

# KISUMU WATER AND SANITATION COMPANY LIMITED



**KIWASCO HEADQUARTERS, TOM MBOYA ESTATE,  
ALONG NYERERE ROAD  
P.O BOX 3210 – 40100  
KISUMU  
[info@kiwasco.co.ke](mailto:info@kiwasco.co.ke)**

**REGISTRATION DOCUMENT FOR SUPPLY AND DELIVERY OF GOODS**

**TENDER NUMBER: KWSC/16/2024 – 2025**

**REGISTRATION FOR SUPPLY AND  
DELIVERY OF AMR ENABLED  
WATER METERS**

**JULY 2024**

**Invitation for Pre-qualification No.** : KWSC/16/2024-2025  
**Contract Name** : Supply and Delivery of AMR Enabled Water Meters  
**Procuring Entity** : Kisumu Water and Sanitation Company Ltd  
**Issued on** : 23<sup>rd</sup> July 2024

## INVITATION TO APPLY FOR REGISTRATION

**Name of Contract:** Supply and Delivery of AMR Enabled Water Meters

**Contract No:** KWSC/16/2024-2025

**Prequalification Reference No.:** KWSC/16/2024-2025

1. **Kisumu Water and Sanitation Company Limited (KIWASCO)** intends to register Suppliers for Supply and Delivery of AMR Enabled Water Meters (Contract NO. KWSC/16/2024-2025. The registration will run for 2 an initial 2 years and shall be reviewed after this period. AMR enabled meters will help KIWASCO in reading meters remotely using the Automatic Meter Reader (AMR). The meters will be delivered to KIWASCO main store in at KIWASCO Headquarters in Kisumu. The initial quantities are about 800 meters of different sizes.
2. It is expected that the Invitation to Tender will be made from the month of October 2024. Tendering will be conducted through National Competitive Tendering (Request for Quotation procedures using a standardized tender document and will be open to all applicants who will have been successfully registered after this process.
3. Qualified and interested applicants may obtain further information and inspect the Prequalification Document during office hours i.e **from 8.00hrs to 1700 hrs.** at the address given below.

**Kisumu Water and Sanitation Company Limited  
KIWASCO Headquarters,  
Tom Mboya Estate, along Nyerere Road  
P.O Box 3210 – 40100  
Kisumu**

4. A complete set of Prequalification Document in English may be electronically from KIWASCO website [www.kiwasco.co.ke](http://www.kiwasco.co.ke) or from the Public Procurement Information Portal's website <https://tenders.go.ke> **free of charge.**
5. Registration Document may be viewed and downloaded for free from the website [www.kiwasco.co.ke](http://www.kiwasco.co.ke) or from the Public Procurement Information Portal's website <https://tenders.go.ke>. Applicants who download the registration Document must forward their particulars immediately to [procurement@kiwasco.co.ke](mailto:procurement@kiwasco.co.ke) for registration purposes and to facilitate any further clarification or addendum.
6. Applications for registration should be submitted by postal service, or hand/courier delivery, clearly marked envelopes and delivered to the address given below **by 11.00am on the 6<sup>th</sup> day of August 2024.**
7. Late applications a reliable to be rejected.
8. Address where to submit Applications

**The Managing Director  
Kisumu Water and Sanitation Company Limited  
KIWASCO Headquarters,  
Tom Mboya Estate, along Nyerere Road  
P.O Box 3210 – 40100  
Kisumu**

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# **PART 1 - APPLICATION PROCEDURES**

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## SECTION I - INSTRUCTIONS TO APPLICANTS (ITA)

### A. General

#### 1 Scope of Application

1.1 The name of the Procuring Entity inviting for applications is defined in the **PDS**. The particular type of contract (works, goods or Non-Consulting Services required) and its name and description of the contract(s) and its reference number are defined in the **PDS**. If the scope of contract so defined is in multiple contracts, it will be specified in the **PDS** if prequalification will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non-Consulting Services are described in Section V (Scope of Works or goods contract).

2 **Source of Funds** to be specified in the PDS, if deemed necessary.

#### 3 Fraud and Corruption

3.1 The Government of Kenya requires compliance with its Anti-Corruption laws and its prevailing sanctions policies and procedures.

3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents (where declared or not), subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Procurement Regulatory Authority (PPRA) to inspect all accounts, records and other documents relating to any initial selection process, prequalification process, tender submission (in case prequalified), proposal submission, and contract performance (in the case of award), and to have them audited by auditors appointed by the PPRA.

#### 4 Collusive practices

4.1 The Procuring Entity requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination" annexed to the Form of applicant.

#### 5 Eligible Applicants

5.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1 and 5.2. An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9 or any combination of such entities in the form of a joint venture ("JV") under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Members of a joint venture may not also make an individual tender, be a subcontractor in a separate tender or be part of another joint venture for the purposes of the same Tender. The maximum number of JV members shall be specified in the PDS.

5.2 Public Officers of the Procuring Entity, their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse, their business associates or agents and firms/organizations in which they have a substantial or controlling interest shall not be eligible to be prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.

5.3 A firm may apply for prequalification both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.

5.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.

5.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated

or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. sub-contractors or suppliers for any part of the Contract including related Non-Consulting Services.

- 5.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Procuring Entity as Engineer for contract implementation of the contract(s) that are the subject of this prequalification. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Procuring Entity who:
- a are directly or indirectly involved in the preparation of the prequalification Document or Invitation to Tender (ITT), Document or specifications of the Contract, and/or the Tender evaluation process of such Contract; or
  - b would be involved in the implementation or supervision of such Contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Procuring Entity throughout the prequalification, ITT process and execution of the Contract.
- 5.7 An Applicant that has been debarred shall be ineligible to be initially selected for, prequalified for, tender for, propose for, or be awarded a contract during such period of time as the PPRA shall have determined. The list of debarred firms and individuals is available at [www.ppra.go.ke](http://www.ppra.go.ke)
- 5.8 Applicants that are state-owned enterprise or institutions in Kenya may be eligible to prequalify, compete and be awarded a Contract(s) only if they can establish, in a manner acceptable to the Procuring Entity, that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of any public entity.
- 5.9 An Applicant shall not be under sanction of debarment from Tendering by the PPRA as the result of the execution of a Tender/Proposal–Securing Declaration.
- 5.10 An Applicant that is a Kenyan firm or citizen shall provide evidence of having fulfilled his/her tax obligations by producing a current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority.
- 5.11 An Applicant shall provide any other such documentary evidence of eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

## **6 Eligibility**

- 6.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated herein. The countries, persons or entities are ineligible if:
- a. As a matter of law or official regulations, Kenya prohibits commercial relations with that country, or
  - b. By an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, Kenya prohibits any import of goods or contracting of works or Non- Consulting Services from that country, or any payments to any country, person, or entity in that country.
- 6.2 When the Works, supply of Goods or provision of non-consulting services are implemented a cross jurisdictional boundary (and more than one country is a Procuring Entity, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1 (a) above by any country may be applied to that procurement across other countries involved, if the Procuring Entities involved in the procurement so agree.
- 6.3 Any goods, works and production processes with characteristics that have been declared by the relevant national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

## **B. Contents of the Prequalification Documents**

### **7 Sections of Prequalification Document**

- 7.1 This Prequalification Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

## **PART 1 - Prequalification Procedures**

- i) Section I- Instructions to Applicants (ITA)
- ii) Section II - Prequalification Data Sheet (PDS)
- iii) Section III - Qualification Criteria and Requirements
- iv) Section IV- Application Forms

## **PART 2 - Works, Goods, or Non-Consulting Services Requirements**

- i) Section VII- Scope of Works, Goods, or Non-Consulting Services

7.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.

7.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document.

## **8 Clarification of Prequalification Documents, site visit(s) and Pre-Application Meeting**

8.1 An Applicant requiring any clarification of the Prequalification Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated in the **PDS**. The Procuring Entity will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Procuring Entity shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **PDS**. Should the Procuring Entity deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure under ITA 8. And in accordance with the provisions of ITA 17.2.

8.2 The Applicant, at the Applicant's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the application. The costs of visiting the Site shall be at the Applicant's own expense. The Procuring Entity shall specify in the **PDS** if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the **PDS** if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre- application meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.

8.3 The Applicant is requested to submit any questions in writing, to reach the Procuring Entity not later than the period specified in the **PDS** before the submission date of applications.

8.4 Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the prequalification documents. Minutes shall not identify the source of the questions asked.

8.5 The Procuring Entity shall also promptly publish anonymized (*no names*) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified **in the PDS**. Any modification to the Prequalification Documents that may become necessary as a result of the pre-arranged site visit and those of the pre-application meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to PDS 8 and not through the minutes of the pre-application meeting. Non-attendance at the pre-arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

## **9 Amendment of Prequalification Document**

9.1 At any time prior to the deadline for submission of Applications, the Procuring Entity may amend the Prequalification Document by issuing an Addendum.

