



COAST WATER WORKS DEVELOPMENT AGENCY

Country: Kenya

Project: Improvement of Drinking Water and Sanitation Systems in Mombasa through Mwache Project

Credit No. CKE 1103 01 C

Assignment Title: Consultancy Services for Design and Implementation of DMAs, Reduction of Commercial Losses and Provision of Technical Support to MOWASSCO

Contract No: CWWDA/AFD/MWCE/C/6/2021

Request for Expressions of Interest (EOI)

CONSULTING SERVICES

(CONSULTING SERVICES – FIRMS SELECTION)

1. The Republic of Kenya has received a credit from the French Development Agency (AFD) toward the cost of the **'Improvement of drinking water and sanitation systems in Mombasa through the Mwache Project'**, and intends to use part of the funds thereof for payments under the following Contract: Consultancy Services for Design and Implementation of DMAs, Reduction of Commercial Losses and Provision of Technical Support to MOWASSCO, **Contract No. CWWDA/AFD/MWCE/C/6/2021**.
2. The consulting services ("the Services") include:
 - Carrying out of a Citywide Design review of DMAs
 - Detailed design of the DMAs under LOT-I (tentatively 10 DMAs, funded)
 - Preparation of Tender Documents and Safeguard Documents for LOT-I and LOT-II (not funded)
 - Implementation and monitoring of DMAs under LOT-I.
 - Carrying out Customer Identification Survey and Customer location mapping.
 - Cleaning-up and upgrading/updating the Customer Management System.
 - Cleaning-up and upgrading/updating billing procedures.
 - Reviewing and updating water meter reading methods.
 - Capacity building in the fields of NRW, Customer Management, account reactivations, replacement of old water meters and dilapidated spaghettis lines (to enable customer connection to MOWASSCO water supply).
 - Campaign for rolling out Social Connection Policy in the Low-Income Areas (LIAs).
 - Preparation of tender documents, including specifications, etc. and assisting in the associated tender process management for the procurement of goods and equipment through CWWDA and/or MOWASSCO.

3. The Coast Water Works Development Agency (CWWDA), a parastatal (Government Owned and Autonomous) created under the Water Act, 2016 and established through a Gazette Notice No. 59 of 26th April 2019 under the Ministry of Water & Sanitation and Irrigation (MWSI), now invites eligible consulting firms ("Consultants") to indicate their interest in providing the Services. Eligibility criteria to AFD's financing are specified in sub-clause 1.3 of the "Guidelines for the Procurement of the AFD-Financed Contracts in Foreign Countries", available online on AFD's website www.afd.fr.
4. In order to confirm eligibility for AFD's financing, interested firms shall submit (as part of the expression of interest) a duly signed 'statement of integrity' which can be downloaded from <https://www.cwwda.go.ke/>.
5. The Applicant shall submit only one application, either in its own name or as a member of a Joint Venture (JV). If an Applicant (including any JV member) submits or participates in more than one application, those applications shall be all rejected. However, the same Subconsultant may participate in several applications.

If the Applicant is a JV, the expression of interest shall include:

- a copy of the JV Agreement entered into by all members,
- or
- a letter of intent to execute a JV Agreement, signed by all members together with a copy of the Agreement proposal,

In the absence of this document, the other members will be considered as Subconsultants. Experiences and qualifications of Subconsultants are not taken into account in the evaluation of the applications.

6. Interested consultants must provide information demonstrating that they are qualified and experienced to perform these services. For that purpose, documented evidence of recent and similar services shall be submitted.
 - a) Presentation of the Consultancy Firm: general presentation, scope of activities, financial data (sales figure, etc) for the past 3 years, description of human resource, organogram, etc.
 - b) Experience on Similar Assignments during the last 10 years. Determination of the similarity of the experiences will be based on:
 - o The contracts size
 - o The nature of the Services: Technical Assistance-NRW for water supply utilities, Capacity building and Distribution Network Operation
 - o The technical area and expertise on:
 - Establishment of District Metered Areas (DMAs),
 - Non-Revenue Water (NRW) Reduction,
 - Customer Identification Survey, implementation of Billing System,
 - Capacity Building
 - Engineering Contract Management
 - Distribution Network Design, and Construction Supervision shall be an added advantage
 - o Experience in the region on similar assignment as defined above
 - o Experience on donor funded projects

The Consultant shall provide detailed references (references experience in similar assignments as defined above) sheets (not more than twenty (20) references - if more than 20 references are presented, only the first 20 references will be allowed) a reference list to sum up references, as per the following template:

Name of Assignment	Country	Start and End dates	Total Contract Amount	Company Position and Contract Share	Technical characteristics (with regards to criteria defined)	Scope of work/ Activities performed
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- c) Technical area and expertise: The Client will also take into account during the evaluation of the applications the following items:
- o Availability of appropriate skills among staff and especially: project management, water supply distribution network design & implementation, Non-Revenue Water (NRW) reduction, District Metered Area (DMA) design and implementation, metering, customer data base updating and cleaning, GIS & mapping etc
 - o Permanence (at least 5 years of continuous working relationship with the firm) of key experts especially the Team Leader and Water Distribution Network Expert (DMA) will be favored.

