



21st March 2019

CONSULTANCY TO SUPPORT THE DEVELOPMENT OF A KENYA PLASTIC ACTION PLAN

Dear Sir/ Madam,

RE: REQUEST FOR PROPOSALS FOR THE CONSULTANCY TO SUPPORT THE DEVELOPMENT OF A KENYA PLASTIC ACTION PLAN

Kenya Association of Manufacturers (KAM) is requesting for submission of proposals for consultancy services in respect to supporting the development of a Kenya Plastic Action Plan.

The Action Plan is envisioned as a long-term private sector plastic action plan on the sustainable manufacture, use and recycling of plastics with the following aim: *To enable a circular economy for the environmentally sustainable use and recycling of plastics in Kenya*

To facilitate submission of the proposals KAM has enclosed the following:

- a) Annex I: Terms of Reference (TOR) for the Study
- b) Annex II: Requirements for submission of proposals for consultancy services

The proposals are to be submitted to AAM Resources, Purshotam House, Chiromo Lane (next to Diagnostics Centre), **by 1:00 pm on 19th April 2019**. Late submissions will not be opened.

CHIEF EXECUTIVE

ANNEX I

CONSULTANCY TO SUPPORT THE DEVELOPMENT OF A KENYA PLASTIC ACTION PLAN

TERMS OF REFERENCE

The Kenya Association of Manufacturers (KAM) is the representative organisation for manufacturing value – add industries in Kenya. KAM was established in 1959 as a private sector body to unite industrialists and serve as a common voice for manufacturing and other value add sectors in Kenya. The Association provides an essential link for co-operation, dialogue and understanding with government, promotes trade and investment, upholds standards and represent views and concerns of its members to the relevant authorities. In pursuit of its advocacy agenda, the Association encourages the formulation, enactment and administration of sound policies to improve the business environment, reduce the cost of doing business and ensure that Kenyan firms attain and maintain world-class competitiveness.

1 Background of the project

Plastics have become the most prevalent material of the modern economy, mainly because of its unrivalled functional properties at a low cost¹. As the use of plastics has increased over the last twenty years across the globe, the speed of recycling plastic waste has not grown at the same rate.

Globally, unrecycled plastic waste has ended up in the ocean with estimates of between 5.3 million and 14 million tonnes of plastics annually found in coastal regions². As a result, governments across the globe have signed up to the United Nations Clean Seas Campaign with Kenya being one of the signatories to the campaign.

On February 28th, 2017, the Cabinet Secretary, Ministry of Environment and Forestry (ME&F), through Gazette Notice 2334, banned “the use, manufacture and importation of all plastic bags used for commercial and household packaging” to protect the environment as they are not biodegradable. An exception was however given to bags used to dispose biomedical and hazardous waste.

¹

https://www.ellenmacarthurfoundation.org/assets/downloads/EllenMacArthurFoundation_TheNewPlasticsEconomy_15-3-16.pdf accessed on 7/2/2019

²<https://www.nationalgeographic.com/magazine/2018/06/plastic-planet-waste-pollution-trash-crisis/>. **We made plastic. We depend on it. Now we're drowning in it. Accessed on 7/2/2019**

Following the ban, NEMA pronounced its intentions to impose a total ban on PET bottles. However, the ME&F has indicated that they would encourage manufacturers to develop plans to recycle as opposed to ban the use of plastics. It is clear from these pronouncements that the government is not decided on the best policy option to handle plastics in the country.

Undoubtedly, the use of plastic has made life easier for consumers and manufacturers of products across all sectors. Globally, there are countries such as Denmark and Sweden who have demonstrated that waste can prove to be a valuable resource to the economy. The Danish Government has developed a strategy for a circular economy where it seeks to accelerate the transition to a more sustainable society where materials and products are recirculated, used for their full potential, and waste is minimised³.

2. The Task

KAM seeks to procure the services of a consultant to conduct a research to document; local plastic waste management practices, global best practice on managing plastic waste; develop a unified position of private sector and a 'Kenya Plastics Action Plan'; and inform the development of a suitable and sustainable policy framework on plastics in Kenya.

