



Ref: **CWWDA/AFD/PQ/W4/2022-2023/89**

Date: 6<sup>th</sup> December, 2024

To: All Bidders,


**RE: LOT 1 – CONSTRUCTION OF THE MWACHE TRUNK MAIN (SECTION 1), SOUTH MAINLAND TRANSMISSION MAIN AND DONGO KUNDU RESERVOIR - TENDER NO.: CWWDA/AFD/PQ/W4/2022-2023**

**Clarification No.4**

This letter is in response to your request for clarifications regarding the above-mentioned tender. In accordance with the provisions of the bid documents, we are providing responses to all queries received from bidders. These responses have been uploaded to the portal for your review and download, and its also **attached**.

Tender Clarification No.4 has been uploaded on our website: <https://www.cwwda.go.ke/tenders> and the password remains the same.

The other terms and Conditions of the bid remains the same

  
**ENG. MARTIN TSUMA**  
**Ag. CHIEF EXECUTIVE OFFICER**



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**Improvement of Drinking Water and Sanitation Systems in Mombasa, Lot 1 - Construction of the Mwache Trunk Main (Section 1), South Mainland Transmission Main and Dongo Kundu Reservoir (CWWDA/AFD/PQ/W4/2022-2023)**

**REQUESTS FOR CLARIFICATIONS BY BIDDERS AND RESPONSES – set 08**

S/No.	Request for Clarification / Query	Response
1.	<p><u>VAT</u> As per your response to Clarification N°2, we understand the Contractor should apply for VAT exemption from the government of Kenya once the Contract is signed (in order for suppliers to be able to invoice Contractor without VAT).</p> <p>Could you please clarify if the Employer will assist the Contractor in obtaining this VAT exemption? And kindly confirm that this VAT exemption will <u>be for all input-VAT linked to the project</u> (meaning: for imported goods &amp; services and locally manufactured goods &amp; services).</p>	<p>The Employer will provide the requisite support and assistance to the contractor during processing of the VAT Exemption.</p> <p>The VAT exemption will be for all in-put VAT linked to the project (for imported goods &amp; services and locally manufactured goods &amp; services)</p> <p><b><i>The contract is inclusive of all taxes (Clarification No. 2, Set 3 Items 4, 5, 6 and 7 issued on 12<sup>th</sup> November 2024).</i></b></p>
2.	<p><u>WHT</u> We understand that withholding taxes will be deducted from IPC amounts &amp; the Contractor will provide Employer with a WHT certificate.</p> <p>Kindly inform what WHT- rate will be withheld from IPC amounts? Will this WHT be a final tax or creditable against CIT? Kindly advice.</p>	<p>The application of the WHT will be discussed at the contract negotiation with the successful bidder. The WHT can be either paid to the Contractor or be deducted from IPC amounts and paid by the Employer on behalf of the Contractor, in which case the Employer will provide a WHT certificate to the Contractor.</p> <p>The WHT rate on construction/works contracts is 3% and is an advance payment of the Corporate Income Tax (CIT). The Bidders should check the laws of Kenya with regard to registration status of company and applicable Taxes.</p>
3.	<p>Lot1 – Bill 2.2: X993 Transverse R.C. Supports to Pipeline on Steep Cross-fall within the Mwache forest</p> <p>We understand from your answer 26 – set 03 of responses, that:</p> <ul style="list-style-type: none"> <li>- the design to be considered for the buried supports/piers to act as transverse supports is the same than the design for aerial sections.</li> <li>- Employer is requesting the Contractor to construct half of the piers for later installation of the second line of the Twin Mwache Trunk Main.</li> </ul> <p>Kindly confirm if our understanding is correct</p> <p>If yes, could you please clarify the following:</p>	<p>The Bidder's understanding is correct.</p>

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**REQUESTS FOR CLARIFICATIONS BY BIDDERS AND RESPONSES – set 08**

<b>S/No.</b>	<b>Request for Clarification / Query</b>	<b>Response</b>
	<ul style="list-style-type: none"><li>- What is the distance from the pipe to be laid to be considered by Bidders for the second line of the Twin Mwache Trunk Main (for excavation purposes for the extra piers)?</li><li>- What are the reinstatement requirements for these extra piers which will be completely buried for later stage?</li></ul>	<p>The minimum distance between the edges of the two pipes will be at least 1m.</p> <p>Once the piers for the future pipelines are constructed, these will be backfilled with a warning tape located approx. 50 cm above the pier for future detection. They will be exposed to the pipe invert level during construction of the future pipes.</p>