NDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 20th October 2022

Country: Kenya

Reference Number: KEN/IC/0061/2022

Description of the assignment: Midterm Review (MTR) of the full-sized UNDP-supported GEF-financed project titled Integrated Sound Management of Mercury in Kenya's ASGM (IMKA) (PIMS5877)

Project name: Integrated Sound Management of Mercury in Kenya's ASGM (IMKA) (PIMS5877)

Period of assignment/services : 30 working days within 3 months.

Proposal should be submitted at the following email address consultants.ken@undp.org no later than 4:00 PM GMT +3 (Kenyan Time) on 28th October 2022.

With your submission; kindly, Reference KEN/IC/0061/2022

Any request for clarification must be sent in writing, or by standard electronic communication to the following email address undp.kenya.procurement@undp.org . UNDP Kenya will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.

1. BACKGROUND

In Kenya, total mercury releases to the environment are estimated at 31 tonnes per year, of which 6.8% (~.2.1 tonnes Hg/year) originates from the country's Artisanal and Small-scale Gold Mining (ASGM) sector (MENR, 2012). Mercury concentrations in sediments collected from rivers in Migori ranged between 30 and 2,380 µg/kg . Rivers in this region ultimately drain into the Lake Victoria and Lake Turkana, which provide dietary fish for domestic consumption and export.

Kenya lacks a dedicated law on mercury, which makes it difficult to control the handling and movement of the chemical. Nevertheless, it is a signatory to the Minamata Convention on Mercury since 10th October 2013 and is working towards its ratification. The Ministry of Environment and Forestry lacks information on mercury production, supply, import, export and usage, and although many miners are aware that mercury has negative effects on health, none have heard of anyone being diagnosed with mercury poisoning.

Kenya's entire mining sector contributes 14.2% to the GDP and employs about 200,000 people . The ASM sector was expected to contribute 3% in the year 2017 and 10% of the GDP by the year 2030 . Kenya's ASGM sector is largely informal, unregulated and until its recent recognition by the Mining Act No. 12 of 2016, illegal.

Among the barriers to development of the ASGM sector cited by miners, technology constraints and access to finance are the most critical. Financial access is reportedly a major deterrent to access to formal credit markets by small businesses. Weak and poorly administered miners' cooperatives and organizations are often not up to the task of pooling capital and sharing the cost and effort of pursuing licenses and permits that could provide them with the legitimacy and bankability to access credit for transformative and mercury-free technologies. Financial entities (banks, microfinance institutions, and other lenders) are reticent to risk thus avoid providing loans to ASGM. This is compounded by the paucity of ASGM production records that would enable lenders to evaluate ASGM loan applications and to develop financial products that are tailored to the ASGM sector. Improving financial access is critical if miners' capacity is to be enhanced to adopt safer and alternative mining technologies that will in improving efficiency and production.

The objective of the project is to reduce/eliminate mercury releases from the Kenyan ASGM sector. The project will support 6 ASGM communities in Kenya to reduce mercury use by 0.5 metric tonnes per year (mercury reductions will likely start in year three (3) of the project), resulting in a total of 1.5 tonnes of mercury avoided over the duration of the 5-year project. Strategies to be employed to address the development challenge and achieve the Objectives will be:

Component 1. Strengthening institutions and the policy/regulatory framework for mercury-free ASGM
Component 2. Increasing the access of mining communities to finance to enable the procurement of mercury-free processing technologies
Component 3. Increasing the capacity of mining communities for mercury-free ASGM through the provision of technical assistance, technology transfer and support for formalization
Component 4. Raising awareness and disseminating best practices and lessons-learned on mercury phase-out in the ASGM sector.

The project is designed to achieve the Long-Term Impact, or Global Environmental Benefits (mercury free artisanal and small-scale gold production) through mining policy and legislation development and the formalisation of ASGM operations in Kenya.

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

MTR PURPOSE

The MTR will assess progress towards the achievement of the project objectives and outcomes as specified in the Project Document and assess early signs of project success or failure with the goal of identifying the necessary changes to be made in order to set the project on-track to achieve its intended results. The MTR will also review the project's strategy and its risks to sustainability.

MTRs are primarily a monitoring tool to identify challenges and outline corrective actions to ensure that a project is on track to achieve maximum results by its completion. The primary output/deliverable of a MTR process is the MTR report. The MTR report will be submitted to GEF as a mandatory requirement for all GEF-financed full-sized projects (FSP).

The MTR report must be completed and submitted to GEF secretariate with the 2nd Project Implementation Report (PIR) in 2021.

MTR APPROACH & METHODOLOGY

The MTR must provide evidence-based information that is credible, reliable and useful.

The MTR team will review all relevant sources of information including documents prepared during the preparation phase (i.e. PIF, UNDP Initiation Plan, UNDP Social and Environmental Screening Procedure (SESP), the Project Document, project reports including Annual Project Review/PIRs, project budget revisions, national

strategic and legal documents, and any other materials that the team considers useful for this evidence-based review). The MTR team will review the baseline GEF focal area Tracking Tool/Core Indicators submitted to the GEF at CEO endorsement, and the midterm GEF focal area Tracking Tool/Core Indicators that must be completed before the MTR field mission begins.

