

*When replying please Quote:* AWWDA/AFD/NWSP/W-01/2022 PU-jl

**25<sup>th</sup> November 2022**

**REF: CONSTRUCTION OF EASTERN NAIROBI WATER AND SEWERAGE  
NETWORK INTENSIFICATION PROJECT. CONTRACT NO:  
AWWDA/AFD/NWSP/W-01/2022.**

**RESPONSE TO CLARIFICATION NO. 1 RECEIVED.**

Reference is made to the above-mentioned Works currently under procurement and the captioned subject matter.

Please find attached a copy of the minutes of the pre-bid meeting and site visit held on 9<sup>th</sup> November 2022. Also attached is the responses to Requests for Clarification No. 1 received from interested bidders.

Kindly note that the Bid submission Date Remains **9<sup>th</sup> December 2022 at 12.00 noon. EAT Time.**



**ENG. JOSEPH KAMAU  
FOR: CHIEF EXECUTIVE OFFICER.**



**MINUTES FOR PRE-BID MEETING AND SITE VISIT FOR CONSTRUCTION OF EASTERN NAIROBI WATER AND SEWERAGE NETWORK INTENSIFICATION PROJECT HELD ON 9<sup>th</sup> NOVEMBER 2022, AT 9: 00 A.M AT AWWDA OFFICES. CONTRACT NO. AWWDA/AFD/NWSP/W-01/2022**

**Present: Employer's Representatives –Athi Water Works Development Agency:**

- |                      |  |
|----------------------|--|
| 1. Eng. Denning Kiai | Project Engineer (Chairing)            |
| 2. Mr Huzefa Haji    | Consultant Representatives             |
| 3. Mr Edwin Mugi     | Consultant Representatives             |
| 4. Betty Gatitu      | Supply Chain Management                |
| 5. Dennis Masila     | Supply Chain Management                |
| 6. Billy Kiptoo      | Senior Procurement Officer (Secretary) |

**Opening Remarks**

All participants assembled at AWWDA 2<sup>nd</sup> Floor Board Room Offices at 9:00 a.m. The meeting was chaired by Eng. Denning Kiai of AWWDA. He welcomed all participants to the meeting followed by self-introductions by all present.

**Below are the Bidder's Representatives Present at AWWDA.**

No	Bidders Representative	Firm Represented
1.	George Mwangi	Samima Investments Ltd
2.	Athuman Oduki	Exodus & Co. (PVT) Ltd
3.	Francis Kiarie	Fatah Construction and Civil Works
4.	Shi Zheng	CREC No. 10
5.	Robin Pei	China Ghezhouba Group Co. Ltd
6.	Michael Mungai	Motorways Construction
7.	Zhang Chao	CRIG
8.	Pauline Mbugua	Machiri Ltd
9.	Mark Vuhasio	Machiri Ltd
10.	Peter Ngugi	Mazel Investment Co. Ltd
11.	Eng. Joseph Matheka	Interways Works Ltd
12.	Boheso Mutwiri	Fadhers Investment Ltd
13.	Eng. Victor Tuti	ASP
14.	Chen Shengwen	Baoye Hubei Construction Eng. Group
15.	Pan Wang	AVIC
16.	Edwin Oyugu	Road Track Solutions Ltd
17.	Guo Ruigi	China Road and Bridge
18.	Zheng Yi	China Jiangxi International Economic
19.	Xia Yin	Zhongmei Engineering
20.	Moses Wamalwa	Machiri Construction Co. Ltd
21.	Mercy Muhindi	Zhongmei Engineering
22.	Collins Ochieng	Top Pipe
23.	Loise Ndolo	Blue Swift Contractors & General Supplies Ltd
24.	Rhoda Rugendo	Polychangda Overseas Engineering

