



NATIONAL WATER CONSERVATION AND PIPELINE CORPORATION
(N.W.C.P.C)

EXPRESSION OF INTEREST DOCUMENT

FOR
DESIGN REVIEW AND SUPERVISION OF THE PROPOSED BOSTO DAM
WATER SUPPLY PROJECT IN BOMET COUNTY

EXECUTING AGENCY/CLIENT:
MANAGING DIRECTOR
NATIONAL WATER CONSERVATION
& PIPELINE CORPORATION
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NAIROBI

Tuesday 17th October 2017

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SECTION I - INVITATION FOR EXPRESSION OF INTEREST (EOI)

Tender No. : NWC/EOI/006/2017-2018

Tender Name: Expression of Interest for Design Review & Supervision of Construction for Bosto Dam Water Supply Project.

Tender No. NWC/EOI/006/2017-2018

1. General Information

National Water Conservation & Pipeline Corporation (NWCPC) was established under the State Corporations Act, Chapter 446 of the Laws of Kenya vide Legal Notice 270 of 24th June, 1988. The corporation's mandate is to develop and spearhead dam construction for water supplies and other multi-purpose uses. Under the Water Act 2016, NWCPC was transformed to National Water Harvesting and Storage Authority (NWHSA).

2. Project Background and Scope

In its effort to provide potable water to all in line with constitutional provisions with regard to right to water and Sustainable Development Goals (SDG), the Government of Kenya through NWCPC has prioritized development of the Bosto Water Supply Project in Bomet County.

The proposed Project will be vital in provision of efficient and sustainable water supply system, creation of employment and enhancement of the socio-economic well-being of the region. The Project will be realized through construction of a dam on Kipsonoi River which emanates from Mau Water Tower.

Proposed Bosto dam will be 40m high zoned rockfill dam with an impermeable clay or Asphalt core. The capacity of the reservoir will be 18.3Million cubic meters.

Treatment works will have capacity of 80,000m³/day with appropriate water system network and storage facilities to serve an initial population of approximately 702,000 with a coverage area of 1050KM².

The project is proposed to be executed under Finance, Design and Build (FDB) concept by consortium (contracting firm/joint venture). Under FDB concept, the developer shall source for funds, carry out design and construct the proposed project.

3. Request for Expression of Interest

In order to realize these goals, NWCPC now invites Expression of interest (EOI) from qualified consulting firms or a joint venture to review the designs and supervise the



construction of Bosto Dam, mini hydro power station, raw water mains, water treatment plant, and transmission pipelines.

The intention of this invitation is to select competent consulting firm or a Joint venture to carry on design review and supervise the construction of the works. Selected consulting firms or a Joint Ventures shall then be requested to submit their Expression of interest (EOI) in the first stage of procurement.

4. Scope of Works:

To review the designs, propose changes (if required), seek approvals of the employer and supervise the construction work:-

- i. Review feasibility study, preliminary Design, Detailed Design and supervise the following construction:-
 - a) 40m high zoned rock fill dam with clay or asphalt core complete with concrete spillway,
 - b) Intake structure/Tower,
 - c) outlet diversion culvert,
 - d) Dam instrumentation and all relevant controls.
 - e) Review the design of the mini hydro power station
 - f) Electric fencing of the dam and relevant controls
 - g) Approximately 19.5km long Raw Water Gravity mains of 900mm diameter.
 - h) Full Water Treatment Works of capacity 80,000m³/day
 - i) Clear Water Transmission and distribution Networks of length 350 km of diameter ranging from 550 to 50mm of steel, HDPE and uPVC.
 - j) 30 No. Storage Reservoirs with capacities ranging from 100 m³ to 5,000 m³.
 - k) 35Km murrum access road with all relevant drainage structures.
 - l) Mini hydro –power generation plant of 300KW and with associated works.
 - m) Associated Civil and Electro-Mechanical Works.
- ii. Carry out the Hydrological study of the project area and dam sedimentation modeling.
- iii. Carry out Geotechnical Investigation of the dam and reservoir areas.
- iv. Carry out survey and demarcation of land to be acquired or leased for the project.
- v. Carry out Environmental Sustainability as stated in the ESIA Report and or as may arise and social Safeguards complete with detailed resettlement action plan report.
- vi. Any other work necessary design/determination for smooth implementation and sustainability of the Project.
- vii. Supervise the restoration of the forest in consultation with the Kenya Forest Services.