The MTR team is expected to follow a collaborative and participatory approach ensuring close engagement with the Project Team, government counterparts (the GEF Operational Focal Point), the UNDP Country Office(s), the Nature, Climate and Energy (NCE) Regional Technical Advisers, direct beneficiaries, and other key stakeholders. Engagement of stakeholders is vital to a successful MTR. Stakeholder involvement should include interviews with stakeholders who have project responsibilities, including but not limited to (Ministry of Environment and Forestry, Ministry of Petroleum and Mining, Ministry of Health, Ministry of Water and Sanitation, Kakamega County Government, Vihiga County Government, Migori County Government, Narok County Government, National Environment Management Authority, Centre for Environment Justice and Development, Impact Facility); senior officials and task team/ component leaders, key experts and consultants in the subject area, Project Board, project stakeholders, academia, local government and CSOs, etc. Additionally, the MTR team is expected to conduct field mission(s) to western Kenya Gold Belt, including the following project sites in Kakamega, Vihiga, Migori and Narok.

Following the World Health Organization (WHO) declaration of COVID-19 a global pandemic and the national controls on the spread of the disease, the MTR will potentially be carried out both virtually and field visits as possible. Travel to Kenya is possible but with strict adherence to Covid-19 Travel Guide for Kenya, that is reviewed based on the prevailing infection threats.

If it is not possible to travel to or within the country for the MTR, then the MTR team should develop a methodology and approach that takes this into account. This may require the use of remote interview methods through telephone or online (skype, zoom etc.), extended desk reviews, data analysis, surveys, and evaluation questionnaires. These approaches and methodologies should be detailed in the Inception Report and agreed with UNDP. If all or part of the MTR is to be carried out virtually then consideration should be taken for stakeholder availability, ability, and willingness to be interviewed remotely and the constraints this may place on MTR. These limitations must be reflected in the final MTR report.

The specific design and methodology for the MTR should emerge from consultations between the MTR team and the above-mentioned parties regarding what is appropriate and feasible for meeting the MTR purpose and objectives and answering the evaluation questions, given limitations of budget, time and data. The MTR team must, however, use gender-responsive methodologies and tools and ensure that gender equality and women's empowerment, as well as other cross-cutting issues and SDGs are incorporated into the MTR report.

The final methodological approach including interview schedule, field visits and data to be used in the MTR should be clearly outlined in the Inception Report and be fully discussed and agreed between UNDP, stakeholders and the MTR team.

The final MTR report should describe the full MTR approach taken and the rationale for the approach making explicit the underlying assumptions, challenges, strengths and weaknesses about the methods and approach of the review.

For detailed information, please refer to Annex 1

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

Master's degree or above in Environmental Science, Environmental Engineering, Chemical Engineering, Mining Engineering, Natural Science, Natural Resource Management, Business Administration, social science or other closely related field

II. Years of experience:

Minimum 10 years' experience working in relevant technical areas

III. Competencies:

Relevant experience with result-based management evaluation methodologies;

Experience applying SMART indicators and reconstructing or validating baseline scenarios;

Competence in adaptive management, especially on Artisanal Small-scale Gold Mining (ASGM) and hazardous chemicals such as mercury;

Experience in evaluating projects;

Experience working in Africa especially east Africa countries;

Minimum 10 years' experience working in relevant technical areas;

Demonstrated understanding of issues related to gender and ASGM/hazardous chemicals; experience in gender sensitive evaluation and analysis.

Excellent communication skills;

Demonstrable analytical skills;

Project evaluation/review experiences within United Nations system will be considered an asset;

Experience with implementing evaluations remotely will be considered an asset.

IV. Lanuguage:

Fluency in written and spoken English.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:
1. **Proposal:**
(i) Explaining why they are the most suitable for the work
(ii) Provide a brief methodology on how they will approach and conduct the work (if applicable)

2. **Financial proposal**
3. **Personal CV including one example of a previous publication and at least 3 references**

5. FINANCIAL PROPOSAL

Lump sum contracts

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal

will include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

Travel;

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

6. EVALUATION

Cumulative analysis

When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

a) responsive/compliant/acceptable, and

b) Having received the highest score out of a pre-determined set of we

ighted technical and financial criteria specific to the solicitation.

** Technical Criteria weight; 70 points*

** Financial Criteria weight; 30 points*

Only candidates obtaining a minimum of 70 points would be considered for the Financial ***Evaluation***

Criteria	***Max. Point***
Technical	
• *Education*	*15*
• *Experience/ Competencies*	*80*
• *Language*	*5*
Financial	*30*

ANNEX

ANNEX 1 - TERMS OF REFERENCES (TOR)

ANNEX 2 - INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS

ANNEX 3 - OFFEROR'S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY

ANNEX 4 - CONTRACT PROPOSAL FORM/APPROCH TO WORK