THE REPUBLIC OF KENYA
Financial Cooperation between Kenya and Germany

ATHI WATER SERVICES BOARD (AWSB)

***

KfW, FRANKFURT

Nairobi Satellite Towns Water and Sanitation Development Programme – Athi Water Services Board

Feasibility Studies for Nairobi Satellite Towns

Contract No. AWSB/KfW/CS-01/2013

CONSULTING SERVICES FOR A FEASIBILITY STUDY

Invitation for Expression of Interest

September 2013
INVITATION FOR EXPRESSION OF INTEREST

1. The Athi Water Services Board (AWSB) on behalf of the MINISTRY OF ENVIRONMENT WATER AND NATURAL RESOURCES (MEWNR) hereby invites qualified independent study consultants to submit a prequalification document for consulting services.

2. Funds have been made available by the German Government, provided through KfW Development Bank, and the Government of Kenya for the Nairobi Satellite Towns Water and Sanitation Development Programme – Athi Water.

3. Programme Executing Agency (PEA) will be:
   Athi Water Services Board (AWSB)
   P.O.Box 45283-00100
   Nairobi / Kenya
   Tel : +254-020-2724292/3, 2727438/441/442/440
   Fax : +254-020-2724295
   Email: info@awsboard.go.ke

4. The objective of the investments and of the programme is to ensure the provision of sufficient, hygienic, economically viable and affordable Water and Sanitation Services for the population of various satellite towns of Nairobi, thus contributing to the overall development goal of improving health of the urban population by reducing waterborne diseases and favouring the economic development in the region. The programme focus is on urban and peri-urban areas of satellite towns of Nairobi, within the area of jurisdiction of Athi Water Services Board (Athi WSB) and Tanathi Water Services Board. Currently the WSS schemes are operated by licensed, commercialised urban Water Services Providers. The programme investments concern the rehabilitation, and where feasible the extension of water production and distribution facilities as well as sanitation facilities in the various towns. Emphasis of the programme is to link public water and sanitation infrastructure investments to urban development in the programme area.

5. AWSB with support of KfW is now looking for a Study Consultant who shall help in developing the vision for a better Nairobi and preparing related investment measures. The findings are to be aggregated in a qualified feasibility study report. Objective of the study is to establish the relevant information that allows the financier KfW to appraise the project. The investment support by KfW is designed as an open programme. That is, the initial investment packages are likely to be extended by additional funds, provided by the government of the Federal Republic of Germany. Consequently, a further objective of the study is to identify suitable follow-up investments, which can be financed by KfW, potentially by other donors or funds of the Kenyan government.

A stepwise approach is intended. In the first study phase, available information for the entire programme area, which includes all satellite towns of Nairobi shall be collated, assessed and analysed. In coordination with AWSB, Tanathi and the financier, suitable selection and prioritisation criteria shall be established in order to identify meaningful project investments, meeting the requirement of the programme objective. All investments shall be guided by the existing

- Feasibility Study and Master Plan for Developing New Water Sources for Nairobi and satellite towns
- AWSB investment planning
- regional development plans for Nairobi Metropolitan area
- and available town planning documents
During this initial study phase

- available technical and town planning information shall be collated and assessed
- a water demand analysis including an analysis of the effects of climate change for Nairobi satellite towns shall be conducted
- available socio economic and social cultural information shall be updated and documented
- a list of meaningful social and technical infrastructure shall be established, including alternative options
- the landscape of key players for managing water supply and sanitation services in the context of urban development shall be assessed
- costs for investment needs shall be estimated roughly

Results of this initial study phase shall be documented in a suitable reporting format and in a GIS database which allows mapping in a suitable scale.

After the finalisation of this initial study phase and the agreement on priority investments, feasibility studies shall be prepared for these investments. These studies shall provide

- the required technical analysis and recommendations
- the required financial analysis of suggested investments including their effects on the tariffs
- the required institutional analysis and recommendations for the institutional arrangements
- the required environmental impact assessments
- climate proofing of the investments
- suggestions for the programme objectives and a suitable indicator system, which allows the measurement of project achievements

Services are to be provided by a team comprising of international and local experts (Civil engineering in water supply and sanitation, GIS, Socio-Economy, Finances, Urban development, Hydrology, Hydro-geology, Environmental assessments) and other professional and administrative support staff. Efficient management and backstopping services shall be made available.