5. Specific Request Outputs



The FDB Consortium shall provide the design report and drawings and you will be required to review them to ensure soundness and forward them as final designs ready for construction to the Client for approval.

6. Eligibility and Requirements

NWCPC now invites eligible, Consulting firms or Joint ventures to express interest on the review of design, propose relevant amendments, seek final approval from the client ready for implementation and supervise the implementation of the project. Interested firms or a Joint venture should provide information demonstrating that they have the required technical capabilities or technical qualification and relevant experience to perform the services and works. These information have been provided in Section 2.

The shortlisted consultants or Joint ventures will participate in the second stage of the procurement process. This will involve preparation of financial bid.

(7) Clarification and Submission of EOI

Interested firms or Joint ventures may download EOI document from <http://www.mygov.go.ke> or <http://www.watercorporation.go.ke/> or from National Water Conservation and Pipeline Corporation (Procurement Office), Industrial Area, Dunga Road, P. O. Box 30173-00100, Nairobi during normal working hours (8.00a.m to 5.00p.m from Monday to Friday) excluding Public holidays.

All documents relating to the EOI and any correspondence shall be in English Language only. Completed EOI are to be submitted in **One (1) original in color, (3) hard copies** in black and white **and one electronic copy in PDF** in English language only and in a sealed envelope, super-scribed **the name of this tender only**. They should be deposited in Tender Box 1 or 2 at NWCPC 's Reception or be addressed to the Managing Director, NWCPC, P.O. Box 30173-00100 Nairobi, so as to be received **before 12:00hrs East African Time on 10th November 2017**. There shall be a mandatory site visit on the **2nd November, 2017 to 3rd November, 2017** starting at **0900hrs** with a presentation in the Corporation's Boardroom. All late submissions will be rejected.

The submitted EOI documents will be opened immediately thereafter in the presence of the participants' representatives who choose to attend the opening at the Corporation's Conference room. Canvassing shall lead to disqualification.

All applicants whose applications will have been received on or before the closing date and time will be advised in due course, of the results of their applications. Only candidates selected under this EOI process will be invited to tender/submit request for proposal.



**Managing Director,
National Water Conservation and Pipeline Corporation
P.O Box 30173-00100
NAIROBI, KENYA.**



SECTION II - INSTRUCTIONS TO CONSULTANT

2.1 Scope of Tender

- 2.1.1 National Water Conservation and Pipeline Corporation, a State Agency within the Ministry of Water and Irrigation hereinafter referred to as the procuring entity/Employer/ Client intends to select Consulting firms for supervision of construction of the proposed Bosto Dam Water Supply Project in Bomet County.
- 2.1.2 EOI is open to eligible firms and voluntarily formed joint ventures as indicated in appendix to instructions to consultants.
- 2.1.3 General information on the climate, hydrology, topography, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, facilities, services provided by the procuring entity and (other relevant data) are as specified in the appendix to instructions to contractors. The contract will be a turnkey contract. The Request For Proposal (RFP) documents will be issued after prequalification.

