



THE
LUTHERAN
WORLD
FEDERATION

Department
for World Service

member of **actalliance**

<https://kenyadjibouti.lutheranworld.org>

**TERMS OF REFERENCE (TOR) FOR PROVISION OF OSHA AUDIT
CONSULTANCY SERVICES IN LUTHERAN WORLD FEDERATION
IN NAIROBI OFFICE**

Introduction and Overview

LWF Kenya-Somalia Program

The Lutheran World Federation (LWF) World Service is an international non-governmental organization focusing on humanitarian assistance, development cooperation, and advocacy work. The Kenya-Somalia Country Program of the LWF World Service provides humanitarian assistance and protection to refugees in Kakuma and Dadaab refugee camps in Kenya, returnees, IDPs, and vulnerable host community members in Kismayu, Somalia, and vulnerable communities in Turkana and Garissa.

The Lutheran World Federation (LWF) World Service seeks to engage a consultant to conduct the mandatory annual occupational fire, safety and health audit for the Nairobi office.

1. Specific objectives

The specific objectives of this assignment will be:

- a) Identify any risks and remedial measures if any as per Occupational Health & Safety Act.
- b) To propose recommendations (if any) for existing and potential fire, safety and health concerns
- c) To fulfil the legal requirements as outlined in OSHA 2007 and Legal Notice No. 31/2004, and submit an audit report to DOSH and the Occupier.
- d) Identify any risks and remedial measures if any as per the Ministry of Health guidelines on pandemic management.

2. Scope of Work

The audit shall include but not limited to the following;

- a) To provide an audit/assessment of the facilities with respect to fire, health and safety management.
- b) To provide information to enable the management to develop appropriate fire, safety and health procedures.
- c) Facilitate and ensure registration/ renewal of OSHA licence for the Nairobi office.
- d) To provide an audit/assessment of the facilities with respect to pandemic management.

3. Methodology

The audits shall include but not limited to the following:

i. Workplace Safety, Health and Welfare Conditions.

- a) Electrical safety;
- b) Fire safety;
- c) Office Safety;
- d) Machinery safety

ii. Occupational Health and Hygiene Conditions

- a) Ventilation
- b) Housekeeping
- c) Lighting

- d) Handling of materials;
- e) Noise
- f) Personal Protective Equipment (PPE)
- g) Overcrowding
- h) Vibration

iii. General Conditions

- a) Ergonomics
- b) General Conditions;
- c) Workplace efficiency;
- d) Storage, warehousing and handling; and
- e) Welfare facilities.

Any other relevant issues not listed above but stipulated in the procedure/ format for carrying out a safety and health audit.

4. Competence and Expertise Requirements

- a. The firm should have been in operation for the last five (5) years, proven experience in offering similar services is essential. Be a Registered a trainer on Occupational Safety and Health by the Directorate of Occupational Safety and Health Services (DOSHS) and National Industrial Training Authority (NITA). A detailed profile along with the curriculum vitae of the Safety and Health Advisor/Auditors, to be involved in the assignment should be provided.
- b. The firm will be required to provide details of at least 3 similar studies undertaken in Kenya. The Consultant(s) should provide adequate information indicating that he/she is/are qualified to undertake the assignment successfully by providing the following information:
 - Description and experience in similar assignments
 - Availability of appropriate skills, competencies and qualifications among professional staff amongst others.

This will enable LWF short-list suitable Consultant(s) for the next stage of the selection process.

Key Qualification for Lead Safety and Health Advisor

a. Education:

At least a master's degree in occupational safety and Health, Safety Engineering or equivalent from a recognized University.

b. Training:

Sound Background in Occupational Safety and Health and must have undergone training on Occupational Safety and Health Audits.

c. Skills:

Must possess communication skills both oral and written, presentations skills and auditing skills.

d. Experience

- Must have a minimum of 8 years' experience in Occupational Safety and Health
- Must have been a Safety and Health Advisor in at least 4 Projects.

- Registration Must be registered with Directorate of Occupational Safety and Health Services (DOSHS) as a Safety and Health Advisor and having a valid certificate.

5. Evaluation of Technical Proposals

Proposals will be evaluated using the quality and cost-based selection, with a total score calculated out of 100% of which 60% is the weight of the technical proposal and 40% is the weight of the financial proposal. The evaluation committee appointed by the procuring entity to evaluate the proposals shall carry out the evaluation of technical proposals following the criteria set out in the terms of reference based on the following points criteria.