9.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all Applicants who have obtained the Prequalification Document from the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the PDS.



9.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Procuring Entity may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

## **C. Preparation of Applications**

### **10 Cost of Applications**

10.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Procuring Entity will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

### **11 Language of Application**

11.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Procuring Entity, shall be written in English Language. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the English language, in which case, for purposes of interpretation of the Application, the translation shall govern.

### **12 Documents Comprising the Application**

12.1 The Application shall comprise the following:

- a. Application Submission Letter, in accordance with ITA 13.1;
- b. Eligibility: documentary evidence establishing the Applicant's eligibility, in accordance with ITA 14.1;
- c. Qualifications: documentary evidence establishing the Applicant's qualifications, in accordance with ITA 15; and
- d. Any other document required as specified in the PDS.

12.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application.

### **13 Application Submission Letter**

13.1 The Applicant shall complete an Application Submission Letter as provided in Section IV (Application Forms). This Letter must be completed without any alteration to its format.

### **14 Documents Establishing the Eligibility of the Applicant**

14.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV (Application Forms).

### **15 Documents Establishing the Qualifications of the Applicant**

15.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV (Application Forms).

15.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the Kenya Shilling equivalent using the rate of exchange determined as follows:

- a For construction turnover or financial data required for each Year-Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted).
- b Value of single Contract-Exchange rate prevailing on the date of the contract.

15.3 Exchange rates shall be taken from the publicly available source identified in the PDS. Any error in determining the exchange rates in the Application may be corrected by the Procuring Entity.

15.4 Applicants shall be asked to provide, as part of the data for qualification, such information, including details of ownership, as shall be required to determine whether, according to the classification established by the Procuring Entity, a particular contractor or group of contractors qualifies for a margin of preference. Further the information will enable the Procuring Entity identify any actual or potential conflict of interest in relation to the



procurement and/or contract management processes, or a possibility of collusion between Applicants, and thereby help to prevent any corrupt influence in relation to the procurement processor contract management.

- 15.5 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which an Applicant may have. There can be no circumstances in which it would be justified for an Applicant to keep information relating to its ownership and control confidential where it is tendering to undertake public sector work and receive public sector funds. Thus, confidentiality will not be accepted by the Procuring Entity as a justification for an Applicant's failure to disclose, or failure to provide required information on its ownership and control.
- 15.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changes to the information which was provided by the Applicant under ITT 6.3. The obligations to require this information shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or management of the contract.
- 15.7 All information provided by the Applicant pursuant to these requirements must be complete, current and accurate as at the date of provision to the Procuring Entity. In submitting the information required pursuant to these requirements, the Applicant shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.
- 15.8 If an Applicant fails to submit the information required by these requirements, its application will be rejected. Similarly, if the Procuring Entity is unable, after taking reasonable steps, to verify to a reasonable degree the information submitted by an Applicant pursuant to these requirements, then the application will be rejected.
- 15.9 If information submitted by an Applicant pursuant to these requirements, or obtained by the Procuring Entity (whether through its own enquiries, through notification by the public or otherwise), shows any conflict of interest which could materially and improperly benefit the Applicant in relation to the procurement or contract management process, then:
- If the procurement process is still ongoing, the Applicant will be disqualified from the procurement process,
  - If the contract has been awarded to that Applicant, the contract award will be set aside,
- 15.10 the Applicant will be referred to the relevant law enforcement authorities for investigation of whether the Applicant or any other persons have committed any criminal offence.
- 15.11 If an Applicant submits information pursuant to these requirements that is incomplete, inaccurate or out-of-date, or attempts to obstruct the verification process, then the consequences ITT 6.7 will ensue unless the Applicant can show to the reasonable satisfaction of the Procuring Entity that any such act was not material, or was due to genuine error which was not attributable to the intentional act, negligence or recklessness of the Applicant.

## **16 Signing of the Application and Number of Copies**

- 16.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.
- 16.2 The Applicant shall submit copies of the signed original Application, in the number specified in the PDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

## **D. Submission of Applications**

### **17 Sealing and Marking of Applications**

- 17.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
- Bear the name and address of the Applicant;
  - Be addressed to the Procuring Entity, in accordance with ITA 17.1; and
  - Bear the specific identification of this prequalification process indicated in the PDS 1.1.
- 17.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as

required in ITA 16.1 above.

## **18 Deadline for Submission of Applications**

- 18.1** Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Procuring Entity at the address and no later than the deadline indicated in the PDS. When so specified in the PDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **PDS**.
- 18.2** The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Procuring Entity and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

## **19 Late Applications**

- 19.1** The Procuring Entity reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS**. If late applications will be accepted, they must be received not later than the date specified in the **TDS** after the deadline for submission of applications.

## **20. Opening of Applications**

- 20.1** The Procuring Entity shall open all Applications at the date, time and place specified in the **PDS**. Late Applications shall be treated in accordance with ITA 19.1.
- 20.2** Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **PDS**.
- 20.2** The Procuring Entity shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

## **E. Procedures for Evaluation of Applications**

### **21 Confidentiality**

- 21.1** Information relating to the Applications, their evaluation and results of the prequalification shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28.
- 21.2** From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Procuring Entity on any matter related to the prequalification process may do so only in writing.

### **22 Clarification of Applications**

- 22.1** To assist in the evaluation of Applications, the Procuring Entity may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Procuring Entity and all clarifications from the Applicant shall be in writing.
- 22.1** If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Procuring Entity's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

### **23 Responsiveness of Applications**

- 23.1** The Procuring Entity may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

### **24 Margin of Preference**

- 24.1** Unless otherwise specified in the **PDS**, a margin of preference shall not apply in the Tendering process resulting

from this prequalification.

## **25 Nominated Subcontractors**

- 25.1 Unless otherwise stated in the PDS, the Procuring Entity does not intend to execute any specific elements of the works by sub-contractors selected in advance by the Procuring Entity (so-called “Nominated Subcontractors”).
- 25.2 The Applicant shall not propose to subcontract the whole of the Works or Goods. The maximum limit of subcontracting permitted under the contract may be specified by the Procuring Entity in the Tendering Document. The Procuring Entity, in ITA 25.2, may permit the Applicant to propose subcontractors for certain specialized parts of the contract as indicated there in as (“Specialized Subcontractors”). Applicants planning to use such Specialized Subcontractors shall specify, in the Application Submission Letter, the activity(ies) or parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

## **F. Evaluation of Applications and Prequalification of Applicants**

### **26 Evaluation of Applications**

- 26.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Procuring Entity reserves the right to waive min or deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.
- 26.2 Subcontractors proposed by the Applicant shall be fully qualified and meet the minimum specific experience criteria as specified for their parts of the proposed contract for Works or Goods or non-consulting services. The subcontractor's qualifications shall not be used by the Applicant to qualify for the Works or Goods or non-consulting services unless their parts of the Works or Goods or non-consulting services were previously designated by the Procuring Entity in the PDS as can be met by Specialized Subcontractors, in which case:
- i) The Specialized Subcontractors shall meet the minimum qualification requirements specified in Section III, and
  - ii) the qualifications with respect to specific experience of the Specialized Subcontractor proposed by the Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation. Unless the Applicant has been determined prequalified on its own without taking into account the qualification and experience of the proposed specialized sub-contractor, the tender submitted by the Applicant shall include the same specialized sub-contractor failing which, such tender may be rejected unless a change in the specialized sub-contractor was requested by the Applicant and approved by the Procuring Entity subsequent to prequalification but before the tender submission deadline in accordance with ITA 30.
- 26.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Procuring Entity shall prequalify each Applicant for each lot and for a combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements the Eligibility and Qualification Criteria.
- 26.4 Further, in the case of multiple contracts, the Procuring Entity will prepare the Eligibility and Qualification Criteria Form for items 3.1, 3.2, 4.2(a) and 4.2(b) for each Lot, to be completed by applicants.
- 26.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (other than Specialized Subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

### **27 Procuring Entity's Right to Accept or Reject Applications**

- 27.1 The Procuring Entity reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

### **28 Prequalification of Applicants**

- 28.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will

be prequalified by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.

28.32 Applicants that have not been prequalified may write to the Procuring Entity to request, in writing, the grounds on which they were disqualified.

## **28 Invitation to Tender**

29.1 Promptly after the notification of the results of the prequalification, the Procuring Entity shall invite Tenders from all the Applicants that have been prequalified or conditionally prequalified.

28.2 Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity in the form and an amount to be specified in the tendering document.

28.3 The successful Applicant shall be required to provide a Performance Security as specified in the tendering document.

## **29 Changes in Qualifications of Applicants**

30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to tender (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor whose qualifications were considered to prequalify the Applicant) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III (Qualification Criteria and Requirements); or (iii) in the opinion of the Procuring Entity, the change may result in a substantial reduction in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Invitation to Tender.

