



**AFRICAN DEVELOPMENT
BANK AFRICAN
DEVELOPMENT FUND**



**KENYA TOWNS SUSTAINABLE WATER SUPPLY AND
SANITATION PROGRAM (KTSWSSP)**

Invitation for Initial Selection

Information Systems (Design, Supply, and Installation)

**DEVELOPMENT OF WATER REGULATION
INFORMATION SYSTEM (WARIS) VERSION 4 FOR
THE WATER SERVICES REGULATORY BOARD
(WASREB)**

ICB NO: AWWDA/WASREB/CS/13/2021

ATHI WATER WORKS DEVELOPMENT AGENCY

Country: KENYA

NOVEMBER 2021

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PART 1 – Initial Selection Procedures

Section I - Instructions to Applicants

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Section I - Instructions to Applicants

A. General

1. Scope of Application

1.1 In connection with the invitation for Initial Selection indicated in Section II, Initial Selection Data Sheet (**ISDS**), the Purchaser, as defined **in the ISDS**, issues this Initial Selection Document (“Initial Selection Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for Initial Selection to submit Proposals for the Information Systems Design, Supply and Installation described in Section VII, Scope of Purchaser’s Requirement. In case proposals for the Information Systems Design, Supply and Installation are to be invited as individual contracts (i.e., the slice and package procedure), these are listed **in the ISDS**. The Request for Proposals (RFP) number corresponding to this Initial Selection is also provided **in the ISDS**.

1.2 For the purposes of this Initial Selection Document, the term “Information System” means all:

- (a) the required information technologies, including all information processing and communications-related hardware, software, supplies, and consumable items that the Supplier is required to supply and install under the Contract, plus all associated documentation, and all other materials and goods to be supplied, installed, integrated, and made operational; and
- (b) the related software development, transportation, insurance, installation, customization, integration, commissioning, training, technical support, maintenance, repair, and other services necessary for proper operation of the Information System to be provided by the selected Proposer as specified in Section VII Purchaser’s Requirement.

2. Source of Funds

2.1 The Borrower or Recipient (hereinafter called “Borrower”) indicated **in the ISDS** has applied for or received financing (hereinafter called “funds”) from the African Development Bank (AfDB) (hereinafter called “the Bank”) in an amount specified **in the ISDS**,

towards the cost of the project named **in the ISDS**. The Borrower intends to apply a portion of the funds to eligible payments under the contract(s) resulting from the Request for Proposals (RFP) process for which this Initial Selection is conducted.

- 2.2 Payment by the Bank will be made only at the request of the Borrower and upon approval by the Bank, and will be subject, in all respects, to the terms and conditions of the Loan (or other financing) Agreement. The Loan (or other financing) Agreement prohibits a withdrawal from the loan (or credit) account for the purpose of any payment to persons or entities, or for any import of goods, equipment, plant or materials, or services if such payment or import, to the knowledge of the Bank, is prohibited by a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations. No party other than the Borrower shall derive any rights from the Loan (or other financing) Agreement or have any claim to the proceeds of the loan (or credit).

3. Fraud and Corruption

- 3.1 The Bank requires compliance with the Bank's Anti-Corruption Guidelines and its prevailing sanctions policies and procedures as set forth in the AfDB's Sanctions Framework, as set forth in Section VI, Fraud and Corruption.
- 3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents (where declared or not), subcontractors, subconsultants, service providers, suppliers, and their personnel, to permit the Bank to inspect all accounts, records and other documents relating to any Prequalification process, Initial Selection process, Bid submission (in case prequalified), Proposal submission, (in case initially selected), and contract performance (in the case of award), and to have them audited by auditors appointed by the Bank.

4. Eligible Applicants

- 4.1 Applicants shall meet the eligibility criteria as per this Instruction and ITA 5.1.
- 4.2 An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 4.9 - or any combination of such entities in the form of a joint venture ("JV") under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall

be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate an authorized representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the Initial Selection process, RFP process (in the event the JV submits a Proposal) and during contract execution (in the event the JV is awarded the Contract). Unless specified **in the ISDS**, there is no limit on the number of members in a JV.

- 4.3 A firm is not permitted to participate for initial selection for the same contract both as an individual firm and as a part of a joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Application but only in the capacity of a subcontractor. Applications submitted in violation of this procedure will be rejected.
- 4.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) are not permitted to submit more than one application for initial selection for the same contract, either individually, as joint venture or as a subcontractor among them. Applications submitted in violation of this procedure will be rejected.
- 4.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. This criterion also shall apply to the determination of the nationality of proposed specialized sub-contractors or suppliers for any part of the Contract including related Services.

- 4.6 Applicants and proposed specialized sub-contractors or suppliers for any part of the Contract including related services (for the purpose of this ITA 4.6 referred to as “Applicants”) shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the Purchaser’s Requirement (other than design to be carried out as part of this Information System Design, Supply and Installation contract) or have been hired or proposed to be hired by the Purchaser or Borrower as Project Manager for contract implementation of the Information Systems Design, Supply and Installation that are the subject of this Initial Selection. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Borrower (or of the project implementing agency, or of a recipient of a part of the loan) who: (i) are directly or indirectly involved in the preparation of the Initial Selection Document or Request for Proposals (RFP) Document or specifications of the Contract, and/or the Proposal evaluation process of such Contract; or (ii) would be involved in the implementation or supervision of such Contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Bank throughout the procurement process and execution of the Contract.
- 4.7 An Applicant that has been sanctioned by the Bank, pursuant to the Bank’s Anti-Corruption Guidelines, and in accordance with its prevailing sanctions policies and procedures as set forth in the AfDB’s Sanctions Framework, as described in Section VI, paragraph 2.2 d. shall be ineligible to be prequalified for, initially selected for, bid for, propose for, or be awarded a Bank-financed contract or benefit from a Bank-financed contract, financially or otherwise, during such period of time as the Bank shall have determined.
- 4.8 The list of debarred firms and individuals is available as specified **in the ISDS**.
- 4.9 Applicants that are state-owned enterprise or institutions in the Purchaser’s Country may be eligible to be initially selected, compete and be awarded a Contract(s) only if they can establish, in a manner acceptable to the Bank, that they (i) are legally and financially autonomous (ii)

operate under commercial law, and (iii) are not under supervision of the Purchaser.

4.10 An Applicant shall not be under suspension from bidding or submitting proposals by the Purchaser as the result of the execution of a Bid or Proposal–Securing Declaration.

4.11 An Applicant shall provide such documentary evidence of eligibility satisfactory to the Purchaser, as the Purchaser shall reasonably request.

4.12 A firm that is under a sanction of debarment by the Borrower from being awarded a contract is eligible to participate in this procurement, unless the Bank, at the Borrower’s request, is satisfied that the debarment:

(a) relates to fraud or corruption; and

(b) followed a judicial or administrative proceeding that afforded the firm adequate due process.

5. Eligibility

5.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated in Section V. The countries, persons or entities are ineligible if (a) as a matter of law or official regulations, the Borrower’s country prohibits commercial relations with that country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of goods or the contracting of works or services required; or (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower’s country prohibits any import of goods or contracting of works or services from that country, or any payments to any country, person, or entity in that country. When the Information Systems Design, Supply and Installation is implemented across jurisdictional boundaries (and more than one country is a Borrower, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1(a) above by any country may be applied to that procurement across other countries involved, if the Bank and the Borrowers involved in the procurement agree.

