

## KG-REG-03-2019

### EXPRESSION OF INTEREST (EOI) FOR PROVISION OF CONSULTANCY SERVICES FOR ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT, RESETTLEMENT ACTION PLAN STUDIES AND INITIAL ENVIRONMENTAL AUDIT FOR KENGEN INSTALLATIONS AND FACILITIES.

#### 1. Background.

Kenya Electricity Generating Company (KenGen) PLC is a Parastatal with 70% ownership by the Government of Kenya and 30% private ownership. It is the leading electric power generation company in Kenya, producing about 80% of the electricity consumed in the country. It has a total installed capacity of approximate 1796 MW with power plants located in different parts of Kenya.

KenGen PLC utilizes various primary sources of energy to generate electricity ranging from hydro, geothermal, thermal and wind with respective capacities as shown below:

GENERATION MODE	INSTALLED CAPACITY (MW)
Hydro	818
Thermal	254
Geothermal	699
Wind	25.5
<b>TOTAL</b>	<b>1796</b>

KenGen has entered into power plant specific Power Purchase Agreement with Kenya Power and Lighting Company Limited (KPLC) for the sale of electricity generated from its various power plants.

Consistent with its corporate environmental policy and Vision to be the market leader in the provision of reliable, safe, quality and competitively priced electric energy in the Eastern Africa region, the Company intends to pre-qualify consultancy firms for carrying out Environmental and Social Impact Assessment (ESIA) studies, Resettlement Action Plans (RAP) Studies and Initial Environmental audit for its projects, in accordance with the Environment Management and Coordination Act (1999) and World Bank, JICA, AfD and other Financial Institutions Guidelines and International Best Practices.

#### 2. Objectives.

The purpose of this notice is to seek for expression of interest from suitably qualified firms with proven track records of preparing ESIA study reports, Resettlement Action Plans (RAP) studies and Initial Environmental audit reports. The short listed firms will be invited to submit both Technical and Financial proposals as when need arises. It is intended that the invitation for the bids will be made thereafter.

#### 3. Scope of Work & Service

The scope work and services for the consultancy will include but not limited to:

- i. Conducting ESIA study for KenGen's proposed power plants or facilities in accordance with EMCA 1999 and Environmental (Impact Assessment & Audit) Regulations 2003,

and submission of respective reports to NEMA for EIA license issuance. The ESIA team will be required to assess the impacts of the proposed development on the environment. Specialized studies on air quality dispersion modelling, noise assessment, biodiversity assessment, surface & ground water quality etc may be required as part of ESIA study.

- ii. Conducting statutory initial audits for KenGen's operational power plants, wellhead generating units and other facilities in accordance with EMCA 1999 and Environmental (Impact Assessment & Audit) Regulations 2003, and submission of respective reports to NEMA.
- iii. Where involuntary resettlement cannot be avoided, the Consultant will be required to conduct RAP studies as a mitigation measure for the potential negative impacts. This shall be carried out in line with the Financiers' Requirements such as the IFC and World Bank Environmental & Social Standards (ESS) 5 on Land Acquisition, Restriction on land use and Involuntary Resettlement.
- iv. Undertake post resettlement livelihood monitoring of Project Affected Persons (PAPs) using appropriate tools.

### 3.1 ESIA Studies

The salient features of ESIA report as provided in EMCA and EIA/EA Regulations include:

- a. The proposed location of the project
- b. A concise description of the national environmental legislative and regulatory framework, baseline information, and any other relevant information related to the project
- c. The objectives of the project
- d. The technology, procedures and processes to be used, in the implementation of the project
- e. The materials to be used in the construction and implementation of the project
- f. The products, by-products and waste generated by the project
- g. A description of the potentially affected environment
- h. The environmental effects of the project including the social and cultural effects and the direct, indirect, cumulative, irreversible, short-term and long-term effects anticipated
- i. Alternative technologies and processes available and reasons for preferring the chosen technology and processes
- j. Analysis of alternatives including project site, design and technologies and reasons for preferring the proposed site, design and technologies
- k. An environmental management plan proposing the measures for eliminating, minimizing or mitigating adverse impacts on the environment; including the cost, time frame and responsibility to implement the measures
- l. Provision of an action plan for the prevention and management of foreseeable accidents and hazardous activities in the case of carrying out activities or major industrial and other development projects
- m. The measures to prevent health hazards and to ensure security in the working environment for employees and for the management of emergencies
- n. An identification of gaps in knowledge and uncertainties which were encouraged in compiling the information
- o. An economic and social analysis of the project
- p. An indication of whether the environment of any other state is likely to be affected and the available alternatives and mitigating measures and

