

MINISTRY OF EDUCATION



Telegrams: EDUCATION Nairobi  
Telephone: Nairobi 318581  
Fax No: 254-2-245079  
When replying please Quote

PERMANENT SECRETARY  
JOGOO HOUSE 'B'  
HARAMBEE AVENUE  
P.O. BOX 30040  
**NAIROBI**

Our ref: G/15/27/VOL IV/25

25<sup>th</sup> August 2006

USAID Kenya  
P. O. Box 30261  
NAIROBI

ATTN: DR. SARAH WRIGHT

**RE: GOK/USAID PROPOSAL FOR PHASE III - RE-SUBMISSION**

Attached, please find the GOK/USAID proposal and the project implementation guidelines for Phase III of the project for your approval.

Kindly note that for more efficiency and transparency in the implementation of the project the following features have been included in the proposal:

- Disbursement of project funds directly to beneficiary schools
- Construction of Early Childhood Education classrooms
- Increased community involvement in project activities
- Names of schools to benefit
- Updated enrolment data
- Constituencies and the divisions where the projects are cited

The Ministry of Education will embark on Phase III as soon as all accounting documents for phase II are submitted by individual districts.

On behalf of the Ministry of Education, I would like to take this opportunity to thank your agency for the support to the Education sector in Kenya in the area of improvement of infrastructure and sanitary conditions in the North Eastern Province. The assistance will help the Government of Kenya realise the Millennium Development Goal of achieving Universal Free Primary Education (UPE).

A handwritten signature in black ink, appearing to read 'Karega Mutahi', written over a horizontal line.

**PROF. KAREGA MUTAHI, CBS  
PERMANENT SECRETARY.**

**MINISTRY OF EDUCATION, SCIENCE &  
TECHNOLOGY**



**GOK/USAID PROJECT**

**FREE PRIMARY EDUCATION SUPPORT  
PROGRAMME: IMPROVEMENT OF  
INFRASTRUCTURE AND SANITARY CONDITIONS IN  
NORTH EASTERN PROVINCE**

**PROJECT IMPLEMENTATION GUIDELINES**

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## CHAPTER ONE

### 1.0. PREAMBLE

The Government of Kenya received Ksh 150million in the 2004/2005 financial year and 130million for the 2005/2006 financial year from United States Agency for International Development (USAID) for the Free Primary Education Support programme in North Eastern Province , for the improvement of infrastructure and sanitary conditions in public primary schools. This is a province where enrollment and participation in education has remained low over the years. The funds will be utilized through a project that will target the four districts of North Eastern Province.

The overall aim of the Government is to expand access and participation in education through this project. Through the improvement of learning conditions in public primary schools, quality basic education will be provided to children. Phase 1 & 2 of the project will target public primary schools only while phase 3 of the project will bring on board Early Childhood Education Centers in the four districts, but only in areas where there is need.

Community participation and ownership of Projects is vital for the success of any project. Through mobilization, education stakeholders will own the project and put in place mechanisms for sustainability.

### 1.1. PROJECT DESCRIPTION

#### 1.2. Project goal

The goal of the GOK/USAID FPESP is to improve infrastructure and sanitary conditions in the North Eastern Province districts of Garissa, Ijara, Mandera and Wajir. Learning environment will be improved for quality education provision in public primary schools in North Eastern Province.

#### 1.3. Project objectives.

The specific objectives of the Programme are:

- a) To undertake a needs assessment of existing physical infrastructure (classrooms, toilets, boarding facilities, etc.) in primary schools.
- b) To build community and school-based project management capacities including mobilizing communities to participate in education development activities in support of FPE
- c) To construct physical facilities in needy areas of the community so as to increase access for the disadvantaged groups, including children with special needs and thereby improve the learning environment of these communities.
- d) To mobilize resources and provide a platform for dialogue and sharing of experiences towards improving provision of quality and accelerated learning within the disadvantaged population, and for sustainability of the project.

#### **1.4. TARGET BENEFICIARIES**

The Programme Targets to cover all the four districts of North Eastern Province. In 2004, the province had a total Gross enrolment of 67,437 pupils in the 212 primary schools. The enrolment increased by 4.68% from 64,438 pupils in 2003 with the girls constituting only 18.5% of the total enrolment. Despite the implementation of Free Primary Education in 2003, the enrolment levels have continued to be very low with the gross enrolment ratio being 33.5% for boys and 18.5% for girls. The access indicators for each school catchments area are the basis for the programme intervention and prioritization.