## **31 Procurement Related Complaints and Administrative Review**

31.1 The procedures for making a Procurement-related Complaint are as specified in the PDS.

31.2 A request for administrative review shall be made in the form provided.

**SECTION II - PREQUALIFICATION DATA SHEET (PDS)**

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
<b>A. General</b>	
ITA 1.1	<p>The Procuring Entity is:</p> <p style="text-align: center;"><b>Kisumu Water and Sanitation Company Limited</b>  <b>KIWASCO Headquarters,</b>  <b>Tom Mboya Estate, along Nyerere Road</b>  <b>P.O Box 3210 – 40100</b>  <b>Kisumu</b></p> <p>The identification of the Invitation for Prequalification is: KWSC/16/2024-2025</p> <p>The particular type of contract is on goods</p> <p>The application is for Supply and Delivery of AMR Enabled Water Meters</p> <p>Registration will be based on individual contracts</p>
ITA 2	The Source of funds shall be : internally generated _____
ITA 5.2	Maximum number of members in the JV shall be: JV shall not be applicable in this tender
<b>B. Contents of the Prequalification Document</b>	
ITA 8.1	<p>For clarification purposes, the Procuring Entity's address is:  As ITA 1.1 above.  Telephone: 057 517000  Electronic mail address: <a href="mailto:info@kiwasco.co.ke">info@kiwasco.co.ke</a>  Web page: <a href="http://www.kiwasco.co.ke">www.kiwasco.co.ke</a></p>
ITA 8.2	Not applicable in this tender
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach the Procuring Entity not later than 1700 hrs. on 29 <sup>th</sup> July 2024
ITA 8.5	Not applicable in this tender
ITT 9.2	Addendum issued shall be published at the website <a href="http://www.kiwasco.co.ke">www.kiwasco.co.ke</a>
ITA 8.2	Pre-Application Meeting will be held: No
<b>C. Preparation of Applications</b>	
ITA 12.1 (d)	<p>The Applicant shall submit with its Application, the following additional documents:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Certificate of Registration/Incorporation</li> <li><input type="checkbox"/> Valid VAT Certificate</li> <li><input type="checkbox"/> Valid and Current Business permit</li> <li><input type="checkbox"/> Valid PIN certificate</li> <li><input type="checkbox"/> Confidential business questionnaire filled, signed and stamped</li> <li><input type="checkbox"/> Valid Company's CR12</li> <li><input type="checkbox"/> Power of Attorney</li> <li><input type="checkbox"/> Valid and Current Tax Compliance Certificate</li> <li><input type="checkbox"/> Form of Tender dully filled, signed and stamped</li> <li><input type="checkbox"/> Tender Completeness</li> <li><input type="checkbox"/> All pages chronologically serialized, initialed/signed and stamped</li> <li><input type="checkbox"/> Audited financial statements for the last 2 years</li> </ul>
ITA 15.2(b)	The source for determining exchange rates is Central Bank of Kenya Website

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
<b>A. General</b>	
ITA 16.2	In addition to the original, the number of copies to be submitted with the Application is: Zero. Submit only one original copy.
<b>D. Submission of Applications</b>	
ITA 17.1	<p>The deadline for Application submission is: <b>6<sup>th</sup> August 2024 at 11.00am.</b>  Date: 6<sup>th</sup> August 2024  Time: 11.00am  For Application submission purposes only, the Procuring Entity's address is:</p> <p style="text-align: center;"><b>Kisumu Water and Sanitation Company Limited</b>  <b>KIWASCO Headquarters,</b>  <b>Tom Mboya Estate, along Nyerere Road</b>  <b>P.O Box 3210 – 40100</b>  <b>Kisumu</b>  <b>Kenya</b>  <b>Tel: 057 517000</b>  <b>E-Mail: <a href="mailto:info@kiwasco.co.ke">info@kiwasco.co.ke</a></b></p> <p>Applicants <b>shall not</b> have the option of submitting their Applications electronically.</p>
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	The Procuring Entity will not accept late applications.
ITA 20.1	<p>The opening of the Applications shall be at the boardroom of</p> <p style="text-align: center;"><b>Kisumu Water and Sanitation Company Limited</b>  <b>KIWASCO Headquarters,</b>  <b>Tom Mboya Estate, along Nyerere Road</b>  <b>P.O Box 3210 – 40100</b>  <b>Kisumu</b></p>
ITA 20.2	N/A
<b>E. Procedures for Evaluation of Applications</b>	
ITA 24.1	A margin of preference <b>shall not</b> apply.
ITA 25.1	At this time the Procuring Entity <i>does</i> not intend to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 25.2	Not applicable in this tender
ITA 31.1	<p>An Applicant wishes to make a Procurement-related Complaint, the Applicant should submit its complaint in writing (by the quickest means available, that is either by hand delivery or email), to:</p> <p>For the attention: Mr. Thomas Odongo  Title/position: Managing Director  Procuring Entity: Kisumu Water and Sanitation Company Limited  Email address: P.O Box 3210 – 40100, Kisumu</p> <p>In summary, at this stage, a Procurement-related Complaint may challenge any of the following:</p> <p>the terms of the Prequalification Documents; and  the Procuring Entity's decision not to prequalify an Applicant.</p>

### **SECTION III - QUALIFICATION CRITERIA AND REQUIREMENTS**

1. This section contains all the methods, criteria, and requirements that the Procuring Entity shall use to evaluate Applications, all in one Form “Eligibility and Qualification Criteria”. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the Form.
2. The Procuring Entity shall insert one Form for each Lot or Contract in case of multiple contracts.
3. This form is generic and refers to works and construction. In case of Supply of Goods or Non-Consulting Services, the form shall be amended to read Goods or Non-Consulting Services as appropriate.



Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirement
				All Members Combined	Each Member	One Member	
<b>1. Eligibility</b>							
1.1	Nationality	Nationality in accordance with ITA 5.6	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in accordance with ITA 5.7	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.3	Eligibility	Not declared ineligible by not meeting any of the conditions in ITA 5 and 6.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.4	State-owned Entity in Kenya	Applicant required to meet conditions of ITA 5.9	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI -1.1 and 1.2, with attachments
1.5	United Nations resolution or laws of Kenya	Not having been excluded as a result of prohibition in the laws of Kenya or official regulations against commercial relations with Kenya, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 6.1 and 6.2 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirement
				All Members Combined	Each Member	One Member	
<b>2. Historical Contract Non-Performance</b>							
2.1	History of Non-Performing Contracts	Non-performance of a contract did not occur as a result of contractor's default since 1 <sup>st</sup> January 2023.	Must meet requirement <sup>1</sup>	Must meet requirements	Must meet requirement <sup>1</sup>	N/A	Form CON-2
2.2	Suspension Based on Execution of Tender/Proposal Securing Declaration by the Procuring Entity	Not under suspension based on execution of a Tender/Proposal Securing Declaration pursuant to ITA 5.10.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
2.3	Pending Litigation	Applicant's financial position and prospective long-term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Applicant	Must meet requirement	N/A	Must meet requirement	N/A	Form CON – 2
2.4	Litigation History	No consistent history of court/arbitral award decisions against the Applicant since 1 <sup>st</sup> January 2022	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Form CON – 2
<b>3. Financial Situation and Performance</b>							
3.1	Financial Capabilities	<p>(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as Kshs. 5 Million for the subject contract(s) net of the Applicants other commitments</p> <p>(ii) The <b>Applicant</b> shall also demonstrate, to the satisfaction of the Procuring Entity, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments. (attach a line of credit of Kshs 5 Million from your bankers issued within the last 3 months or a bank statement with the same amount)</p>	<p>Must meet requirement</p> <p>Must meet requirement</p>	<p>Must meet requirement</p> <p>Must meet requirement</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p>	Form FIN – 3.1, with attachments