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25.	Samir Kibet	Sobetra Construction and Engineering
26.	Francis Ndambuki	Associated Construction
27.	Martin Musyoki	ASP
28.	James Ndegwa	Fairprice
29.	Xu Tianzhao	Hunan Construction Engineering Group Co. Ltd
30.	Ermias Abate	Hyoung & Co. (EA)
31.	Gerald Omondi	Doshi Water
32.	Lio Yangjie	Guangxi Hydroelectric Construction Bureau Kenya Ltd
33.	Li Ming Chuan	Guangxi Hydroelectric Construction Bureau Kenya Ltd
34.	Yuan Jinggui	Jiangxi Water & Hydropower Construction Group Co. Ltd
35.	Julius Kung'u	Toddy Civil Engineering Co. Ltd
36.	Li Ru Yi	SWEG
37.	Caleb Monari	Uday Patel and Co. Ltd
38.	James Karanja	Straback Int
39.	Nyagah John	Pinnie Agency Ltd
40.	Abraham Kapsany	Easewe Ltd

**Agenda:**

- 1) Introduction by all present
- 2) Brief on the Project and Points to be noted by bidders-AWWDA
- 3) Construction Period
- 4) Requests For Clarifications
- 5) Site Visit to the project Areas

**MIN1/ AWWDA/AFD/NWSP/W-01/2022.**

**Introduction**

In the opening remarks by AWWDA, the Bidders Representatives were informed that only issues requiring General Clarifications should be brought up during the Pre-bid Meeting. Specific issues should be addressed in writing to the Employer as stipulated in the Bidding Documents.

**MIN2/ AWWDA/AFD/NWSP/W-01/2022.**

**Objectives of Pre-Bid Site Visit**

The bidders were informed of the objectives of the pre-bid site visit:

- To appreciate the actual construction site condition (terrain) to enable them to build up rates with all relevant site condition information.
- To appreciate the accessibility to the construction sites, to enable them to factor in costs within their rates to include limited access to materials, tools and equipment.
- To appreciate the security situation at the construction sites, to enable them to factor in costs within their rates, including security works, construction materials, tools and equipment.
- To appreciate the requirements of Occupational Health and Safety of the construction sites, to enable them to factor in costs within their rates to include the provision of the same during the construction period.

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**MIN3/ AWWDA/AFD/NWSP/W-01/2022.**

**Project Brief by AWWDA Representative**

The chairperson took bidders through the components of the project which entailed the Construction of the Eastern Nairobi Water and Sewerage Network Intensification Project therefore bidders needed to familiarize themselves with the terrain and social challenges they may encounter during project implementation.

The bidders were informed that the scope of work is as detailed in the bid document.

**MIN4/ AWWDA/AFD/NWSP/W-01/2022.**

**Construction Period**

The construction period is **Twenty Four (24) months** for completion of the proposed works followed by a Defects Liability Period (DLP) of 12 months as per clarifications.

**MIN5/ AWWDA/AFD/NWSP/W-01/2022.**

**Requests for Clarifications**

Bidders were encouraged to formally forward any request for clarifications they had before the deadline for requests for clarifications which is 14 days before the bid submission deadline. The bid submission deadline is **9<sup>th</sup> December 2022 at 12:00 Noon.**

The client further informed the bidders that all responses will be sent to their email addresses given in the Attendance Registers and Tender Collection Register. The bidders were further notified that the responses would also be uploaded to the Employer's Website ([www.awwda.go.ke](http://www.awwda.go.ke)) and the PPIP Portal ([www.tenders.go.ke](http://www.tenders.go.ke))

For further clarification, the bidders were advised to write officially to the procuring entity.

**MIN6/ AWWDA/AFD/NWSP/W-01/2022**

**Site Visit**

All bidders' representatives, including the employer's representatives, proceeded to the site visit.

The employer's representative together with the Consultant took the bidders to the proposed sites.

**MIN7/ AWWDA/AFD/NWSP/W-01/2022**

**Adjournment**

There being no other business the meeting adjourned at 2.30 p.m.

Minutes Prepared by: Billy Kiptoo

**Signed For and on behalf of the Employer: Athi Water Works Development Agency.**

Signature..... Date.....