## CHAPTER TWO

### 2.0.ORGANIZATION MANAGEMENT STRUCTURE OF THE PROJECT

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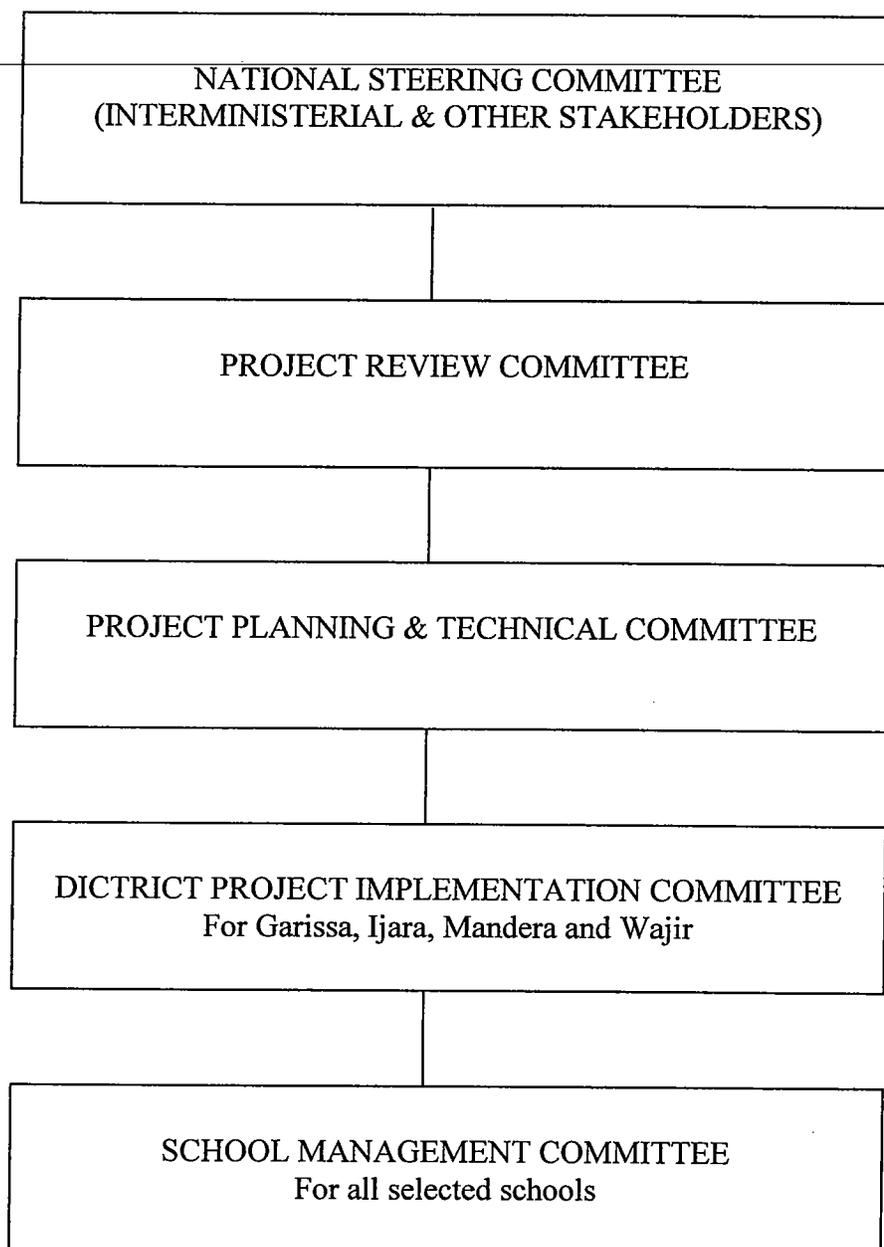
A National Steering Committee, a Project Review Committee and a Technical and Planning Committee have been established to coordinate the project on improvement of physical facilities under the GOK/USAID funding. MOEST in liaison with the District Project Implementation Committees will supervise the Project implementation throughout to ensure compliance of the various actors at all levels. MOEST has elaborate administrative structures at the district level that are adequate in project implementation with proper guidelines and supervision from the headquarters teams.