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirement
				All Members Combined	Each Member	One Member	
		(iii) The audited balance sheets or, if not required by the laws of Kenya, other financial statements acceptable to the Procuring Entity, for the last 2 years shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability. (Attach audited financial statements for the last 2 years)	Must meet requirement	N/A	Must meet requirement	N/A	
3.2	Average Annual Construction Turnover  N/A	Minimum average annual construction turnover of KENYA SHILLINGS <i>[insert amount in KENYA SHILLING equivalent in words and figures]</i> , calculated as total certified payments received for contracts in progress and/or completed within the last <i>[insert number]</i> years, divided by <i>[insert number of years in words]</i> years	Must meet requirement	Must meet requirement	Must meet <i>[insert number]</i> %, <i>[insert percentage in words]</i> of the requirement	Must meet <i>[insert number]</i> %, <i>[insert percentage in words]</i> of the requirement	Form FIN – 3.2
4. Experience							
4.1 (a)	General Construction Experience  <b>NOT APPLICABLE IN THIS TENDER</b>	Experience under construction contracts in the role of prime contractor, JV member, subcontractor, or management contractor for at least the last <i>[insert number]</i> years, starting 1 <sup>st</sup> January _____ <i>[insert year]</i> .	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1
4.2 (a)	Specific Construction & Contract Management Experience  <b>NOT APPLICABLE IN THIS TENDER</b>	(i) A minimum number of <i>[state the number]</i> similar contracts specified below that have been satisfactorily and substantially <sup>2</sup> completed as a prime contractor, joint venture member <sup>3</sup> , management contractor or subcontractor between 1st January <i>[insert year]</i> and Application submission deadline:	Must meet requirement	Must meet requirement <sup>4</sup>	N/A	Must meet the following requirements for the key activities listed below <i>[list key activities and the corresponding minimum requirements to be met by one member otherwise state: "N/A"]</i>	Form EXP 4.2(a)
4.2 (b)	<b>NOT APPLICABLE IN THIS TENDER</b>	For the above and any other contracts [substantially completed and under implementation] as prime contractor, joint venture member, or sub-contractor between 1st January <i>[insert year]</i> and Application submission	Must meet requirements <i>[Specify activities that may be met]</i>	Must meet requirements <i>[Specify activities that may be met]</i>	N/A		Form EXP – 4.2 (b)

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirement
				All Members Combined	Each Member	One Member	
		<p>deadline, a minimum construction experience in the following key activities successfully completed<sup>5</sup>: [list key activities indicating volume, number or rate of production as applicable.</p> <p><i>Under 4.2(a), specified requirements define similarity of contracts, whereas the key activities or production rates to be specified under 4.2 (b) define the required capability of the Applicant to execute the Works. There shall not be any inconsistency or repetition of requirement between 4.2(a) and 4.2(b). For the rate of production, specify that the rate of production shall be on the basis of either the average during the entire specified period OR the rate of annual production in any 12-month period in the specified period.]<sup>6</sup></i></p>	<i>through a specialized subcontractor, if permitted in accordance with ITA 25.2]</i>	<i>through a Specialized Subcontractor, if permitted in accordance with ITA 25.2]</i>			
4.3 (a)	Specific Management Experience in supply of goods	<p>(i) A minimum number of 3 similar contracts specified below that have been satisfactorily and substantially<sup>7</sup> completed as a prime supplier, joint venture member <sup>8</sup>, management contractor or subcontractor between 1st January [insert year] and Application submission deadline:</p> <p>The similarity of the contracts shall be based on the following: Having supplied AMR Enabled water meters to at least 3 companies locally to the magnitude of Kshs. 5 Million and above.</p>	Must meet requirement	Must meet requirement <sup>9</sup>	N/A	<p>Must meet the following requirements for the key activities listed below</p> <p>N/A</p>	Form EXP 4.3(a)

Eligibility and Qualification Criteria			Compliance Requirements			Document/ Form	
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirement
				All Members Combined	Each Member	One Member	
4.3 (b)		<p>For the above and any other contracts [substantially completed and under implementation] as prime supplier, joint venture member, or sub-contractor between 1st January 2022 and Application submission deadline, a minimum construction experience in the following key activities successfully completed<sup>10</sup>:</p> <p>1. Supply and delivery of AMR Enabled Water meters.</p>	Must meet requirements	Must meet requirements	N/A	Must meet the following requirements for key activities listed	Form EXP – 4.2 (b)

<sup>10</sup> Volume, number or rate of production of any key activity can be demonstrated in one or more contracts combined if executed during same time period.

**SECTION IV- APPLICATION FORMS**

**1. Application Submission Letter**

Date: .....[insert day, month, and year]

ITT No. and title: ..... [insert ITT number and title]

To: .....[insert full name of Procuring Entity] We, the undersigned, apply to be registered for the referenced ITT and declare that:

- a) No reservations: We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s), issued in accordance with ITA 8: [insert the number and issuing date of each addendum].
- b) No conflict of interest: We have no conflict of interest in accordance with ITA 5.7;
- c) Eligibility: We (and our subcontractors) meet the eligibility requirements as stated ITA 5, we have not been suspended by the Procuring Entity based on execution of a Tender/Proposal-Securing Declaration in accordance with ITA 5.8;

Suspension and Debarment: We, along with any of our subcontractors, suppliers, consultants, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the PPRA. Further, we are not ineligible under the Kenya laws or official regulations or pursuant to a decision of the United Nations Security Council;

State-owned enterprise or institution: [select the appropriate option and delete the other] [We are not a state-owned enterprise or institution] / [We are a state-owned enterprise or institution but meet the requirements of ITA5.9];

- f) Subcontractors and Specialized Subcontractors: We, in accordance with ITA 24.2 and 25.2, plan to subcontract the following key activities and/or parts of the works or supply contracts: ..... [Insert any of the key activities identified in Section III-4.2 (a)or(b) or 4.3(a) or (b) which the Procuring Entity has permitted under the Prequalification Document and which the Applicant intends to subcontract along with complete details of the Specialized Subcontractors, their qualification and experience]

- g) Commissions, gratuities, fees: We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding Tendering process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
[insert full name for each occurrence]	[insert street/ number/city/country]	[indicate reason]	[specify amount currency, value, exchange rate and KENYA SHILLING equivalent]
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If no payments are made or promised, add the following statement: “No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application”]





- (h) Not bound to accept: We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to Tender for the contract subject of this Prequalification process, without incurring any liability to the Applicants, in accordance with ITA 26.1.
- (i) True and correct: All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed.....*[insert signature(s) of an authorized representative(s) of the Applicant]*

Name .....*[insert full name of person signing the Application]*

In the capacity of ..... *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of: Applicant's

Name..... *[insert full name of Applicant or the name of the JV]*

Address ..... *[insert street number/town or city/country address]*

Dated on .....*[insert day number]* day of *[insert month]*, *[insert year]*

*[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]*

## 2 Form ELI -1.1 - Applicant Information Form

Date: ..... [insert day, month, year]

ITT No. and title: ..... [insert ITT number and title]

Page.....[insert page number] of [insert total number] pages

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address [in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 5.6. <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 5.3. <input type="checkbox"/> In case of state-owned enterprise or institution, in accordance with ITA 5.9 documents establishing: Legal and financial autonomy Operation under commercial law Establishing that the Applicant is not under supervision of the Procuring Entity
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

**3. Form ELI-1.2 - Applicant's JV Information Form**

*[The following form is additional to Form ELI-1.1., and shall be completed to provide information relating to each JV member (incase the Applicant is a JV) as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this prequalification]*

Date: ..... *[insert day, month, year]*

ITT No. and title: ..... *[insert ITT number and title]*

Page.....*[insert page number]* of *[insert total number]* pages

Applicant name: <i>[insert full name]</i>
Applicant's JV Member's name: <i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration: <i>[indicate country of registration]</i>
Applicant JV Member's year of constitution: <i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 5.6 <input type="checkbox"/> In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Procuring Entity, in accordance with ITA 5.9.
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

#### 4. Form CON 2 - Historical Contract Non-Performance, and Pending Litigation and Litigation History

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: [insert full name]

Date: [insert day, month, year]

Joint Venture Member's Name: [insert full name]

ITT No. and title: [insert ITT number and title]

Page [insert page number] of [insert total number] pages

Non-Performed Contracts in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> Contract non-performance did not occur since 1 <sup>st</sup> January [insert year] specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 <sup>st</sup> January [insert year] specified in Section III, Qualification Criteria and Requirements, requirement 2.1			
Year	Non- performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and KENYA SHILLING equivalent)
[insert year]	[insert amount and percentage]	Contract Identification: [indicate complete contract name/ number, and any other identification] Name of Procuring Entity: [insert full name] Address of Procuring Entity: [insert street/city/country] Reason(s) for nonperformance: [indicate main reason(s)]	[insert amount]
Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3.			
<input type="checkbox"/> Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3 as indicated below.			
Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
[insert year]	[insert amount]	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Procuring Entity: [insert full name] Address of Procuring Entity: [insert street/city/country] Matter in dispute: [indicate main issues in dispute] Party who initiated the dispute: [indicate "Procuring Entity" or "Contractor"] Status of dispute: [Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]	[insert amount]
Litigation History in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> No Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4.			
<input type="checkbox"/> Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4 as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)

<i>[insert year]</i>	<i>[insert percentage]</i>	<p>Contract Identification: [indicate complete contract name, number, and any other identification]</p> <p>Name of Procuring Entity: <i>[insert full name]</i></p> <p>Address of Procuring Entity: <i>[insert street/city/country]</i></p> <p>Matter in dispute: <i>[indicate main issues in dispute]</i></p> <p>Party who initiated the dispute: <i>[indicate "Procuring Entity" or "Contractor"]</i></p> <p>Reason(s) for Litigation and award decision <i>[indicate main reason(s)]</i></p>	<i>[insert amount]</i>
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## 5. Form FIN – 3.1 - Financial Situation and Performance

### Financial Situation and Performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: ..... [insert full name]

Date: ..... [insert day, month, year]

Joint Venture Member Name: ..... [insert full name]

ITT No. and title: ..... [insert ITT number and title]

Page..... [insert page number] of [insert total number] pages

#### 1. Financial data

Type of Financial information in (currency)	Historic information for previous <i>[insert number]</i> years, <i>[insert in words]</i> (amount in currency, currency, exchange rate*, USD equivalent)				
	Year 1	Year 2	Year 3	Year4	Year 5
<b>Statement of Financial Position (Information from Balance Sheet)</b>					
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
<b>Information from Income Statement</b>					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
<b>Cash Flow Information</b>					
Cash Flow from Operating Activities					

\* Refer ITA 14 for the exchange rate

## 5.2 Sources of Finance

*[The following table shall be filled in for the Applicant and all parties combined in case of a Joint Venture]*

Specify sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.

