



Kenya Country Office
Delta Center, Menengai Road, Upper Hill
P.O. Box 30577
Nairobi

Tel: (254-20) 293 6000
Fax: (254-20) 293 6380 / 381

November 23, 2022

Dr. Nancy Njeri Macharia
The Chief Executive Officer
Teachers Service Commission
Kilimanjaro Avenue
Upper Hill
Nairobi

Dear Sir,

***Kenya: Primary Education Equity in Learning Program
(Credit No. 7067-KE and Grant No. D991-KE)
First Amendment to the Program Agreement***

We refer to the Financing Agreement between the Republic of Kenya (the “Recipient”) and the International Development Association (the “Association”) dated April 14, 2022 (the “Financing Agreement”), for the above-referenced Primary Education Equity in Learning Program (the “Operation”). We also refer to the Program Agreement between the Association and the Teacher’s Service Commission (“TSC”) dated April 25, 2022 (“Program Agreement”).

Pursuant to the additional financing for the Operation from the Global Partnership for Education (“GPE”) Fund, a Grant Agreement dated _____ was executed between the Recipient and the International Bank for Reconstruction and Development/International Development Association, acting as grant agent of the GPE Fund (“GPE Grant Agreement”).

Accordingly, the Association proposes to amend the Program Agreement to align with the changes introduced by the Grant Agreement, as set forth below:

- i. Reference to Credit Number 7067-KE and Grant Number D991-KE shall also include an additional reference to **GPE Grant Number _____**;
- ii. The preamble to the Program Agreement is hereby amended to read as follows:

AGREEMENT between INTERNATIONAL DEVELOPMENT ASSOCIATION (“Association”) and TEACHERS SERVICE COMMISSION (“Program Implementing Entity”) (“Program Agreement”) in connection with: (i) the Financing Agreement (“Financing Agreement”) of the Signature Date between the REPUBLIC OF KENYA (“Recipient”) and the Association, concerning Credit No. 7067-KE and Grant No. D991-KE, and (ii) the Global Partnership for Education (“GPE”) Fund Grant Agreement (“GPE Grant Agreement”) of the Signature Date between the Recipient and the International Bank for Reconstruction and Development/International Development, concerning **GPE Grant Number _____**. The Association and the Program Implementing Entity hereby agree as follows:

- iii. Where the General Conditions are referenced, the corresponding provisions of the Standard Conditions shall also apply.
- iv. Section 2.01 of Article 2 of the Program Agreement is hereby amended to read as follows:

“The Program Implementing Entity declares its commitment to the objectives of the Program. To this end, the Program Implementing Entity shall carry out Parts 1.1(b), and 2.2(a), (j) and (k) of the Operation in accordance with the provisions of Article V of the General Conditions, Article II of the Standard Conditions, and the Schedule to this Agreement, and shall provide promptly as needed, the funds, facilities, services and other resources required for its Respective Part of the Operation.”

- v. The Program Implementing Entity shall update, in form and manner satisfactory to the Association to the reflect the GPE Grant, and thereafter adopt the following:
 - (a) Operations Manual referenced in Section I.B of the Schedule to the Program Agreement;
 - (b) Annual Workplan and Budget referenced in Section I.C. of the Schedule to the Program Agreement; and
 - (c) Environmental and Social Commitment Plan referenced in Section I.D of the Schedule to the Program Agreement.

The capitalized terms used in this letter and not defined herein have the meaning ascribed to them in the Financing Agreement and/or the GPE Grant Agreement.

All other provisions of the Program Agreement, except as herein specifically amended, shall remain in full force and effect.

Please, kindly confirm your agreement, on behalf of the TSC, to the amendments and revisions mentioned above by countersigning and dating the two original copies of this amendment letter and returning one countersigned and dated original to the Association. Upon receipt by the Association of the countersigned and dated original copy, this amendment shall become effective as of the date of the effectiveness of the GPE Grant Agreement.

Sincerely,

Keith Hansen
Country Director
Kenya, Rwanda, Somalia and Uganda
Eastern and Southern Africa Region

AGREED:
TEACHERS SERVICE COMMISSION

By: _____
Authorized Representative

Name: _____

Title: _____

Date: _____