2 Scope of work

This assignment is broken down into two components:

1. Research on the plastics sector to inform sustainable solutions to managing plastic waste
2. Kenya Plastics Action Plan

2.1 Plastics research

- i. Conduct a literature review to document plastic waste management practices, locally and globally to:
 - a. Provide background to plastic use in Kenya and assess its mass flow effect including various plastic fractions including but not limited to PET (1), HDPE (2), PVC (3), LDPE (4), PP (5), PS (6), and Others (7).
 - b. Provide a comparative review of the carbon emissions for plastics vis a vis the alternatives available.
 - c. Assess current plastic waste management practices in Kenya
 - d. Review at least 6 best practices on managing plastic waste/ plastic circular economy value chains (3 from Kenya and 3 from the rest of the world including Denmark and Sweden)
 - e. Assess the feasibility of alternatives to plastics for at least 6 product categories based on health, safety economic, consumer behavior, carbon and lifecycle assessment

³ <https://stateofgreen.com/en/partners/state-of-green/news/new-national-danish-strategy-for-circular-economy/> State of Green accessed on 07/02/2019.

- f. Review the opportunities of circular economy applied to plastics sector in Kenya and quantify its economic, social and environmental potential
- g. Review the legal and regulatory frameworks in Denmark, Sweden and one other commonwealth country documenting: the regulatory frameworks in place to address sustainable waste management, and legal and regulatory impact assessments validating the existing policy frameworks.
- h. Review the legal and regulatory frameworks affecting the plastics sector value chain in Kenya and identify existing gaps
- ii. Conduct key informant interviews and Focus group discussions to gather the opinions and views of stakeholders in (Nairobi, Mombasa, Kisumu, Machakos, Nakuru, Eldoret, Thika)
- iii. Submit a draft report documenting the findings of the research to KAM technical and steering committee to critique and give further input prior to subjecting the draft to a stakeholder's forum
- iv. Subject the draft report to stakeholder's forum for review and additional input
- v. Submit a final report incorporating the views and suggestions of the stakeholders to technical and steering committee and stakeholders for adoption and agreement on a private sector position

2.2 Kenya Plastics Action Plan

Use the research report to develop a circular economy action plan for plastic industry in Kenya.

The plastic Action Plan should incorporate policy suggestions and sustainable funding mechanisms to ***enable a circular economy for the environmentally sustainable use and recycling of plastics in Kenya***. The Action Plan will have the following 3 main goals:

- a) **Inclusive and Broad-Based Stakeholder Engagement** – This will be a holistic private sector led plan developed and approved by all stakeholders across the plastic supply chain
- b) **Policy Driven** – the plan shall address and provide for policy recommendations that shall catalyze a circular economy in Kenya requiring engagement with all levels of government
- c) **Action Oriented and Results driven** – with actions that are achievable and relevant for Kenya with tangible results including reduced environmental pollution, investments and circular economy financing mechanisms
- vi. KAM envisions that the consultant will develop a proposed action plan which includes but should not be limited to:
 - 1) extended producer responsibility;
 - 2) product design for recycling;
 - 3) recycling and/or end of life options;
 - 4) communication – education and awareness;
 - 5) segregation at source;
 - 6) product fees for single use plastics; and,

- 7) bio degradable plastics
- 8) harmonization of licenses and fees for waste collectors and recyclers
- 9) tax incentives for increased recycling

In addition,

- a. Each proposed action should be listed and assessed considering each applicable plastic fraction
 - b. For each proposed action, an assessment of how it can increase recycling capacity, ensure there is demand of secondary raw materials and increase collection from the public at large should be carried out
 - c. Any of the proposals provided should set goals and targets to be achieved in the short term, medium term and long term
 - d. For each action, specify the lead actor (private sector or government), and outline support required from government to ensure that the action plan is implemented successfully.
- vii. Present the draft Action Plan to KAM technical and steering committee to critique a give further input
 - viii. Present the final circular economy Action Plan to the technical and steering committee and stakeholders for adoption and agreement on private sector position
 - ix. Use the research findings and Action Plan to propose suitable policy framework on plastics in Kenya

Please note: a separate research is underway through the Agrochemicals Association of Kenya and will be compiled and presented as part of KAM's wider research and Action Plan.

2.3 Improvement of the Terms of Reference

The consultant may advice on modalities to improve the Terms of Reference, which he/she considers would inform the research and lead to an appropriate private sector position and Action Plan. Such proposals, if accepted, will form part of the Terms of Reference of the assignment.

