

19th/04/2021



Kenya National Highways Authority

Quality Highways, Better Connections

TRANSFER AGREEMENT

FOR

THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) LICENSE

FOR

**THE PUBLIC PRIVATE PARTNERSHIP PROJECT – PROPOSED
DUALLING OF THE NAIROBI – NAKURU – MAU SUMMIT ROAD**

BETWEEN

KENYA NATIONAL HIGHWAYS AUTHORITY

AND

M/S RIFT VALLEY HIGHWAYS LIMITED

2021

**DIRECTOR, HIGHWAY PLANNING & DESIGN,
KENYA NATIONAL HIGHWAYS AUTHORITY,
P.O. BOX 49712-00100
NAIROBI.**

**DIRECTOR GENERAL
KENYA NATIONAL HIGHWAYS
AUTHORITY,
P.O BOX 49712- 00100
NAIROBI.**

LICENSE TRANSFER AGREEMENT

THIS LICENSE TRANSFER AGREEMENT is made this 19th day of April, 2021 between **KENYA NATIONAL HIGHWAYS AUTHORITY** a corporate body established under the Kenya Roads Act 2007, of P.O. Box 49712-00100, Nairobi [whose offices are situated at **Barabara Plaza, Block A & C, Off Mazao Road, JKIA Nairobi** (hereinafter called "*the Employer*") of the one part:

And **M/S RIFT VALLEY HIGHWAYS LIMITED** [*Insert Address*] (hereinafter called "*the Contractor*") of the other part;

WHEREAS

1. The Employer awarded the Contractor a Contract under a Public Private Partnership (PPP) arrangement for the Construction/Dualling of the Nairobi – Nakuru – Mau Summit Road Project and the Employer obtained an Environmental Impact Assessment (EIA) License from the National Environment Management Authority (NEMA) dated 11th May, 2020 (hereinafter referred to as "*the License*").
2. The Employer requested, through its Application ref. NEMA/EIA/NTEIAL/338, to transfer the EIA License to the Contractor, which approval was granted by NEMA vide its letter dated 17th March, 2021 ref. NEMA/EIA/5/2/1523 subject to the conditions thereto.

NOW THIS AGREEMENT WITNESSETH as follows:

1. The NEMA, through its letter of 17th March, 2021, directed the parties to enter into a Transfer Agreement to give effect to the Approval to be granted herein.
2. The Parties hereby therefore execute this EIA License Transfer as follows:

2.1. Kenya National Highways Authority (KeNHA), the holder of Environmental Impact Assessment License No. NEMA/EIA/PSL/9221 for the Proposed Dualling of the Nairobi – Nakuru – Mau Summit Road Project under a Public Private Partnership (PPP) Arrangement, hereby transfers the EIA License obtained on 11th May, 2020 to Rift Valley Highways Limited (RVHL), the company awarded the Contract to Design, Finance, Construct, Operate, Maintain and Transfer the Nairobi – Nakuru – Mau Summit Highway (A8).

2.2. The Transferor (KeNHA) transfers all responsibility and liability associated with ownership of the EIA License and the Transferee (RVHL) agrees to take upon all liabilities and responsibilities associated with ownership of the EIA License with effect from the date the transfer is executed.

19th/04/2021

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be executed on the day and year first above written.

SEALED with the Common Seal of **KENYA NATIONAL HIGHWAYS AUTHORITY**

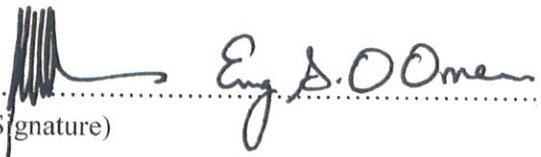
In the presence of:

1. Director General



.....
(Signature)

2. Director, Highway Planning & Design



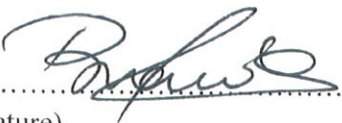
.....
(Signature)

SIGNED by the duly authorized representative of the Contractor M/s **RIFT VALLEY HIGHWAYS LIMITED**

In the presence of

Director... Cécile BRANDAS.....

ID. No / Passport No... 20F09040.....



.....
(Signature)

Director/ Secretary... ALLAN MUNTUA.....

ID. No / Passport No... 13828172.....



.....
(Signature)