Emphasis will be laid on achievement of common supervisory and professional support services. The committee will provide the guidelines for project implementation both at national and district level. The District Education Officer is to be the client of the project on behalf of the District Education Board and the Ministry. The District Architect will provide the technical supervision of the project to ensure quality of the construction works.

The Procurement of the construction works will follow the laid down government procedures and will be carried out at the district level. The school management committees will play a crucial role at the school level in ensuring the successful completion of the projects.

Fig.4 below shows the project management structure from the National Steering Committee to the School Committee level.

**Fig.4 :Implementation Structure For The Project**



**2.1. MEMBERSHIP AND TERMS OF REFERENCE:**

**2.1.1. National Steering Committee (NSC)(Inter-Ministerial & Inter-Project)**

**Members:**

1. Permanent Secretary/MOEST –Chair
2. Country Director USAID
3. PS or Representative Ministry of Finance
4. PS or Representative Ministry of Roads and Public Works
5. PS or Representative Ministry of Water Development
6. PS or Representative Ministry of Health
7. PS or Representative Ministry of Local Government

8. PS or Representative Ministry of Home Affairs (Children's Department)
9. PS or Representative Ministry of Gender, Sports, Cultural and Social Services (Department of Adult Education and Social Services)
10. PS or Representative Office of the President (Special Programmes)
11. Senior Deputy Secretary, Administration (Ministry of Education Science and Technology)
12. Director KIE
13. Director KESI
14. Director KISE
15. Secretary General –KNATCOM for UNESCO
16. Director Basic Education
17. Director Higher Education
18. Director Policy and Planning
19. Director Quality Assurance & Standards
20. SDDE Basic Education
21. Chief Finance Officer
22. Principal Accountant
23. Principal Procurement Officer
24. Project Coordinators and Desk Officers for various MOEST/Development Partners including: MOEST, WB, USAID, HRH- SAUDI ARABIA, OPEC, DFID, UNICEF

**Terms of reference for the NSC:**

- (a) Approve Quarterly Project Progress Reports and the Project Completion Reports
- (b) Approve Project Statements of Expenditure (SOE's)
- (c) Approve documents requiring USAID approval
- (d) Approve criteria for selection and lists of institutions to be supported.
- (e) Advise on Policy issues arising from the implementation of the Project.

**2.1.2. Project Review Committee (PRC)**

**Members:**

1. Education Secretary - Chair
2. Senior Deputy Secretary, Administration
3. Director, Quality Assurance & Standards
4. Director Basic Education
5. Director Policy and Planning
6. Chief Finance Officer
7. Principal Accountant
8. Chief Economist
9. Project Coordinator -Directorate of Basic Education (BE)
10. Deputy Project Coordinator & Secretary -BE Directorate
11. MOEST Project Architect
12. MOEST Principal Procurement Officer
13. USAID Education Director
14. USAID Construction Advisor
15. USAID Financial Controller

### **Other Ministries' Representatives:**

16. Ministry of Roads and Public Works -Project Architect
17. Office of the President -National Project Coordinator - ALRMP

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18. Ministry of Finance –GOK/USAID Desk Officer
19. Ministry of Health –Public Health Officer
20. Ministry of Water –Water Engineer

### **Terms Of Reference For The PRC:**

- (a) Approve project work plans and budgets.
- (b) Approve disbursements of funds for project activities
- (c) Monitor project progress
- (d) Advise on policy issues arising from the implementation of the project
- (e) Harmonize and coordinate GOK/Development partners initiatives for maximum impact.
- (f) Approve Terms of Reference for consultancies
- (g) Approve Monitoring and Evaluation tools and reports
- (h) Approve training modules
- (i) Approve and forward to the National Steering Committee (NSC) documents requiring NSC and USAID approval.