- q. Such other matters as the Authority may require including public consultation with various stakeholders through focus group meetings.

The ESIA team will also assess the impacts of the proposed development on the following as provided for by the second schedule to the Environmental (Impact Assessment and Audit) Regulations, 2003:

- Biological diversity
- Ecosystem maintenance
- Surface water quality
- Ground water quality
- Soil contamination
- Social consideration such as economic impacts, social cohesion or disruption
- Effects on human health including air and noise qualities
- Effects on the current land uses and land use potentials and
- Landscape entailing compatibility with the surrounding area
- Air quality.

### **3.2 RAP Studies**

Where involuntary resettlement cannot be avoided, the Consultant will be required to prepare RAP as a mitigation measure for the potential negative impacts. This shall be carried out in line with the World Bank Environmental & Social Standards (ESS) 5 on Land Acquisition, Restriction on land use and Involuntary Resettlement. The scope of RAP Studies will be as detailed below:

- A. Project Overview and Resettlement
- B. Socio-economic Profile of PAPs
- C. Census and Project Impacts
- D. Policy Framework and Entitlements
- E. Consultation and Disclosure Plan
- F. Relocation and Livelihood Restoration
- G. Implementation Arrangement
- H. Monitoring and Evaluation
- I. Budget and Financing Plan

### **3.3 Initial Environmental Audit**

The Initial Environmental audit report will capture the following details as provided in the Environmental (Impact Assessment and Audit) Regulations, 2003:

- a. consider the description of the project;
- b. indicate the objective, scope and criteria of the audit;
- c. study all relevant environmental law and regulatory frameworks on health and safety, sustainable use of natural resources and on acceptable national and international standards;
- d. verify the level of compliance by the proponent with the conditions of the environmental management plan;
- e. evaluate the proponent's knowledge and awareness of and responsibility for the application of relevant legislation;

- f. review existing project documentation related to all infrastructural facilities and designs;
- g. examine monitoring programs, parameters, and procedures in place for control and corrective actions in case of emergencies;
- h. examine records of incidents and accidents and the likelihood of future occurrence of the incidents and accidents;
- i. inspect all buildings, premises and yards in which manufacturing, testing and transportation takes place within and without the project area, as well as areas where goods are stored and disposed of and give a record of all significant environmental risks associated with such activities;
- j. examine and seek views on health and safety issues from the project employees, the local and other potentially affected communities; and
- k. Prepare a list of health and environmental concerns of past and ongoing activities.

#### **4. Eligibility Criteria**

The expression of interest must be accompanied by the consultant's qualifications, professional capabilities and details of past experience related to the requested consultancy services. Such information may include brochures, description of similar assignments, experience in similar conditions, and availability of appropriate skills among staff with their most recent profiles showing their experience, qualifications, capabilities, referees and details of past experience especially in their areas of expertise. This consultancy requires the services of competent firms knowledgeable in preparing ESIA study reports, Resettlement Action Plans (RAP) and Initial Environmental audit reports.