**Eng. Joseph Kamau**

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**ATHI WATER WORKS DEVELOPMENT AGENCY (AWWDA)**

**PROJECT NAME: CONSTRUCTION OF EASTERN NAIROBI WATER AND SEWERAGE NETWORK INTENSIFICATION PROJECT**

**CONTRACT NO: AWWDA/AFD/NWSP/W-01/2022**

**RESPONSE TO CLARIFICATIONS RECEIVED No.1**

No.	Ref No	Clarification Requested	Response to Clarification
1	Section III-Evaluation and Qualification Criteria, Section 1.7  Form EXP-ESHS with supporting documents (Experience of one (1) construction contract in developing and emerging countries over the last five (5) years in which the ESHS knowledge transfer to a local partner or the ESHS capacity building of the Employer's country staff was carried out satisfactorily)"	<p>"Specific Experience capacity and Knowledge Transfer Experience: Must demonstrate construction capacity and knowledge transfer to a citizen contractor in form of JV agreement indicating the percentage share proportions agreed. Otherwise, the Bid will be rejected."</p> <p>Please clarify whether all bidders must form Joint ventures with citizen companies or providing Form EXP-ESHS with supporting documents will be enough?</p>	Delete the entire Section III-Evaluation and Qualification Criteria Section 1.7
2	BOQ Item X64 of Bill No. 2	<p>Provide and install to functional level 10,000m<sup>3</sup> Tank, with 150mm wide by 75mm deep and 500m long half-round gutters or equivalent, strainers and construct a concrete pad for the tank - to be utilised for water harvesting. All items and works to be approved by the Resident Engineer for schools within the project area.</p> <p>Kindly clarify whether you made a mistake on the unit of the tank. We believe "liter" is more reasonable than m<sup>3</sup> according to the dimensions followed.</p>	The capacity of the functional level tank for rain water harvesting is 10.0m <sup>3</sup> (10,000Litres)

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3	Section III Item 5.3 – Similar Experience	It is not clear what type of Projects are required for this criterion. Are we required to provide ESHS that is specific only to water construction projects? Kindly explain. Is it also acceptable if we provide a project that started in 2014 but was completed in	Projects similar in scope of this Bid are required.
4	Section III Item 4.2 (b) – Specific Experience and Item 6.1 – Specific Experience in areas with security risks	Confirm whether we must provide a construction project that meets both criteria 4.2(b) and 6.1?	Section III Item 4.2 (b) is clear.
5	Section IX Item 14.5b(i) & 14.5c(i)	Kindly clarify if payment of materials on site shall apply	Section VIII Clause 14.5 is clear.
6	Section IX Item 1.1.3.3	Please confirm that the time for completion of works is 18 months. This is because 18 months seems inadequate to complete laying 220km of water and	The time for completion of the Works will be 24 months.
7	BOQ	In instances where there is discrepancy between item codes and description which one supersedes e.g Bill 4 Item no.J681.6 is described as steel yet in such, the code used is for HDPE fittings. Another example is bill 4 item no.1441.1 described as HDPE Pipes	All pipes below 400mm diameter are HDPE.  All Pipe Fittings and Valves are ferrous.
8	BOQ	There are bill items which lack description e.g Bill no.10 item no. J623.8	All pipework fittings and valves are categorized into bends, junctions and branches, tapers and tees. All to be

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9	Section IX Part B - Specific Provisions of the Contract conditions Sub-Clause 1.5: Priority of Documents	It specifies that "the Contractor shall be obliged to comply with the clarification or instruction of the Engineer without any adjustment to the Contract Price and/or to the Time for Completion". Our enquiry is what if the compliance by the Contractor with such clarification or instruction issued by the Engineer attracts additional cost or extra time that is not included or anticipated by the Contract. Will such additional cost or extra time be granted to the Contractor?	Section IX Part B is clear.
10	Section IX Part B - Specific Provisions of the Contract conditions Sub-Clause 1.7: Assignment	We don't understand the purpose of this provision. Does the Employer intend to assign the Contract or any part of it? In case that happens, what benefit or compensation will the Contractor be entitled to under the Contract? Also, it goes against FIDIC golden principles if the Employer shall not require the consent of the Contractor for assignment as the Particular Conditions must not change the balance of risk/reward allocation provided for in the General Conditions.	Section IX Part B Sub-clause 1.7 is clear
11	General Request	In order to better complete the quotation work, please provide the BOQ in Excel format.	The correct bid document is available on <a href="http://www.awwda.go.ke">www.awwda.go.ke</a> .
12	Bid Submission Deadline	Please Confirm the Bid Submission Deadline	<b>The Bid Submission deadline Remains 9<sup>th</sup> December 2022. At 12.00 Noon. EAT Time.</b>

