TERMS OF REFERENCE

Short Term Consultancy for Mid-Term Evaluation of the Wajibu Wetu; Jumuika, Sikika! Programme

1. BACKGROUND/INTRODUCTION

1.1. Introduction ForumCiv

Since 1995, ForumCiv has defended democracy and human rights. As Sweden's largest platform for civil society with 210 member organisations and offices in Sweden, Colombia, Liberia, Kenya, Cambodia, and Lithuania. Our offices in Colombia, Kenya, and Lithuania have regional coverage. In Kenya, we are registered with the NGO Coordination Board and have been in operation since 2008. Our work centres on enabling people to organise to claim their rights and take control of their lives and promote responsiveness by duty bearers and other decision-makers. Our work centres on enabling people to organise to claim their rights and take control of their lives. Because only then can democracy grow, resources distributed more fairly, and poverty reduced. ForumCiv is guided by the following:

- Our vision: **A just and sustainable world where all people have the power to effect change.**
- Our purpose: To empower people living in marginalization, who organize to claim their rights and advocate for change that contributes to a just and sustainable world.

ForumCiv plays the roles of an advocate, a capacity developer, grant administrator, and development actor. In our role as advocates, we are a voice for those we work for and with. As a capacity developer, we have a great potential to strengthen the capacity of our members and partners around the world. As a grant administrator, we have developed a robust framework to provide grants to civil society organisations within the frame of principles for aid and development effectiveness. Our methods for grant administration focus on relevance, impact and sustainability while also guaranteeing compliance of good international administration and accounting principles and anti-corruption efforts. As a development actor, we are innovative in our partnerships, programme development, and
communicating our efforts for a more sustainable world. Finally, ForumCiv applies a rights-based approach and enables active popular participation by supporting civil society actors.

ForumCiv’s Theory of Change is reflected in the partnerships and innovative approaches and sustainable strategies adopted for this proposal to defend and promote human rights in Kenya. This is with the knowledge that human rights are fundamental rights that embody key values in any society, such as fairness, dignity, equality, and respect. ForumCiv believes that partnerships based on cooperation between different actors can lead to individual and structural change through networks, coalitions, and alliances. As a result, we work to legitimize diverse civil society organisations to advocate for society-wide change, monitor those in power, and promote dialogue for change. All people are holders of human rights and can describe their problems and propose solutions. Evidence shows that change is only sustainable when determined, implemented, and owned by the affected communities. The Theory of Change is complemented by ForumCiv’s policies on Environment & climate justice and gender equality and equity and by ForumCiv’s Development Perspectives that recognize the connection between environmental and climate injustices, gender inequalities, and conflict.

ForumCiv office in Kenya serves as the regional office for Eastern and Southern Africa (RO ESA), coordinating regional sub-granting and developing new partnerships, innovative programmes, and local engagement with donors. Most of the region’s interventions focus on civil society strengthening and deepening democracy, human rights, and gender equality. The office works with various partners and stakeholders at grassroots, national, regional, and global levels.

1.2. Context and Background;

ForumCiv has been implementing the Wajibu Wetu Programme to support social transformation in Kenya for the last 6 years. A lot has been achieved, many lessons learned, and it has contributed to growth and knowledge generation on what works and what doesn't work at the partner, community, and ForumCiv level when it comes to social change.

ForumCiv made a bold decision to support the non-traditional civil society organizations, which has opened opportunities for individuals and institutions that could not have happened. Artivism (art for activism) has
been a distinctive approach where support was directed to the media and creative and gender-focused civil society organizations.

This support was necessary to reach out to a critical mass of rights holders to deepen democracy, strengthen inclusive citizen participation and accountability, and bring gender-mainstreaming to the forefront of the governance agenda in Kenya\textsuperscript{1}. The partners used creative and innovative avenues, such as music, traditional and new media, activism, cultural festivals, documentaries, and investigative journalism. The programme has empowered right-holders to expand the democratic space for alternate voices that expose and address critical topics like corruption, extra-judicial killings, gender-based violence, and discrimination.

