures within KeNHA, Supervision Engineer/Consultant, and its contractor to carry out each of the mitigatory and monitoring measures (e.g., for operation, supervision, enforcement, implementation monitoring, remedial action, financing, reporting, and staff training).
- ii. Describes the role of NEMA in monitoring the implementation of the ESMP and in certifying compliance.
- iii. Includes training of contractors and Supervision Engineer/Consultant regarding the environmental and social clauses that apply to them.
- iv. Estimates the resources required by KeNHA to implement and monitor the ESMP, such as level of effort (LOE) and equipment.
- v. As necessary, proposes capacity building, additional technical support, or organizational changes to ensure the timely and effective implementation of the ESMP.

(e) Grievance Redress Mechanism

- i. Describe the proposed GRM procedures for receiving, handling, and resolving complaints from affected individuals and communities (*this should be discussed and consulted during the public consultation process*).

(f) Implementation Schedule and Cost Estimates

- i. Implementation schedule for mitigation measures must be carried out as part of the project, showing phasing and coordination with overall subproject implementation plans.
- ii. The capital and recurrent cost estimates and sources of funds for implementing the ESMP

(g) Chance Find Procedures

Describe the 'Chance Find' procedures briefly to ensure preventive and mitigation measures are formulated and implemented in the event physical and cultural resources are encountered during project implementation. However, the full 'Chance Find' procedures shall be included as an annex to the ESIA report.

The Consultant shall prepare the ESIA report following a structured format that is consistent with KeNHA practices and World Bank requirements, including but not limited to:

Table 2 ESIA study report layout

Chapter	Key Components
Executive Summary	Key findings, project impacts, and recommended mitigation measures; summary of project overview, justification, and conclusions.
Chapter 1: Introduction	Background, project rationale, ESIA objectives, scope, methodology, and report structure.
Chapter 2: Project Description	Detailed description of road sections, ancillary works, and associated facilities; location, scope of works.
Chapter 3: Policy, Legal & Institutional Framework	Applicable national legislation, regulations, policies, institutions, international conventions, and World Bank ESF requirements.
Chapter 4: Baseline Information	Physical, biological, and socio-economic environment of the project area.
Chapter 5: Stakeholder Engagement & Public Participation	Stakeholder mapping, consultation methods, inputs received, survey results, and Grievance Redress Mechanism.
Chapter 6: Analysis of Alternatives	Assessment of design, alignment, and technological options; comparison of alternatives and justification of preferred option.
Chapter 7: Impacts & Mitigation Measures	Identification of positive and negative impacts during construction, operation, and decommissioning; proposed avoidance, mitigation, and enhancement measures.
Chapter 8: Climate Change and Adaptation	Assessment of climate risks, vulnerabilities, and proposed adaptation measures.
Chapter 9: Environmental & Social Management Plan (ESMP / ESMOP)	Institutional arrangements, mitigation measures, monitoring indicators, reporting requirements, and cost estimates.
Chapter 10: Chance Find Procedures	Summary of procedures for managing unexpected discovery of physical and cultural resources; full procedures included as annex.

Chapter 11: Conclusion & Recommendations	Summary of findings, conclusions, and final recommendations.
References	Source documents, literature, and technical reports.
Annexes	Maps, technical data, plans, photos, questionnaires, stakeholder consultation records, Chance Find procedures, and other supporting documentation.

Appendices

- List of EIA report preparers-individuals and organizations.
- Copy of Lead expert certificate and valid license.
- References-written materials, both published and unpublished, used in study preparation.
- Record interagency and consultation meetings, including consultations for obtaining the informed views of the affected people and local non-governmental organizations (NGOs). The record specifies any means other than consultations (e.g., surveys) that were used to obtain the views of affected groups and local NGOs. (Attach the minutes of meetings and list of participants consulted)
- List of associated reports (e.g., Terms of Reference for the Assignment, Resettlement Action Plan, extracts of the Technical Design Reports, Social Assessment, Indigenous Peoples Management Plan, Chance Find Procedure etc.)

3.0 The RAP preparation

The RAP aims to ensure that any project-induced physical and/or economic displacement is mitigated through appropriate compensation, livelihood restoration, and resettlement assistance. This will be in full compliance with the World Bank Environmental and Social Framework specifically ESS5 on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement as well as the national laws and KeNHA’s internal safeguards systems.

The RAP shall provide a detailed, implementable, and budgeted plan to address physical and economic displacement and ensure that Project Affected Persons are left better off or at least restored to pre-project livelihood levels.

