

When replying please quote: AWWDA/KfW/NST/LOT 4/2023 -PE-kdr

20th June, 2023

To All Bidders,

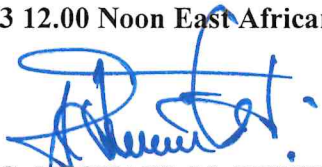
**NAIROBI SATELLITE TOWNS WATER AND SANITATION DEVELOPMENT
PROGRAMME. CONSTRUCTION OF MWIHOKO WATER SUPPLY PROJECT – LOT 4
TENDER NO. AWWDA/KfW/NST/LOT 4/2023**

RESPONSE TO CLARIFICATIONS

Reference is made to the ongoing procurement of Construction of Mwihoko Water Supply Project, Tender No. AWWDA/KfW/NST/Lot 4/2023.

Pursuant to Clause 7.1 Volume I, Instructions to Bidders, please find attached responses to clarifications as received by Athi Water Works Development Agency (AWWDA) by 16th June 2023.

Please note that the bid submission date remains as stated in the bidding document as **30th June 2023 12.00 Noon East African Time**



**ENG. MICHAEL M. THUITA, MBS
CHIEF EXECUTIVE OFFICER.**

Encl;

1. Response to Clarifications
2. BoQ in Excel Format

NAIROBI SATELLITE TOWNS WATER AND SANITATION DEVELOPMENT PROGRAMME;

MWIHOKO WATER SUPPLY SYSTEM – LOT 4

CONTRACT NO. AWWDA/KIW/NST/LOT 4/2023

CLARIFICATIONS TO QUERIES BY BIDDERS

	<u>QUERY</u>	<u>AWWDA'S RESPONSE</u>
1.	On the Bid Data Sheet, ITB 11.1, the Bill of Quantities is requested in xls format. Kindly could you provide the BoQ to bidders in Excel format?	The BoQ is now provided in Excel format, however bidders are strongly advised not to make any amendments to the original BoQ as this will lead to rejection of the bid.
2.	The tender document lacks an Evaluation and Qualification Criteria Table. Can this information be provided to help bidders understand how the bids will be evaluated?	All the criteria that the Employer shall use to evaluate the Bids and to determine the qualification of Bidders is provided in the Bidding Documents, Volume I, Section III. Evaluation and Qualification Criteria. However, to harmonize this Section III. with the information requested in Section IV. Bidding and Qualification Forms, Qualification Information, the Bidding Documents are amended as per the attached clarification no. 01.
3.	The tender document lacks a list of key personnel required for the project. Can the detailed list of personnel and their minimum qualifications be provided?	All the criteria that the Employer shall use to evaluate the Bids and to determine the qualification of Bidders is provided in the Bidding Documents, Volume I, Section III. Evaluation and Qualification Criteria. However, this section of the bidding documents is now amended as per the attached clarification no. 01
4.	Please clarify if there is any international water dispute involving Nairobi Satellite Towns Water and Sanitation Development Programme, Phase 1: Construction of Muihoko Water Supply Project – Lot 4	There is no international water dispute involving Nairobi Satellite Towns Water and Sanitation Development Programme, Phase 1: Construction of Muihoko Water Supply Project – Lot 4.