2.2 Submission of Application

- 2.2.1 The EOI shall be submitted in sealed envelopes marked with the tender name and number and deposited in the tender box at National Water Conservation and Pipeline Corporation, Industrial Area, Dunga Road, or be addressed to “The Managing Director, National Water Conservation and Pipeline Corporation, P. O. Box 30173-00100, Nairobi so as to be received on or before 12:00hrs east African time 10th November 2017. ***One original in color and Three (3) additional hard copies and one electronic copy of applications shall be made and enclosed inside one envelope.***
- 2.2.2 The name and mailing address of the applicant may be marked on the envelope.
- 2.2.3 All the information requested for EOI shall be provided in the English language. Where information is provided in any other language, it shall be accompanied by a translation of its pertinent parts into English language. The translation will govern and will be used for interpreting the information.
- 2.2.4 Failure to provide information that is essential for effective evaluation of the applicant’s qualifications or to provide timely clarification or sub substantiation of the information supplied may result in the applicant’s disqualification.
- 2.2.5 Consultations and clarifications can be sort from the Employer on the address: Managing Director, National Water Conservation and Pipeline Corporation, Industrial Area, Dunga Road, P. O. Box 30173-00100, Nairobi, Tel. +254-20-



556600/1/3, Fax: +254-20-531049, Email: info@nwcpc.go.ke on or before 7 days before submission, to enable response and communication to be done on time before closing date of submission of EOI.

2.3 Eligible Firm/ consortium Mandatory Requirements

- i) Provide the following certified copies
 - Copies of certificate of incorporation/registration for Kenyan Local firms or similar verifiable registration for foreign firms.
 - Valid Current Tax compliance certificate by KRA VAT certificate
 - Registration as the Engineering Consulting Firm by Engineers Board of Kenya (EBK) or equivalent Body from the country of origin.
 - If a Joint Venture (JV) or Consortium, arrangement details must be provided.
 - Litigation history signed by commissioner of oaths or equivalent party. Application Form (8) Litigation History must be filled appropriately.
 - Should provide audited accounts for the last 3 consecutive years.

Technical Requirements

- ii) Experience in the design and or supervision in the last Ten (10) years of the following:-
 - a) At least Two (2No.) Large Dams of at least 30m high of (Each 5 Marks)
 - b) At least Two (2No.) Water treatment plant with a capacity of at least 20,000m³/day and water supply pipeline of not less than 500mm diameter and at least 10km long. (Each 5 Marks).
 - c) Mini – hydropower design/supervision (1 Mark)
- iii) Experience in the supervision of the Dam and water treatment and supply especially in the sub-Saharan Africa. (5 Marks).



The projects located in Eastern Africa Region will have added advantage.
(2 Marks).

- iv) Availability of appropriate skilled staff including:
- a) Project Manager who will be the team leader must have Master in Project Management with 15 years of experience Project Management.
(6 Marks)
 - b) 1No. Senior Resident Engineer must be registered with the EBK or other similar and recognized body with at least 20 years of proven and certified experience in the water engineering practices.
(8 Marks)
 - c) 1No. Senior Engineers to act as Resident Engineer, **(there will be a second Senior Engineer seconded by the Employer)** must be registered with the EBK or other similar and recognized body with at least 15 years of proven and certified experience in the water engineering practices.
(5 Marks)
 - d) Geologist must have proven experience in the drilling and grouting experience of not less than 5 years.
(2 Marks)
 - e) 1No Water/ Hydraulics engineers must be a registered with the EBK or other similar and recognized body at least 15 years of proven and certified experience in the water engineering practices
(6 Marks)
 - f) 1No Structural engineer must be a registered with the EBK or other similar and recognized body at least 10 years of proven and certified experience in the structural design.
(5 Marks)
 - g) 1 No Dam expert must have proven experience in the dam safety design, instrumentation, Geotechnical engineering among others with 20 years experience.
(8 Marks)



- h) Water resources expert must have experience with a minimal of first degree in Hydrology or Water Resources or equivalent with 10 year experience.
(3 Marks)
- i) Social and Environmentalist expert registered with NEMA as Lead expert.
(2 Marks)
- j) GIS Expert and CAD specialist with experience in use and application of mapping software and AUTCAD respectively
(3 Marks)
- k) Socio-economist with experience of 10 years
(2 Marks)
- l) Materials engineer must be expert in materials and has 10 years of experience,
(5 Marks)
- m) Electro – Mechanical Engineer must be expert with 8 years of experience
(5 Marks)
- n) Senior Surveyor be expert in surveying with a minimal of 10 years of practical experience.
(5 Marks)
- o) Land economist,
(3 Marks)