3.1 Specific Objectives of the RAP

To develop a comprehensive Resettlement Action Plan that ensures avoidance, minimization, mitigation and compensation for involuntary resettlement impacts in full alignment with the World Bank’s ESS5 and the applicable GOK laws.

The specific objective of the RAP development will be as follows: -

- i. To identify, assess and document all adverse impacts related to land acquisition, restrictions on land use, loss of assets, and livelihoods.

- ii. To Minimize involuntary resettlement by exploring all viable alternative
- iii. To conduct a detailed census survey of all PAPs (Project Affected Persons) within the Project's Corridor of Impact (COI) and impacts of the proposed project on their livelihoods.
- iv. To undertake socio-economic survey of the PAPs and ensure that the baseline informs mitigation and livelihood restoration strategies as well as provide data for monitoring and evaluation during project implementation period.
- v. To provide the policy, legal and institutional framework regarding resettlement and livelihood restoration and highlight the gaps between the Kenya Land Acquisition legislation and the World Bank ESS 5 requirements and provide recommendations on how those gaps will be addressed.
- vi. To undertake a vulnerability mapping the vulnerable project affected persons.
- vii. To undertake an asset inventory survey and ensure that all potential assets that will be affected by the proposed project are enumerated and geo-referenced.
- viii. To establish a cut-off date and document measures to prevent influx.
- ix. To prepare a gender-responsive, vulnerability-focused RAP, fully aligned to ESS5 requirements.
- x. To develop eligibility criteria, entitlements that meets ESS5 full replacement cost requirements, and cost-effective livelihood restoration measures.
- xi. To propose institutional arrangements, implementation schedule and capacity building needs for enhanced implementation of involuntary relocation of the PAPs.
- xii. To develop a Grievance Redress Mechanism (GRM) aligned to ESS10, ensuring accessibility to marginalized and vulnerable groups.
- xiii. To provide a detailed, costed, and time-bound RAP implementation budget and highlighting source of funds for the budget.
- xiv. To provide a stakeholder engagement plan for stakeholders' participation in minimizing resettlement impacts of the project during RAP preparation and implementation.
- xv. To provide a monitoring and evaluation process that helps to assess whether RAP objectives are being met and propose areas of improvement.
- xvi. To provide livelihood restoration measures for project affected people
- xvii. To ensure full stakeholder engagement, consultations, and disclosure consistent with ESF requirements.
- xviii. To ensure integration with ESIA, SEP, and engineering designs through cross-referencing and consistency checks.
- xix. To prepare a comprehensive and implementable RAP report fully compliant with World Bank's ESF and national legislation.

The RAP prepared is expected to ensure it covers the elements below and any other relevant aspects in line with KeNHA and the World Bank ESF, ESS5 Land Acquisition, Restrictions on land use, and involuntary relocation.

3.2 RAP Scope of Work

The Consultant shall prepare a comprehensive and corridor-wide Resettlement Action Plan (RAP) for the Lake Victoria Basin Development Project (LVBDP), applying a differentiated assessment approach for newly incorporated and previously assessed road sections, while presenting the results in a single, coherent RAP report.

The RAP shall be prepared in full compliance with the Constitution of Kenya and applicable national land acquisition and resettlement legislation, including the Land Act, Land Registration Act, Land Value (Assessment) Act, relevant provisions of EMCA, and the requirements of the World Bank Environmental and Social Framework (ESS5). The RAP shall be consistent with the updated feasibility studies, revised engineering designs and standards, restructured contract packaging, and the consolidated ESIA for the LVBD.

The scope of work shall comprise:

- Preparation of an updated RAP for the Homa Bay-Mbita-Nyagwethe-Sori - Muhuru Bay road sections, to reflect revised alignments, updated structure locations, expanded project footprint, current baseline conditions, and applicable regulatory and safeguard requirements.

The RAP shall comprehensively assess and document all resettlement impacts arising from the main carriageway, additional missing links, spur and feeder roads, and associated ancillary facilities, including construction camps, material sites, access roads, and utilities. The assessment shall cover physical and economic displacement, impacts on livelihoods, vulnerable groups, and restrictions on land use, and shall provide clear entitlement frameworks, compensation measures, implementation arrangements, and budgets in accordance with national law and ESS5.