No.	Source of finance	Amount (Kenya shilling equivalent)
1		
2		
3		

## 5.3 Financial documents

The Applicant and its parties shall provide copies of financial statements for 2 years pursuant Section III, Qualifications Criteria and Requirements, Sub-factor 3.1. The financial statements shall:

- a) reflect the financial situation of the Applicant or in case of JV member, and not an affiliated entity (such as parent company or group member).
  - b) Be independently audited or certified in accordance with local legislation.
  - c) Be complete, including all notes to the financial statements.
  - d) Correspond to accounting periods already completed and audited.
- Attached are copies of financial statements<sup>1</sup> for the *[number]* years required above; and complying with the requirements

<sup>1</sup>*If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.*



**6 Form FIN - 3.2 - Average Annual Construction or Supply Contracts Turnover**

*[The following table shall be filled in for the Applicant and for each member of a Joint Venture]* Applicant's

Name: ..... *[insert full name]*

Date: ..... *[insert day, month, year]*

Joint Venture Member Name: ..... *[insert full name]*

ITT No. and title: *[insert ITT number and title]*

Page.....*[insert page number]* of .....*[insert total number]* pages Table A (Complete if Contractor)

Annual turnover data (construction only)			
Year	Amount Currency	Exchange rate*	USD equivalent
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>		
		Average Annual Construction Turnover **	

\* Refer ITA 14 for date and source of exchange rate.

\*\* Total Kenya shilling equivalent for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, 3.2.

**Table B (Complete if Supplier)**

Annual turnover data (Supply contracts)			
Year	Amount Currency	Exchange rate*	USD equivalent
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>		
		Average Annual Construction Turnover **	

Refer ITA 15 for date and source of exchange rate.

\*\* Total Kenya shilling equivalent for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, 3.2.

**7 Form EXP - 4.1 - General Construction or Supply or service Contract Experience (Select one)**

*[The following table shall be filled in for the Applicant and in the case of a JV Applicant, each Member]  
Applicant's Name: [insert full name]*

Date: ..... *[insert day, month, year]*

Joint Venture Member Name: ..... *[insert full name]*

ITT No. and title: ..... *[insert ITT number and title]*

Page ..... *[insert page number]* of *[insert total number]* pages

*[Identify contracts that demonstrate continuous construction work over the past [number] years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]*

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and KENYA SHILLING equivalent*]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and KENYA SHILLING equivalent*]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and Kenya shillings equivalent*]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>

\* Refer ITA 15 for date and source of exchange rate.

**8 Form EXP - 4.2(a) - Specific Construction and Contract Management Experience or Supply or service Contract Experience (*Select one*)**

*[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]*

Applicant's Name: ..... *[insert full name]*

Date: ..... *[insert day, month, year]*

Joint Venture Member Name: ..... *[insert full name]*

ITT No. and title: ..... *[insert ITT number and title]*

Page..... *[insert page number]* of..... *[insert total number]* pages

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, e.g., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		KENYA SHILLING <i>[insert Exchange rate and total contract amount in KENYA SHILLING equivalent] *</i>	
If member in a JV or sub-contractor, specify share in value in total Contract amount and roles and responsibilities	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>	<i>[insert exchange rate and total contract amount in KENYA SHILLING equivalent] *</i>	
	<i>[insert roles and responsibilities]</i>			
Procuring Entity's Name:	<i>[insert full name]</i>			
Address:	<i>[indicate street / number / town or city / country]</i>			
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>			
E-mail:	<i>[insert e-mail address, if available]</i>			

**9 Form EXP - 4.2(a) (cont.) - Specific Construction and/or Contract Management Experience (cont.)**

<b>Similar Contract No.</b> <i>[insert number] of [insert number of similar contracts required]</i>	<b>Information</b>
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Amount	<i>[insert amount in local currency, exchange rate, KENYA SHILLING in words and in Figures]</i>
2. Physical size of required works items	<i>[insert physical size of items]</i>
3. Complexity	<i>[insert description of complexity]</i>
4. Methods/Technology	<i>[insert specific aspects of the methods/technology involved in the contract]</i>
5. Construction rate for key activities	<i>[insert rates and items]</i>
6. Other Characteristics	<i>[insert other characteristics as described in Section VII, Scope of Works]</i>

**10 Form EXP - 4.2(b) - Construction Experience or Supply or service contract in Key Activities (select one)**

Applicant's Name: ..... [insert full name]

Date: ..... [insert day, month, year]

Applicant's JV Member's Name: ..... [insert full name]

Sub-contractor's Name..... (as per ITA 24.2 and 24.3): [insert full name]

ITT No. and title: ..... [insert ITT number and title]

Page.....[insert page number] of..... [insert total number] pages

All Sub-contractors for key activities must complete the information in this form as per ITA 24.2 and 24.3 and Section III, Qualification Criteria and Requirements, 4.2.

1. Key Activity No. One: [insert brief description of the Activity, emphasizing its specificity]  
 Total Quantity of Activity under the contract: \_\_\_\_\_

Information																
Contract Identification	[insert contract name and number, if applicable]															
Award date	[insert day, month, year, e.g., 15 June, 2015]															
Completion date	[insert day, month, year, e.g., 03 October, 2017]															
Role in Contract [check the appropriate box]	<table border="1"> <tr> <td>Prime Contractor <input type="checkbox"/></td> <td>Member in JV <input type="checkbox"/></td> <td>Management Contractor <input type="checkbox"/></td> <td>Sub-contractor <input type="checkbox"/></td> </tr> </table>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>											
Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>													
Total Contract Amount	[insert total contract amount in contract currency(ies)] KENYA SHILLING [insert exchange rate and total contract amount in KENYA SHILLING equivalent]															
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year [Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]	<table border="1"> <thead> <tr> <th>Total quantity in the contract (i)</th> <th>Percentage participation (ii)</th> <th>Actual Quantity Performed (i) x (ii)</th> </tr> </thead> <tbody> <tr> <td>Year 1</td> <td></td> <td></td> </tr> <tr> <td>Year 2</td> <td></td> <td></td> </tr> <tr> <td>Year 3</td> <td></td> <td></td> </tr> <tr> <td>Year 4</td> <td></td> <td></td> </tr> </tbody> </table>	Total quantity in the contract (i)	Percentage participation (ii)	Actual Quantity Performed (i) x (ii)	Year 1			Year 2			Year 3			Year 4		
Total quantity in the contract (i)	Percentage participation (ii)	Actual Quantity Performed (i) x (ii)														
Year 1																
Year 2																
Year 3																
Year 4																
Procuring Entity's Name:	[insert full name]															
Address: Telephone/fax number E-mail:	[indicate street / number / town or city / country] [insert telephone/fax numbers, including country and city area codes] [insert e-mail address, if available]															

2. Activity No. Two

3. ....

	Information
Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	
	<i>[insert response to inquiry indicated in left column]</i>

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## **PART 2 - GOODS REQUIREMENTS**

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## SECTION V - SCOPE OF WORKS, Goods or Non-Consulting Services required

1. Description of the Works or Supply contract.
2. Construction Period or Goods Supply Period or Non-Consulting Services Contract period.
3. Site and Other Data.

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### TECHNICAL SPECIFICATIONS FOR WATER METERS

#### 1.1 General

- 1.1.1 These specifications describe the requirements for goods. Tenderers are requested to submit with their offers the detailed specifications, drawings, catalogues, etc for the products they intend to supply
- 1.1.2 Tenderers must indicate on the specifications sheets whether the equipment offered comply with each specified requirement.
- 1.1.3 All the dimensions and capacities of the equipment to be supplied shall not be less than those required in these specifications. Deviations from the basic requirements, if any shall be explained in detail in writing with the offer, with supporting data such as calculation sheets, etc. The procuring entity reserves the right to reject the products, if such deviations shall be found critical to the use and operation of the products.
- 1.1.4 The tenderers are requested to present information along with their offers as follows:
  - (i) Shortest possible delivery period of each product
  - (ii) Information on proper representative and/or workshop for back-up service/repair and maintenance including their names and addresses.