If a Joint Venture (JV) or consortium, arrangement details must be provided with a maximum of two firms. One of the firm in the JV must be Kenyan local firm with joint venture percentage of at least 30%. The shortlisted consulting firms or JV will participate in the second stage of the procurement process. This will involve preparation of technical and financial bids from Request for Proposal documents issued by the Client.

2.5 Joint Venture

2.5.1 Joint ventures must comply with the following:-



- (a) Following are the minimum qualification requirements.
- (i) The lead partner shall meet not less than 50 % of all the qualifying criteria in paras's 2.3
 - (ii) The other partners shall meet individually not less than 25% of all the qualifying criteria given in paragraph 2.3.
 - (iii) The joint venture must satisfy collectively all the criteria added together to arrive at the joint ventures total capacity.
 - (iv) Individual members must each satisfy the requirements of para 2.3 items i, iii, v and vi.
- (b) The formation of a joint venture after pre-qualification and any change in a prequalified joint venture will be subject to the written approval of the procuring entity prior to the deadline for submission of bids. Such approval may be denied if (i) partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements (ii) the new partners to a joint venture are not qualified, individually or as an another joint venture; or (iii) in the opinion of the procuring entity a substantial reduction in competition may result.
- (c) Any future bid shall be signed so as to legally bind all partners, jointly and severally, and any bid shall be submitted with a copy of the joint venture agreement providing the joint and several liability with respect to the contract.

2.5.2 The pre-qualification of a joint venture does not necessarily pre-qualify any of its members individually as a member in any other joint venture or association. In case of dissolution of a joint venture, each one of the constituent firms may prequalify if it meets all the prequalification requirements, subject to a written approval of the procuring entity 2.6 Public Sector companies

2.6 Public Sector Companies

2.6.1 Any public owned enterprise may be eligible to qualify if, in addition to meeting all the above requirements, it is also legally and financially autonomous, it operates under commercial law, and it is not a dependent agency of another public entity.

2.7 Conflict of Interest

2.7.1 The applicant (including all members of a joint venture) shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other prequalification and bidding documents for the project, or with an entity that was proposed as engineer for the contract. Any such association must be disclosed and may result in the disqualification of the applicant.

2.8. Updating EOI Information



2.8.1 Selected Firm or Joint venture shall be required to update the financial information used for EOI at the time of submitting their bids and to confirm their continued compliance with the qualification criteria. A bid shall be rejected if the applicant's qualification thresholds are no longer met at the time of bidding.



APPENDIX TO INSTRUCTIONS TO CONSULTANTS

Clause Amendment/additions

2.1.2 Expression of interest is open to both National and International firms and voluntarily joint ventures or consortium(s)". Eligible firms are the consultants (firms) that meet the minimum requirements as indicated in Section I, clause (6).

2.1.3 Add the following:

The Project works are located about 270km from Nairobi, in Bomet County. Dam site can be approached from two routes: First route can be approached from Bomet or Litein Town through Bomet- Litein Road (Road number C24) to Kaptengecha Road Junction. Murram -Earth road begins from Kaptengacha to Bosto Hill 19km and further 20km non motorable path through Mau forest to dam site. Second route can be approached from Nakuru to Molo town to Keringet market centre. From Keringet is 25km murram earth road to Kapkembu at the edge of the forest and a further 10km through Mau forest to the dam site.

Water Treatment Plant is located about 19km from the dam at Bosto Hill. The treated water transmission main is about 40km to the main water consumer which is Bomet Town.

Long rains come from late March to May. Short rains are from October to December.

The construction period for the project is 3 years and 1 year defects liability period".

2.3 ii) Add the following.