3.2.1 Description of Project Impacts

The Consultant shall provide the general description of the project and identify the potential impacts of the project including:

- a. Project component or activities that give rise to resettlement explaining why the selected land must be acquired for use within the timeframe of the project
- b. Zone of impact of such component or activities;
- c. Alternatives considered to avoid or minimize resettlement; and
- d. Mechanisms established to minimize resettlement, to the extent possible, during project implementation,

In addition the consultant will identify project activities that trigger displacement, including:

- Land take (temporary and permanent)
- Loss of structures, businesses, and livelihood sources
- Impacts on tenants, squatters, encroachers, mobile traders
- Impacts on community assets and cultural heritage
- Impacts associated with ancillary facilities (borrow pits, camps)

Impacts on permanent and seasonal crops

Impacts on vulnerable groups and indigenous communities

3.2.2 Census and Socio-Economic Survey Studies

The Consultant shall undertake a complete and accurate census of all persons affected within the COI using GIS-referenced, photo-coded and sex- disaggregate data. In addition, the consultant will

undertake the socio-economic studies to ensure that relevant data pertaining to the following is presented:

- a. A complete PAPs census survey covering current occupants of the affected area to establish a baseline for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance. The above should ensure the following, and any other relevant data is collected: -
 - i. 100% census of PAPs sex-disaggregated, GIS-referenced, photo-coded, complete with photographs of affected Assets along with GPS coordinates of each asset,
 - ii. Standard characteristics of displaced households, including a description of production systems, labor, and household organization, type of housing, sanitation facilities
 - iii. Baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population to make sure the livelihood restoration programmes are built on concrete data;
 - iv. Household composition including, household size, age, gender, level of education, disability status, religion of the affected population.
 - v. Baseline information on Land tenure and transfer systems as well as asset ownership status;
 - vi. Identification of vulnerable households (ESS5 and ESS1);
 - vii. Identification of marginalized or at-risk groups including non- documented persons;
 - viii. Documentation of community assets, cultural sites, religious institutions, water points, public service facilities and grazing areas.
 - ix. Full asset inventory with GPS coordinates and photos

- b. Collect, collate and present comprehensive baseline information on the existing socio-economic conditions within and surrounding the project areas of influence. This shall include the compilation of current data describing the project setting, accurate delineation of project components and associated facilities. It shall also document baseline conditions at an appropriate level of detail to support impact characterization, risk identification and formulation of effective mitigation measures.

The baseline assessment shall incorporate GIS-based mapping to spatially represent project influence areas, this should include:

The results of the socio- economic survey to include: -

- i. Social characteristics of the PAPs, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- ii. The magnitude of the expected loss (total or partial) of assets, and the extent of displacement, physical or economic;
- iii. Availability and accessibility of social infrastructure and services;
- iv. Information on vulnerable groups or persons as provided for in (ESS5 para. 11 and ESS1) for whom special provisions may have to be made; and

- v. Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement;
- vi. Attitude to the project
- vii. Preferred mode of compensation and livelihood restoration measures
- viii. Baseline information on existing grievance redress mechanisms and how they would fit into the proposed project mechanisms.
- ix. Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities

Required outputs include: -

- PAPs Census Register
- Socio-economic database
- Asset Register and Valuation Catalogue
- Vulnerability Profile

3.2.3 Analysis of the legislation and Regulatory Framework

The Consultant shall undertake analysis of the legislation and regulatory framework for land acquisition, restrictions on land use and involuntary resettlement and ensure all appropriate regulations are articulated including the analysis of the following: -

- i. The scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- ii. The applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
- iii. Relevant law (including customary and traditional law) governing land tenure, statutory mechanism for land acquisition, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation that are related to resettlement;
- iv. Laws and regulations relating to the agencies responsible for implementing resettlement activities; Indicate the provisions of the World Bank's ESF including a comparative analysis identifying;
 - a. Convergences and divergences between Kenyan law and ESS5
 - b. Enumerate gaps identified
 - c. Detailed measures to address identified gaps.
- v. Any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land including claims that derive from customary law and traditional usage.
- vi. Commonalities between GoK, and the Bank guidelines, basis for effecting payment outside Kenyan legal system.

3.2.4. Public Participation and Community Consultation

Meaningful public participation shall be undertaken in accordance with the World Bank ESF (ESS10), with emphasis on:

- County governments, national government at the local level, community leaders, traders, farmers, transport associations, Non-Governmental Organizations (NGOs), project affected persons, vulnerable groups (women, PWDs, minorities/indigenous communities, women headed households, youth) and both household-level and community-level consultations;
- Transparent disclosure of all relevant information in accessible and culturally appropriate formats;
- Documentation of consultation and how concerns were integrated in the project design RAP design, spatial analysis and ESMP