B. Contents of the Initial Selection Document

6. Sections of Initial Selection Document

6.1 This Initial Selection Document consists of parts 1 and 2 which comprise all the sections indicated below, and

which should be read in conjunction with any Addendum issued in accordance with ITA 8.

PART 1 Initial Selection Procedures

- Section I - Instructions to Applicants (ITA)
- Section II - Initial Selection Data Sheet (ISDS)
- Section III - Initial Selection Criteria and Requirements
- Section IV - Application Forms
- Section V – Eligible Countries
- Section VI – Fraud and Corruption

PART 2 Purchaser’s Requirements

- Section VII - Scope of Purchaser’s Requirement

6.2 Unless obtained directly from the Purchaser, the Purchaser accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Initial Selection Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Purchaser shall prevail.

6.3 The Applicant is expected to examine all instructions, forms, and terms in the Initial Selection Document and to furnish with its Application all information or documentation as is required by the Initial Selection Document.

7. Clarification of Initial Selection Document and Pre-Application Meeting

7.1 An Applicant requiring any clarification of the Initial Selection Document shall contact the Purchaser in writing at the Purchaser’s address indicated **in the ISDS**. The Purchaser will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Purchaser shall forward a copy of its response to all prospective Applicants who have obtained the Initial Selection Document directly from the Purchaser, including a description of the inquiry but without identifying its source. If so indicated **in the ISDS**, the

Purchaser shall also promptly publish its response at the web page identified **in the ISDS**. Should the Purchaser deem it necessary to amend the Initial Selection Document as a result of a clarification, it shall do so following the procedure under ITA 8 and in accordance with the provisions of ITA 17.2.

7.2 If indicated **in the ISDS**, the Applicant's designated representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time mentioned **in the ISDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Initial Selection Document.

7.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Initial Selection Document. Any modification to the Initial Selection Document that may become necessary as a result of the pre-Application meeting shall be made by the Purchaser exclusively through the use of an Addendum pursuant to ITA 8. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant.

8. Amendment of Initial Selection Document

8.1 At any time prior to the deadline for submission of Applications, the Purchaser may amend the Initial Selection Document by issuing an Addendum.

8.2 Any Addendum issued shall be part of the Initial Selection Document and shall be communicated in writing to all Applicants who have obtained the Initial Selection Document from the Purchaser. The Purchaser shall promptly publish the Addendum at the Purchaser's web page identified **in the ISDS**.

8.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Purchaser may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

C. Preparation of Applications

- 9. Cost of Applications** 9.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Purchaser will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the Initial Selection process.
- 10. Language of Application** 10.1 The Application as well as all correspondence and documents relating to the Initial Selection exchanged by the Applicant and the Purchaser, shall be written in the language specified **in the ISDS**. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified **in the ISDS**, in which case, for purposes of interpretation of the Application, the translation shall govern.
- 11. Documents Comprising the Application** 11.1 The Application shall comprise the following:
- (a) **Application Submission Letter**, in accordance with ITA 12.1;
 - (b) **Eligibility**: documentary evidence establishing the Applicant’s eligibility, in accordance with ITA 13.1;
 - (c) **Qualifications**: documentary evidence establishing the Applicant’s qualifications, in accordance with ITA 14; and
 - (d) any other document required as specified **in the ISDS**.
- 11.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application
- 12. Application Submission Letter** 12.1 The Applicant shall complete an Application Submission Letter as provided in Section IV, Application Forms. This Letter must be completed without any alteration to its format.
- 13. Documents Establishing the Eligibility of the Applicant** 13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV,

Application Forms.

14. Documents Establishing the Qualifications of the Applicant

14.1 To establish its qualifications to perform the contract(s) in accordance with Section III - Initial Selection Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.

14.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the USD equivalent using the rate of exchange determined as follows:

- For turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year are to be converted).
- Value of single contract - Exchange rate prevailing on the date of the contract.

Exchange rates shall be taken from the publicly available source identified **in the ISDS**. Any error in determining the exchange rates in the Application may be corrected by the Purchaser.

15. Signing of the Application and Number of Copies

15.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it “ORIGINAL”. The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

15.2 The Applicant shall submit copies of the signed original Application, in the number specified **in the ISDS**, and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications**16. Sealing and Marking of**

16.1 The Applicant shall enclose the original and the copies of

Applications

the Application in a sealed envelope that shall:

- (a) bear the name and address of the Applicant;
- (b) be addressed to the Purchaser, in accordance with ITA 17.1; and
- (c) bear the specific identification of this Initial Selection process indicated **in the ISDS** 1.1.

16.2 The Purchaser will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

17. Deadline for Submission of Applications

17.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Purchaser at the address and no later than the deadline indicated **in the ISDS**. When so specified **in the ISDS**, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified **in the ISDS**.

17.2 The Purchaser may, at its discretion, extend the deadline for the submission of Applications by amending the Initial Selection Document in accordance with ITA 8, in which case all rights and obligations of the Purchaser and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

18. Late Applications

18.1 The Purchaser reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified **in the ISDS**.

19. Opening of Applications

19.1 The Purchaser shall open all Applications at the date, time and place specified **in the ISDS**. Late Applications shall be treated in accordance with ITA 18.1.

19.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **ISDS**.

19.3 The Purchaser shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

20. Confidentiality

20.1 Information relating to the Applications, their evaluation and results of the Initial Selection shall not be disclosed to Applicants or any other persons not officially concerned with the Initial Selection process until the notification of Initial Selection results is made to all Applicants in accordance with ITA 28.

20.2 From the deadline for submission of Applications to the time of notification of the results of the Initial Selection in accordance with ITA 28, any Applicant that wishes to contact the Purchaser on any matter related to the Initial Selection process may do so only in writing.

21. Clarification of Applications

21.1 To assist in the evaluation of Applications, the Purchaser may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Purchaser and all clarifications from the Applicant shall be in writing.

21.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Purchaser's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

22. Responsiveness of Applications

22.1 The Purchaser may reject any Application which is not responsive to the requirements of the Initial Selection Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

23. Margin of Preference

23.1 Margin of preference for domestic Proposers shall not apply in the RFP process resulting from this Initial Selection.

24. Subcontractors

24.1 Unless otherwise stated **in the ISDS**, the Purchaser does not intend to execute any specific elements of the Information Systems Design, Supply and Installation by sub-contractors selected in advance by the Purchaser

(so-called “Nominated Subcontractors”).

24.2 The Applicant shall not propose to subcontract the whole of the contract. The Applicant may propose subcontractors for certain specialized parts of the contract. Applicants planning to use such specialized **subcontractors** shall specify, in the Application Submission Letter, the parts of the contract proposed to be subcontracted along with details of the proposed **subcontractors** including their qualification and experience.

F. Evaluation of Applications and Initial Selection of Applicants

25. Evaluation of Applications

25.1 The Purchaser shall use the factors, methods, criteria, and requirements defined in Section III, Initial Selection Criteria and Requirements and the ISDS, to evaluate the qualifications of the Applicants, and no other factors, methods, criteria, or requirements shall be used. The Purchaser reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.

25.2 Subcontractors proposed by the Applicant shall be fully qualified for their parts of the contract. The subcontractor’s qualifications shall not be used by the Applicant to qualify for the contract unless the applicant designates them as Specialized Subcontractors, in which case, the qualifications of the Specialized Subcontractor proposed by the Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation, if specified in ISDS.