Signed By Eng. *Kilprona* *D.O.P* Sign. *Om* Page 1 of 2

QUERY	AWWDA'S RESPONSE
5. Please clarify the personnel requirements.	All the criteria that the Employer shall use to evaluate the Bids and to determine the qualification of Bidders is provided in the Bidding Documents, Volume I, Section III. Evaluation and Qualification Criteria. However, this section of the bidding documents is now amended as per the attached clarification No. 1
6. Please clarify the NCA requirements for the project	The Contractor must comply with all Kenyan regulations and statutory requirements, including Registration with the NCA in the relevant Category.
7. There is no mention of Fire hydrants in the BoQ, but it has been specifically mentioned in the Particular Specifications. Please confirm if it is required.	Fire hydrants is not a requirement under this procurement.
8. In the bidding documents, Volume I, Section IX, Particular Conditions, the Time for completion is stated as 12 months. In Volume II, Section 1, Part II, Particular Specifications, it is stated that the proposed construction period will be 6 months. Kindly clarify on the construction period.	The time for completion is 12 months as indicated in the Particular Conditions, Part A Contract Data, Sub Clause 1.1.3.3
9. In the bidding documents, Volume I, Section VIII, General Conditions, the conditions of Contract are stated as being the "General Conditions" which form part of the Short Form of Contract first edition 1999 published by the Federation Internationale des Ingenieurs-Conseils (FIDIC). In Volume II, Section 1, Part II, Particular Specifications, the General Conditions are stated as being the "FIDIC Pink Book" – The MDB (Multi-lateral Development Banks) Harmonized Edition 2010 of the Conditions of Contract for Construction. Kindly clarify on the conditions of contract for use in this project.	The General Conditions of Contract are provided in full in Volume I, Section VIII, General Conditions. These General Conditions are the "FIDIC Pink Book" – The MDB (Multi-lateral Development Banks) Harmonized Edition 2010 of the Conditions of Contract for Construction.

Signed By Eng. K. P. O. O. O. 20.08 Sign Omari



Clarification 01

to

Bidding Document

Nairobi Satellite Towns Water and Sanitation Development Programme, Phase 1 Mwihoko Water Supply Project – Lot 4

Tender No: AWWDA/KFW/NST/LOT 4/2023

Project: NAIROBI SATELLITE TOWNS WATER AND
SANITATION DEVELOPMENT PROGRAMME,
PHASE 1 - MWIHOKO WATER SUPPLY
PROJECT – LOT 4

Employer: ATHI WATER WORKS DEVELOPMENT
AGENCY

Country: REPUBLIC OF KENYA

Clarification issued: 20th June, 2023

Clarification No. 01

As per the Bidding Documents, Volume I, Section I, Instructions to Bidders, Clause 8, the Bidding Documents for Mwihoko Water Supply Project – Lot 4, Tender No. AWWDA/KfW/NST/LOT 4/2023, are amended as in the following.

Bidding Documents, Volume I, Section III. Evaluation and Qualification Criteria

The following Section is amended on page 31:

1. Evaluation of Eligibility and Qualification, 2.2 Qualification

The following paragraph is removed:

- (b) experience as prime contractor in the construction of at least the number of works of a nature and complexity equivalent to the Works over the period specified in the BDS (to comply with this requirement, works cited should be at least 90 percent complete);

And replaced in entirety with the following:

- (b) *experience as prime contractor in the satisfactory implementation of at least three number of works of a nature and complexity equivalent to the Works over the period specified in the BDS (to comply with this requirement, works cited should be at least 90 percent complete). Bidders must provide information that the projects were/are being implemented as per the planned programmes and cashflow forecasts, or, if not, give the reasons.*

The Bidder needs to demonstrate beyond reasonable doubt that they are not substantially at fault for delays in implementation of the works and reduced cashflow. This must be proven by references from the respective Employers or supervising Engineers to support this. If there is any doubt about the authenticity of the references and / or information provided by the Bidders then the bid will be rejected. In this respect, references from Kenyan or East African Employers / Engineers will be preferred.

The following paragraph is removed:

(d) a Contract Manager with five years' experience in works of an equivalent nature and volume, including no less than three years as Manager; and

And replaced in entirety with the following:

(d) the Bidder must demonstrate that it has the personnel for the key positions that meet the following requirements:

No.	Position	Qualifications	Total Work Experience (years)	In Similar Works Experience (years)
(1)	Contract Manager - One (1 Nr)	<ul style="list-style-type: none"> B.Sc. Civil Engineering Professional Engineer registered with the Engineer's Board of Kenya or equivalent 	5	3
(2)	Site Agent – One (1 Nr)	<ul style="list-style-type: none"> B.Sc. Civil Engineering Professional Engineer registered with the Engineer's Board of Kenya or equivalent 	5	3
(3)	Environment, Social, Health and Safety Expert (ESHS) - One (1Nr)	<ul style="list-style-type: none"> •B.Sc. Environmental Management/ Civil Engineering/ H&S or equivalent 	5	3