CRITERIA POINTS

CRITERIA	MARKS
<p>Specific experience of the Consultant for the last five years;</p> <ul style="list-style-type: none"> - Inclusion of at least 3 relevant past performance examples of similar projects. (5 points) - References provided by past clients for these examples and their evaluation of the bidder's ability to deliver on time and within quality and budget expectations. (5 points) 	10
<p>Key experts' qualifications and competence, attach evidence</p> <p>Qualifications and past relevant experience of the team leader and up to 3 team members proposed to perform the requirements of this scope of work(15 points)</p> <p>Provision of evidence(certificates) –(10 points)</p>	25
<p>Relevant registration and valid licenses</p>	20
<p>Technical Approach</p> <p>Proposed structure, design, and approach to execute the work required</p> <p>Detailed work plan (5 points)</p>	5
<p>Technical Evaluation Threshold (Only offers that receive a technical evaluation score of 42 and above points (out of 60) will be considered for cost evaluation.)</p>	
<p>Cost evaluation</p> <p>The financial proposal will be evaluated using the following formula:</p> <p>$FS=40*\text{lowest price}/F$, in which FS is the financial score and F is the price of the proposal under consideration</p>	40
<p>Total</p>	100

Any proposal which will be examined and found not to comply with all the requirements for submission of the proposals will be declared non-responsive. All the proposals found to have

complied with all the requirements for submission of proposal shall be declared responsive by the evaluation committee.

The cost of preparing the proposal and negotiating the contract including any visit to the procuring entity are not reimbursable as a direct cost of the assignment. The procuring entity is not bound to accept any of the proposals submitted.

6. Key Deliverables/Expected Outputs

The ultimate product for this Consultancy Service is to have Risk Assessment, Safety and Health Audit Reports, Fire Risks Audit Reports and renewal of annual registration certificate for LWF – Nairobi Office.

Commencement

The Consultant shall commence the audit within seven (7) calendar days of the effective date of Contract. The effective date shall be the date on which the consultancy agreement shall be signed.

Reports

The consultant shall prepare and submit the following reports

- a) Draft Fire, Risk Assessment, Safety and Health Audit Reports These reports shall contain the findings, analysis, results and recommendations of the audits. Three (3) hard copies and a soft copy to Procuring Entity.
- b) Final Fire, Risk Assessment, Safety and Health Audit These reports shall incorporate all revisions deemed necessary arising from comments received from the Procuring Entity following discussions.
- c) Three (3) hard copies and a soft copy to Procuring Entity.

Submission of Reports

The above reports shall be submitted to:

**Country Representative
Lutheran World Federation
Gitanga Road
Nairobi**

7. Duration of the Consultancy

The Consultant shall commence the study within 7 calendar days of the effective date of the contract. The effective date shall be the date on which the Consultancy agreement shall be signed by the Client. The assessment will be carried out strictly within 1 month from the effective date of the contract. The consultants should clearly express the willingness and ability to work within that period. The Consultant(s) will be required to prepare and submit a work plan, with cost estimates, indicating deliverables.

8. Budget and Timelines

The consultant should be willing to provide service within the LWF's stipulated facilitation budget rate for the number of days and financial plan as will be agreed upon.

The Financial proposal must remain valid for 90 days after the submission date. During this period the consultant is expected to keep available at his own cost any staff proposed for the assignment. The procuring entity will make best efforts to complete negotiations within this period. If the procuring entity wishes to extend the validity period of the proposals, the consultants who do not agree, have the right not to extend the validity of their proposals.

9. Obligations of the Consultant

The Consultant shall perform the Services and carry out his obligations with all due diligence, efficiency and economy in accordance with generally accepted professional techniques and practices and shall observe sound management practices, and employ appropriate advanced technology and safe methods. The Consultant shall always act, in respect of any matter relating to this Contract or to the Services, as faithful adviser to the Client and shall at all times support and safeguard the Client's legitimate interests in any dealing with Sub- consultants or third parties.

10. Application

Applicants are invited from suitably qualified consultants. Interested individuals should submit:

- A proposal in line with clause 5. Competence and Expertise Requirements above
- A summary work plan for the proposed consultancy period
- Consultancy fee for the assessment
- Indications of availability to fulfil the consultancy as per the timeframes indicated

Technical and financial proposals to be submitted to procurementfollowup.nairobi@lutheranworld.org and copied to procurement.nairobi@lutheranworld.org with the e-mail subject line clearly marked; '*DF 5844-OSH audit.*' The deadline for submission of applications is **Thursday 18th April 2024 at 4:00 pm Nairobi time.**