This component should ensure provision of the following: -

- i. Stakeholder mapping, categorization and consultation methods including disclosure arrangements
- ii. A description of the strategy for consultation with and participation of PAPs in the design, modalities for disclosure and strategy for implementation of the resettlement activities;
- iii. A plan for civil society organization/stakeholder engagement in the resettlement planning and implementation process;
- iv. A summary of the views expressed and how these views were taken into account in preparation of the resettlement plan;
- v. An analysis of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices/preferences for compensation and resettlement, relocating as individuals, families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, graves and cemeteries); and
- vi. Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.
- vii. The consultations are gender sensitive and ensure that both genders in the households are consulted and their views included in the report.
- viii. That during the consultations PAPs will be presented with compensation alternatives and the consultant will document findings in the report.
- ix. The RAP shall be consistent with ESS7, identify any Indigenous Peoples affected by land acquisition or restriction of access, and ensure that all displacement, livelihood restoration, compensation, and consultation measures incorporate FPIC requirements and culturally appropriate approaches. (Where Indigenous Peoples are affected, RAP provisions shall be consistent with the Indigenous Peoples Plan, and no resettlement of Indigenous Peoples shall proceed without compliance with FPIC as per ESS7.)

3.2.5 Impact Assessment and Livelihood Restoration

The consultant shall quantify the magnitude of displacement as well as propose livelihood restoration interventions aligned with ESS5. In addition, this component will ensure integration of gender-responsive and disability-inclusive livelihood support. The Consultant will also ensure that the results describe the following: -

- i) Land tenure and transfer systems, scope of land acquisition, distribution of land acquisition in administrative units, nature of land to be acquired for the project, including an analysis of development status of land owned by individual PAP households, analysis of likely extent of damage to assets, crops and trees; analysis of potential displacement of livelihoods; inventory of common property natural resources from which people derive their livelihoods and sustenance; properties/sites of cultural importance (e.g. graves, grave yards, shrines); non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
- ii) The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
- iii) Analysis of potential displacement of communal assets including public infrastructure and social services that will be affected; and
- iv) Include feasible impact mitigation measures to adequately address issues on loss of assets, livelihoods, community property and sites of cultural importance. This should entail any specific measures to be considered the design and implementation of the RAP and at project construction stage;
- v) Provide a complete livelihood restoration plan with sustainable and cost-effective measures that may include skills training, agricultural extension services, linkages to county safety-net programs, etc.

3.2.6 Valuation of and compensation for losses

The Consultant shall apply the full replacement cost approach for valuation of losses. This component will require the description of the methodology to be used in valuing losses at their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve full replacement cost for lost assets. When describing the system for compensation, the following should be addressed:

- i. Identification and preparation of an inventory of impacted properties and livelihoods for each household whether land owner licensee, tenant, or illegal occupant (female headed, male headed, number of males and females per household);
- ii. Definition of the methodology to be used in valuing losses, to determine their full replacement cost; and a description of the proposed types and levels of compensation under GoK regulations and such supplementary measures as are necessary to achieve full replacement cost for lost assets;
- iii. Establish valuation methodologies for different categories of losses (land, structures, crops and trees, businesses, community assets. etc)

- iv. Valuation of all land affected both within the ROW and assets including structures, properties, trees crops and livelihoods affected by the project (disaggregated data) in order to provide the basis for compensation/resettlements; to be acquired and livelihoods lost;
- v. Ensure valuation of gender-aware and inclusive of marital property dynamics;
- vi. Established compensation principles, criteria, options and strategies including handling absentee land/property owners
- vii. Specify procedures for compensation payment-paying attention to gender aspects, power and control;
- viii. Ensure provision for assistance to vulnerable groups – specify who are vulnerable and the type of assistance to be provide address informal and customary tenure systems.

3.2.7 Eligibility and Cut-off Date

The Consultant shall prepare define displaced persons as per ESS5 (owners, tenants, informal occupants/squatters, develop a clear eligibility criteria determining eligibility for compensation and other resettlement assistance. The Consultant will also declare a Cut-off Date and prepare a communication strategy for prevent speculative behaviour

3.2.8 Entitlement Matrix and Resettlement Assistance

The Consultant shall prepare a detailed Entitlement Matrix clearly defining entitlements per category of impact. The entitlement may include compensation for loss of communal assets, cultural sites. In addition, the Consultant shall provide a description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons including the vulnerable populations to achieve the objectives of the policy. Apart from technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them may include cash compensation, land-for-land options (where feasible), livelihood restoration measures, transitional support, disturbance allowance, temporary relocation support, vulnerable group assistance packages, etc.

