



TERMS OF REFERENCE (TOR) FOR PREQUALIFICATION OF HAZARDOUS WASTE MANAGEMENT SERVICE PROVIDERS FOR HAPROK

I. About HAPROK

The Hazardous Waste Producer Responsibility Organization of Kenya (HAPROK) is the country's first Producer Responsibility Organization (PRO) mandated to support producers in the sustainable management of hazardous waste. HAPROK was established pursuant to the Sustainable Waste Management Act (SWMA), 2022, and operationalized under the Extended Producer Responsibility (EPR) Regulations, 2024, to facilitate collective industry compliance and reduce environmental and public health risks associated with hazardous waste.

HAPROK provides a structured and legally compliant platform for manufacturers, importers, and distributors to meet their post-consumer obligations across various hazardous product categories. It is incorporated as a company limited by guarantee under the Companies Act, 2015, and governed by its Articles of Association.

Through collaboration with registered waste handlers and licensed disposal facilities, particularly high-temperature incineration plants, HAPROK ensures that hazardous waste from its members is handled, treated, and disposed of in accordance with Kenyan law and international best practice.

2. Background

Hazardous waste, by its very nature, poses significant risks to human health, environmental sustainability, and ecosystem integrity. In Kenya, the accumulation of such waste across various industrial and commercial sectors necessitates a coordinated, transparent, and compliant management framework.

To this end, **HAPROK** seeks to implement its Extended Producer Responsibility (EPR) Plan by prequalifying competent, NEMA-licensed hazardous waste service providers across the 47 counties of Kenya. The objective is to establish a roster of technically capable firms to undertake the safe collection, transportation, treatment, and final disposal of hazardous waste generated by member companies under the following categories:

- Industrial chemicals
- Oil and lubricants
- Pharmaceuticals
- Agrochemicals
- Veterinary products
- Cosmetics and hygiene
- Paints and solvents
- Agricultural films
- Treated seed and woods
- Other specified hazardous waste

3. Objectives

To prequalify and establish a national database of competent hazardous waste service providers with capacity to:

1. Collect, package, and label hazardous waste in compliance with legal standards;
2. Transport such waste using NEMA-compliant vehicles;
3. Facilitate safe treatment and disposal through authorized facilities, including high temperature incineration;
4. Track, report, and account for volumes handled; and
5. Support capacity building and awareness for waste generators and handlers.

4. Scope of Work

Prequalified service providers must demonstrate operational capability in one or more of the following:

1. Collection, aggregation, and secure packaging of hazardous waste from designated points;
2. Transportation of hazardous waste to licensed incineration or treatment facilities;
3. Sorting, segregation, and temporary storage of hazardous waste as per class;
4. Treatment (where applicable), including stabilization, neutralization, or incineration;
5. Operation or partnership with licensed high-temperature incineration facilities;
6. Development and application of traceability and reporting systems;
7. Training, awareness creation, and EPR-related education for clients;
8. Sectoral representation or recognition by professional waste management associations.

5. Application Procedure

5.1 Technical Capacity

Eligible firms must provide evidence of:

- A minimum of 5 years of experience in hazardous waste management.
- Valid NEMA hazardous waste handling license.
- Adequate equipment including certified containers, labelling systems, PPE, and licensed vehicles;
- Qualified personnel trained in hazardous waste handling, transport, and disposal;
- Health and Safety procedures, incident protocols, and insurance coverage;
- Commitment to data transparency and environmental compliance.
- Access to licensed incinerators or compliant treatment infrastructure;
- Proven track record with private or public institutions.

6. Submission Guidelines

6.1 Submission Details

Interested entities are invited to submit their **technical and financial proposals** to **procurement@kam.co.ke** by **Tuesday, 29th July 2025**, clearly indicating in the subject line: **"CONSULTANCY - TERMS OF REFERENCE FOR PREQUALIFICATION OF HAZARDOUS WASTE MANAGEMENT SERVICE PROVIDERS FOR HAPROK"**

Required Statutory Documents

No.	Required Document
1.	Company Registration Certificate (incorporation)
2.	Company CR12 or equivalent proof of ownership
3.	KRA PIN Certificate
4.	Valid Tax Compliance Certificate
5.	NEMA License for Hazardous Waste Handling
6.	County Government Operating Permit
7.	Valid Health and Safety Certificate (OSHA-compliant)
8.	Company Profile and Portfolio
9.	At least two reference letters from recent clients
10.	Waste traceability and data reporting mechanisms
11.	Evidence of volume capacity and geographical reach;
12.	CV of contact person or technical lead;
13.	Completed HAPROK Engagement Template (provided below)

All documents must be clearly labelled and submitted in **soft copy** or **hard copy**. Incomplete applications will not be considered. KAM reserves the right to conduct verifications or due diligence as needed.

Physical Submission Address:

KAM Procurement

Kenya Association of Manufacturers
KAM House, 4th Floor
Mwanzi Road, Opposite Westgate Mall
P.O. Box 30225 – 00100
Nairobi, Kenya

HAPROK Waste Service Provider Engagement Template

Organization Name: _____

Contact Person: _____

Designation: _____

Phone Number: _____

Email Address: _____

I. General Information

Question	Response
a) Business Name (if different):	
b) Physical Address / Location of Operations:	
c) County of Operation:	

d) Do you operate in other countries? List them below:	

II. Legal Requirements

NO	Tick	Documentation
1		Business registration/incorporation certificate
2		KRA PIN certificate
3		Valid tax compliance certificate
4		Valid NEMA license/permit for hazardous waste
5		Valid county government permits
6		Occupational Health and Safety certification

III. Nature of Services (Tick all that apply)

NO	Tick	Nature of Service(s)
1		Collection
2		Sorting
3		Incineration
4		Refurbishing
5		Storage
6		Neutralization
7		Transport
8		Other (Specify)

IV. Waste Volumes and Capacity

Metric	Response
Average monthly volume handled (in kg):	
Annual capacity (in tonnes):	
Are you currently operating at full capacity? (Yes/No):	

V. Types of Hazardous Waste Handled

NO	Waste Category	Costing in (KES)
	Category Name	Service Fee/Kg
1	Industrial chemicals	
2	Oil and lubricants	
3	Pharmaceuticals	
4	Agrochemicals	
5	Veterinary	

6	Cosmetics and hygiene	
7	Paints and Solvents	
8	Agricultural films	
9	Treated seed	
10	Treated woods	
11	Other (Specify)	

VI. Transport and Logistics

Question	Response
Do you own transportation vehicles?	Yes / No
If not, do you subcontract?	Yes / No
Average transportation cost (per km or per load)?	

Declaration

(To be completed and signed by an authorized representative)

I, the undersigned, hereby declare that:

1. All staff and agents involved in our operations are above 18 years of age.
2. All information provided herein is accurate and complete.
3. We understand any false declaration will lead to disqualification or legal consequences.

Name of Authorized Representative: _____

Designation: _____

Signature: _____

Date: _____

Company Stamp: