



REPUBLIC OF KENYA

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

INTERNATIONAL TENDER NOTICE

REQUEST FOR EXPRESSION OF INTEREST (EOI)

FOR

**PRE-VERIFICATION AND CERTIFICATION AT SOURCE OF IMPORTED
CATEGORISED EQUIPMENT/ITEMS; COLLECTION OF ADVANCE EXTENDED
PRODUCER RESPONSIBILITY FEE (EPRF) AND DESIGNING OF A COMPREHENSIVE
IN-COUNTRY WASTE COLLECTION AND MANAGEMENT SYSTEM**

TENDER NO. NEMA/ EOI/01/ 2025-2026

ISSUED ON: DATE 9th December, 2025

CLOSING DATE: 19th December, 2025

TIME: 10:00a.m (EAT)

BACKGROUND OF THE PROJECT

- 1.1. Kenya, as a country, produces over 800 million tons of waste from the industrial and construction sectors emanating from both imports and locally produced items. Kenya faces a significant waste management crisis, with major challenges in collection, disposal, and recycling due to inadequate infrastructure, funding, and policies, leading to environmental degradation and public health hazards. In urban areas, overflowing, unsanitary dumpsites are common, while uncollected waste affects public health and livelihoods. There is growing recognition of waste as a resource, driving innovation and a circular economy approach to create economic opportunities from waste and reduce environmental impact.
- 1.2. The rapidly growing volume of hazardous waste is becoming a serious threat to the environment and human health. In Kenya, electronic waste is the fastest growing waste component, with an estimated 51,300 tons of electronic waste being generated annually. Owing to e-waste management challenges, e-waste is often mixed with other municipal waste and disposed-off at open dumpsites where it is treated through open burning. Such open burning for e-waste disposed is the significant source of Polybrominated Diphenyl Ethers (PBDEs), Polychlorinated Biphenyls (PCBs), Hexabromocyclododecane (HBCD), dioxins, furans, cadmium, beryllium, and lead release to the environment and can lead to severe human health and environmental hazards. Such effects create the need for establishing a comprehensive waste management system.
- 1.3. The National Solid Waste Management Strategy aims to develop a comprehensive and sustainable approach to waste management in Kenya. The key objectives include reducing waste generation, promoting waste recycling and resource recovery, improving waste collection and disposal systems, and minimizing environmental pollution and health risks. NEMA intends to achieve this through public-private partnerships in waste management, investing in waste management infrastructure, and enhancing public awareness and education on waste management.
- 1.4. The Sustainable Waste Management Act of Kenya aims to provide a legal framework for sustainable waste management practices in the country. The key objectives include the promotion of waste reduction, recycling, and resource recovery, safe disposal of hazardous waste, prevention of pollution from waste, establishment of waste management facilities, and the integration of waste management into sustainable development plans.
- 1.5. Extended Producer Responsibility (EPR) is a policy approach based on the Polluter-Pays Principle in which producers are given significant responsibility – financial, organizational and/or physical – for the product design, collection, treatment and disposal of the waste from the products they introduce in the market. The Kenya Extended Producer Responsibility (EPR) Regulations aim to address the environmental impact of products and packaging waste by establishing a framework for producers to take responsibility for managing their products throughout their lifecycle. The key objectives include reducing waste generation, promoting recycling and resource recovery, encouraging sustainable product design, and fostering a circular economy approach in Kenya. The Extended Producer Responsibility is also outlined under section 13 of Sustainable Waste Management Act 2022.
- 1.6. Due to the poor state of affairs regarding the existing waste management facilities within the 47 Counties, NEMA, in their strategic plan, developed minimum requirement points for management of the existing waste management facilities so as to continuously promote compliance with the waste management regulations within the counties. NEMA intends to actualize this initiative through the current Extended Producer Responsibility (EPR) policy.
- 1.7. NEMA intends to implement the Extended Producer Responsibility (EPR) regulations on waste management to handle the problem of hazardous waste management in the country. The solution shall involve Pre-Verification at source of Imported Categorized Equipment/Items; Collection of advance Extended Producer Responsibility Fee (EPRF) at source and designing of a comprehensive In-Country Waste Collection and Management System.

2. OBJECTIVE(S) OF THE ASSIGNMENT

2.1 GENERAL OBJECTIVES

2.2.1 To operationalize the Extended Producer Responsibility Regulations of 2024 (Legal Notice 176 Of 2024) with regard to import of items listed in the first schedule of the regulations through pre-shipment verification and collection of the stipulated fees and develop an in-county waste management and accounting system for NEMA Kenya.

2.2 SPECIFIC OBJECTIVES

Specifically, the assignment intends to have in place: -

- i. Design a system for product pre-verification and fee collection
- ii. Collection of advance Extended Producer Responsibility Fee (EPRF) at source for all categorized in the First Schedule of Extended Producer Responsibility (EPR) Regulations 2024 equipment/items imported into Kenya.
- iii. A list of risks associated with the importation of equipment /items likely to end up in the environment as hazardous waste at the end of life and cause deterioration of the environment and human health.
- iv. A baseline process for the management of hazardous waste in 47 counties in Kenya
- v. Comprehensive data on waste to support planning and development of appropriate in-country waste mitigation infrastructure.

3. SCOPE OF THE ASSIGNMENT

The scope of this assignment includes:-

- 3.1 Pre-verification, assessments, and certification of equipment/items categorized under the first schedule of the Extended Producer Responsibility (EPR) regulations at the country of export and collection of advance Extended Producer Responsibility Fee (EPRF) from manufacturers and/or exporters of categorized equipment/items.
- 3.2 Design a holistic waste management information system and a comprehensive waste accounting system for the country (covering the 47 counties).
- 3.3 Generate a database of all waste actors in the country and design & develop a holistic and comprehensive waste management information and accounting system.

4. SPECIFIC TASKS TO BE PERFORMED BY THE CONSULTANT (TERMS of REFERENCES)

The consultant shall carry out the following tasks: -

- i. Carry out physical pre-verification, assessment, and certification of all categorized equipment/items at the country of origin (export country) to ensure that all items/ equipment shipped into the country and being inspected and certified in accordance with the respective standards.

- ii. Collect advanced Extended Producer Responsibility Fee (EPRF) on behalf of NEMA from all exporting countries for categorized imported equipment/items to Kenya and transfer the designated government account.
- iii. Issue Extended Producer Responsibility Fee (EPRF) certificate of conformity to all consignments shipped to Kenya to facilitate customs clearance.
- iv. Development of Extended Producer Responsibility Fee (EPRF) payment gateway to the Restoration Fund Account or designated government account to ensure seamless and real time collection of prescribed fees.
- v. Establish and maintain a web-based application/system which enables tracking of the collected advance Extended Producer Responsibility Fee (EPRF).
- vi. Provide reports with details of verification, assessments, records of consignments verified manufacturers/exporters and issued Extended Producer Responsibility (EPR) certificate of conformity including other documentation as may be required by NEMA on monthly basis.
- vii. Collect and record details of manufacturers and importers of categorized equipment/items.
- viii. Design a comprehensive Waste Management Architecture & Digital Monitoring Platform for NEMA to track waste collection in all the 47 Counties in Kenya. The system should track all waste categories, volumes and disposal streams
- ix. Mapping out the required waste streams in various counties, including provision/employment of technical ground staff in 47 counties for waste control monitoring.
- x. Surveying of secure waste collection locations in line with local regulations, perform Environmental Impact Assessment in designated locations and establishing GPS coordinates for traceability of waste
- xi. Develop comprehensive system for Waste collection, transportation, disposal and licensing for all waste collectors/actors in line with NEMA Strategy for “Zero Waste”.
- xii. Provide training and knowledge transfer as part local content support and employment creation in the 47 counties
- xiii. Create Public Awareness and promote the program among stakeholders at the countries of origin.
- xiv. Carry out a stakeholder analysis of actors in the solid waste value chain in Kenya.

NB all products from this assignment will be the property of NEMA

5. EXPECTED DELIVERABLES

The deliverable shall include the following:-

- i. A comprehensive waste management information and accounting system in place
- ii. A comprehensive data base of waste actors.
- iii. Monthly reports on verifications, assessments, certification and collection of advance Extended Producer Responsibility Fee (EPRF) for the equipment/items imported into Kenya.

- iv. Monthly reports on registered equipment/items imported into Kenya including manufacturers/importers of equipment/items.
- v. Monthly reports on the monitoring of importation of equipment/items to Kenya and number of EPRF Compliance certificates issued.
- vi. Customizable training courses to ensure maximum knowledge transfer to NEMA teams including on waste accounting and on the waste information management system.
- vii. Mechanism for pre- shipment verification.
- viii. Mechanism for Extended Producer Responsibility (EPR) fees collection.
- ix. Design Extended Producer Responsibility (EPR) conformity certificate.

6. DURATION OR PERIOD OF PERFORMANCE

The assignment shall be carried out initially for a period of **36 months** and shall be renewed annually subject to satisfactory performance of the consultant.

7. REPORTING REQUIREMENTS AND TIME SCHEDULE FOR DELIVERABLES

Monthly electronic reports on the progress of the program, Awareness Events; Statistics of EPRF Certificates issued per country of origin; Total Number products assessed by HS Codes; Total Fund Collected. The reports must be submitted to NEMA before 5th of subsequent month in the format to be agreed upon.

8. PROCURING ENTITY'S INPUT AND COUNTERPART PERSONNEL

- i. NEMA shall provide local facilities including site office and server room to host Consultant's Project Coordinator
- ii. NEMA shall also provide staff who shall work in collaboration with the consultant; and
- iii. NEMA shall provide the applicable rates of advance Extended Producer Responsibility Fee (EPRF) for each item/equipment under this program to be imported into Kenya including respective HS codes
- iv. List of priority counties for implementing waste management system and the phased approach to roll out in all the 47 counties.
- v. List of existing licensed waste collectors and waste management facilities in Kenya.
- vi. Import Statistics of the targeted items/equipment

Professional and support counterpart personnel to be assigned by the Procuring Entity to the Consult

9. Eligibility

The preferred firm or organization will be shortlisted from those that meet the following requirements;

- a) A short but inclusive company profile that includes an organization chart, contact details and a firm's physical address.

- b) Proof of certificate of Registration/ Corporation or equivalent for foreign entities.
- c) Demonstrate a clear understanding and experience in:
 - i) Pre-verification & certification at source of imported categorized items.
 - ii) Collection of Advanced Extended Producer Responsibility Fee (ERPF).
 - iii) Designing of a comprehensive in-county waste collection & management system.
- d) The EOI is signed by the person with power of attorney, without material deviation, reservation, or omission.
- e) The EOI is complete with all required documentary evidence submitted. A JV/Consortium will require both Letter of Intent and Memorandum of Understanding or a legally binding consortium agreement.
- f) A valid tax compliance certificate or tax exemption certificate issued by the Kenya Revenue Authority in accordance with ITT 3.14 for Kenyan firms or equivalent for foreign entities.
- g) Key Experts are from eligible countries.
- h) Key Experts do not appear in more than one proposal, if so required.
- i) A short-listed firm has not participated in more than one proposal, if so required.
- j) The Consultant is not insolvent, in receivership, bankrupt or in the process of being wound up.
- k) The Consultant, its sub-consultants and experts have not engaged in or been convicted of corrupt or fraudulent practices.
- l) The Consultant is neither precluded from entering into a Contract nor debarred by PPRA or any agencies or international bodies.
- m) The firm has not proposed employing public officials, civil servants and employees of public institutions.
- n) The Consultant, its sub-consultants and experts have no conflicts of interest.

10. TRANSFER OF KNOWLEDGE, TRAINING AND NATIONAL CONTENT PLAN

The consultant shall provide customized training, capacity building and knowledge transfer programs to both assigned NEMA staff and the consultants through a comprehensive National Content Plan. The Consultants team composition must also be aligned to the overall National Content Plan during the execution of the project.

The consultant will also be required to demonstrate how the program will create employment at the various counties through waste collection, transportation, recycling or disposal and how waste management initiatives will be tailored to empower youth and women, through innovative waste management strategy

11. QUALIFICATION AND EVALUATION CRITERIA

- i. The Firm is from an Eligible country i.e. The Firm is not from a country that Kenya prohibits commercial relations with that country, including those sanctioned by the United Nations Security Council taken under Chapter VII of the Charter of the United Nations.
- ii. The firm's line of business fits in with the requirements of the assignment. (Provide updated company profile)
- iii. If a firm is a state enterprise:

- a. Firm is Legally autonomous - a legal entity is separate from the state government and any public administration.
 - b. Firm is Financially autonomous - not receiving any significant subsidies or budget support from any public entity or government.
 - c. Firm is Operating under commercial law - means being vested with legal rights and liabilities similar to any commercial enterprise.
 - d. Firm is not a dependent agency of the Kenya Government.
- iv. Firm is not debarred from participating in procurement by PPRA or by any National agency or an International Organization. The Key individuals listed by the Firm's Team Leader are also not debarred. (To be verified on PPRA Website)
 - v. Firm has no conflict of Interest - consultant may be perceived to provide biased services so that its own or its affiliates interests prevail over the interests of the Procuring Entity.
 - vi. The Firm has provided all the information provided in the EOI to enable Client to assess its qualification.

Qualification Criteria;

- i) **Number of years in business working on the area of the assignment.**
The Consultant should have experience of not less than 5(five) years in business. (10mks)
 - ii) **Experience in the assignment, including technical and managerial capability of the firm.**
The Consultant shall demonstrate experience in advance Extended Producer Responsibility Fee (EPRF) collection/assignment performed for public authorities within the last 5 years and designing in-country waste management collection system. (40mks)
 - iii) **Reference to at least three assignments of similar nature and size carried out in the last five years.** The consultant shall indicate the description of the assignment, name of the client, duration of the contract and contact details. Attach a copy of the contract or Performance Certificate.(30mks)
 - iv) **Technical and managerial capability of the firm:** The firm shall demonstrate as having the requisite technical capacity and managerial capacity to undertake the assignment. This should be submitted with the company profile(s).(20mks)
- NB: The shortlisting score/pass mark shall be 70%**

For more information, a completed standard Expression of Interest (EOI) document and TOR should be obtained via NEMA Website: <https://www.nema.go.ke>

Completed Expression of Interest (EOI) documents should be enclosed in plain sealed envelopes clearly marked **‘EXPRESSION OF INTEREST FOR PRE-VERIFICATION AND CERTIFICATION AT SOURCE OF IMPORTED CATEGORISED EQUIPMENT/ITEMS; COLLECTION OF ADVANCE EXTENDED PRODUCER RESPONSIBILITY FEE (EPRF) AND DESIGNING OF A COMPREHENSIVE IN-COUNTRY WASTE COLLECTION AND MANAGEMENT SYSTEM**

The completed tender documents should be posted to reach the address shown below on or before **19th December, 2025 at 10:00 am** or placed in the Tender Box situated at the National Environment Management Authority, Popo road Mombasa Road on or before the said date and time. Expressions of Interest can be submitted to:

The Director General
National Environment Management
Authority
P. O. Box 67839 - 00200 NAIROBI, KENYA
Email: procurement@nema.go.ke