6. Consultants are free to associate themselves with other firms to ensure that all required know-how and experience are available to them. The engagement of qualified local experts and/or consulting companies is highly recommended.

7. The prequalification document in English language shall have the following structure and content and shall be presented in the same sequence as shown below:

i. **Cover Letter**, comprising the firm’s name, address, contact person, telephone, fax and email, if applicable, mention the association for this programme.

ii. **Presentations of firms** (maximum 10 pages for each firm), or in case of an association a **presentation of the association** inclusive clear statements of type and configuration of the association, and distribution of key tasks among the association members. Project references of the consortium members (see iv) must be clearly attributed to the suggested role of the consortium member in the execution of services.
iii. **Statements and Declarations:**

a) Declaration of submitting a proposal in case of being short-listed;

b) Statement on affiliations of any kind with other firms, which may present a conflict of interest in providing the envisaged services, or a statement having no affiliations of any kind.

c) In case of an association – the intended contractual arrangement with international and local firms, nominating the lead consultant and including letters of intent of participating firms including planned scope of works for each participating firm (in case of local partners a fax copy of such letter of intent is sufficient). An association is considered a consortium, when association members establish joint liability. Otherwise, member firms of the association without joint liability are considered sub-consultant. Consulting companies are only allowed to participate in one association.

d) **Declaration of undertaking** to observe the highest standard of ethics during the bidding process and the execution of the contract. Applicants should be aware that any fraudulent or corrupt activities disqualify them immediately from participation in the bidding process and will be subject to further legal investigation. The said declaration shall be submitted (also by all members of an association) and duly signed according as shown in Annexe 3.

e) **Certified statement of financial capacity** of the lead consultant and all partners of a jointly liable consortium showing the necessary turnover of more than 1.200.000 EUR (Balance sheet and profit and loss account of the last three years).

iv. **List of project references** carried out as Annex 1 covering the period between 2003 and 2013 and strictly related to the envisaged services (maximum 15 references and at least 3 references of each partner). If more than 15 references are submitted, the 15 references with the least relevance for the project execution will be evaluated. Project references of sub-consultants may be included in the list of project references, but it shall be clearly visible, that the majority of project references relate to jointly liable association members. References shall allow the evaluation of assessment criteria 1 and shall show the particular experience in:

- Concept and feasibility studies, or other relevant experience in the field of water supply and sanitation projects;
- Concept and feasibility studies or other relevant experience in urban development;
- Various similar working conditions in developing countries;
- Working in Sub-Saharan Africa (preferably in the field of water supply and sanitation).

v. **Brief CVs** of personnel proposed and available (by all partners) for the conduction of services showing the relevant experience (Civil engineering...
in water supply and sanitation, GIS, Socio-Economy, Finances, Urban development, Hydrology, Hydro-geology, Environmental assessments). The submitted CVs shall only show selected, relevant experiences and shall allow an evaluation of criteria 2.1. Personnel belonging to the firm or having a long cooperation gets more points.

vi. **List of available personnel structure** for the envisaged services (of all partners) with information about education, professional experience, regional experience, years with firm, specific programme-related experience and experience in similar posts (see Annex 2, maximum 20 persons). This list shall allow a profound judgement on the consultants’ general ability to provide the required personnel having the specific experience for the programme in case of an offer (criteria 2.2). Personnel belonging to the firm or having a long cooperation gets more points.

vii. **Brief CVs** of personnel proposed for backstopping and home office support (General backstopper, deputy general backstopper, backstoppers in the specific fields mentioned under Item 5; maximum 5 persons, maximum 4 pages each CV). The submitted CVs shall only show selected, relevant experiences and shall allow a profound judgement of the consultant's home office staff in the field of backstopping and professional support (criteria 2.3).

Interested consultants are requested to submit concise and clear, but substantial documents and to adhere to the above structure. Non-compliance with this invitation or faulty information shall lead to non-qualification. Any surplus of information not specific to the material requested will be penalised (see also additional information annex 4)

8. The prequalification proposal shall be submitted in one original and one electronic copy (pdf-file) latest on **Monday 7th October at 15:00** to the Project-Executing Agency Athi Water Services Board:

Athi Water Services Board  
The Chief Executive Officer  
P.O. Box 45283-00100  
Nairobi /Kenya  
Tel: +020-2724292/3, 2727438/441/442/440  
E-mail: info@awsboard.go.ke

Packages containing the Expression of Interest should be clearly marked with the statement: "Expression of Interest: - Feasibility Studies for Nairobi Satellite Towns".