Now in its 3rd phase and dubbed Wajibu Wetu; Jumuika, Sikika! Programme looks to building on these gains from the previous two phases and focuses on five result areas:

A. **Strengthening Inclusive Governance and Democracy;**
   i) Strengthening community voices in decision-making and development processes
   ii) Increasing the capacity of the communities to demand and claim human rights
   iii) Enhanced accountability by duty bearers toward responsible service delivery.

B. **Enhancing Community Empowerment, Resilience, and Adaptation;**
   i) Enhance the adaptive capacities of communities to cope with the effects of climate change and other shocks from unprecedented disasters, and
   ii) Enhance the capacity of the community to adapt to socioeconomic shocks

C. **Contributing to Gender Equality;**
   i) Enhanced resilience against gender-based violence
   ii) Increased political inclusion and participation of women in political processes
   iii) Enhanced equitable and non-discriminative enjoyment of Sexual and Reproductive Health Rights.

\textsuperscript{1} Nairobi, Kisumu, Siaya, Nakuru, Mombasa, Kilifi, Narok, Isiolo, Marsabit, Wajir, Lamu, Moyale and Turkana counties
D. Networking, Linkages and Movement Building
   i) Strengthening effective citizen partnerships, networks, coalitions, and sustained movements,
   ii) Coalescing voices and collective action toward strategic solidarity,
   iii) Enhanced strategic results communications, documentation, and dissemination of programme impacts and emerging insights, and
   iv) Strengthened leadership, foresight, and organizational sustainability

E. Enhancing Capacities of CSOs
   i) WWPIII stakeholders strengthening organizational, programmatic, and thematic capacity,
   ii) Enhanced intergenerational mentorship and experiential learning for young men and women towards effective change-making and leadership, and
   iii) Partner organizations are more sustainable

Result Areas A-C are being implemented by ForumCiv’s 24 partners in Kenya and whereas Result Areas D and E are being directly implemented by ForumCiv. This 4-year programme started on 1st July 2022 and is anticipated to end on 30th June 2026.

2. ASSIGNMENT

2.1. Assignment purpose and scope

Purpose: ForumCiv is seeking to procure the services of a qualified and experienced institution / consultant to carry out a Mid-Term Evaluation of the WW;JSI! programme from the period July 2022 to June 2024.

The aim of this call is for the carrying out of a Mid-Term Evaluation of the programme and which will provide ForumCiv with sufficient information on the programme impact or contribution to envisaged goals and objectives, existing gaps, lessons learnt and recommendations. The findings and recommendations will be very critical in the programme re-design and to enhance effectiveness and efficiency. In addition, they will guide the programme on opportunities to tap into.

Scope: The evaluation will focus on both direct programme implementation by ForumCiv- ROESA and the work of sub-grantees, incorporating OECD/DAC evaluation criteria. The consultant will sample
from the list of 24 partners on different thematic areas and **Tiers of funding** as stated in 1.2 above for evaluation. These partners are located and operate in different geographical zones within Kenya.

2.2. **Assignment objectives, criteria and questions**

**Objectives:** This mid-term evaluation seeks to assess the progress of the programme in achieving its goals and provide recommendations for improvement of the following components:

**Evaluation Components:**

a. **Direct Implementation by the ForumCiv- ROESA:**

i. **Capacity Building:** Assess the training initiatives and their impact on participants' skills and knowledge.

- How have the trainings carried out by ForumCiv impacted the partners skills and knowledge?
- Do the trainings conducted by ForumCiv resonate with the capacity gaps that existed in your organisation.
- Are there opportunities for programming towards the realisation of this outcome?

ii. **Partnerships, Networking, and Movement Building:** Evaluate collaborations formed and their contribution to programme objectives.