### **2.1.3. Technical And Planning Committee (TPC)**

#### **Members:**

1. Project Coordinator - Chair
2. USAID Construction Advisor
3. Deputy Project Coordinator - Secretary
4. MOEST Project Architect
5. Representative from Directorate of Quality Assurance & Standards
6. Representative from Directorate of Policy & Planning
7. Representative from MOEST Planning Unit.
8. Project Accountant
9. Procurement officer
10. Finance officer

#### **Terms of Reference For The TPC:**

- (a) Develop training programmes and modules for the district teams, school committees, PTAs and communities
- (b) Establish the district project implementation committees
- (c) Develop selection criteria for project schools
- (d) Develop work plans
- (e) Monitor and evaluate project implementation and related activities
- (f) Establish implementation and reporting systems

#### **2.1.4. District Project Implementation Committee (DPIC)**

##### **Members:**

1. Chair- District Commissioner (DC)
2. Project Coordinator and Secretary- District Education Officer (DEO)
3. District Development Officer
4. Drought Management Officer (DMO/ALRMP)
5. District Works officer
6. District Architect
7. District Public Health Officer
8. District Procurement Officer
9. District Accountant
10. Area MPs
11. One member representing women
12. One member representing faith based organisations ( a member of the DEB).

##### **Signatories to the District Project Account:**

1. District Commissioner (DC)
2. District Education Officer (DEO)
3. Faith Based Organisation (FBO) member who is also a member of DEB

##### **Terms Of Reference For The DPIC:**

- (a) Oversee the activities of the school management committees
- (b) Undertake district needs assessment
- (c) Develop prioritised and costed District Project Work Plans
- (d) Oversee the tendering for procurement of construction services and related activities
- (e) Supervise actual implementation of project in line with government tendering and civil works procedures
- (f) Prepare and submit detailed and timely accounts together with copies of paid vouchers, bank statements and cash book to the project coordinator on the use of project funds disbursed to them
- (g) Ensure schools prepare and submit timely accounts to project coordinator through the DEO
- (h) Advise the coordinator of emerging issues during implementation
- (i) Monitor the progress of the school projects within their jurisdiction
- (j) Carry out community mobilisation in liaison with the national Technical & Planning Committee.

#### **2.1.5. School Management Committee (SMC)**

##### **Members:**

1. Chair of School Management Committee
2. Head teacher- Secretary
3. Senior teacher
4. Class representatives (parents)
5. Treasurer of School Management Committee

### **Terms Of Reference For The SMC:**

- (a) On the ground day-to-day supervision and record keeping.
- (b) Project implementation and coordination in liaison with the DEO

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- (c) Mobilization of community support with assistance from the national and the district coordinators
- (d) Ownership and sustenance of the project
- (e) Outreach to out- of- school children including children with special needs
- (f) Collect and report data on new enrolment, improved retention and completion
- (g) Develop school project work plans.

## **CHAPTER THREE**

### **3.0. Funding and accounting procedures**

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The following funding and accounting procedures will be followed:

1. Funds will be released on Semi-annual basis as follows:
  - USAID will request Ministry of Finance to release funds to MOEST national project account from where disbursement to the various district project accounts will be made. District Education officers will disburse the funds to the respective school project accounts from where payment will be made.
  - Statement of Expenditures for each District must be submitted to MOEST headquarters on a monthly basis and must be certified by the district project implementation committee. The statement of expenditure should be accompanied by a progress report containing a description and number and/or percentage of various works completed. The progress report must be certified by USAID and the MOEST district technical representatives stating that the number of reported units have been satisfactorily completed and/or constructed according to specifications
  - MOEST will notify USAID each time the funds are utilised upon receipt of Statement of Expenditure, accounting and liquidating the funds released in the previous release and a request for release of funds for the next phase.
2. Ministry of Finance should ensure that all funds released from the Paymaster General (PMG) accounts are directly transferred to the respective GOK/USAID District bank accounts through the national project account to facilitate smooth flow of funds.
3. Funds will be requisitioned from the PMG account with USAID concurrence.
4. Once District Education officers receive the initial funding, open and competitive tendering should commence within 14 days to avoid delays in implementation of the program.
5. Funds disbursed for the project will be strictly used for purposes agreed upon in the proposal, or otherwise agreed upon by MOEST and USAID.
6. MOEST must maintain proper accounting records and supporting original documents (such as receipts, paid invoices, delivery notes, copies of contracts, purchase orders, etc) of all costs charged to this program and make such records and documents available to the USAID, MOF and Controller and Auditor General for review or audit at any time.
7. Any unused funds at the end of the program will be retained at the district project account awaiting further consultation with MOEST and USAID on its use.