25.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Purchaser shall initially select each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements specified in Section III - Initial Selection Criteria and Requirements.

25.4 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant’s subsidiaries, parent entities, affiliates,

subcontractors (other than specialized subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

26. Purchaser’s Right to Accept or Reject Applicants

26.1 The Purchaser reserves the right to accept or reject any Application, and to annul the Initial Selection process and reject all Applicants at any time, without thereby incurring any liability to the Applicants.

27. Initial Selection of Applicants

27.1 The range of Applicants that the Purchaser may Initially Select (x = minimum number, y = maximum number) is specified in the ISDS.

27.2 The Selection of Applicants involves several steps, as follows:

(a) **Step 1 - Table 1 Evaluation:** The first step of Initial Selection involves evaluation against the methods, criteria and requirements described in Section III, Table 1: Qualification Criteria and Requirements;

(b) **Step 2 - Rejection:** Applicants that do not substantially meet the qualification criteria and requirements in Table 1: Qualification Criteria and Requirements will not be evaluated further, and will be eliminated from the Initial Selection process;

(c) **Step 3 - Long List:** Applicants that substantially meet the qualification criteria and requirements in Table 1: Qualification Criteria and Requirements are long listed, and will be evaluated further;

(d) **Step 4 -** Depending on the number of Applicants that are long listed, one of the following options will apply:

Option 1: All are Initially Selected: Where the number of long listed Applicants is $\leq x$, all long listed Applicants are Initially Selected. In this scenario, there is no requirement to evaluate these long listed Applicants against Table 2: Rated Criteria and Requirements;

Option 2: Applicants are evaluated using Table 2 Evaluation: Where the number of long listed Applicants is $> x$, the Purchaser shall

evaluate all long listed Applicants against Table 2: Rated Criteria and Requirements. This evaluation method involves scoring each Application against rated criteria using the scoring methodology described;

- (e) **Step 5 - Rank Applicants:** The total scores, from this step of the Initial Selection evaluation, for each long listed Applicant are compared, and the Applicants are ranked from the highest to the lowest total score;
- (f) **Step 6 - Initial Selection up to x:** In accordance with the values selected by the Purchaser for **x** and **y**, the Purchaser Initially Selects the Applicants that are ranked from the highest score, to the Application ranked as **x**.;
- (g) **Step 7 - Reject y+1 Applicants:** Where the number of long listed Applicants is $>y$, the Purchaser rejects all Applicants that are ranked greater than **y**, i.e. ranked as **y+1**, **y+2**, **y+3**, etc.;
- (h) **Step 8 - Optional, at the Purchaser's Discretion:** Ranked Applicants which are greater than **x**, up to, and including **y**, are not normally Initially Selected. However, the Purchaser may, at its sole discretion, if justified, Initially Selected or more additional Applicants(s) from those that are ranked **x+1**, up to and including **y**. This Initial Selection will follow the order of ranking (i.e. the Purchaser cannot Initially Select **x+2**, without Initially Selecting **x+1**).

28. Notification of Initial Selection

28.1 The Purchaser shall notify all Applicants in writing of the names of those Applicants who have been initially selected. In addition, those Applicants who have been disqualified will be informed separately.

28.2 Applicants that have not been initially selected may write to the Purchaser to request, in writing, the grounds on which they were disqualified.

29. Request for Proposals

29.1 Promptly after the notification of the results of the Initial Selection, the Purchaser shall invite Proposals from all the Applicants that have been initially selected.

29.2 Proposers may be required to provide a Proposal Security or a Proposal-Securing Declaration acceptable to the Purchaser in the form and an amount to be specified in the RFP Document, and the successful Proposer shall be required to provide a Performance Security as specified in the RFP Document.

29.3 If required in the RFP documents, the successful Proposer shall provide additional information about its beneficial ownership using the Beneficial Ownership Disclosure Form included in the RFP document.

30. Changes in Qualifications of Applicants

30.1 Any change in the structure or formation of an Applicant after being initially selected in accordance with ITA 27 and invited to submit Proposal (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor) shall be subject to the written approval of the Purchaser prior to the deadline for submission of Proposals. Such approval shall be denied if (i) an initially selected applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III - Initial Selection Criteria and Requirements Table 1- Qualification Criteria, and Requirements; or (iii) no longer continues to be in the list of Initially Selected Applicants as a result of the Purchaser's re-evaluation of the Application in accordance with ITA 27; or (iv) in the opinion of the Purchaser, the change may result in a substantial reduction in competition. Any such change should be submitted to the Purchaser not later than fourteen (14) days after the date of the Request for Proposals.

31. Procurement Related Complaint

31.1 The procedures for making a Procurement-related Complaint are as specified in the ISDS.

Section II - Initial Selection Data Sheet (ISDS)

A. General	
ITA 1.1	<p>The identification of the Invitation for Initial Selection is: AWWDA/WASREB/CS/13/2021</p> <p>The Purchaser is: Athi Water Works Development Agency</p> <p>The list of contract/s is: Development of Water Regulation Information System (WARIS) For The Water Services Regulatory Board (WASREB)</p> <p>RFP name and number are: RFP for Development of Water Regulation Information System (WARIS) For The Water Services Regulatory Board (WASREB)</p>
ITA 2.1	<p>The Borrower is: The Government of Kenya</p> <p>The name of the Project is: Kenya Towns Sustainable Water Supply and Sanitation Program</p>
ITA 4.2	Maximum number of members in the JV shall be: Not Limited
ITA 4.8	A list of debarred firms and individuals is available on the Bank's external website: http://www.afdb.org/debarred
B. Contents of the Initial Selection Document	
ITA 7.1	<p>For clarification purposes, the Purchaser's address is:</p> <p>Attention: Chief Executive Officer</p> <p>Athi Water Works Development Agency</p> <p>Building: Athi Water Plaza,</p> <p>Street: Muthaiga North Rd, Off Kiambu Road,</p> <p>P. O Box: 45283-00100</p> <p>City: NAIROBI,</p> <p>Country: KENYA</p> <p>Fax: +254-20-2724295</p> <p>Email: info@awwda.go.ke</p> <p>Telephone: +254 2724292/3</p> <p>Requests for clarifications should be received by the Employer no later than</p>

	[14 DAYS], prior to the deadline for submission of Bids.
ITA 7.1 & 8.2	Web page: http://awwda.go.ke/tender/
ITA 7.2	Pre-Application Meeting will be held: Yes 30 th November, 2021 at 10:00am East African Time Athi Water Plaza, Muthaiga North Rd, Off Kiambu Road,,
C. Preparation of Applications	
ITA 10.1	This Initial Selection document has been issued in English language. All correspondence exchange shall be in English language. The Application as well as all correspondence shall be submitted in English
ITA 11.1 (d)	The Applicant shall submit with its Application, the following additional documents: (i) Project Organization and Management Sub-Plan, including management authorities, responsibilities, and contacts, as well as task, time and resource-bound schedules (in GANTT format); (ii) Implementation Sub-Plan; (iii) Training Sub-Plan; (iv) Testing and Quality Assurance Sub-Plan;
ITA 14.2	The source for determining exchange rates is The Central Bank of Kenya
ITA 15.2	In addition to the original, the number of copies to be submitted with the Application is: 3
D. Submission of Applications	
ITA 17.1	The deadline for Application submission is: Date: 12th January, 2022 Time: 12:00pm East African Time For Application submission purposes only , the Purchaser's address is: Attention: Chief Executive Officer Athi Water Works Development Agency Building: Athi Water Plaza, Street: Muthaiga North Rd, Off Kiambu Road,

