TERMS OF REFERENCE FOR A PROPOSAL IN CONDUCTING OF ACCESSIBILITY AUDITS IN GOVERNMENT AND PUBLIC BUILDINGS.

1) Background information

Persons with disability in Kenya represent a critical segment according to the Kenya National Bureau of statistics population census on 2009 Kenya has a population of 1,330,312 million persons with disabilities, accounting for 3.5 percent of the total population [KNBS 2010] However it is important to note that the census data gave this as a conservative figure, owing to the fact that only the traditional areas of disability were considered [physical, mental, hearing, visual and speech]. According to the WHO disability report 2011 about 15 percent of the world population lives with some disability, of whom 2-4 percent experience significant difficulties in functioning. In this regard, the estimation of the population for persons with disabilities in Kenya is about 6 million.

2) Background to disability

The United Nation Convention on the rights of persons with disabilities [UNCRPD] defines disability as the interaction between persons with impairments and attitudinal and environmental barriers that hinders full and effective participation in society on an equal basis with others. It further states that persons with disabilities include those have long term physical mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Further it is important to observe that persons with disabilities face physical, social, economic and attitudinal [stigmatization and discrimination] barriers that exclude them from participating fully and effectively as equal members of
society. They are disproportionately represented among the world’s poorest, and lack equal access to basic resources such as education, employment, healthcare and social and legal support systems, as well as have a higher rate of mortality. In spite of this situation, disability has remained largely invisible in the mainstream development agenda and its processes.

Persons with disabilities in Kenya also lives in a vicious cycle of poverty due to stigmatization, limited education opportunities, inadequate access to economics opportunities and access to the labour market. The government of Kenya has adopted a number of laws and policies pertaining to persons with disabilities. The Constitution as the supreme law of the land categorically provides under Article 54 for persons with disabilities. It states that a person with any disability is entitled;

a) To be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning;

b) To access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the persons;

c) To reasonable access to all places, public transport and information;

The constitution also provides that the state should ensure the progressive implementation of the principle that at least five percent of the members of the public in elective and appointive bodies are persons with disabilities.

The Persons with Disabilities Act is a comprehensive law covering rights rehabilitation and equal opportunities for people with disabilities. It creates the National Council for persons with Disabilities issues and concerns are mainstreamed.
3) National Council for Persons with Disabilities (NCPWD)

The NCPWD is a state corporation established by an act of Parliament PWDs Act No.14 of 2003. The Council is a government body mandated to handle all matters related to disability. PWDs Act outlines the mandate of council as:

a) To issue adjustment orders under section 24 of this Act
b) to formulate and develop measures and policies designed to:

(i) Achieve equal opportunities for persons with disabilities by ensuring that they obtain education and employment, and participate fully in sporting, recreational and cultural activities and are afforded full access to community and social services.

(ii) Cooperate with the Government during national census to ensure that accurate figures of persons with disabilities are obtained in the country for the purpose of planning.

(iv) Recommend measures to prevent discrimination against persons with disabilities.

(v) Put into operation schemes and projects for self employment or regular or sheltered employment for income generation by persons with disabilities.

(vi) Encourage and secure the rehabilitation of persons with disabilities within their own communities and social environment.

(vii) Encourage and secure the establishment of vocational rehabilitation centers and other institutions and other services for the welfare, rehabilitation and employment of persons with disabilities.

(c) To register-

(i) Persons with disabilities.

(ii) Institutions, associations and organizations, controlled and managed by Government and local authorities.

(iii) Places at which services for the rehabilitation of persons with disabilities are provided.
(iv) Persons with disabilities whose condition require constant medical services

(d) Provide:

(i) Assistive devices, appliances and other equipment to Persons with disabilities

(ii) Access to available information and technical assistance to all institutions associations and organizations concerned with the welfare and rehabilitation of Persons with disabilities including those controlled and managed by the Government;

(e) To consult with the Government in the formulation of suitable curricula for vocational rehabilitation centers and training facilities for Persons with disabilities.

(f) To make provision for assistance in form of scholarships, loan programmes, fee subsidies and other similar forms of assistance in both public and private institutions.

4) Accessibility Audits

Accessibility of the environment is a key factor in facilitating people with disabilities to achieve greater independence, participation and social inclusion. An inaccessible environment affects all members of society. However, for persons with disabilities, the barriers to equal participation in society due to an inaccessible environment are much greater. Accessibility audits have been developed by the National Council for Persons with Disabilities under the department of Disability Mainstreaming to address the need for accessibility and information about reality of Disability to the public.
5) Objectives of the activity.