#### 1.1.5 Particulars :

Items supplied shall conform to KS OIML R49-1:2013

## 2 Domestic Consumer Meters: Technical Specifications

### 2.1.1 Sizes: DN15, DN20 & DN25

All meter sizes to be supplied with couplings for connection to the respective sizes screwed and socketed steel tubes to B.S. 5728 or equivalent.

### 2.1.2 Meter Register:

Direct reading in M<sup>3</sup> meter counter, which resets to zero after 100,000m<sup>3</sup> for 15mm and 25mm meters, after 1,000,000m<sup>3</sup> for 40mm and 50mm meters and after 10,000,000m<sup>3</sup> for 150mm and larger meters.

### 2.1.3 Meter Design:

Multi jet (DN15), Single jet (DN25) and piston (DN15 & DN20) type meters for portable water. The maximum number of piston resolutions per cubic meter should not exceed AWWA standard C700-04. The meter should be designed for external installation in either a vertical or horizontal setting. The meters shall be of dry-dial type.

**2.1.4 Metrological requirement Flows**

The flow rates of the meters shall be defined by Q<sub>1</sub>, Q<sub>2</sub>, Q<sub>3</sub> and Q<sub>4</sub>

All flows should comply with requirements of KS OIML R49-1:2013 standard for all flow rates.

Nominal diameter (DN)[mm]	<b>15</b>	<b>20</b>	<b>25</b>
Overload flow rate Q <sub>4</sub> (m <sup>3</sup> /h)	3.125	5.00	7.875
Permanent flow rate Q <sub>3</sub> (m <sup>3</sup> /h)	2.50	4.00	6.3
Transitional flow rate Q <sub>2</sub> (m <sup>3</sup> /h)	0.020	0.04	0.063
Minimum flow rate Q <sub>1</sub> (m <sup>3</sup> /h)	0.0125	0.025	0.039
Dynamic Ratio, R (Q <sub>3</sub> /Q <sub>1</sub> )	250	250	250
Accuracy class	2		

**2.1.5 Sample Meter**

Must submit one sample of ½” of multi jet and piston consumer meter you intend to supply. This should accompany your bid and should be clearly marked with the bidder’s name for ease of identification.

**2.1.6 Flow Measurements:**

All flow measurements quoted are to be supported by the following test certificates:

- Certificate from National Standards Institute (or a similar body) of the country of origin
- Certificate from the manufacturer indicating compliance level
- Certificate from Kenyan accredited body

All certificates shall not be more than 1 year old from the time of meter’s manufacture. The test certificate from Kenyan accredited body shall contain a minimum of flow measurements below:

Meter Size (mm)	Testing flows (l/h), with preferential flow ranges						
	15	40	80	150	300	700	
15	15	40	80	150	300	700	
20	22,5	40	80	150	300	700	1350
25	80	150	300	700	1350	2400	
50		300	700	1350	2400	4750	9500
80		1350	2400	4750	9500	14250	
100		2400	4750	9500	19000		

**2.2.7 AMR/ Communication**

The meters to be AMR ready to be fitted even on site with communication modules of the ranges which support either:

- Radio communication
- Pulse emitter
- Mobile or fixed (Radio/wired) network
- Electronic register with reset IZAR DOSING
- LORAWAN
- NBIoT
- Drive-By/Walk-By modules

**2.3 Meter Characteristics**

**2.3.7**

Accuracy class	2
----------------	---

Maximum permissible error for the lower flow rate zone (MPE)	±5%
Maximum permissible error for the upper flow rate zone (MPE)	±2%
Temperature class	T50
Water Pressure class	MAP 16

The accuracy levels shall meet the requirements of KS OIML R49-1:2013

### 2.3.8 Meter Materials

**2.3.9 General:** The materials used in the construction of the meter should be designed to withstand treated water in Kisumu Water Distribution System and all potable water supplied to WHO International Standards and normally to operate for 10 years without any need for normal maintenance or repair.

### 2.3.10 Meter Bodies for 15mm to 20mm Meters:

All meter shall be wholly UV stabilized co-polymer, NOT plastic and of split case type having a protecting measuring chamber. The meter body casing shall be made from materials with a life expectancy under normal use in excess of 20 years. Meters of other sizes to be made with suitable durable material to the relevant standard.

**2.3.11 Marks, Inscriptions and Engraving:** On every meter the following shall appear,

- Nominal diameter
- Letters "KIWASCO" clearly and indelibly engraved in raised characters
- Serial number with the first two letters indicating year of manufacture
- Easily visible arrow showing the direction of flow
- Temperature class
- Maximum admissible pressure (MAP)
- Unit of measurement
- Name or trademark of the manufacturer/brand
- Nominal flow rate value -  $Q_3$
- Ratio, R -  $Q_3/Q_1$  (Must be indicated)
- Year of manufacture
- Model
- Orientation: H/V
- EC compliance

### 2.3.12 External Case Bolts:

Where external case bolts, screws, cap bolts, nuts and washers form part of the meter design these shall be arranged for ease of removal after long service. They shall be of the same composition as the meter casing if appropriate or of stainless steel.

### 2.3.13 Connectors:

Meter body casing nipple for 15mm, 20mm and 25mm meters shall have the following external metallic straight threads: -

15mm meter	- 3/4"
20mm	- 1" "
25mm	- 1 3/4" "

Coupling nuts shall have internal BS threads of the same nominal diameter in each case. The tail piece connections and coupling nuts may be made of bronze or alternative acceptance materials as for the meter body casing. The

tailpiece connections shall have external BSP taper thread of the same size as the normal diameter of the meter.

Meter body for 50mm and above shall have a mate flange screwed to BSP thread of the same size as the nominal diameter of the meter. The mate flange shall preferably be made of cast iron.

#### **2.3.14 Registers:**

Registers shall be the straight reading cyclometer type registering in cubic meter. Internal mechanisms of the register shall not be in fluid contact with the water being measured. The m<sup>3</sup> shall be indicated in black. The lower multiples of the m<sup>3</sup> shall be indicated in red.

The water meter's register shall be rotatable to facilitate the reading of the volume and other inscriptions.

Registers shall be of the fully sealed pattern and priority will be given to meters complying with the OIML R: 2013.

#### **2.3.15 Measuring Chamber:**

These shall be machined to precision limits and satisfactorily secured in position within the outer casings to ensure that no distortion to any part of the mechanism might occur which might affect the sensitivity or registration of the meters at internal pressures up to 16kg/cm<sup>2</sup>. The multi jet meters shall be of dry dial type. There shall be no occurrence of condensation or deposit in the register under the glass lens.

#### **2.3.16 Meter Type: Velocity Multi-jet Meters**

Shall be copolymer and UV stabilized. They should have sufficient dimensional stability to retain operating clearance at working temperature up to 50°C. A designed life expectancy in excess of 10 years is expected for all moving parts of the working chambers.

#### **2.3.17 Strainers and Reverse Flow Restrictor:**

All meters shall be provided with effective inlet strainers which should be of rigid construction close fitting and designed for easy removal. Inlet strainers should be of nickel-plated copper, stainless steel or other materials having satisfactory characteristics. Each meter shall also be equipped internally with an integral reverse flow restrictor.

#### **2.3.18 Seal Wire Holes:**

All meter casings, register box screws, and inlet and outlet couplings nuts shall have holes drilled for seal wire. The holes should be approximately 2.4mm diameter. All meters must be sealed at the factory before dispatch.

**2.3.19 Pressure Test:** The pressure requirements of OIML R 49-1:2013 shall be met.

#### **2.3.20 Dimensions of Meters up to 25mm:**

The meter complete with couplings or connections should be capable of quick installation in a standard reinforced concrete covered meter box with internal dimensions 450mm long, 310mm wide and 300mm deep. The length of a meter with connectors screwed on shall be 300mm.

#### **2.3.21 Rejected meters:**

The supplier shall, at his own expense replace or re-adjust the batch of meters shown to have failed to comply with specifications.

#### **2.3.22 Non-return Valves:**

All meters up to 25mm size shall be fitted with an integral non-return valve of proven materials and design and shall serve for the entire life span of the meter.

### **2.3.23 Spare parts:**

The tenderer shall also supply a full and complete list of all parts of the meter offered duly named (IN ENGLISH) and numbered together with prices for each separate part.

### **2.3.24 Design Workmanship and Materials:**

Meters shall have a warranty against faulty design materials of workmanship for the period stated in the conditions of contract subject to their being used only for the measurement of water to WHO permissible standards under the normal conditions of flow, pressure and temperature recommended by the manufacturers for the size and type concerned.