	<p>P. O Box: 45283-00100 City: NAIROBI, Country: KENYA Fax: +254-20-2724295 Email: info@awwda.go.ke Telephone: +254 2724292/3</p> <p>Applicants shall not have the option of submitting their Applications electronically.</p>
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	<p>The opening of the Applications shall be at Chief Executive Officer Athi Water Works Development Agency Athi Water Plaza, Muthaiga North Rd, Off Kiambu Road, P. O Box: 45283-00100 City: NAIROBI, Country: KENYA Fax: +254-20-2724295 Email: info@awwda.go.ke Telephone: +254 2724292/3 Date: 12th January, 2022 Time: 12:05PM (East African Time)</p>
E. Procedures for Evaluation of Applications	
ITA 24.1	At this time the Purchaser does not intend to execute certain specific parts of the contract by sub-contractors selected in advance.
F. Evaluation of Applications and Initial Selection of Applicants	
ITA 25.2	The relevant qualifications of the proposed Specialized Subcontractors will not be added to the qualifications of the Applicant for the purpose of evaluation as indicated in Section III - Initial Selection Criteria and Requirements.
ITA 27.1	<p>Initial Selection – minimum number (x)</p> <p>The Purchaser intends to Initially Select the following number of long listed Applications: [Three (3)]. This number is referred to as x, and is the minimum</p>

	<p>number to be Initially Selected.</p> <p>Initial Selection – maximum number (y)</p> <p>The Purchaser may, at its sole discretion, Initially Select more than the minimum number of long listed Applications. The maximum number that may be Initially Selected is [Six (6)]. This number is referred to as y.</p>
<p>ITA 31.1</p>	<p>If an Applicant wishes to make a Procurement-related Complaint, the Applicant should submit its complaint in writing (by the quickest means available, that is either by email or fax), to:</p> <p>Chief Executive Officer</p> <p>Athi Water Works Development Agency</p> <p>Athi Water Plaza,</p> <p>Muthaiga North Rd, Off Kiambu Road,</p> <p>P. O Box: 45283-00100</p> <p>City: NAIROBI,</p> <p>Country: KENYA</p> <p>Fax: +254-20-2724295</p> <p>Email: info@awwda.go.ke</p> <p>Telephone: +254 2724292/3</p> <p>In summary, at this stage, a Procurement-related Complaint may challenge any of the following:</p> <ol style="list-style-type: none"> 1. the terms of the Prequalification Documents; and 2. the Purchaser's decision not to initially select an Applicant.

Section III - Initial Selection Criteria and Requirements

This section contains all the methods, criteria, and requirements that the Purchaser shall use to evaluate Applications. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

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Table 1 – Qualification Criteria and Requirements**1. Eligibility**

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
1.1	Nationality	Nationality in accordance with ITA 4.5	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in accordance with ITA 4.6	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.3	Bank Eligibility	Not having been declared ineligible by the Bank, as described in ITA 4.7 and 5.1	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.4	United Nations resolution or Borrower’s country law	Not having been excluded as a result of prohibition in the Borrower’s country laws or official regulations against commercial relations with the Applicant’s country, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 5.1 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments

2. Historical Contract Non-Performance

Criteria			Single Entity Requirements	Joint Venture			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
2.1	History of Non-Performing Contracts	Non-performance of a contract ¹ did not occur as a result of Supplier's default since 1 st January 2016	Must meet requirement ¹	Must meet requirements	Must meet requirement ²	N/A	Form CON-2
2.2	Suspension Based on Execution of a Bid or Proposal Securing Declaration by the Purchaser	Not under suspension based on execution of Bid or Proposal Securing Declaration pursuant to ITA 4.10.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
2.3	Pending Litigation	Applicant's financial position and prospective long term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Applicant	Must meet requirement	N/A	Must meet requirement	N/A	Form CON – 2
2.4	Litigation	No consistent history of court/arbitral award decisions against the Applicant ³	Must meet	Must meet	Must meet	N/A	Form CON – 2

¹ Nonperformance, as decided by the Purchaser, shall include all contracts where (a) nonperformance was not challenged by the Supplier, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the Supplier. Nonperformance shall not include contracts where Purchaser's decision was overruled by the dispute resolution mechanism. Nonperformance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the applicant have been exhausted.

² This requirement also applies to contracts executed by the Applicant as JV member.

³ The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A

History	since 1 st January 2015	requirement	requirement	requirement		
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3. Financial Situation and Performance

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
3.1	Financial Capabilities	(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the cash flow requirements estimated as KES 15,000,000 (Kenya Shillings Fifteen Million) for the subject contract(s) net of the Applicants other commitments.	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN – 3.1, with attachments
		(ii) The Applicant shall also demonstrate, to the satisfaction of the Purchaser, that it has adequate sources of finance to meet the cash flow requirements on contracts currently in progress and for future contract commitments.	Must meet requirement	Must meet requirement	N/A	N/A	
		(iii) The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the	Must meet requirement	N/A	Must meet requirement	N/A	

consistent history of awards against the Applicant or any member of a joint venture may result in rejection of the Application.

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
		Purchaser, for the last Three years prior to submission of this application shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability.					
3.2	Average Annual Turnover	Minimum average annual turnover in Information Systems Design, and/or Supply and/or Installation of KES 30,000,000 (Kenya Shillings Thirty Million), calculated as total certified payments received for contracts in progress and/or completed within the last three years, divided by three years.	Must meet requirement	Must meet requirement	Must meet the requirement	Must meet the requirement	Form FIN – 3.2

4. Experience

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
4.1	General Experience	Experience in Information Systems Design, and/or Supply and/or Installation contracts in the role of prime contractor, JV member, subcontractor, or management contractor for at least the last five years, starting 1 st January 2016.	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1
4.2	Specific Experience	A minimum number of five similar contracts specified below that have been satisfactorily and substantially ⁴ completed as a prime contractor, joint venture member ⁵ , management contractor or subcontractor between 1st January 2016 and Application submission deadline:	Must meet requirement	Must meet requirement ⁶	N/A	N/A	Form EXP 4.2

⁴ Substantial completion shall be based on 80% or more of the contracts completed.

⁵ For contracts under which the Applicant participated as a joint venture member or sub-contractor, only the Applicant's role and responsibilities shall be considered to meet this requirement.

⁶ In the case of JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members each of value equal or more than the minimum value required shall be aggregated.