**AUDITS:** Funds under this program are subject to the audit by the Controller and Auditor General in accordance with the Government of Kenya's Exchequer and Audit guidelines. A copy of the audit report should be provided to USAID.

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## CHAPTER FOUR

### 4.0. COMMUNITY MOBILIZATION, PARTICIPATION, AND PROJECT SUSTAINABILITY

The purpose of community mobilization is to sensitize the community in order to facilitate ownership and sustainability of the project. The communities of the institution covered by this project include the following among others: - Parent Teachers' Association (PTAs), School Management committees, Faith Based Organizations, women leaders, etc.

Community mobilization will be carried out by national technical and planning committee, district implementation committee and local leaders. The Community will be involved from the onset of the project through some of the following ways: -

- (a) Identification, prioritisation and costing of needs.
- (b) Contribution in terms of labour, expertise such as carpentry, masonry and plumbing etc.
- (c) Supplementing locally available building materials in form of sand, ballast, timber etc.
- (d) Day-to-Day supervisory service during construction or/and rehabilitation works.
- (e) Supplement teaching and learning materials
- (f) Preserve and conserve the environment by planting trees, grass and other vegetation. to prevent soil erosion.
- (g) Provide and maintain adequate and suitable proper drainage system
- (h) Maintain and refurbish equipment and infrastructure.
- (i) Establish income-generating activities for purpose of sustaining the project.
- (j) Facilitate /enhance accessibility to the individual schools.
- (k) Establish a voluntary method of sustaining the bursary support fund, e.g. revolving fund, fee payments in kind, provision of free labour etc.
- (l) Ensure safety for all institutional property.
- (m) Initiate ways of mobilizing and bringing back to school children and out of school youth.
- (n) Improve the welfare of children with special needs and voluntarily take those children for assessment and to school.

## CHAPTER SIX

### 6.0. PROCUREMENT, TENDERING, CONSTRUCTION AND SUPERVISION OF WORKS

#### 6.1. GENERAL

- The procurement of works shall be done through selective tender or request for quotations. This should be circulated widely and done in a transparent and fair manner
- Funds allocated for construction per school will be disbursed to district project accounts operated by the DEB
- The District Tender Committee shall deliberate and award the contracts. A member of selected schools committee to be co-opted into the DTC
- Standard Architectural Drawings have been prepared at headquarters. District Works Officers to adopt the drawings to suit the schools conditions.
- DWO's to prepare Bills of Quantities and Specifications for each school contract (including supply of classroom desks, dormitory beds and mattresses)
- DWO in liaison with District Procurement Officer to advice on tender process

#### 6.2. TENDERING PROCEDURES

The following tendering procedure extracted from the Exchequer and Audit (Public Procurement) regulations, 2001 has to be followed so as to ease the procurement system.

1. Restrictive tendering system to be used. Each District through the Ministry of public works and or District Procurement office has a list of pre-qualified/registered contractors for this bidding. However we should involve more bidders to avoid a monopolistic situation.
2. Each primary school to be treated as a procuring entity, and this implies that each school will have a separate Tender or Quotation. At least a minimum of three bidders to be invited.
3. From the Architectural Drawings, the Ministry of Public Works will extract information leading to the Bill of Quantities for each school and on that basis Quotation/Tender will be prepared.
4. Tender documents will be sold at an agreed fees to prospective bidders so as to recover the cost of preparing the documents and the District Procurement Officer will co-ordinate the exercise. And 2% performance bond will be chargeable, on whoever will be successful
5. Submission of complete Tender Documents will be done to each respective District Tender Committee for adjudication and awarding.
6. Time is of essence and all stakeholders, more so, the District Works Officer, District Education Officer and District Procurement Officer must combine efforts to see that Tenders are worked out within the agreed time frame.

In conclusion, while undergoing the process of tendering we must make sure that the competitiveness of the process is felt, and to be very transparent in our undertaking so that we can get the best price and hence value for the money.