3.2.9 Grievance Redress Mechanism

The Consultant shall propose an appropriate grievance redress mechanism that aligns with ESS10, to ensure accessible, transparent and capable for timely resolution procedures for third-party settlement of disputes arising from resettlement. The mechanism will provide a platform for receiving, processing and resolving complaints and concerns raised by affected individuals and communities. This should include: -

- i. Multiple uptake channels (walk-ins, hotline, written forms, SMs, chief’s office;
- ii. Special provisions for PWDs and vulnerable persons;
- iii. A GBV/SEA sensitive pathway aligned with ESS2, ESS4, and GBV Action Plan;
- iv. Confidential reporting channels;
- v. Clear timelines for resolution;
- vi. Documentation provisions;

- vii. Analysis of the established PAPs committee to ensure representation of the women, men and youth as well clarification of their duties and management procedures;
- viii. The procedures shall also be consulted on and validated during the public engagement process

The grievance redress mechanism shall also take into account the provisions of the National Land Commission and availability of judicial recourse; and community and traditional dispute settlement mechanisms.

3.2.10 Institutional Arrangements

The Consultant shall clearly describe the roles different entities that will be involved in the implementation of the RAP. This component will also provide analysis of the organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures/activities and provision of services; provide analysis of NGOs that may have a role in project implementation.

The Consultant will explore the arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance, capacity building needs) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or PAPs themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, where appropriate.

3.2.11 Monitoring, Evaluation and Reporting Framework

The Consultant shall develop internal and external monitoring plan of resettlement activities by the implementing agency, supplemented by independent external monitoring as considered appropriate by the World Bank; to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, outcomes and impact levels of resettlement activities, and means of verification. The monitoring plan will entail a baseline for post-resettlement comparison of outcome indicators and specify the periods for RAP audits and methodologies for mid-term, end-term and completion audits.

The Consultant shall also provide Indicators for tracking livelihood restoration and vulnerability outcomes and for the involvement of displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

3.2.12 RAP Implementation Schedule

The Consultant shall prepare the RAP implementation schedule in a Gantt chart format and ensure that all resettlement activities from the preparation and approval of the RAP through implementation including timelines for the achievement of expected benefits to potential PAPs

and termination of the various forms of assistance. The RAP implementation schedule must be aligned with civil works schedule, compensation payment milestones and handover of the right of way.

3.2.13 Resettlement Cost Estimates and Budget

The Consultant shall determine the costs of the resettlement process and total budget for the RAP in table format showing itemized cost estimates for all resettlement activities, including compensation and assistance, allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

3.2.14 Format and Outline of Resettlement Action Plan

The consultant shall prepare the RAP including the outline. Consultant should adopt the following format prescribed by the WB ESF

Table 3 RAP report structure

Section / Chapter	Key Components
Executive Summary	Summary of project impacts, affected persons, entitlements, implementation arrangements, and budget.
Introduction	Background, objectives of the RAP, scope, and methodology.
Project Description	Description of project components, location, footprint, and activities triggering resettlement.
Minimization of Resettlement	Measures undertaken to avoid or minimise displacement and land acquisition.
Legal, Policy and Institutional Framework	Applicable national laws, regulations, institutional roles, and World Bank ESF (ESS5) requirements.
Census and Socio-Economic Surveys	Methodology, results of PAP census, asset inventory, and socio-economic baseline conditions.
Stakeholder Engagement and Consultation	Consultation processes, stakeholder inputs, and disclosure arrangements.
SEA/SH-Sensitive Consultation and GRM Pathways	Measures for safe, confidential engagement and grievance handling related to SEA/SH risks.
Eligibility Criteria	Definition of project-affected persons (PAPs) and eligibility for compensation and assistance.
Project Impacts and Entitlement Matrix	Categories of impacts and corresponding compensation and assistance measures.

Vulnerability Assessment and Differentiated Assistance	Identification of vulnerable groups and targeted support measures.
Valuation and Compensation Framework	Valuation methods, compensation principles, and procedures, including communal land valuation.
Resettlement Sites (if applicable)	Site selection, preparation, services, and allocation arrangements.
Livelihood Restoration Plan	Measures to restore and improve livelihoods of affected persons.
Grievance Redress Mechanism (GRM)	Procedures, institutional setup, and timelines for grievance management.
Institutional Arrangements	Roles and responsibilities for RAP implementation.
Monitoring, Evaluation and Reporting	Internal and external monitoring, indicators, and reporting requirements.
RAP Implementation Schedule	Phasing and timelines for implementation activities.
Resettlement Cost Estimates and Budget	Detailed cost estimates, funding sources, and budget breakdown.
References	Source documents and relevant literature.
Annexes	Maps and engineering drawings, census and asset inventory data, consultation records, entitlement matrix, GRM forms, and other supporting documentation.