Table 2 – Rated Criteria and Requirements

Only applications that are substantially responsive to the qualification criteria and requirements in Table 1 are to be assessed against Table 2, Rated Criteria and Requirements]

1. Past Performance

Requirement	Scoring		Documentation												
	Maximum score	Remark	Submission Requirement												
<p>1.1..... Num ber of similar contracts</p> <p><i>[Number of satisfactorily and substantially completed Information System contracts that exceed the number specified in Table 1, Sub-Factor 4.2(where this number is x)that are:</i></p> <p>1. simil ar to the Requirements (Reference Table 1, 4.2); and</p> <p>2. com pleted during the past___ years. <i>[insert number equal or more than the number of years specified in Table 1, Sub-Factor 4.2]]</i></p> <p>Scoring methodology:</p> <table border="1"> <tr> <td>Number of contracts <i>[Number of satisfactorily and substantially completed similar contracts.]</i></td> <td><i>[>= x+4 contracts]</i></td> <td><i>[x+3 contracts]</i></td> <td><i>[x+2 contracts]</i></td> <td><i>[x+1 contracts]</i></td> <td><i>[x contracts]</i></td> </tr> <tr> <td>Weighting</td> <td>[100]</td> <td>[70]</td> <td>[40]</td> <td>[10]</td> <td>[0]</td> </tr> </table>	Number of contracts <i>[Number of satisfactorily and substantially completed similar contracts.]</i>	<i>[>= x+4 contracts]</i>	<i>[x+3 contracts]</i>	<i>[x+2 contracts]</i>	<i>[x+1 contracts]</i>	<i>[x contracts]</i>	Weighting	[100]	[70]	[40]	[10]	[0]	30	In case of JV, all members combined will be evaluated.	Form EXP 4.2
Number of contracts <i>[Number of satisfactorily and substantially completed similar contracts.]</i>	<i>[>= x+4 contracts]</i>	<i>[x+3 contracts]</i>	<i>[x+2 contracts]</i>	<i>[x+1 contracts]</i>	<i>[x contracts]</i>										
Weighting	[100]	[70]	[40]	[10]	[0]										

2. Contract/Project Management Capability

Criteria					Scoring		Documentation										
Requirement					Maximum score	Remark	Submission Requirement										
<p><i>[Contract/project management capability demonstrated in the following key areas:</i></p> <p><i>[Note to Purchaser: consider putting a page limit on each of the responses]</i></p> <ol style="list-style-type: none"> <i>1. Description of project management system/s and how they will be applied (including status of accreditation with recognized international standards applicable to the industry)</i> <i>2. Health and safety management practice, and</i> <i>3. Use of value Engineering, innovation and continuous improvement.]</i> <p>Scoring methodology:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Key areas: <i>[Number and extent of key areas demonstrated.]</i></td> <td style="width: 12.5%; text-align: center;"><i>[all 3]</i></td> <td style="width: 12.5%; text-align: center;"><i>[2]</i></td> <td style="width: 12.5%; text-align: center;"><i>[1]</i></td> <td style="width: 12.5%; text-align: center;"><i>[0]</i></td> </tr> <tr> <td style="text-align: right;">Initial score</td> <td style="text-align: center;">[67-100]</td> <td style="text-align: center;">[34-66]</td> <td style="text-align: center;">[1-33]</td> <td style="text-align: center;">[0]</td> </tr> </table> 					Key areas: <i>[Number and extent of key areas demonstrated.]</i>	<i>[all 3]</i>	<i>[2]</i>	<i>[1]</i>	<i>[0]</i>	Initial score	[67-100]	[34-66]	[1-33]	[0]	30	In case of JV, the capability of the lead member will be evaluated	Table 2-PM
Key areas: <i>[Number and extent of key areas demonstrated.]</i>	<i>[all 3]</i>	<i>[2]</i>	<i>[1]</i>	<i>[0]</i>													
Initial score	[67-100]	[34-66]	[1-33]	[0]													

3. Purchaser’s Requirements

Criteria					Scoring		Documentation										
Requirement					Maximum score	Remark	Submission Requirement										
<p><i>[Demonstrate an understanding of the Purchaser’s Requirements.</i></p> <p><i>Key aspects to be addressed are:</i></p> <ol style="list-style-type: none"> <i>1. approach to the contract</i> <i>2. preliminary timeline/delivery schedule, and</i> <i>3. risk identification).]</i> <p>Scoring methodology:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Key aspects: <i>[Number and extent of key areas demonstrated.]</i></td> <td style="text-align: center;"><i>[all 3]</i></td> <td style="text-align: center;"><i>[2]</i></td> <td style="text-align: center;"><i>[1]</i></td> <td style="text-align: center;"><i>[0]</i></td> </tr> <tr> <td style="text-align: right;">Initial score</td> <td style="text-align: center;"><i>[67-100]</i></td> <td style="text-align: center;"><i>[34-66]</i></td> <td style="text-align: center;"><i>[1-33]</i></td> <td style="text-align: center;"><i>[0]</i></td> </tr> </table> 					Key aspects: <i>[Number and extent of key areas demonstrated.]</i>	<i>[all 3]</i>	<i>[2]</i>	<i>[1]</i>	<i>[0]</i>	Initial score	<i>[67-100]</i>	<i>[34-66]</i>	<i>[1-33]</i>	<i>[0]</i>	20		Table 2-ER
Key aspects: <i>[Number and extent of key areas demonstrated.]</i>	<i>[all 3]</i>	<i>[2]</i>	<i>[1]</i>	<i>[0]</i>													
Initial score	<i>[67-100]</i>	<i>[34-66]</i>	<i>[1-33]</i>	<i>[0]</i>													

4. Sustainable Procurement

Criteria				Scoring		Documentation								
Requirement				Maximum score	Remark	Submission Requirement								
<p><i>[Sustainable procurement (to be specified by the Purchaser, if required) practices demonstrated in the following key areas:</i></p> <ol style="list-style-type: none"> <i>1. Sustainable procurement practice</i> <i>2. Track record of delivering sustainable procurement outcomes</i> <p>Scoring methodology:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Key aspects: <i>[Number and extent of key areas demonstrated.]</i></td> <td style="width: 15%; text-align: center;"><i>[all 2]</i></td> <td style="width: 15%; text-align: center;"><i>[1]</i></td> <td style="width: 15%; text-align: center;"><i>[0]</i></td> </tr> <tr> <td style="text-align: right;">Initial score</td> <td style="text-align: center;"><i>[51-100]</i></td> <td style="text-align: center;"><i>[1-50]</i></td> <td style="text-align: center;"><i>[0]</i></td> </tr> </table>				Key aspects: <i>[Number and extent of key areas demonstrated.]</i>	<i>[all 2]</i>	<i>[1]</i>	<i>[0]</i>	Initial score	<i>[51-100]</i>	<i>[1-50]</i>	<i>[0]</i>	20	In case of JV, at least one member will be evaluated.	Table 2-SP
Key aspects: <i>[Number and extent of key areas demonstrated.]</i>	<i>[all 2]</i>	<i>[1]</i>	<i>[0]</i>											
Initial score	<i>[51-100]</i>	<i>[1-50]</i>	<i>[0]</i>											

Section IV - Application Forms

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Application Submission Letter

Date: *[insert day, month, and year]*
RFP No. and title: *[insert RFP number and title]*

To: *[insert full name of Purchaser]*

We, the undersigned, apply to be initially selected for the referenced Request for Proposal (RFP) and declare that:

- (a) **No reservations:** We have examined and have no reservations to the Initial Selection Document, including Addendum(s) No(s), issued in accordance with ITA 8: *[insert the number and issuing date of each addendum]*.
- (b) **No conflict of interest:** We have no conflict of interest in accordance with ITA 4.6;
- (c) **Eligibility:** We (and our subcontractors) meet the eligibility requirements as stated in ITA 4, we have not been suspended by the Purchaser based on execution of a Bid-Securing Declaration or Proposal-Securing Declaration in accordance with ITA 4.10;
- (d) **Suspension and Debarment:** We, along with any of our subcontractors, suppliers, consultants, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the African Development Bank in accordance with the Agreement for Mutual Enforcement of Debarment Decisions between the African Development Bank and other development banks. Further, we are not ineligible under the Purchaser's country laws or official regulations or pursuant to a decision of the United Nations Security Council;
- (e) **State-owned enterprise or institution:** *[select the appropriate option and delete the other]*
[We are not a state-owned enterprise or institution] / [We are a state-owned enterprise or institution but meet the requirements of ITA 4.9];
- (f) **Subcontractors and Specialized Subcontractors:** We, in accordance with ITA 24.2 and 25.2, plan to subcontract the following parts of the contract:

[Insert any part of the contract which the Applicant intends to subcontract along with complete details of the Specialized Subcontractors, their qualification and experience]
- (g) **Commissions, gratuities, fees:** We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the Initial Selection process, the corresponding RFP process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert full name for each occurrence]</i>	<i>[insert street/number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount currency, value, exchange rate and US\$ equivalent]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If no payments are made or promised, add the following statement: “No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application”]

- (h) **Not bound to accept:** We understand that you may cancel the Initial Selection process at any time and that you are neither bound to accept any Application that you may receive nor to invite the initially selected Applicants to submit Proposal for the contract subject of this Initial selection process, without incurring any liability to the Applicants, in accordance with ITA 26.1.
- (i) **True and correct:** All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name *[insert full name of person signing the Application]*

In the capacity of *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of:

Applicant’s Name *[insert full name of Applicant or the name of the JV]*

Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

Form ELI -1.1

Applicant Information Form

Date: *[insert day, month, year]*

RFP No. and title: *[insert RFP number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address [in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <ul style="list-style-type: none"> <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 4.5. <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.2. <input type="checkbox"/> In case of state-owned enterprise or institution, in accordance with ITA 4.9 documents establishing: <ul style="list-style-type: none"> • Legal and financial autonomy • Operation under commercial law • Establishing that the Applicant is not under supervision of the Purchaser
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -1.2

Applicant's JV Information Form

[The following form is additional to Form ELI – 1.1., and shall be completed to provide information relating to each JV member (in case the Applicant is a JV) as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this Initial Selection]

Date: *[insert day, month, year]*

RFP No. and title: *[insert RFP number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant name: <i>[insert full name]</i>
Applicant's JV Member's name: <i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration: <i>[indicate country of registration]</i>
Applicant JV Member's year of constitution: <i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.5. <input type="checkbox"/> In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Purchaser, in accordance with ITA 4.9.
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON – 2

Historical Contract Non-Performance, and Pending Litigation and Litigation History

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant’s Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member’s Name: *[insert full name]*
 RFP No. and title: *[insert RFP number and title]*
 Page *[insert page number]* of *[insert total number]* pages

Non-Performed Contracts in accordance with Section III, Table 1 Qualification Criteria, and Requirements			
<input type="checkbox"/> Contract non-performance did not occur since 1 st January <i>[insert year]</i> specified in Section III,– Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 st January <i>[insert year]</i> specified in Section III,– Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.1.			
Year	Non-performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and US\$ equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Purchaser: <i>[insert full name]</i> Address of Purchaser: <i>[insert street/city/country]</i> Reason(s) for nonperformance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>
Pending Litigation, in accordance with Section III, Table 1 Qualification Criteria, and Requirements			
<input type="checkbox"/> No pending litigation in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.3.			
<input type="checkbox"/> Pending litigation in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.3 as indicated below.			

Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert amount]</i>	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Purchaser: <i>[insert full name]</i> Address of Purchaser: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate “Purchaser” or “Contractor”]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>
Litigation History in accordance with Section III, Table 1 Qualification Criteria, and Requirements			
<input type="checkbox"/> No Litigation History in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.4. <input type="checkbox"/> Litigation History in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.4 as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert percentage]</i>	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Purchaser: <i>[insert full name]</i> Address of Purchaser: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate “Purchaser” or “Contractor”]</i> Reason(s) for Litigation and award decision <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>

Form FIN – 3.1 Financial Situation and Performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

RFP No. and title: *[insert RFP number and title]*

Page *[insert page number]* of *[insert total number]* pages

1. Financial data

Type of Financial information in (currency)	Historic information for previous <i>[insert number]</i> years, <i>[insert in words]</i> (amount in currency, currency, exchange rate*, USD equivalent)				
	Year 1	Year 2	Year 3	Year 4	Year 5
Statement of Financial Position (Information from Balance Sheet)					
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Cash Flow Information					
Cash Flow from Operating Activities					

* Refer ITA 14 for the exchange rate

2. Sources of Finance

[The following table shall be filled in for the Applicant and all parties combined in case of a Joint Venture]

Specify sources of finance to meet the cash flow requirements on contracts currently in progress and for future contract commitments.

No.	Source of finance	Amount (US\$ equivalent)
1		
2		
3		

3. Financial documents

The Applicant and its parties shall provide copies of financial statements for *[number]* years pursuant Section III, Table 1 –Qualification Criteria, and Requirements Sub-factor 3.1. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of JV member , and not an affiliated entity (such as parent company or group member).
- (b) be independently audited or certified in accordance with local legislation.
- (c) be complete, including all notes to the financial statements.
- (d) correspond to accounting periods already completed and audited.

Attached are copies of financial statements¹ for the *[number]* years required above; and complying with the requirements

¹ If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.

Form FIN - 3.2 Average Annual Turnover in Information Systems Design and/or Supply and/or Installation

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant’s Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 RFP No. and title: *[insert RFP number and title]*
 Page *[insert page number]* of *[insert total number]* pages

Annual turnover data			
Year	Amount Currency	Exchange rate*	USD equivalent
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>		
		Average Annual Turnover **	

* Refer ITA 14 for date and source of exchange rate.

** Total USD equivalent for all years divided by the total number of years. See Section III, Table 1 Qualification Criteria, and Requirements, 3.2.

Form EXP - 4.1

General Experience in Information Systems Design and/or Supply and/or Installation

[The following table shall be filled in for the Applicant and in the case of a JV Applicant, each Member]

Applicant’s Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 RFP No. and title: *[insert RFP number and title]*
 Page *[insert page number]* of *[insert total number]* pages

[As per Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 4.1. list contracts chronologically, according to their commencement (starting) dates.]

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Contracts performed by the Applicant: <i>[describe contracts performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i> Name of Purchaser: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Contracts performed by the Applicant: <i>[describe contracts performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i> Name of Purchaser: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Contracts performed by the Applicant: <i>[describe contracts performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i> Name of Purchaser: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>

* Refer ITA 14 for date and source of exchange rate.

Form EXP - 4.2 Specific Experience

(Table 1, 4.2 and Table 2)

[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

RFP No. and title: *[insert RFP number and title]*

Page *[insert page number]* of *[insert total number]* pages

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>			
Original contractual completion period				
If there was any delay in completion, provide the period of delay due to contractors default Cause of delay	Force Majeure	Contractually justified extension of time	Contractors default	Others
Period corresponding to cause of delay (months)				
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		US\$ <i>[insert Exchange rate and total contract amount in US\$ equivalent]*</i>	
If member in a JV or sub-contractor, specify share in value in total Contract amount and roles and	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>	<i>[insert exchange rate and total contract amount in US\$ equivalent]*</i>	

responsibilities	<i>[insert roles and responsibilities]</i>
Description of the similarity in accordance with Section III Table 1, 4.2	
Complexity	<i>[insert description of complexity]</i>
Methods/Technology	<i>[insert specific aspects of the methods/technology involved in the contract]</i>
Other Characteristics	<i>[insert other characteristics as described in Section VII, Scope of Purchaser's Requirements]</i>
Purchaser's Name:	<i>[insert full name]</i>
Address:	<i>[indicate street / number / town or city / country]</i>
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>
E-mail:	<i>[insert e-mail address, if available]</i>

* Refer ITA 14 for date and source of exchange rate.