### **6.3. TENDER PROCESS**

- Bidders should be selected fairly and transparently by District Technical Committee members.
- Tender documents must have all relevant instructions and conditions, including:
  - i. Definitions and contract obligations
  - ii. Bid bond, form of tender for signature
  - iii. Durations of payment certificates, percentage of retention fund
  - iv. Contract period
  - v. Specifications and quantities
  - vi. Termination process, liquidated damages
  - vii. Details of bidder, location, personnel etc

### **6.4. TENDER COLLECTION AND SUBMISSION**

- Tender documents to be purchased at a non-refundable fee from the stipulated office
- All instructions and information to bidders must be the same
- Bidders should be advised to visit the sites before quoting
- The date, time, and place of delivery of tender document be clearly stipulated
- Duration of bid bond be specified
- Upon return and opening of the tenders, the following information be noted:
  - i. Contact Name (school)
  - ii. Tenderer's Name and address
  - iii. Submitted tender sum
  - iv. Validity of bid bond
  - v. Properly signed form of contract
- In a situation where for some reasons there is change of priority for projects, tendering should be conducted afresh in line with the laid down procurement procedures.
- Late bids should NOT be considered, and should be returned unopened

### **6.5. ANALYSIS AND EVALUATION**

- Tender documents to be critically analysed by DWO and the district Procurement officer, and submitted to District Project Implementation Committee (DPIC) before deliberations by District Tender Committee. A member of the relevant school project Committee be co-opted to DTC
- Criteria for Evaluation and Examination of the tender documents to include checking of:
  - i. Errors in computation

## CHAPTER SEVEN

### 7.0. MONITORING AND EVALUATION (M & E)

Monitoring and Evaluation (M &E) of the projects will enable the stakeholders assess the progress of the project and determine whether the implementation plan, procedures and specifications are being adhered to. It also helps the stakeholders to find out whether the objectives are measuring to the desirable outcomes, with a view to coming up with appropriate interventions.

Monitoring and evaluation will involve data collection, analysis and report writing at various stages of project implementation. Lessons learnt from this exercise will be used to enhance implementation of subsequent projects or phases.

M & E of the project activities will be carried out using the following: -

- (a) Quarterly reports
- (b) Mid term review
- (c) Supervision mission reports
- (d) Project completion reports
- (e) Observation and site visits
- (f) Check lists and charts
- (g) Construction work programmes
- (h) Interview and assessment tools
- (i) Statement of expenditure
- (j) Proper books of accounts and audit.

Monitoring and evaluation will be the responsibility of the national Technical & Planning committee in liaison with the District Project Implementation Committee.

The programme will be nationally executed and co-ordinated by the Directorate of Basic Education in the Ministry of Education, Science and Technology. The MOEST departments of Planning and Directorate of Policy and Planning are key actors in guiding the project implementation.

During the implementation of the programme expertise and technical backstopping is to be sought from other collaborating agencies that include the Ministries of Water Development, Roads and Public Works and Health.

Monitoring and evaluation mechanisms will be based on the principles of results-based management within developed procedures and guidelines. A regular review will be conducted within the implementation period in 2004/05 and end of programme evaluation to assess the programme results and provide direction for future programs. Thematic evaluations are also to be conducted.

- ii. Technical and financial capability
- iii. Analysis of unit rates and costs
- iv. Evidence of previous work done
- v. General bidder responsiveness

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- Successful bidder to be informed of contract award, date of site possession and signing of contract Agreement
  - Unsuccessful bidders to be notified.

## **6.6. CONSTRUCTION AND SUPERVISION**

- Drawings and Bills of Quantities to be issued to the contractor, clerk of works (Inspector), DEO and the school management committee
- DEO shall facilitate financially the DPIC, District Architect/clerk of works site visits and meetings. Copies of site meeting minutes should be sent to MOEST Headquarters. Existing GOK financial procedures should be used (funds for M& E of the project will be provided by the DEO)
- DWO's to monitor the project work programme and carry out valuations and prepare certificates for payments of work done, and these should be countersigned by DEO and a member of school committee
- Project reports to be send by DEO to MOEST Headquarters every month
- There shall be periodic monitoring, supervision, evaluation and site audits by MOEST Headquarter teams.

### **Note:**

- Projects construction to accommodate special needs for disabled children
- All constructions to comply with Health and safety standards
- Siting of structures should facilitate efficient planning and utilization of school land/compound
- Latrines be located 25m away from water wells
- Districts encouraged to use approved, available local building materials
- Encourage local community participation in terms of skilled and unskilled labour, involvement in environmental conservation (tree planting, grass etc)