Any firm or consortium that does not meet the mandatory requirements shall be disqualified and shall not be evaluated for technical requirements.

2.4.4 Personnel capabilities:

The contractors shall indicate the staff that will be engaged for each category of works separately and include any other staff that he feels is important for successful implementation of the works.

2.9 Criteria

Criteria on eligible firms as stipulated in clause 2.3 shall be used to evaluate for prequalification of the firms. No other criteria shall be applied. Top five firms shall be selected for the second stage but must have acquired more than 75% of the total marks.



SECTION III LETTER OF APPLICATION (EOI)

Notes on letter of application

The EOI will be prepared by the applicant and will follow the form presented herein.

The letter of application will be prepared on the letterhead paper of the applicant or partner responsible for a joint venture and will include full postal address, telephone numbers, fax number and Email address.

The letter of application will be signed by duly authorized representatives of the applicant.

Any clause which does not apply to the applicant in the letter of application herein shall be deleted by the applicant.



SECTION III -

LETTER OF APPLICATION (EOI)

Date

To

.....
(name and address of the procuring entity)

Ladies and/or Gentlemen

1. Being duly authorized to represent and act on behalf of (name of firm) (hereinafter referred to as "the Applicant"), and having reviewed and fully understood all of the Expression of interest information provided, the undersigned hereby apply to be prequalified by yourselves as a bidder for the following contract(s) under (Tender No. and Tender name)

Tender number	Tender name
1.	
2.	

2. Attached to this letter are copies of original documents defining
(a) the Applicant's legal status
(b) the principal place of business and
(c) the place of incorporation (*for applicants who are corporations*), or the place of registration and the nationality of the owners (*for applicants who are partnerships or individually-owned firms*).

3. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and as requested by yourselves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.

4. Your Agency and its authorized representatives may contact the following persons for further information.



	Email Address	Telephone number
General and managerial inquiries		
Technical inquiries		

5. This application is made with the full understanding that:
 - (a) Bids by selected applicants will be subject to verification of all information submitted for EOI at the time of bidding.
 - (b) The employer reserves the right to:
 - amend the scope and value of any contracts bid under this project; in such event, bids will only be called from selected bidders who meet the revised requirements; and
 - reject or accept any application, cancel the EOI process, and reject all applications
 - (c) The Employer shall not be liable for any such actions and shall be under no obligation to inform the Applicant of the grounds for them.
6. Appended to this EOI, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the contract, and the responsibilities for execution of the contract.
7. We confirm that if we bid, that bid, as well as any resulting contract, will be:
 - (a) Signed so as to legally bind all partners, jointly and severally; and
 - (b) Submitted with a joint venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.
7. The undersigned declare that the statement made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead partner of a joint venture)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)



Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)



SECTION IV - STANDARD FORMS

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SECTION IV - STANDARD FORMS

Notes on completion of Standard Forms

Application Form 1 - General information

This form is to be completed by all applicants. Where the applicant proposes to use sub-contractors the information should be supplied in this format. Where there is a joint venture, each partner shall complete the form Application Form 2 - General Experience Record. This form is to be completed by all applicants. Separate sheets should be used for each partner of a joint venture. Applicants are not required to enclose testimonials, certificates or publicity materials with their applications.

Application Form 2A - Joint Venture Summary

This form is to be completed by joint venture applicants only. Application Form 3 - Particular Experience Record This form is to be completed by all applicants meeting the requirement set out in the instructions to candidates. Separate sheets shall be used for each member of or joint venture. Complimentary information will be given on application Form 3A.

Application Form 3A - Details of Contracts of similar nature and complexity.

This form shall be completed by all applicants and will contain similar works completed by the applicant or a member of a joint venture

Application Form 4 - Summary sheet.