Table 2-PM
Contract / Project Management Capability

The applicant shall demonstrate Contract / Project Management Capability in accordance with Table 2

Table 2-ER
Understanding of the Purchaser's Requirement

The applicant shall demonstrate an Understanding of the Purchaser's Requirement in accordance with Table 2

Table 2-SP
Sustainable Procurement

The applicant shall demonstrate capability in Sustainable Procurement in accordance with Table 2

Section V - Eligible Countries

Eligibility for the Provision of Goods, Works and Services in Bank-Financed Procurement

Under ITA 5.1 (a) The African Development Fund permits firms and individuals from all countries to offer goods, works and services for ADF funded projects. However, the proceeds of any Financing undertaken in the operations of the African Development Bank and the Nigeria Trust Fund shall be used for procurement of goods and works, including the related services, provided by bidders from Eligible¹ Countries.² Any conditions for participation shall be limited to those that are essential to ensure the firm's capability to fulfill the contract in question. In the case of ADB and NTF, bidders from non-Member Countries offering goods, works and related services (including transportation and insurance) are not eligible even if they offer these from Eligible Member Countries. Any waiver to this rule will be in accordance with the Articles 17(1) (d) of the Agreement Establishing the African Development Bank and 4.1 of the Agreement Establishing the Nigeria Trust Fund.

- A. Provision at Appendix 4 of the Bank's *Rules and Procedures for Procurement of Goods and Works*

Overview

1. The eligibility criteria for participation in the supply of goods, works and related services, to be procured through the ADB and NTF Financing, derive from the requirements of the Agreement Establishing the African Development Bank, Article 17.1.d, and the Agreement Establishing the Nigeria Trust Fund, Article 4.1. The foregoing requirements basically prescribe

¹ Refer to Appendix 4 for additional information on Eligibility.

² "Eligible Countries" shall mean: (a) in the case of the African Development Bank and the Nigeria trust Fund, the Member Countries

two types of eligibility criteria:

1. The eligibility of the bidder;
2. The eligibility of the goods, works and related services.

Eligibility of the Bidder

2. The eligibility of the bidder shall be based on nationality, in accordance with the following rules:

(a) Natural Persons: A natural person is eligible if he or she is a national of a Member Country of the Bank, or a State Participant of the Fund. Where a person has more than one nationality, such a person shall be eligible if the nationality indicated in his or her bid is that of a Member Country of the Bank, or a State Participant of the Fund.

(b) Corporations: A corporation is eligible if it satisfies the following criteria:

1. it is incorporated in a country that is a Member of the Bank, or State Participant of the Fund;
2. it is a national of a country that is a Member of the Bank, or State Participant of the Fund, as determined by the law of its place of incorporation;
3. it has its principal place of business in a country that is a Member of the Bank, or State Participant of the Fund.

(c) Joint Ventures and Associations: An unincorporated joint venture, partnership, or association, shall be eligible if at least 60% of its individual, or corporate members, satisfy the eligibility requirement for individuals or corporations.

Eligibility of the Goods, Works and Related Services

3. In order to be eligible, the goods to be procured must have been mined, grown, or produced, in the form in which they are purchased, in an Eligible Member Country.

4. For works contracts, which may include civil works, plant construction, or turnkey contracts, the contractor must satisfy the nationality criteria of eligibility, either as a natural person, or corporation, or joint venture and association. Labour, equipment, and materials needed for carrying out the works contract, shall be supplied from Eligible Member Countries.

5. For contracts, which have been awarded on the basis of Cost, Insurance and Freight (CIF), or Carriage and Insurance Paid (CIP), bidders shall be free to arrange for ocean and other transportation, and the related insurance, from any Eligible Member Country. On the other hand, where goods are shipped on FOB basis and the Bank has agreed to finance transportation and insurance separately, which are arranged by the purchaser, under a separate contract, the Bank shall be satisfied that the services are supplied from Eligible Member Countries.

B. Eligible Countries

In accordance with the Articles 17(1) (d) of the Agreement Establishing the African Development Bank, the Board of directors on 8th March 2017, approved the Waiver of the Rule of Origin for specific cases. This includes, where a project is jointly co-financed by the ADB and the ADF, or any instrument administered by the ADB and/or the ADF (trust funds, facilities, initiatives, or other special funds or resources. Consequently, since the Kenya Towns Sustainable Water Supply and Sanitation Program is jointly co-financed by the ADB, ADF and MIC-TAF, procurement is open to countries that are not member states of the Bank.

Section VI – Fraud and Corruption

(The text in this Section VI shall not be modified)

1. Purpose

1.1 The Bank’s Anti-Corruption Guidelines and this annex apply with respect to procurement under Bank Investment Project Financing operations.

2. Requirements

2.1 The Bank requires that Borrowers (including beneficiaries of Bank financing); bidders (applicants/proposers), consultants, contractors and suppliers; any sub-contractors, sub-consultants, service providers or suppliers; any agents (whether declared or not); and any of their personnel, observe the highest standard of ethics during the procurement process, selection and contract execution of Bank-financed contracts, and refrain from Fraud and Corruption.

2.2 To this end, the Bank:

- a. Defines, for the purposes of this provision, the terms set forth below as follows:
 - i. “corrupt practice” is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;
 - ii. “fraudulent practice” is any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain financial or other benefit or to avoid an obligation;
 - iii. “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;
 - iv. “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
 - v. “obstructive practice” is:
 - (a) deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede a Bank investigation into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation; or
 - (b) acts intended to materially impede the exercise of the Bank’s inspection and audit rights provided for under paragraph 2.2 e. below.
- b. Rejects a proposal for award if the Bank determines that the firm or individual recommended for award, any of its personnel, or its agents, or its sub-consultants, sub-

contractors, service providers, suppliers and/ or their employees, has, directly or indirectly, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;

- c. In addition to the legal remedies set out in the relevant Legal Agreement, may take other appropriate actions, including declaring misprocurement, if the Bank determines at any time that representatives of the Borrower or of a recipient of any part of the proceeds of the loan engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices during the procurement process, selection and/or execution of the contract in question, without the Borrower having taken timely and appropriate action satisfactory to the Bank to address such practices when they occur, including by failing to inform the Bank in a timely manner at the time they knew of the practices;
- d. Pursuant to the Bank's Anti-Corruption Guidelines, and in accordance with the Bank's prevailing sanctions policies and procedures, may sanction a firm or individual, either indefinitely or for a stated period of time, including by publicly declaring such firm or individual ineligible (i) to be awarded or otherwise benefit from a Bank-financed contract, financially or in any other manner;¹ (ii) to be a nominated² sub-contractor, consultant, manufacturer or supplier, or service provider of an otherwise eligible firm being awarded a Bank-financed contract; and (iii) to receive the proceeds of any loan made by the Bank or otherwise to participate further in the preparation or implementation of any Bank-financed project;
- e. Requires that a clause be included in bidding/request for proposals documents and in contracts financed by a Bank loan, requiring (i) bidders (applicants/proposers), consultants, contractors, and suppliers, and their sub-contractors, sub-consultants, service providers, suppliers, agents personnel, permit the Bank to inspect³ all accounts, records and other documents relating to the procurement process, selection and/or contract execution, and to have them audited by auditors appointed by the Bank.