9. One copy as well as an electronic copy (pdf-file) of the prequalification document shall be submitted to the **Tender Agent:**

Harald Heidtmann,  
Buskhøjvej 7,  
6330 Padborg,  
DENMARK  
Harald.Heidtmann@gmx.net
Latest at the same date and time as indicated under item 8. For purposes of the evaluation, only timely submission is relevant.

One further copy of the prequalification document shall be submitted as an electronic copy (pdf-file) on a CD to the KfW office in Nairobi:

KfW Office Nairobi
Att. Programme Manager – Water
P.O Box 52074
00200 Nairobi / Kenya
Tel: +254 (20) 4228 200

10. All costs for a site visit, obtaining information/data and preparation/submission of the prequalification document, meetings, discussions etc. in relation with the prequalification or the subsequent proposal shall be borne by the consultants.

11. At any time, AWSB either at its own initiative or in response to clarifications requested by an interested consultant may clarify this invitation (clarification may be requested 2 weeks before submission date latest). Such information shall be sent in writing by email to all parties, which have informed AWSB about their participation. Interested consultants are recommended to inform AWSB about their intended participation.

12. A short-list of not more than six prequalified consultants will be established not later than four weeks after the submission date.

13. The evaluation procedure for the prequalification process will follow the latest version of the „Guidelines for Assignment of Consultants in Financial Co-operation Projects“ (please refer to homepage of KfW Development Bank “www.kfw-entwicklungsbank.de”). Only financially capable firms which have submitted the necessary statements (see Item 8, III) satisfying the set conditions will be evaluated. Specific evaluation criteria and their individual weight are presented in the following table:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Evidence of relevant experience gained by consultants during the past 10 years (experience of the firm)</td>
<td>40</td>
</tr>
<tr>
<td>1.1 Experience in handling similar projects (water supply, sanitation/wastewater, urban development)</td>
<td>20</td>
</tr>
<tr>
<td>1.2 Experience under various working-conditions in developing countries</td>
<td>5</td>
</tr>
<tr>
<td>1.3 Experience with working-conditions in Kenya, East-Africa and/or Sub-Saharan countries, preferably in the same sector</td>
<td>15</td>
</tr>
<tr>
<td>2. Suitability for this specific project (experience of the available experts)</td>
<td>60</td>
</tr>
<tr>
<td>2.1 Assessment of available technical expertise specific to this project (Civil engineering in water supply and sanitation, GIS, Socio-Economy, Finances, Urban development, Hydrology, Hydro-geology, Environmental assessments)</td>
<td>25</td>
</tr>
<tr>
<td>2.2 Assessment of the personnel structure in regard to the tasks expected (total personnel)</td>
<td>15</td>
</tr>
<tr>
<td>2.3 Assessment of the key personnel in permanent employment and always available to monitor the team and provide back-up services from the home office (based on CVs of backstopping and monitoring personnel)</td>
<td>10</td>
</tr>
<tr>
<td>2.4 Form of the application documents: Are they complete, concise and related to the project?</td>
<td>10</td>
</tr>
</tbody>
</table>
14. If submitted with specific reference to KfW’s “Guidelines for Selection of Consultants” (Art. 4, Art.5) special provisions for “young consulting firms” for evaluation can be applied.

15. After having completed the evaluation of the prequalification documents, a short-list consisting of the six highest ranked Consultants or less scoring a minimum of 70 points will be established. Short-listed firms will be invited to submit a technical and financial proposal. Firms not pre-qualified will be informed accordingly.

16. The PEA is not bound to select any consultant.

17. The preparation and the submission of the prequalification document is the responsibility of the applicant and no relief or consideration can be given for errors and omissions.