The Broad objective is improving accessibility for persons with disabilities in Kenya.

Specifically to;

1) To increase the information and physical accessibility for PWDs on public buildings.
2) To fast track the accessibility audits of MDAs from 250 to 500 MDAs per financial year.
3) To ensure compliance by aggressively engaging in sensitization and dissemination of accessibility standards.

6) Tasks of the consultant

Under direct supervision by Director through the Disability Mainstreaming department the consultant will thus be required to conduct training on disability mainstreaming and accessibility audit which involves moving around the building while checking the accessibility to the building the inclusivity of programmes, projects, policies and access to information as well. The audits will cover but not limited to;

Getting to the premises

- Parking
- Approach and routes to entrance
- Lighting and signage to entrance
- Surfaces of approach
- Street and grounds furniture

Getting Into the Premises

- Steps and ramps
- Entrance doors and thresholds
- Reception areas including desks, seating and lighting

Getting Around the Premises

- Lateral circulation, width of corridors etc
- Internal direction signs
• Floor surfaces, and tonal contrasts of surfaces
• Vertical circulation - lifts and stairs

Using the Services in the Premises

• Toilets, washrooms, changing and bathroom facilities
• Access to and in eating and bar areas
• Public room access and layout
• Lighting, heating and acoustics
• Accessibility of switches, handles and controls
• Seating and furniture
• Telephones and electrical equipment
• Alarms and acoustics

Getting out of the Building

• Fire exits and escape routes
• Emergency lighting and warning systems
• Safe refuge areas in event of fire

Managing the Building and Service

• Keeping routes clear and obstructions removed
• Maintenance of lighting, heating and alarm systems
• Attitudinal approach of staff
• Publicity material, menus etc

Access to information

The website and documents to be availed to the public how accessible they are; Availability of sign language interpreters and adaptive technology)

Representation and participation in decision making

Work and Employment (AGPO, 5% employment, disaggregated data),

Training

Preparation of training schedules and work plans
Execute the training
Write documented reports with evidences.
Submit to NCPWD.
7) **Expected outputs**

1) The Selected organizations shall be required to draw a timetable for audits, execute these activities and provide comprehensive monthly report of audits done.
2) The audits will be done in reference to Kenya Bureau of Standards accessibility standard.
3) A professional report detailing the findings of the audits with recommendations as per the KEBs standard on accessible built environment.
4) Positive and negative accessibility features will be included in the reports
5) Supporting evidence such as plans and photographs of identified elements as appropriate;
6) Future actions/methods of improvement
7) Policies (policies to be inclusive)
8) CD of the report and Pictures
9) Online reports with the details.

7) **Payment**

Payment shall be made upon completion of each audit and reports delivered to NCPWD offices and copy filed online.

8) **Duration of assignment and counties to be sampled**

This assignment is expected to take 12 months and shall be determined by a memorandum of understanding that will be signed upon successful selection of the organization.

The counties to be sampled

1) Nairobi
2) Mombasa
3) Nakuru
4) Kisumu
5) Machakos
6) Garissa
7) Meru
8) Embu
9) Uasin Gishu
10) Kakamega
9) **Scope of operation**

County or national level and should have evidences of working with local communities.

10) **Reporting Relationship**

The successful candidate will report to the Director of NCPWD through the Disability Mainstreaming Department.

11) **Criteria for Technical Evaluation**

A detailed proposal is required that should demonstrate a proven and tested successful track record and experience in conducting accessibility audits or has working experience in the disability sector; This below listed will be put into consideration during evaluation;

a) Conforming to the TOR 
b) Specific and past experience of the consultant 
c) Adequacy of the proposed work plan & methodology 
d) Qualification and competence of key staff 
e) Suitability to the transfer of technology programme( Provide evidence of past experience and copies of work done

Also the applicants must be able to provide the following information

1. Current Registration certificates from relevant government agencies.  
   a) Certificate by registrar of companies.  
   b) Certificate of tax compliance form KRA.  
   c) Registered and accredited with NITA  
2. Registered with NCPWD as an organisation of and for persons with disabilities(applicable for Disabled People Organizations)  
3. Top management of the organization must be in possession of University degree in Sociology or Social Work  
4. Must have at least 2 years’ experience of training or working in the disability and the local communities either nationally or county level .  
5. Must have a physical office with at least necessary staff Manning the office and program activities. Must provide detailed CVs of the staff and latest utility bills (electricity and water)  
6. Must have accounting structures within their organization. Attach audited financial statement for the last two years.