¹ For the avoidance of doubt, a sanctioned party's ineligibility to be awarded a contract shall include, without limitation, (i) applying for pre-qualification, expressing interest in a consultancy, and bidding, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and (ii) entering into an addendum or amendment introducing a material modification to any existing contract.

² A nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider (different names are used depending on the particular bidding document) is one which has been: (i) included by the bidder in its pre-qualification application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid; or (ii) appointed by the Borrower.

³ Inspections in this context usually are investigative (i.e., forensic) in nature. They involve fact-finding activities undertaken by the Bank or persons appointed by the Bank to address specific matters related to investigations/audits, such as evaluating the veracity of an allegation of possible Fraud and Corruption, through the appropriate mechanisms. Such activity includes but is not limited to: accessing and examining a firm's or individual's financial records and information, and making copies thereof as relevant; accessing and examining any other documents, data and information (whether in hard copy or electronic format) deemed relevant for the investigation/audit, and making copies thereof as relevant; interviewing staff and other relevant individuals; performing physical inspections and site visits; and obtaining third party verification of information.

PART 2 – Purchaser’s Requirements

Section VII - Scope of Purchaser’s Requirements

Contents

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1. Description of the Information Systems Design, Supply and Installation

1.1 Legal and Regulatory Requirements to be met by the Information System





- 1.1.1 The Information System MUST comply with the following laws and regulations:
 - 1.1.1.1 ISO 90003: Software engineering Guidelines
 - 1.1.1.2 ISO_IEC_27002_2013: Code of practice for information security management
 - 1.1.1.3 ISO/IEC 26514:2008: Systems and software engineering -- Requirements for designers and developers of user documentation
 - 1.1.1.4 ISO/DIS 15489-1: Information and documentation – Records management- Part 1 General
 - 1.1.1.5 ISO 15489-1: 2001: Information and documentation – Records management- Part 1 General
 - 1.1.1.6 ISO/NP TR 15489-2: Information and documentation – Records management- Part 2 Guidelines
 - 1.1.1.7 ISO/TR 15489-2: 2001: Information and documentation – Records management- Part 2 Guidelines
 - 1.1.1.8 ISO 16175-1:2010/2011: Information and documentation -- Principles and functional requirements for records in electronic office environments
 - 1.1.1.9 NIST Special Publication 800-45 Version 2
 - 1.1.1.10 National Information System Security Glossary, NSTISSI No.4009, January 1991
 - 1.1.1.11 ISB Standard Version 2.0
 - 1.1.1.12 ISF 2011 Standard of Good Practice for Information Security

1.2 General Description of WARIS

a) Overview

WARIS is a system for collecting and analyzing data from all WSPs, Counties and WWDAs.

The vision of WASREB is for the system to be a point of call for information on water services. The system will enable WSPs, Counties and WWDAs to collect and analyze data relevant to their mandate. WARIS as a system has the following objectives:

-  Data collection: Collect data reliably and accurately
-  Data validation: Review and validate collected data internally and externally
-  Secure storage: Provide protection to collected and processed data
-  Report generation: Process, compile and present data in an efficient way

Apart from the improved efficiency and effectiveness of data collection and reporting, the data stored in WARIS serves to:

- 💧 Increase transparency in the Water Services Sector (WSS) for all stakeholders and the public
- 💧 Improve accessibility of data and information for monitoring, planning and decision making as well as for dissemination of information to stakeholders
- 💧 Facilitate publishing of periodic sector performance review reports informing policy-makers and the public about the developments in the WSS and putting WSPs under competition through performance benchmarking
- 💧 Support effective management audits with the objective of analyzing, evaluating, reviewing and appraising the performance of all WSPs and WWDAs
- 💧 Support the monitoring of the performance of WSPs, Counties and WWDAs for regulatory purposes: - compliance with license and tariff conditions, setting performance targets, benchmarking and provide a sound basis for linking tariff decisions taken by WASREB to performance of WSPs
- 💧 Provide reliable data to monitor performance contracts of the top management of WSPs, WWDAs and Counties
- 💧 Assist counties in investment planning

The specific benefits for the different stakeholder groups is summarized as follows:

b) Benefits for Water Service Providers (WSPs):

- 💧 Performance benchmarking with other WSPs
- 💧 Data collection and analysis demanded by the WASREB through WARIS also serves the needs of WSPs in effectively managing service provision (although it does not and is not intended to replace comprehensive MISs at WSP level). The information pertains to technical and commercial performance, financial, personnel and other general information
- 💧 WARIS ensures both time saving and data reliability at WSP level in order to fulfill the reporting requirements of WASREB
- 💧 Predefined entry sheets, cross-checks within the information system and electronically submission of the data to the WASREB increases the efficiency of reporting and reduces further inquiries after submission

c) Benefits for Water Works Development Agencies (WWDAs):

- Performance benchmarking with other WWDAs
- Data collection and analysis through WARIS also serves the needs of WWDAs in effective investment planning
- Enable submission on capital works plan for appraisal by WASREB
- WARIS ensures both time saving and data reliability on the WWDA level, also in order to fulfill the reporting requirements of WASREB
- Predefined entry sheets, cross-checks within the information system and electronically submission of the data to the WASREB increases the efficiency of reporting and reduces further inquiries after submission

d) Benefits to Counties:

- Comparison of WSPs performance in the respective county
- Data collection and analysis demanded by the WASREB through WARIS also serves the needs of counties in effectively managing service provision
- Enable determination of level of support to be extended to non-viable WSPs
- Predefined entry sheets, cross-checks within the information system and electronically submission of the data to the WASREB increases the efficiency of reporting and reduces further inquiries after submission

e) Benefits for WASREB:

- WARIS serves as a support tool to monitor and compare the performance of WWDAs, WSPs and counties and their compliance with the requirements defined in the service level agreements
- Provides regularly updated information on marginalized areas to push WSPs to extend services to underserved areas under their jurisdiction
- Advice to political decision makers is based on solid information without excessive effort in information collection and validation
- Sector reports including a systematic comparison of the performance of WWDAs, WSPs and counties can easily be facilitated

- 💧 The information exchanged through soft copies considerably increases the regulator’s efficiency in monitoring
- 💧 Facilitate effective business, financial and investment planning order to ensure efficient and effective water services and progressive realization of the right to water services

f) Benefits for consumers, politicians and the public in general:

- 💧 Improved information about the performance of their respective WSP and counties in comparison to others
- 💧 Improved information about the water services sector investments

1.3 Functional and/or Performance Requirements

WARIS has the following features:

- 💧 Online accessibility
 - Offline data entry also possible
 - One central shared database
- 💧 Database driven interface that allows access to different datasets by different sector institutions
- 💧 Role Based Access within user levels
- 💧 Analytical and reporting capabilities
- 💧 Protection and maintenance of data integrity
- 💧 Audit trail
- 💧 Collaboration
- 💧 Validation checks and quality assurance
- 💧 Friendly user interface

1.4 Testing and Quality Assurance Requirement

The applicant to design detailed functional test specifications and scripts that cover all possible business scenarios.

The applicant to designs Integration System Testing (IST).

2. Implementation Period

(Maximum 18 months)

3. Site and Other Data