### **2.3.25 Head Loss:**

Characteristic curves of heads plotted against rate of flow up to the safe maximum operating capacity to be provided with the tender.

### **2.3.26 Resistance to fraud and ability to detect a fraud attempt**

Water meters shall be resistant to fraud. Fraud or fraud attempts be visible and easily detected

Water meters with threaded extremities shall be equipped with a sealing device (e.g. thread seal) on the service pipe.

The meter should retain visible trace of fraud attempt on the clamp.

### **2.3.27 Calibration**

Ease of calibration after maintenance or before installation shall be a key feature of the meter. The meters shall be tested and checked in the presence of the manufacturer's representative (if a request is received) to confirm manufacturer's claim on original aspects of the tender.

### **2.3.28 Samples for Test:**

The interested party shall submit ½” meter of both multi jet and piston which he wishes to supply.

### **2.3.29 Maintenance Manuals**

Three complete sets of maintenance manuals spare parts lists, exploded drawings, wall charts etc required for maintaining the meters or in carrying out tests are to be provided with the tender.

### **2.3.30 Service Life**

The meter shall operate for a minimum period of 10 years without losing its metrological properties

### **2.3.31 After Sales Service:**

Ready to provide after sales service on technical maintenance and any other enquiry as shall be deemed necessary. Addresses of local agents technical advisors and details of after sales-service are to be submitted together with each tender. Information on stocks of meters, meter spares etc, which will be held by the local agents, is also to be stated in the tender.

Certificate/authorization for after sales service from the manufacturer shall be equally submitted.

### **2.3.32 Warranty period**

The meters to have a warranty period of minimum 3 years from the time of installation.

### 3. TECHNICAL SPECIFICATIONS FOR BULK MECHANICAL METERS

#### 3.1 BULK MECHANICAL METERS (DN50 – DN350)

##### 3.2 Particulars:

Items supplied shall conform to the Kenya Bureau of Standards requirements, (Ministry of Trade - Weights and Measures Department) requirements, OIML R:2013 requirements. The manufacturer's certification must be provided by tenderer.

##### 3.3 Sizes:

Meters of Nominal Diameter 50mm and above shall be delivered fully fit/availed with flanges, faced and drilled in accordance to BS4504: with rubber gaskets, bolts and nuts completely supplied.

##### 3.4 Meter Register:

Direct reading in M<sup>3</sup> meter counter, which resets to zero after 1,000,000m<sup>3</sup> for 50mm, 80mm and 100mm meters and after 10,000,000m<sup>3</sup> for 150mm and larger meters.

##### 3.5 Meter Design:

The meter should be of Waltman type. The meter should be designed for external installation in either a vertical or horizontal setting and of U0, D0 installation requirement.

#### 3.6 Metrological Properties for Bulk Mechanical Meters

Flows	Size	DN	50	80	100	150	200	250	300
Q1	Minimum Flow horizontal	m <sup>3</sup> /h	0.5	1.28	1.28	2	3.94	6.25	12.8
Q2	Transitional Flowrate vertical	m <sup>3</sup> /h	0.81	1.6	2.05	3.2	6.3	10	20.5
	Starting Flow	m <sup>3</sup> /h	0.16	0.17	0.22	0.9	1.2	1.8	1.8
Q4	Overload Flowrate acc. to MID	m <sup>3</sup> /h	79	200	200	500	788	1250	2000
Q3	Permanent Flowrate acc. to MID	m <sup>3</sup> /h	63	160	160	400	400	1000	1600
Q3/Q1	Dynamic Range	Q3/Q1	R200	R200	R200	R200	R200	R200	R200

##### 3.7 Flow Measurements:

All flow measurements quoted are to be supported by the following test certificates:

- Certificate from National Standards Institute (or a similar body) of the country of origin
- Certificate from the manufacturer indicating compliance level
- Certificate from Kenyan accredited body

All certificates shall not be more than 1 years old from the time of meter's manufacture.

##### 3.8 AMR/ Communication

The meters to be AMR ready to be fitted even on site with communication modules of the ranges which support of either:

- Radio communication
- Pulse emitter
- Mobile or fixed (Radio/wired) network
- Electronic register with reset IZAR DOSING
- LORAWAN
- NBIoT
- Drive-By/Walk-By modules

##### 3.9 Service Life

The meter shall operate for a minimum period of 10 years without losing its metrological properties

### 3.10 **Meter Characteristics**

#### 3.11 **Accuracy Limits:**

Characteristic curves of accuracy with parallel tables up to the maximum safe operating capacity are to be provided with the tender. The characteristic curves should be supported by test certificate from the National Standards Institute of the country of manufacture or an equivalent International Standard – preferably OIML R:2013. The accuracy curves may be compared with the requisite AWWA Standard for Ultrasonic and Electromagnetic meters and be equal to or better than these standards.

Accuracy class	2
Maximum permissible error for the lower flow rate zone (MPE)	±5%
Maximum permissible error for the upper flow rate zone (MPE)	±2%
Temperature class	T50
Water Pressure class	MAP 16

#### 3.12 **Meter Materials**

##### 3.13 **General:**

The materials used in the construction of the meter should be designed to withstand treated water in Kisumu Water Distribution System and all potable water supplied to WHO International Standards and normally to operate for 10 years without any need for normal maintenance or repair.

#### 3.14 **Meter Bodies**

All meters shall have a durable case (stainless) steel OR equivalent non-rusting material i.e. housing, flange material, ring, connection box and other key components. Housing shall not be repaired in any manner.

##### 3.15 **Serial Number:**

On every meter, the size, model, R class, letters "KIWASCO" followed by the serial number (e.g. KWSCO 0012345) where the first two numbers indicate the year of manufacture and an arrow showing the direction of flow shall appear, in indelible marking preferably cast in raised characters (Bar code with serial number would be an additional security feature to be considered), in very easily visible position on the outer case of the meters, but NOT on the lid.

##### 3.16 **External Case Bolts:**

Where external case bolts, screws, cap bolts, nuts and washers form part of the meter design these shall be arranged for ease of removal after long service. They shall be of the same composition as the meter casing if appropriate or of stainless steel.

##### 3.17 **Connectors:**

Meter body for 50mm and above shall have a mate flange screwed to BSP thread of the same size as the nominal diameter of the meter. The mate flange shall preferably be made of cast iron.

##### 3.18 **Registers:**

Registers shall be the straight reading cyclometer (digital display) type registering in cubic meter. Internal mechanisms of the register shall not be in fluid contact with the water being measured. Registers may be of the fully sealed pattern but the priority will be given to meters complying with the present EU standards and OIML R:2013

##### 3.19 **Temperature limits:**

All meter parts shall be able to withstand internal water temperature ranging from 0° to 50° C.

##### 3.20 **Measuring Chamber:**

These shall be machined to precision limits and satisfactorily secured in position within the outer casings to ensure that no distortion to any part of the mechanism might occur which might affect the sensitivity or registration of

the meters at internal pressures up to 20Bar. Measuring chamber shutter diaphragms shall be made of stainless steel or other material having satisfactory characteristics.

**3.21 Seal Wire Holes:**

Meters casings, register box screws, and inlet and outlet couplings nuts shall have holes drilled for seal wire. The holes should be approximately 2.4mm diameter. All meters must be sealed at the factory before dispatch.

**3.22 Pressure Test:**

Meters shall operate without leakage or damage to any part at all working pressures up to 16kg/cm<sup>2</sup>.

**3.23 Rejected meters:**

The supplier shall, at his own expense replace or re-adjust the batch of meters shown to have failed to comply with specifications.

**3.24 Spare parts:**

The tenderer shall also supply a full and complete list of all parts of the meter offered duly named (IN ENGLISH) and numbered together with prices for each separate part.

**3.25 Design Workmanship and Materials:**

Meters shall have at least 3-Year working period warranty against faulty design materials of workmanship or for the period stated in the conditions of contract subject to their being used only for the measurement of water to WHO permissible standards under the normal conditions of flow, pressure and temperature recommended by the manufacturers for the size and type concerned.

**3.26 Head Loss:**

Characteristic curves of heads plotted against rate of flow up to the safe maximum operating capacity to be provided with the tender.

**3.27 Calibration**

Ease of calibration after maintenance or before installation will be a key feature of the meter. The meters will be tested and checked in the presence of the manufacturer's representative (if a request is received) to confirm manufacturer's claim on original aspects of the tender.

**3.28 Maintenance Manuals**

The instrument to be accompanied by clear and detailed instructions on the operation and maintenance in the English language and hardcopy of the instructions are to be provided: Three complete sets of maintenance manuals spare parts lists, exploded drawings, wall charts etc. required for maintaining the meters or in carrying out tests are to be provided with the tender. On-site training on use must be part of delivery.