4.0 Specific Consulting Team Qualifications and Experience

The consulting firm shall mobilize a multidisciplinary team with demonstrated experience in the environmental and social management of large infrastructure projects, compliant with World Bank ESF requirements.

The period of engagement of the experts will be on an intermittent basis. The total estimated man-months is **forty-eight (48)**

Table 4: Key staff inputs

No.	Proposed Expert	Number of professional person-months
1	Lead Environmental Specialist/ESIA Team leader	6
2	Social Safeguards /RAP Expert	6
3	Registered Land Valuer Specialist	6
4	Highway Engineer	3

No.	Proposed Expert	Number of professional person-months
6	GIS Specialist	5
7	Land Surveyor	6
8	Gender Expert	3
9	Occupational Health & Safety Expert	2
10	Natural Resources Expert	3
11	Socio-Economist	5
12	Climate Change Expert	3
Sub Total		48

4.1 Selection Criteria

The Consultant shall provide the following key professional staff in order to fulfill the objectives of the services and for which he will receive remuneration as specified in the contract document. The consultant can also propose any additional key or support staff that the consultant considers to be necessary to successfully fulfil the obligations under this service, based on their methodology and work plan.

In order to execute his obligations, the Consultant shall provide qualified key staff for the assignment, and shall prepare a work program and a corresponding manning schedule, showing the timing of activities and the corresponding staff input required for execution of the services. The Consultant shall employ only such key staff whose CVs have been approved by the Client.

The Consultant must provide in the proposal CVs and copies of the highest education certificates for all professional and technical staff. The requirements of the proposed staff for executing the assignments are as follows:

i. Lead Environmentalist/ESIA Team Leader

The Lead Environmentalist / ESIA Team Leader shall possess a Master's degree in Environmental Sciences, Natural Resources Management, Biological Sciences, Civil Engineering (with specialization in environmental management), or an equivalent qualification from a recognized university.

The expert shall have a minimum of fifteen (15) years of professional experience in environmental assessment and management, particularly within infrastructure development projects. He/She must be registered with the National Environment Management Authority (NEMA) as a Lead Expert with a valid practicing license, or with an equivalent recognized regulatory body in another jurisdiction. The candidate must demonstrate at least fifteen (15) years of practical post-qualification experience in environmental management, including proven involvement in the preparation and/or implementation of ESIA studies and environmental management plans for a minimum of five (5) similar infrastructure projects.

Sound knowledge of environmental issues, mitigation measures, and compliance with national regulations and international best practices is required. Experience in road sector projects, particularly in similar environmental and socio-economic settings, will be an added advantage.

ii.Socio-Economist

He/She must possess a Bachelor's Degree in Economics or Statistics and with at least five (5) years post-qualification professional experience. A Master's Degree will be an added advantage. Must be registered with a relevant professional body or society. Previous experience on road projects in a similar environment will be an advantage

iii.Occupational Health & Safety Expert

Expert shall possess a Bachelor's degree in Occupational Health and Safety, Environmental Science, Engineering, or an equivalent qualification. Alternatively, a Postgraduate Diploma in Occupational Health and Safety or NEBOSH International Diploma (IDIP) with relevant experience will be acceptable. The expert must have formal technical training in Occupational Health and Safety from a recognized institution.

The candidate must be registered as an Approved Safety and Health Auditor with the Directorate of Occupational Safety and Health Services (DOSHS) and hold a valid practicing license. The expert shall have a minimum of five (5) years of proven experience in occupational health and safety within the construction industry, particularly in infrastructure projects. He/She must demonstrate sound knowledge of occupational health and safety regulations, risk assessment, accident prevention, and implementation of OHS management systems in line with national legislation and international best practices.

