

Terms of Reference (TOR) for Consultancy to assess the status of implementation of Climate Change policies and laws in Elgeyo Marakwet and Homabay Counties

REFERENCE NUMBER: TIK/NRCG/002/2025

DESCRIPTION: Consultancy to assess the status of implementation of Climate Change policies and laws in Elgeyo Marakwet and Homabay Counties

POSTING DATE: April 4, 2025

DEADLINE FOR SUBMISSION OF EXPRESSION OF INTEREST: April 18, 2025

Organizational Profile

Transparency International Kenya (TI-Kenya) is a not-for-profit organization founded in 1999 in Kenya with the aim of developing a transparent and corruption-free society through good governance and social justice initiatives. TI-Kenya is one of the autonomous chapters of the global Transparency International movement that are all bound by a common vision of a corruption-free world. TI-Kenya's vision is "A corruption-free Society". The mission is to champion the fight against corruption by promoting integrity, transparency and accountability in both public and private spheres. TI-Kenya's work is currently organized around four strategic focus areas namely, Citizen Demand and Oversight, Natural Resource and Climate Governance, Public Finance Management, and Institutional Development.

Project Background

The Climate Governance Integrity Programme (CGIP), supported by the Waverley Street Foundation, aims to enhance transparency, accountability, and inclusivity in climate policy making while improving oversight of climate actions and ensuring justice for victims of environmental crimes and corruption. Implemented by Transparency International Kenya in Homabay and Elgeyo Marakwet Counties, the project seeks to safeguard climate funding by empowering local communities, civil society, and accountability agencies to monitor climate investments effectively.

Kenya's implementation of the Financing Locally Led Climate Action Programme (FLoCCA) is vital for enhancing local resilience to the impacts of climate change. However, corruption poses a significant threat to the effective allocation and utilization of climate finance resources.

This assignment, under the Waverley Street Foundation project by Transparency International Kenya (TI-Kenya), aims to review and identify gaps on existing climate change policies and legislations and provide recommendations necessary for strengthening climate change policy and legal frameworks based on identified gaps and best practices globally.

Purpose of the assignment

This assignment seeks to assess the status of implementation of climate change policies and laws and their effectiveness in promoting transparent and accountable Climate Governance in Homabay and Elgeyo Marakwet Counties.

The overall goal of the consultancy is to develop recommendations that enhance policy effectiveness and provide solutions to foster effective stakeholder engagement in addressing climate governance challenges.

The specific objectives of the assignment will include: -

1. Evaluate the impact of climate change policies and laws in Elgeyo Marakwet and Homabay Counties in relation to their effectiveness in promoting transparent and accountable Climate Governance.
2. To assess and strengthen mechanisms for preventing, detecting, and addressing corruption including conflict of interest and undue influence in Climate Governance in Homabay and Elgeyo Marakwet.
3. Develop actionable recommendations for targeted advocacy on improved implementation of the climate change policies and laws in Elgeyo Marakwet and Homabay Counties.

Specific Tasks

The key activities to be undertaken include:

- a) Conduct a comprehensive analysis of climate change policies and laws in the counties to determine the implementation status and their effectiveness in preventing, detecting, and addressing corruption including undue influence and conflicts of interest.
- b) Undertake stakeholder consultations and assessments to document case studies that illustrate the successes or gaps in Climate Governance within the counties.
- c) Develop recommendations and county-specific policy briefs based on the findings to promote transparency and accountability in Climate Governance.

Scope of Work

- i. Conduct a desk review of national and county-level climate change policies, laws, and governance frameworks.
- ii. To assess the level of compliance with existing policies, laws and regulations by relevant stakeholders, including government institutions, oversight institutions and community actors in Elgeyo Marakwet and Homabay Counties.
- iii. To facilitate stakeholder consultations in Elgeyo Marakwet and Homabay Counties to validate findings and build consensus on proposed legislative and policy improvements.
- iv. Benchmark best practices in climate governance and anti-corruption measures from other counties or international models.
- v. To develop a comprehensive report detailing findings, identified gaps, and actionable recommendations for policy and legislative reforms in both counties.