- Were the partnerships, networks and collaborations initiated by ForumCiv or its platforms impactful in the partners' work and in what ways?
- What have been the results of the networks and collaborations established by ForumCiv?
- Are there opportunities for programming towards the realisation of this outcome?

b. **Work Done by Sub-grantees:**

i. **Result Area 1: Enhancing Democracy and Good Governance:** Reviewing sub-grantees’ projects aimed at promoting democratic processes and good governance.

- In what ways have the projects implemented by partners contributed to enhancing democracy and good governance?
- What have been the major challenges to realising this outcome and how did the partners navigate this?
- What are the key lessons learnt in the implementation towards this outcome?
• Are there opportunities for programming towards the realisation of this outcome?

ii. Result Area 2: Gender Equality: Assessing sub-grantees' efforts in advancing gender equality.

• In what ways have the projects implemented by partners contributed to enhancing Gender Equality?
• What have been the major challenges to realising this outcome and how did the partners navigate this?
• What are the key lessons learnt in the implementation towards this outcome?
• Are there opportunities for programming towards the realisation of this outcome?

iii. Result Area 3: Enhancing Community Empowerment, Resilience, and Adaptation: Evaluating sub-grantees' activities to empower communities and enhance resilience

• In what ways have the projects implemented by partners contributed towards enhancing community empowerment, resilience and adaptation?
• What have been the major challenges to realising this outcome and how did the partners navigate this?
• What are the key lessons learnt in the implementation towards this outcome?
• Are there opportunities for programming towards the realisation of this outcome?

3. AUDIENCE

The findings from this Mid-Term Evaluation will be shared among the 24 partner organisations. In addition, they will be shared with our internal teams at ForumCiv as well as our development partners such as the Embassy of Sweden in Nairobi.

4. General evaluation approach and data collection methods

4.1. Methodology

To conduct a successful review of the WWJS! programme through a participatory process, the consultant is expected to consider the following steps and activities:

a. Mixed-Methods Approach: Ensure that you combine quantitative surveys and qualitative interviews. This evaluation should encompass
both internal programme implementation by ForumCiv-ROESA and the projects by the partners. Outcome harvesting techniques are encouraged.

b. **Sampling Strategy**: Random sampling of beneficiaries, partners, and stakeholders.

c. **Data Collection Techniques**: Surveys, interviews, document reviews etc.

d. **Analysis Framework**: Use the OECD/DAC evaluation criteria - relevance, effectiveness, efficiency, impact, sustainability.

e. Work in partnership with ForumCiv to hold the **validation workshop** for the **draft report**.

f. Produce a **final mid-term evaluation report** which should satisfactorily incorporate feedback from ForumCiv.

➢ **Internal Evaluation at ForumCiv ROESA**:

a. Review of WW;JS! Programme Documentation: Analysing reports, proposals, and monitoring data.

b. Interviews with Programme Staff: Gathering insights on implementation challenges and successes.

c. Analysis of Monitoring and Evaluation Data: Examining progress against targets and indicators.

d. Assessment of Programme Management: Reviewing coordination, communication, and decision-making processes.

➢ **External Evaluation- Implementing Partners**:

a. Stakeholder Interviews: Conducting interviews with project participants, partners, and local authorities.

b. Community Surveys: Administering surveys to assess community perceptions and impacts.

c. Case Studies: Examining specific project samples for in-depth analysis.

d. Comparative Analysis: Benchmarking programme achievements against similar initiatives.