Previous experience in road sector projects, particularly in similar environmental and operational settings, will be an added advantage.

iv.Highway Engineer

Competent with a minimum of 10 years' experience in road design and construction of which 5 years should have been gained as a design engineer on a road design project of similar nature, preferably in Tropical Countries. He /she should have proven ability to manage and administer a project of this nature. Fluent in both written and spoken English and ability to communicate ideas freely and easily is essential.

v.Climate Change Expert

The expert shall hold a Master's degree in Climate Change, Environmental Sciences, Natural Resources Management, Engineering, Energy, Development Studies, or a related field with specialization in climate change. He/She must have a minimum of seven (7) years' experience in climate risk assessment, vulnerability analysis, and adaptation planning for infrastructure projects. Must be conversant with national climate policies, World Bank climate requirements, and the use of climate modelling and GIS tools for risk screening, GHG estimation, and resilience planning.

vi. Natural Resources Expert

Degree in Environmental Science or Natural Resources Management, Biology, Water Resources Management or related disciplines. At least ten (10) years' experience in environmental impact assessments; natural resources management, terrestrial ecology, wildlife management, experience in experience in wetland ecology, riparian systems, aquatic biodiversity, lake, river ecosystems, and associated ecosystem services within tropical freshwater basins, and at least 5 years' experience working on the environmental impacts of infrastructure projects.

vii. GIS and Spatial Planning Specialist

Bachelor's degree in Geography, GIS, Engineering, Environmental Science, or related field, with at least 5 years' experience in geospatial data management, spatial modeling, and GIS-based environmental and social mapping. Expertise required in ArcGIS/QGIS, GPS data processing, satellite imagery interpretation, spatial impact analysis, sensitive receptor screening, and integration of GIS with RAP/SA datasets. Experience in climate vulnerability mapping, structural flood modeling, and GIS-integrated ESMP development is an advantage.

viii. Social Safeguards/RAP Expert

He/She must possess a relevant Master's Degree or equivalent in Social Sciences, development studies or related field and with at least fifteen (15) years professional experience (10) of which must be in the infrastructural development sector. Experience in application of the World Bank Environment and Social Framework or other similar multilateral lenders' safeguard policies in preparation of RAP or related safeguard documents and/or implementation of social safeguards in infrastructure projects will also be considered. Knowledge on qualitative and quantitative statistical analysis is essential. Experience in stakeholder and community engagement is extremely essential. Previous experience on similar RAP projects in similar environment will be an added advantage. Knowledge of Kiswahili and/or local languages may be an added advantage.

ix. Registered Land Valuer Specialist

He/ She must possess BSc. Degree in Land Economics from a recognized University with at least ten (10) years post-qualification professional experience. He/She must be a Registered Land Valuer with the Institution of Surveyors of Kenya. He/ She must have served in similar capacity as a valuer preparing the Asset inventory/ Valuation reports in preparation of Resettlement Action Plan for at least three (3) roads projects. Familiarity with IFI standards and best practices in involuntary resettlement is desirable. Previous experience on road projects within Kenya will be an advantage. Experience in application of the World Bank or other similar multilateral lenders' safeguard policies in infrastructure projects will also be considered.

x. Gender Expert

He/She must possess a relevant Master's Degree or equivalent in Gender Studies, Social Sciences, development studies or related field and with at least fifteen (15) years professional experience (5) of which must be in the infrastructural development sector. Experience in GBV/SEA management is essential. Must be registered with a relevant professional body. Previous experience on road projects in similar environment will be an advantage.

xi. Other Support Staff

In addition to the expert personnel designated above, the Consultant shall determine the support staff deemed necessary to assist with the assignment. The Consultant can propose any additional staff, which, in the opinion of the Consultant, are necessary for the performance of the services within the stipulated timelines and indicate the same in the Technical and Financial Proposals.

Curricula Vitae (CVs) for the proposed professional key staff shall be submitted as an Appendix to the Technical Proposal. All CVs should be signed and currently dated by the nominees and authorized representative.

5.0 Time Frame

The ESIA and RAP assignment is expected to be completed within a period of twenty-four (24) weeks from the date of commencement. The engagement of key experts shall be on an intermittent basis, aligned with the specific phases and deliverables of the assignment.

6.0 Data Services and Facilities to Be Provided by the Client

The Client will provide all relevant non-confidential data, reports (subject to availability), and other support as may reasonably be needed to the consultant for the expeditious assignment performance.

- i. Latest/updated project feasibility and engineering design documents
- ii. The latest Draft ESIA
- iii. The latest Draft RAP/SA reports
- iv. Access to other relevant information to the extent of its availability
- v. Access to the project site and other sites belonging to the Client, as the consultant may request
- vi. World Banks' ESF and World Bank Environmental Health and Safety Guidelines;
- vii. 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 Client shall assist the consultant in any needed consultation/coordination with the KeNHA's project engineering and design, Environment and Social Safeguards, and the RAP team.

7.0 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.

8.0 Schedule and Reporting

8.1 Schedule

The Consultant shall commence the Assignment within fourteen (14) calendar days from the date of issuance of the Notice to Commence by the Client.