Key Deliverables

The key deliverables of the assignment will include:

- a. **Inception report** – A detailed plan outlining the detailed understanding and overall approach of the assignment, the methodology, data collection approach, data analysis and data quality assurance approaches, revised work plan, and key stakeholders to be engaged.
- b. **Desk review report** – A comprehensive analysis of national and county-level climate change policies, laws, and governance frameworks specific to the two counties.
- c. **Stakeholder mapping and engagement report** – including the data collection tools, processes and datasets on evaluation of the level of adherence to climate change policies, laws, and regulations by relevant stakeholders.
- d. **Draft comprehensive findings and recommendations report** – A detailed report summarizing findings, governance gaps, and actionable recommendations for policy and legislative reforms in both counties.
- e. **Stakeholder Validation Report** – A summary of the validation process, feedback received, and consensus on proposed legislative and policy improvements.
- f. **Final Consolidated Report** – A comprehensive report integrating all findings, recommendations, and policy proposals including:
 - i. Comprehensive report documenting the entire process, addressing the objectives and incorporating all the reviews from the preliminary processes.
 - ii. An executive summary for easy reference by policymakers and stakeholders.
 - iii. County-specific policy briefs – Two tailored policy briefs (one for each county) with key recommendations to improve climate governance, transparency, and accountability.

- iv. Summarized findings into power point slides that are precise and easy to comprehend.

Qualifications

Interested candidates must meet a minimum of the following requirements: -

1. Academic Qualifications

- A minimum of a Master's degree in Environmental Law, Climate Policy, Public Governance, Development Studies, Social Sciences, or a related field.
- Ongoing academic work or professional courses on Climate Governance will be an added advantage.

2. Professional Experience

- At least 7–10 years of experience in climate governance, public policy analysis, legal research, or environmental governance in Kenya.
- Demonstrated expertise in policy and legislative analysis, particularly in climate change, transparency, and accountability.
- Experience working with county governments (**Specific to Homabay and Elgeyo Marakwet recommended**), national government institutions, and civil society organizations (CSOs) in Climate Governance work.
- Proven experience in conducting research, governance assessments, corruption risk mapping, and stakeholder consultations.

3. Technical Competencies

- In-depth knowledge of Kenya's climate change legal and policy framework, including county-level climate policies.
- Understanding of anti-corruption legal and institutional frameworks.
- Familiarity with international best practices in Climate Governance.

4. Other Requirements

- Excellent written and verbal communication skills in English and Kiswahili.
- Strong facilitation and stakeholder engagement skills, with the ability to convene and mediate discussions among government, civil society, and community representatives.
- Demonstrated ability to deliver high-quality reports within agreed timelines.
- A person of high integrity who will model TI-Kenya's core values including gender equality, diversity, and inclusion.

Timeline

The consultancy is expected to be completed within **30 working days**.

Application Process

The interested candidates should submit: -

- a. Letter for expression of interest on the assignment.
- b. Comprehensive technical proposal outlining the understanding of this assignment including methodology, data management plan, team composition and level of effort and a detailed work plan (not more than 10 pages).
- c. Detailed financial proposal tax inclusive costs for conducting the assignment (Include professional fees and other direct costs related to the successful completion of the assignment).
- d. Detailed Curriculum Vitae of the consultant/ (s) including contacts of two referees whom you've previously undertaken similar assignments and two samples of most recent relevant work undertaken.
- e. For individual attach current tax compliance certificate. For cooperate attach business permit, CR12 form, certificate of incorporation and, current tax compliance certificate.

Submission of Bids

The deadline for submission of expressions of interest is **18th April 2025**. Applications should be sent by email to consultancyapplication@tikenya.org. Please indicate **TIK/NRCG/002/2025 - Consultancy to assess the status of implementation of Climate Change policies and laws in Elgeyo Marakwet and Homabay Counties** on the subject line in your email application. Only shortlisted candidates will be contacted.

Complaint's Process

This call for Expression of Interest does not constitute a solicitation and TI-Kenya, reserves the right to change or cancel the requirement at any time during the EOI process. TI-Kenya also reserves the right to require compliance with additional conditions as and when issuing the final solicitation documents. Submitting a reply to a call for EOI does not automatically guarantee receipt of the solicitation documents when issued. Invitations to bid or requests for proposals will be issued in accordance with TI-Kenya rules and procedures. Any grievances and or complaints arising from the evaluation process and final tender award can be addressed, in writing, to the Executive Director as well as the TI-Kenya Tender Complaints Committee.

The Executive Director,
Transparency International Kenya,
Bishop Magua Center, Off Ngong Road - George Padmore Lane
Ground Floor, Wing B, Office No. UG 7,
P.O. Box 198- 00200, Nairobi
Or Email: complaints@tikenya.org