18. After opening the prequalification documents until preparation of the short-list of the qualified consultants, no communication of any type shall be entertained unless called for by the AWSB.
Annex 1: Sample of "List of project references"

<table>
<thead>
<tr>
<th>Ref.No.</th>
<th>Project title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of candidate</td>
<td>Country or region</td>
</tr>
<tr>
<td>---------</td>
<td>---------------</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Detailed description project

Type of services provided
Annex 2: Sample of "List of available personnel structure"

<table>
<thead>
<tr>
<th>Name of person</th>
<th>Age or Year of birth</th>
<th>Professional experience (years)</th>
<th>Employment with company (years)</th>
<th>Professional education/qualification and year of graduation</th>
<th>Position/function within company (years)</th>
<th>Project related experience/experience in similar posts</th>
<th>Regional/Country experience</th>
<th>Languages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key staff 1 (e.g. Project Managers)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Key staff 2 (e.g. Water Supply Engineers)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Key staff 3 (e.g. Wastewater Disposal Experts)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Key staff 4 (e.g. Electromechanical Experts)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** Only the Consultant’s key staff and permanent professional staff as well as long-term associates shall be included in the list. The Consultant is not bound to the above format and may use his standard staff lists. However, the information provided should at least include the items specified above.
Annex 3: Declaration of Undertaking

We underscore the importance of a free, fair and competitive procurement process that precludes abusive practices. In this respect we have neither offered nor granted directly or indirectly any inadmissible advantages to any public servant or other person nor accepted such advantages in connection with our bid, nor will we offer or grant or accept any such incentives or conditions in the present procurement process or, in the event that we are awarded the contract, in the subsequent execution of the contract. We also declare that no conflict of interest exists in the meaning of the kind described in the pertinent Guidelines 1.

We also underscore the importance of adhering to minimum social standards ("Core Labour Standards") in the implementation of the project. We undertake to comply with the Core Labour Standards ratified by the country of Kenya.

We will inform our staff about their respective obligations and about their obligation to fulfil this declaration of undertaking and to obey the laws of the country of Kenya.

We also declare that our company/all members of the consortium has/have not been included in the list of sanctions of the United Nations, nor of the EU, nor of the German Government, nor in any other list of sanctions and affirm that our company/all members of the consortium will immediately inform the client and KfW if this situation should occur at a later stage.

We acknowledge that, in the event that our company (or a member of the consortium) is added to a list of sanctions that is legally binding upon the client and/or KfW, the client is entitled to exclude our company/the consortium from the procurement procedure and, if the contract is awarded to our company/the consortium, to terminate the contract immediately if the statements made in the Declaration of Undertaking were objectively false or the reason for exclusion occurs after the Declaration of Undertaking has been issued.

..........................................................................................................................

(Place)  (Date)  (Name of company)

..........................................................................................................................

(Signature(s))

1 See "Guidelines for the Assignment of Consultants in German Financial Cooperation" and "Guidelines for the Award of Contracts for Supplies and Services in German Financial Cooperation"
Annex 4: Additional information about the evaluation procedure

After opening, the pre-qualification documents will be checked for responsiveness to the set requirements. Non-conforming or partly submitted statements and declarations will lead to the exclusion of further evaluation:

- Missing or insufficient statements of financial capacity of all associated, jointly liable partners are considered as exclusionary. A statement of financial capacity of sub-consultants is not required.
- In case of an association, a missing letter of intent of each of the participating firms is considered as exclusionary.
- Missing statements on affiliation of any kind of the associating members including sub-consultants is considered as exclusionary.

In exceptional cases, particularly when otherwise no suitable competition could be established, the PEA in coordination with the financier may agree that consultants can be requested to submit the required information subsequently.

The following missing, non-conforming or partly submitted statements and declarations will lead to a decrease of evaluation criteria 2.4 (Form of the application documents):

- Declaration of submitting a proposal in case of being shortlisted
- Declaration or partly missing declarations to observe the highest standard of ethics
- Cover letter
- Presentation of firms
- List of project references
- Brief CVs,
- List of available personnel structure

It is not the task of the evaluation team to track information. For instance, it is recommended to summarise information about turn over and net profit/loss from the balance sheets in a covering sheet. Information should be concise. Documents should be well arranged for easy reference of information. Unspecific and unorganised presentation of documents leads to devaluation of criteria 2.4 and possibly also other evaluation criteria, when the required information cannot be tracked.

Additional information for the evaluation of references of associations

It is required to state the relations to independent branches or other consulting companies owned by a holding in the statement of affiliations. International consulting companies that cooperate with a local branch, which is a legally independent entity, should establish an association with this company, even if this branch is entirely owned by the holding company. Companies of a holding company will be considered as independent company for the evaluation of references. For instance, it is not possible for a local branch to use references of the holding company, when no association is established and vice versa. Though, in case of an association, a holding may submit joint references with its local branch.