5. **Deliverables (outputs)**
- **Inception report** that elaborates on the proposed methodology and evaluation matrix, presents a detailed data collection and reporting plan with identified deliverables, drafts data collection tools (eg. survey/interview guides or generic questionnaires), timeline of the evaluation, allocates roles and responsibilities within the evaluation team, and specifies evaluation travel calendar. These together with a detailed Work plan to be submitted **5 (five) days after signing the contract.**

a. **Draft reports**, with adequate time scheduled for feedback and revisions. This should be presented and validated at a workshop organised by ForumCiv.

b. **Final report**, drafted on the basis of ForumCiv report writing guidelines and general quality standards. This incorporates feedback from the validation workshop and any other recommendations provided by ForumCiv before the assignment is concluded. The report must include a cover page, the main document, and all annexes. Deadline **30th September 2024.** The report shall, at a minimum, contain the sections as indicated in a template to be shared during the inception meeting and be no more than 30 pages, excluding appendices.

The documents shall be written in English and submitted electronically.

c. **Presentation of Results: Sharing key insights with stakeholders and programme management (Slides etc).**

**Approval of outputs:** Deliverables will be approved by the [Regional Manager]; the period for approval of reports will be 10 days, if after this time the Manager does not issue any observations, the report will be considered approved.

### 6. Proposed Timeline

ForumCiv has estimated that the volume of the assignment amounts to a total of 60 working days. The total scope of work will be aligned in consultancy with the winning tenderer accordingly.

The assignment shall be undertaken between **1st July 2024 to 30th August 2024.**

a. Review of proposals and signing of contract with ForumCiv- **28th June 2024**

b. Inception Meeting with ForumCiv- **5th July 2024**

c. Data Collection and Analysis Phase: July – August 2024
d. Validation and Reporting Phase: September 2024

7. Ethical Considerations:

a. Informed Consent: Ensuring participants understand the purpose and risks of participation.

b. Data Privacy: Safeguarding sensitive information collected during the evaluation and adhering to the guidelines by the Office of the Data Protection Commissioner in Kenya.

c. Confidentiality: Unless otherwise stated, protecting the identities of individuals and organizations involved in the evaluation.

d. Safeguarding; Adhering and compliance with policy on Sexual, Exploitation, Abuse and Harassment (SEAH).

8.0 Reference Group/ForumCiv Support

For this assignment, ForumCiv will provide the following.

- An approved detailed Terms of Reference.
- WW;JS! programme Results Framework
- WW;JS! Environmental and Social Impact Assessment Report
- Relevant literature for desktop review including but not limited to ForumCiv Strategic Plan 2021-2025, ForumCiv Development Perspectives on Gender equality, Do-No-Harm, policies of procurement of goods and services, Sida guidelines for a simplified environmental assessment, and Strategy for Sweden’s development cooperation with Kenya 2021–2025.
- Provide key contact and access to partners and stakeholders relevant to the assignment including the Embassy of Sweden in Nairobi.

9.0 BUDGET

Please provide a detailed budget for this assignment including fees, reimbursable, and VAT.

The payments will be made according to the schedule below:

⇒ 40% after the contract is signed and the work plan approved.
⇒ 30 % after the delivery and approval of the draft report
30 % after the delivery and approval of the final report Final payment will be made by bank transfer within 30 days after delivery by the tenderer and approval by ForumCiv. A first payment of initial costs can be approved.

9.1 Reimbursable

The tenderer is to specify anticipated reimbursable costs. If per-diem costs are included, they shall be specified separately and follow the thresholds from the Swedish Tax Agency (or equivalent). The details of the budget for reimbursable costs shall be indicative only. Revisions and re-allocations will be decided in dialogue with ForumCiv, along the course of work.

10.0 APPLICATION PROCESS

10.1 TENDERERS QUALIFICATIONS

Diversity: ForumCiv is committed to diversity, inclusion, and equal opportunity for all candidates.

The tenderer is to meet the following expectations.

- **Degree/Academic Level & Years of Professional Experience.**
  For individual consultant or lead consultant in case of a firm: Professional with at least a Master's degree in Social Sciences, Project Management, Monitoring and Evaluation, Political Science, or any other related degree with at least ten (10) years' experience in project management, democracy, human rights, gender issues, governance, and MEAL. The team must have a specialist on Environmental and Climate Justice matters.

