



REPUBLIC OF KENYA

THE NATIONAL TREASURY AND PLANNING

**INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS
ADDITIONAL FINANCING (IFPPP-AF)**

COMPONENT 1A – SUPPORT TO INSTITUTIONAL STRENGTHENING

TERMS OF REFERENCE

**RECRUITMENT OF A PPP LEGAL ASSISTANT
FOR THE PUBLIC PRIVATE PARTNERSHIP DIRECTORATE (PPPD)
IN KENYA**

April 2024

1. DESCRIPTION

- 1.1. The Public Private Partnerships Directorate (PPP Directorate) of the National Treasury & Economic Planning is Kenya's lead institution in the origination, structuring, procurement, development and implementation of public-private partnership projects in the country. It does so, by advising and guiding Contracting Authorities in the identification, selection, appraisal, procurement, approval, negotiation and monitoring of PPP projects throughout their lifecycle. The PPP Directorate also acts as the national resource center for best practice in public private partnerships, providing capacity and skills development, as the custodian of the integrity of PPP processes. For more information visit www.pppunit.go.ke.
- 1.2. The Government of Kenya (GoK) in conjunction with the World Bank (International Development Association - IDA) is implementing an Infrastructure Finance and Public Private Partnerships Project (IFPPP) whose overall development objective is to increase private investment in the Kenyan infrastructure market by improving the enabling environment to generate a pipeline of bankable PPP projects. This objective is being achieved by providing technical expertise and building the capacity of the Public Private Partnerships Directorate to implement the program.
- 1.3. In this regard, the National Treasury is seeking an experienced individual to fill the position of Legal Assistant at the PPP Directorate. The duration of the contract is three (3) years, on full time basis, renewable based on performance.

2. OBJECTIVES OF THE ASSIGNMENT

The primary objective of the assignment is to support the legal services function at the PPP Directorate and increase the capacity of the PPP Directorate in carrying out its mandate under the PPP Act 2021 of assisting Contracting Authorities across various sectors and county governments, to identify, select, appraise, approve, procure, negotiate and monitor PPP projects throughout their cycle, as well as supporting the Government in entrenchment of its PPP policy, legal and regulatory framework.

3. DUTIES AND RESPONSIBILITIES

The Legal Assistant is expected to meet the above objective by performing, without limitation, the following tasks:

- Support the Legal team in conducting legal research and studies on various laws, administrative issues, court decisions and other legal issues related to PPPs, and ensure the Directorate is leading on global practices.

- Draft responses to routine correspondence, notes, and any other routine communications, as required.
- Work with the team in conducting final checks for accuracy of a variety of specialized documentation, legal publications, and related correspondence.
- Create, as necessary, and maintain files and databases, including by managing individual case files, maintaining and ensuring that all related correspondence and other documentation are appropriately filed, registered and followed-up within the Legal department.
- Maintain internal databases on cases for tracking and trend analysis; generate a variety of standard and non-standard statistical and other reports from various databases.
- Support the Legal office in the secretariat duties to the PPP Committee.
- Assisting the legal office in drafting of transaction documents, and related legal documents for proposed PPP projects; and
- Perform any other ancillary and associated tasks as may be required.

4. SELECTION CRITERIA

- Bachelor's degree in laws (L.L.B) from a recognized institution.
- Knowledge of organizational legal framework, relevant legal processes, procedures and terminology for review, examination, preparation and processing of legal documents in Public Private Partnerships.
- Ability to apply good legal judgment in the context of assignments and to present results/recommendations clearly and concisely.
- Excellent interpersonal skills, with a passionate, positive attitude.
- Excellent communications skills in English, ability to present both written and oral ideas clearly, concisely, and persuasively.
- Excellent legal research skills with significant experience in the use of varied legal research sources.
- Excellent problem solving and analytical skills, and attention to detail, and the willingness to assume multiple roles and tasks to meet changing business needs.
- Ability to work well as a team member and to work under time pressure and to juggle multiple tasks within tight deadlines.
- Fully proficient in computer skills, particularly in using word processing software, information databases, intranet and internet services and resources.
- Demonstrated commitment to core values, including excellence, mutual respect, collegiality, teamwork, diversity and inclusiveness, integrity, innovation, transparency and accountability.
- Ability to work with cross-functional teams; and
- Ability to show tact and discretion in dealing with high-ranking officials and with confidential matters and materials.

5. DATA, LOCAL SERVICES AND FACILITIES TO BE PROVIDED BY CLIENT

The PPP Directorate of the National Treasury, Kenya will provide appropriate office space and enabling facilities (including computer) in Nairobi, Kenya.