**Interested firms should provide specific information as indicated below:**

- i. Name of firm who will participate in undertaking the consulting services and their role in all aspects of the consultancy service. To be submitted also are name(s) and position(s) of authorized representatives.
- ii. Firms that bid jointly should submit consortium agreements between the parties, with the roles of each party clearly defined. (Not more than one consortium agreement of the same firms will be accepted.)
- iii. Description of management/ organization structure, list of key staff relevant to the assignment and their Curriculum Vitae inclusive of staff who will monitor and give backup services.
- iv. Must be NEMA registered firm of EIA/EA experts.
- v. Valid practicing license for the firm of EIA/EA experts
- vi. Entity Ownership: state shareholder information including number of shares held and address, if nominee shareholder, party on whose behalf the shares are held.
- vii. Audited Financial Statements for the past immediate three years
- viii. Demonstrated experience in the supervision and implementation of Corporate Social Responsibility activities/works generated from Environmental & Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) processes
- ix. Demonstrated availability of technical staff, with the team lead having fifteen (15) years or more of experience in undertaking Audit, ESIA & RAP Studies for the energy sector.
- x. Be composed of relevant consultants with a mix of appropriate expertise. The team members should have degrees from a recognized university in areas of environment or natural resource management or related field and must have a minimum experience of at least (10) ten years in the same or related consultancy.

- xi. Bidders must provide their company profile together with Certificate of Registration /Incorporation in the Country of domicile.
- xii. Valid Tax Compliance Status of the bidder in the Country of Origin
- xiii. The bidder must provide evidence of experience (minimum 10 years) in preparation of ESIA study reports, Resettlement Action Plans (RAP) and Initial Environmental audit reports
- xiv. Attach at least three (3) references of similar work done in the last five years

*Detailed information on the scope, eligibility, format of submission and required documents is in the prequalification documents as uploaded in our website.*

## 5. Clarifications

Interested individuals may request for clarification on this qualification for up to Seven (7) days before submission date. Any request for clarification must be sent in writing by paper, mail, facsimile or electronic mail to:

Environment and Sustainable Development Manager  
Kenya Electricity Generating Company PLC  
Stima Plaza Phase III, Kolobot Road, Parklands  
P.O. Box 47936-00100 Nairobi, Kenya  
Tel: Tel: +254 2 3202000;  
Fax: +254 2 248848

Email: [tenders@kengen.co.ke](mailto:tenders@kengen.co.ke) and copied to [jwere@kengen.co.ke](mailto:jwere@kengen.co.ke) and [cndetei@kengen.co.ke](mailto:cndetei@kengen.co.ke)

## 6. Submission.

Submission of the prequalification documents made in English must be received in a plain sealed envelope clearly marked on the outer envelope “CONFIDENTIAL – KGN-REG-03-2019 - EXPRESSION OF INTEREST (EOI) FOR PROVISION OF CONSULTANCY SERVICES FOR ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT, RESETTLEMENT ACTION PLAN STUDIES AND INITIAL ENVIRONMENTAL AUDIT FOR KENGEN INSTALLATIONS AND FACILITIES” and addressed to:

The Company Secretary and Legal Affairs Director  
Kenya Electricity Generating Company PLC  
10<sup>th</sup> Floor, KenGen Pension Phase II, Kolobot Road, Parklands  
P.O. Box 47936-00100 Nairobi, Kenya  
Tel: +254-020-3666204

The tender documents should be dropped at the tender box located on Ground Floor at KenGen, RBS building. Bids that cannot fit in the tender box should be submitted to the Company Secretary’s office located on 10<sup>th</sup> Floor, KenGen RBS Building before submission deadline.

Bidders should submit one original and two (2) copies of the EOI on before **15<sup>th</sup> January 2020** at **10.00 hours**. The EOI will be opened on the same day in public at **10.30 hours**, (Kenyan time) at KenGen Pension Plaza II, Tender Opening Room, Ground Floor in the presence of bidders representative who choose to attend.

The Expression of Interest can also be viewed and downloaded from our website [www.kengen.co.ke](http://www.kengen.co.ke). Bidders are advised to be checking the websites from time to time up to

five (5) days before submission date for any uploaded information through clarification/addendum.

Only firms pre-qualified under this procedure will be invited to submit their Technical and financial proposals under the Request for Proposals (RFP).

**SUPPLY CHAIN DIRECTOR**