The Consultant shall present the available list of expertise in a table as per the following template (CV are not required at this stage).

Name	Qualification	Years of experience (total / as permanent employees of the bidder	Proposed Position	List of main related projects experience and countries (maximum 10 projects)
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- o Due to the extended duration of the assignment, the Consultant shall demonstrate Potential backstopping support.
- d) The Consultant shall demonstrate the Firm's Quality Management System by presenting evidence (certification, for instance ISO 9001)
7. Due to the security risk in the areas where the Services are to be performed, the evaluation of Expressions of Interest will verify that the applications meet the following criteria:
- The Applicant has at least one experience providing services in an area with a similar security risk, for which it shall provide proof of implementation of security measures (invoice or contract with a security service provider, proof of security awareness training before departure on-site, etc.).
 - The Applicant has set up internal security management procedures: it shall provide a description of its monitoring system and crisis management system.
 - For services provided abroad, the Applicant has entered into an assistance and repatriation contract for its employees: it shall provide the certificate evidencing such contract.
 - The Applicant shall describe its standard preparation process for departure on assignment in sensitive areas, and shall attach documents proving its implementation (service orders with related instructions, certificates of awareness-raising or training actions, etc.).
- For a JV, its leader and any member that has its registered office outside the Client's country shall fulfil each of these criteria.
- An application that does not meet any of these requirements will be rejected.
8. Further information can be obtained at the address below during office hours from 07:45 to 16:30 hours from Monday to Friday excluding lunch hour (12:30 to 14:00 hours and public holidays).
9. Among the submitted applications, the Coast Water Works Development Agency will shortlist a maximum of 6 Consultants, to whom the Request for Proposals to carry out the services shall be

issued. A Consultant will then be selected in accordance with the Quality and Cost Based Selection (QCBS) method set out in the AFD Procurement Guideline.

Expressions of interest should be clearly marked with the following statements “**Consultancy Services for Design and Implementation of DMAs, Reduction of Commercial Losses and Provision of Technical Support to MOWASSCO, Contract No. CWWDA/AFD/MWCE/C/6/2021**” and must be delivered in written form to the address below (in person, or by email) by **15th September, 2021** at **12:00 hours local time**.

**Chief Executive Officer
Coast Water Works Development Agency
Mikindani Street, Off Nkrumah Road
Mombasa.
Email: info@cwvda.go.ke**

Appendix to the Request for Expressions of Interest

(to be submitted with the application, signed and unaltered)

Statement of Integrity, Eligibility, Social and Environmental Responsibility

Reference name of the bid or proposal: _____ (The "Contract")

To: _____ (The "Contracting Authority")

- 1) We recognise and accept that *Agence Française de Développement* ("AFD") only finances projects of the Contracting Authority subject to its own conditions which are set out in the Financing Agreement which benefits directly or indirectly to the Contracting Authority. As a matter of consequence, no legal relationship exists between AFD and our company, our joint venture or our suppliers, contractors, subcontractors, consultants or subconsultants. The Contracting Authority retains exclusive responsibility for the preparation and implementation of the procurement process and performance of the contract. The Contracting Authority means the Purchaser, the Employer, the Client, as the case may be, for the procurement of goods, works, plants, consulting services or non-consulting services.
- 2) We hereby certify that neither we nor any other member of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations:
 - 2.1) Being bankrupt, wound up or ceasing our activities, having our activities administered by the courts, having entered into receivership, reorganisation or being in any analogous situation arising from any similar procedure;
 - 2.2) Having been:
 - a. convicted within the past five years by a court decision, which has the force of *res judicata* in the country where the Contract is implemented, of fraud, corruption or of any other offense committed during a procurement process or performance of a contract (in the event of such conviction, you may attach to this Statement of Integrity supporting information showing that this conviction is not relevant in the context of this Contract);
 - b. subject to an administrative sanction within the past five years by the European Union or by the competent authorities of the country where we are constituted, for fraud, corruption or for any other offense committed during a procurement process or performance of a contract (in the event of such sanction, you may attach to this Statement of Integrity supporting information showing that this sanction is not relevant in the context of this Contract);
 - c. convicted within the past five years by a court decision, which has the force of *res judicata*, of fraud, corruption or of any other offense committed during the procurement process or performance of an AFD-financed contract;
 - 2.3) Being listed for financial sanctions by the United Nations, the European Union and/or France for the purposes of fight-against-terrorist financing or threat to international peace and security;
 - 2.4) Having been subject within the past five years to a contract termination fully settled against us for significant or persistent failure to comply with our contractual obligations

during contract performance, unless this termination was challenged and dispute resolution is still pending or has not confirmed a full settlement against us;