The total duration of the assignment shall be twenty-four (24) weeks from the commencement date. The Consultant shall, at inception stage, submit a detailed work plan clearly indicating sequencing of activities, timelines, and deliverables in line with the overall assignment schedule.

The schedule for key deliverables is presented in *Table 5 below*

Table 5 Schedule for key deliverables

No	Deliverable	Description	Timeline from Commencement	Soft Copies (Word & PDF)	Hard Copies	Payment (% of Contract)
1	Inception Report	Methodology, detailed work plan, stakeholder engagement plan, confirmation of ESIA/RAP packaging per corridor section	3 weeks	2	3	10%
2	Draft ESIA Study Reports (per corridor section)	Draft ESIA reports for each corridor section covering updated and new road components in compliance with EMCA, NEMA, and WB ESF	20 weeks	2 per report	3 per report	25%
3	Draft RAP Reports (per corridor section)	Draft RAP reports including census, asset inventory, valuation, entitlement matrix, and livelihood restoration measures	20 weeks	2 per report	3 per report	25%
4	Final ESIA Study Reports (per corridor section)	Final ESIA reports incorporating Client, NEMA, and World Bank comments	24 weeks	3 per report	5 (as directed by Client)	20%
5	Final RAP Reports (per corridor section)	Final RAP reports incorporating Client and Financier comments	24 weeks	3 per report	5 (as directed by Client)	20%

8.2 Key Deliverables and Reporting Requirements

This consultancy covers the preparation and updating of ESIA Study Report and RAP Report for the Lake Victoria Basin Development Project (LVBDP): Homa Bay-Mbita-Nyagwetthe-Sori - Muhuru Bayroad sections

8.2.1 Detailed Deliverables

i. Inception Report

The Inception Report shall present the Consultant's understanding of the assignment, detailed methodology, work plan, stakeholder engagement strategy, and proposed structure and packaging of ESIA and RAP reports per corridor section.

(3 hard copies and 2 soft copies)

ii. Draft ESIA Study Reports (per corridor section)

The Draft ESIA Reports shall include baseline conditions, impact assessment, analysis of alternatives, ESMP, climate risk considerations, and compliance with EMCA, NEMA requirements, and World Bank ESF.

(3 hard copies and 2 soft copies per report)

iii. Draft RAP Reports (per corridor section)

The Draft RAP Reports shall include socio-economic surveys, census of affected persons, asset inventory, valuation, entitlement matrix, livelihood restoration measures, and implementation arrangements in accordance with ESS5.

(3 hard copies and 2 soft copies per report)

iv. Final ESIA Study Reports (per corridor section)

The Final ESIA Reports shall incorporate all comments from the Client, NEMA, and the World Bank and shall provide a complete and legally compliant environmental and social assessment.

(5 hard copies and 3 soft copies per report, or as directed by the Client)

v. Final RAP Reports (per corridor section)

The Final RAP Reports shall incorporate all comments from the Client and the Financier and shall include final compensation frameworks, implementation schedules, and monitoring arrangements.

(5 hard copies and 3 soft copies per report, or as directed by the Client)

vi. Stand-alone Executive Summaries

Stand-alone, non-technical Executive Summaries for each ESIA and RAP Report.

vii. GIS and Geospatial Deliverables

The Consultant shall submit comprehensive GIS outputs including:

- Spatial database (geodatabase) of baseline data
- Sensitive receptors mapping
- Climate vulnerability and cumulative impact maps
- ESMP-related spatial plans
- All data in PDF and editable GIS formats (e.g., shapefiles, GeoJSON, QGIS-compatible formats)

(3 hard copies and 2 soft copies in digital format)

8.3 Format of The Reports

The reports shall be provided in USB Flash disk in Microsoft Word for text, Microsoft Excel for tables/graphs and spreadsheets, and AutoCAD for drawings.

- The standard review period for KeNHA is five (5) working days.
- Draft reports, Final reports, and documents should be submitted in editable MS Word and PDF versions. The final version of the reports should be submitted one week after receiving feedback on the draft version.

Submission of Reports

The above reports shall be submitted to:

Director (Highway Design and Survey)
Kenya National Highways Authority
Barabara Plaza, Block A, 3rd Floor
Jomo Kenyatta International Airport (JKIA), off airport South Road, along Mazao Road.
P.O Box 49712-00100
NAIROBI, KENYA

9.0 Consultant Services Supervision arrangements

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

Representing the Director of Highway Design and Survey; 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 on the consultancy progress and activities. The World Bank will provide support in review of the draft ESIA Study and RAP reports.

10.0 Reporting and Ownership:

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

11.0 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.