3 Expected Output

The following will be key deliverables of this study:

- a) An inception report detailing appropriate research methods, and a suitable work plan – to be prepared after the inception meeting with KAM
- b) A draft research report on the findings.
- c) Draft Action Plan – the Action Plan should adopt the Kenya Plastic Action Plan Document Outline attached as an annex III to this TOR
- d) Facilitation of stakeholders' forum and to review the draft report and Action Plan

- e) Presentation of the draft report and Action Plan to the technical and steering committee for approval
- f) A revised report and Action Plan
- g) Presentation of the revised draft report and Action Plan to the technical and steering and committee as well as KAM leadership in a validation session
- h) A final report and Action Plan submitted to KAM team for adoption
 - i. A popular version of final report
 - ii. A bridged popular version of the final report

Note: All deliverables for this consultancy will be in form of an electronic copy and two hard bound hard copies.

4 Duration and reporting

The assignment is expected to be completed within 60 working days after the signing of the contract. Upon successful application and contracting, the Consultant will be expected to submit an inception report within one week (5 working days) outlining details of activities with proposed methodology and timeline.

The successful Consultant shall work closely with the relevant KAM plastic officer to ensure all the deliverables are reached. Overall reporting will be to the KAM CEO.

5 Qualification of Consultant

- a) Consortium arrangement incorporating an international and local consultant is preferred.
- b) Master's degree in a relevant field, background in Environmental Science, Environmental Law or Waste Management is an added advantage.
- c) Demonstrated experience and understanding of the Global and Local Plastic Value Chain and Waste Management Policy Direction
- d) Published reports on sustainable management of plastics globally would be an added advantage.
- e) Demonstrated experience and understanding of the current Kenyan Environmental Legal and Regulatory Frameworks
- f) Experience in consulting for both the public and private sectors.
- g) Proven experience in dealing with diversified entities encompassing government agencies, development partners, donor organizations. (Kindly provide details on name of client, description of project contract duration and amount)
- h) Ability to deliver the assignment under a very short timeline

ANNEX II

6 Manner of Submission

- a) Your proposal shall be prepared in the English Language and comprise of the following documents

A. Technical component - Technical proposal of not more than 15 pages including:

- i) Description of firm(s) and firm's qualification
- ii) Proposed approach and methodology
- iii) Timing of activities and reports
- iv) Deliverables and output including how to measure them
- v) Proposed team structure with detailed profile and minimum qualification

Please note that inclusion of such profile constitutes a commitment to use those members and substitution in the event of the contract awarded will lead to cancellation of contract

B. Financial (Price Component) - Financial proposal of not more than 5 pages

The financial component shall include a cover letter where the firm authorized representative affirms the following:

- i) Summary of price
- ii) The period of validity

In addition, the price component must cover all the services to be provided and must be itemized as follows:

- i) Unit and total fees per person for each team member to be assigned to the task and a rate for office work, if any
 - ii) Other cost, if any (Indicating nature and breakdown)
 - iii) Summary of the total cost for the services proposed
 - iv) Taxes
- b) 2 copies of the financial and technical proposals shall be submitted
- c) Each copy should be on a separate sealed envelope clearly indicating whether the proposal is technical or financial;
- d) One copy shall be marked "Original" and the second one "Copy". In the event of any discrepancy between them, the Original will govern.

- e) Please attach a copy of your PIN and VAT certificate, Tax Compliance certificate, Certificate of Incorporation and CV(s) of your key professional staff who will be involved in this assignment.
- f) All the proposals should be enclosed in one main envelope which should be sealed and titled

“TENDER FOR PROPOSALS FOR CONSULTANCY TO SUPPORT THE DEVELOPMENT OF A KENYA PLASTIC ACTION PLAN”

Do not indicate the name of the firm in the outer envelope.

- g) Evaluation of the proposal

Evaluation will first be done on technical component (70%) and score awarded before evaluating the price (30%) component

- h) Timing

The technical and financial proposals should be submitted to AAM Resources, Pushti House, Chiromo Lane (next to Diagnostics Centre), **by 1:00 pm on 19th April 2019**. Late submissions will not be opened.

For any specific questions and clarification, please contact: procurement@kam.co.ke