2.5) Not having fulfilled our fiscal obligations regarding payments of taxes in accordance with the legal provisions of either the country where we are constituted or the Contracting Authority's country;

2.6) Being subject to an exclusion decision of the World Bank and being listed on the website <http://www.worldbank.org/debarr> (in the event of such exclusion, you may attach to this Statement of Integrity supporting information showing that this exclusion is not relevant in the context of this Contract);

2.7) Having created false documents or committed misrepresentation in documentation requested by the Contracting Authority as part of the procurement process of this Contract.

3) We hereby certify that neither we, nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations of conflict of interest:

3.1) Being an affiliate controlled by the Contracting Authority or a shareholder controlling the Contracting Authority, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;

3.2) Having a business or family relationship with a Contracting Authority's staff involved in the procurement process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;

3.3) Being controlled by or controlling another bidder or consultant, or being under common control with another bidder or consultant, or receiving from or granting subsidies directly or indirectly to another bidder or consultant, having the same legal representative as another bidder or consultant, maintaining direct or indirect contacts with another bidder or consultant which allows us to have or give access to information contained in the respective applications, bids or proposals, influencing them or influencing decisions of the Contracting Authority;

3.4) Being engaged in a consulting services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the Contracting Authority;

3.5) In the case of procurement of goods, works or plants:

i. Having prepared or having been associated with a consultant who prepared specifications, drawings, calculations and other documentation to be used in the procurement process of this Contract;

ii. Having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract;

4) If we are a state-owned entity, and to compete in a procurement process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.

5) We undertake to bring to the attention of the Contracting Authority, which will inform AFD, any change in situation with regard to points 2 to 4 here above.

6) In the context of the procurement process and performance of the corresponding contract:

6.1) We have not and we will not engage in any dishonest conduct (act or omission) deliberately intended to deceive others, to intentionally conceal items, to violate or vitiate someone's consent, to make them circumvent legal or regulatory requirements and/or to violate their internal rules in order to obtain illegitimate profit;

6.2) We have not and we will not engage in any dishonest conduct (act or omission) contrary to our legal or regulatory obligations or our internal rules in order to obtain illegitimate profit;

6.3) We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to (i) any Person who holds a legislative, executive, administrative or judicial mandate within the State of the Contracting Authority regardless of whether that Person was nominated or elected, regardless of the permanent or temporary, paid or unpaid nature of the position and regardless of the hierarchical level the Person occupies, (ii) any other Person who performs a public function, including for a State institution or a State-owned company, or who provides a public service, or (iii) any other person defined as a Public Officer by the national laws of the Contracting Authority's country, an undue advantage of any kind, for himself or for another Person or entity, for such Public Officer to act or refrain from acting in his official capacity;

6.4) We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to any Person who occupies an executive position in a private sector entity or works for such an entity, regardless of the nature of his/her capacity, any undue advantage of any kind, for himself or another Person or entity for such Person to perform or refrain from performing any act in breach of its legal, contractual or professional obligations;

6.5) We have not and we will not engage in any practice likely to influence the contract award process to the detriment of the Contracting Authority and, in particular, in any anti-competitive practice having for object or for effect to prevent, restrict or distort competition, namely by limiting access to the market or the free exercise of competition by other undertakings;

6.6) Neither we nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or France;

6.7) We commit ourselves to comply with and ensure that all of our suppliers, contractors, subcontractors, consultants or subconsultants comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract, including the fundamental conventions of the International Labour Organisation (ILO) and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the environmental and social commitment plan (ESCP) provided by the Contracting Authority.

7) We, as well as members of our joint venture and our suppliers, contractors, subcontractors, consultants or subconsultants authorise AFD to inspect accounts, records and other documents relating to the procurement process and performance of the contract and to have them audited by auditors appointed by AFD.

Name: _____ In the capacity of: _____

Duly empowered to sign in the name and on behalf of¹: _____

Signature: _____ Dated: _____

¹ In case of joint venture, insert the name of the joint venture. The person who will sign the application, bid or proposal on behalf of the applicant, bidder or consultant shall attach a power of attorney from the applicant, bidder or consultant.