Contract commitments/work in progress. This form is to be completed by all applicants including each member of a joint venture. It shall contain the current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Application Form 5 - Personnel Capabilities

This form is to be completed by all applicants. It shall include specific positions essential to contract implementation. The applicants shall provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience shall be supplied on Form 5A

Application Form 5A - Candidate Summary



This form is to be completed by all applicants. The information provided will complement information on Form 5. A separate form shall be used for each personnel .

Application Form 7 - Financial Capability

This form shall be completed by every applicant and each member of a joint venture. It should contained financial information to demonstrate that they meet the requirements stated in the instructions to candidates. If necessary separate sheets should be used to provide complete banker information. A copy of the audited balance sheet if available should be attached. The information should include the summary of actual assets and liabilities for the last five years.

Application Form 8 - Litigation History

This form is to be completed by all applicants including each member of a joint venture. It should provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution. A separate sheet should be used for each member of a joint venture

Form RB1 - Request for Review

This form is only to be filled by the tenderer when aggrieved by the Procuring Entity and submitted to the Review Board at anytime during the tender process but not later than 14 days after date of notification of award.



**APPLICATION FORM(1)
GENERAL INFORMATION**

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact
4.	Fax	E-mail
5.	Place of incorporation/registration	Year of incorporation/registration

Nationality of owners		
Name	Nationality	
1.		
2.		
3.		
4.		
5.		



**APPLICATION FORM (2)
GENERAL EXPERIENCE RECORD**

Name of Applicant or partner of a joint venture

Annual turnover data (Construction only)

Year	Turnover	U S Dollars.
1.		
2.		
3.		
4.		
5.		

**APPLICATION FORM (2A)
JOINT VENTURE SUMMARY**

Names of all partners of a joint venture

1. Lead partner

2. Partner

Total value of annual construction turnover, in terms of work billed to clients, in US Dollars.

Annual turnover data (Design & Supervision construction only: US dollars.

Partner	Form 2 Page no.	Year 1	Year 2	Year 3
1. Lead Partner				
2. Partner				
	Totals			



**APPLICATION FORM (4)
SUMMARY SHEET: CURRENT CONTRACT
COMMITMENTS/WORK IN PROGRESS**

Name of Applicant or partner of a joint venture

Name of contract	Value of outstanding work USDollars.	Estimated completion date
1.		
2.		
3.		
4.		
5.		
6.		



**APPLICATION FORM (5)
PERSONNEL CAPABILITIES**

Name of Applicant/Firm

1.	Title of position Name of prime candidate Name of alternate candidate
2.	Title of position Name of prime candidate Name of alternate candidate
3.	Title of position Name of prime candidate Name of alternate candidate
4.	Title of position Name of prime candidate Name of alternate candidate

The applicants should refer to Section II – Instructions to Contractors, Clause 2.4.4 when filling this form & form 5A below



**APPLICATION FORM (5A)
CANDIDATE SUMMARY**

Name of Applicant

Position	Candidate * Prime * Alternate	
Candidate Information	1. Name of candidate	2. Date of birth
	3. Professional qualifications	
Present Employment	4. Name of employer	
	5. Address of employer	
Telephone		Contact (manager/personnel officer)
Fax E mail		E mail
candidate	Job title of	Years with present employer

Summarize professional experience over the last 20 years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the Project.

From	To	Company/Project/Position/Relevant technical and management experience





**APPLICATION FORM (7)
FINANCIAL CAPABILITY**

Name of Applicant or partner of a joint venture

Banker	Name of banker		
	Address of banker		
	Telephone	Contact name and title	
	Fax	E mail	

Financial information in US dollars.	Actual : previous five years		Projected: next two years	
	1.	2.	3.	4.
1. Total assets				
2. Current Assets				
3. Total liabilities				
4. Current liabilities				



APPLICATION FORM (8) LITIGATION HISTORY

Name of Applicant or partner of a joint venture

Applicants, including each of the partners of a joint venture, should provide information of any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution (Instructions to Applicants, para. 4.8). A separate sheet should be used for each partner of a joint venture.

Year	Award FOR or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value Us Dollars.)