- **Areas of Expertise:** Monitoring and Evaluation, Rights-based approaches and Gender mainstreaming. Participatory development programmes. Knowledge of country context, experience in working with grassroots organisations, international organisations in the development sector, and national and county governments.
- **The consultant (firm or individual) must possess the following qualifications and expertise:**
  o Demonstrated experience in programme or project evaluation.
  o Proven expertise in conducting programme evaluation and assessments.
• Strong knowledge of project management and evaluation theories and best practices.

Skills: A record of accomplishment in project evaluation. Ability to work with little supervision. Demonstrated use of infographics and other visualization tools. Astute political judgment and strong relationship management skills. Excellent writing, editing, attention to detail, and organisational skills.

Languages: Fluency in English, Kiswahili (Desired).

Goods/services shall be produced and supplied in the most environmentally friendly way possible.

Fundamental human rights, expressed in the ILO’s core conventions, shall be considered.

Not be bankrupt, be convicted of a crime in the profession, not have been guilty of serious professional misconduct nor have tax liabilities. Swedish suppliers shall have a class F tax certificate for contractors.

The tenderer follows ForumCiv's Code of Conduct (provided at contract signing).

The tenderer must make sure that subcontractors, if any, follow the same expectations.

Note: The qualifications stated hereinafter reflect the requirements for an individual consultant or lead consultant in case of a firm. For a highly complex operation with multiple programme sites, components, and increased risk, a team of consultants may need to be hired.

10.2 Tender Procedure

The assignment is subject to an open tender procedure, handled directly by a ForumCiv assessment group. The tenders will be assessed considering the following aspects;

• The contents of the tender (that all the required information is enclosed)
• The qualifications and experience of the tenderer
• Experience from working with governance and or coursework development
• The methodology and approach proposed
• The cost for the tender

Questions concerning the tender can be posed to the contact persons below until 14th June 2024. ForumCiv reserves the right not to accept any of the tenders submitted. In addition, ForumCiv reserves the right to take references for the proposed candidate.
ForumCiv is not covered by the Swedish Public Procurement Act (LOU). This means that it is not possible to appeal against the decision of choosing a supplier and that ForumCiv is not obliged to disclose the procurement documentation after the completion of procurement.

10.3 Documentation and information required.

Tenders shall

- State the methods they intend to use to implement the assignment and guarantee the quality of their work.
- State the qualifications of each person/ sub-consultants they make available for the assignment and attach a CV for each.
- Confirm that they will be able to meet all expectations in this call.
- State the total cost of the assignment, specified in the form of a daily fee for each personnel category, reimbursable expenses, and any other charges. All costs shall be given in Kenya Shillings, including VAT.
- Propose a schedule for the assignment.
- At least three relevant references for the work are indicated.

Based on the above, interested parties will be evaluated in the following criteria

**Assessment Criteria**

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<tr>
<th>Criteria</th>
<th>Maximum Points</th>
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<tr>
<td>Detailed Technical proposal with the consultants’ profile and capability statement and interpretation of the Terms of Reference</td>
<td>20</td>
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<tr>
<td>Experience in undertaking similar work in the last five years</td>
<td>20</td>
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<tr>
<td>The proposed methodology, detailed implementation plan, and time frame</td>
<td>30</td>
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<tr>
<td>Detailed financial proposal</td>
<td>30</td>
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11.0 Final date of Submission

Application documents should be sent to procurement.kenya@forumciv.org with the subject heading: Short Term Consultancy for Mid-Term Evaluation of the Wajibu Wetu; Jumuika, Sikika! Programme. The deadline for submission is close of business 24th June 2024.
11.1 Validity of the Tender

Tenders shall remain valid for a period of 60 days.

11.2 CONTACT DATA

For further information, kindly contact; steve.biko@forumciv.org and cc: Chelimo.njoroge@forumciv.org