**3.29 After Sales Service**

Addresses of local agents technical advisors and details of after sales-service are to be submitted together with each tender. Information on stocks of meters, meter spares etc., which will be held by the local agents, is also to be stated in the tender.

**3.30 Warranty period**

The meters to have a warranty period of minimum 3 years from the time of installation.



## 4 TECHNICAL SPECIFICATIONS FOR ULTRASONIC AND ELECTROMAGNETIC FLOW METERS

### 4.1 General Requirements for Electromagnetic and Ultrasonic Flow Meters

#### 4.1.1 Particulars:

Items supplied shall conform to the Kenya Bureau of Standards requirements, (Ministry of Trade - Weights and Measures Department) requirements, OIML R:2013 requirements. The manufacturer's certification must be provided by tenderer.

#### 4.1.2 Sizes:

Meters of Nominal Diameter 50mm and above shall be delivered fully fit/availed with flanges, faced and drilled in accordance to BS4504: with rubber gaskets, bolts and nuts completely supplied.

#### 4.1.3 Meter Register:

Direct reading in M<sup>3</sup> meter counter, which resets to zero after 1,000,000m<sup>3</sup> for 50mm, 80mm and 100mm meters and after 10,000,000m<sup>3</sup> for 150mm and larger meters.

#### 4.1.4 Meter Design:

The meter should be designed for external installation in either a vertical or horizontal setting and of U0, D0 installation requirement.

#### 4.1.5 Flow Measurements:

All flow measurements quoted are to be supported by test/Calibration certificate from the National Standards Institute (or a similar body) of the country of origin and Kenya Bureau of Standards, and should not be more than 1 years old from the time of issue.

#### 4.1.6 AMR/ Communication

The meters to be AMR ready to be fitted even on site with communication modules of the range which support either:

- Radio communication
- Pulse emitter
- Mobile or fixed (Radio/wired) network – Walk-by/Drive-by
- Electronic register with reset IZAR DOSING
- LORAWAN
- NBIOT

#### 4.1.7 Service Life

The meter shall operate for a minimum period of 10 years without losing its metrological properties

#### 4.1.8 Meter Characteristics

#### 4.1.9 Accuracy Limits:

Characteristic curves of accuracy with parallel tables up to the maximum safe operating capacity are to be provided with the tender. The characteristic curves should be supported by test certificate from the National Standards Institute of the country of manufacture or an equivalent International Standard – preferably OIML R:2013. The accuracy curves may be compared with the requisite AWWA Standard for Ultrasonic and Electromagnetic meters and be equal to or better than these standards.

Accuracy class	2
Maximum permissible error for the lower flow rate zone (MPE)	±5%
Maximum permissible error for the upper flow rate zone (MPE)	±2%
Temperature class	T50

#### 4.1.10 **Meter Materials**

##### 4.1.11 **General:**

The materials used in the construction of the meter should be designed to withstand treated water in Kisumu Water Distribution System and all potable water supplied to WHO International Standards and normally to operate for 10 years without any need for normal maintenance or repair.

##### 4.1.12 **Meter Bodies**

All meters shall have a durable case (stainless) steel OR equivalent non-rusting material i.e. housing, flange material, ring, connection box and other key components. Housing shall not be repaired in any manner.

##### 4.1.13 **Serial Number:**

On every meter, the size, model, R class, letters "KIWASCO" followed by the serial number (e.g. KWSCO 0012345) where the first two numbers indicate the year of manufacture and an arrow showing the direction of flow shall appear, in indelible marking preferably cast in raised characters (Bar code with serial number would be an additional security feature to be considered), in very easily visible position on the outer case of the meters, but NOT on the lid.

##### 4.1.14 **External Case Bolts:**

Where external case bolts, screws, cap bolts, nuts and washers form part of the meter design these shall be arranged for ease of removal after long service. They shall be of the same composition as the meter casing if appropriate or of stainless steel.

##### 4.1.15 **Connectors:**

Meter body for 50mm and above shall have a mate flange screwed to BSP thread of the same size as the nominal diameter of the meter. The mate flange shall preferably be made of cast iron.

##### 4.1.16 **Registers:**

Registers shall be the digital display type registering in cubic meter. Internal mechanisms of the register shall not be in fluid contact with the water being measured. Registers may be of the fully sealed pattern but the priority will be given to meters complying with the present EU standards and OIML R:2013

##### 4.1.17 **Temperature limits:**

All meter parts shall be able to withstand internal water temperature ranging from 0° to 50° C.

##### 4.1.18 **Measuring Chamber:**

These shall be machined to precision limits and satisfactorily secured in position within the outer casings to ensure that no distortion to any part of the mechanism might occur which might affect the sensitivity or registration of the meters at internal pressures up to 20Bar. Measuring chamber shutter diaphragms shall be made of stainless steel or other material having satisfactory characteristics.

##### 4.1.19 **Seal Wire Holes:**

Meters casings, register box screws, and inlet and outlet couplings nuts shall have holes drilled for seal wire. The holes should be approximately 2.4mm diameter. All meters must be sealed at the factory before dispatch.

##### 4.1.20 **Pressure Test:**

Meters shall operate without leakage or damage to any part at all working pressures up to 16kg/cm<sup>2</sup>.

##### 4.1.21 **Dimensions of Meters up to 40mm:**

The meter complete with couplings or connections should be capable of quick installation in a standard reinforced concrete covered meter box with internal dimensions 600mm long, 310mm wide and 300mm deep. The length of a meter with connectors screwed on shall be 30mm.

#### 4.1.22 **Rejected meters:**

The tenderer shall at his own expense replace or re-adjust all meters rejected or which have been shown to fail to comply with specifications.

#### 4.1.23 **Non-return Valves:**

All meters up to 40mm size shall be fitted with an integral non-return valve of any proven materials and design.

#### 4.1.24 **Spare parts:**

The tenderer shall also supply a full and complete list of all parts of the meter offered duly named (IN ENGLISH) and numbered together with prices for each separate part.

#### 4.1.25 **Design Workmanship and Materials:**

Meters shall have at least 3-Year working period warranty against faulty design materials of workmanship or for the period stated in the conditions of contract subject to their being used only for the measurement of water to WHO permissible standards under the normal conditions of flow, pressure and temperature recommended by the manufacturers for the size and type concerned.

#### 4.1.26 **Head Loss:**

Characteristic curves of heads plotted against rate of flow up to the safe maximum operating capacity to be provided with the tender.

#### 4.1.27 **Calibration**

Ease of calibration/adjustment after maintenance or before installation will be a key feature of the meter. The meters will be tested and checked in the presence of the manufacturer's representative (if a request is received) to confirm manufacturer's claim on original aspects of the tender.

#### 4.1.28 **Strainers and Reverse Flow Restrictor:**

All meters shall be provided with effective inlet strainers which should be of rigid construction close fitting and designed for easy removal. Inlet strainers should be of nickel-plated copper, stainless steel or other materials having satisfactory characteristics. Each meter shall also be equipped internally with an integral reverse flow restrictor.

#### 4.1.29 **Maintenance Manuals**

The instrument to be accompanied by clear and detailed instructions on the operation and maintenance in the English language and hardcopy of the instructions are to be provided: Three complete sets of maintenance manuals spare parts lists, exploded drawings, wall charts etc. required for maintaining the meters or in carrying out tests are to be provided with the tender. On-site training on use must be part of delivery.

#### 4.1.30 **After Sales Service**

Addresses of local agents technical advisors and details of after sales-service are to be submitted together with each tender. Information on stocks of meters, meter spares etc., which will be held by the local agents, is also to be stated in the tender.

Certificate/authorization for after sales service from the manufacturer shall be equally submitted

#### 4.1.31 **Warranty period**

The meters to have a warranty period of minimum 3 years from the time of installation.

#### 4.1.32 **Service Life**

The meter shall operate for a minimum period of 10 years without losing its metrological properties

**4.2 IN-LINE ELECTRO MAGNETIC FLOW METER SPECIFICATIONS - Nominal diameter: (DN50-600DN)**

**4.2.1 Specific requirements**

- Standard: OIML R 49 - 2013, ISO 4064-2014, GBT 778-2007
- Measuring accuracy: In accordance to OIML R 49 – 1:2013 (Ministry of Trade - Weights and Measures Department) compliant, other compliance certificates, and manufacturer’s certificates, recognition.
- Power: In-built batteries with life span of at minimum 10 years
- Has provision for night visibility
- Protection class: IP68
- Logs cumulative flows, instantaneous flow rate and pressure
- No moving parts allowable
- Capability of logging data and compatible with windows 07,08 or other user-friendly OS – readily available supplied with communication data cable
- Parts water proof: circuit board, transducer and battery of IP 68 class
- Electrode; Hastelloy C, Hastelloy B, Titanium, Tantalum and Platinum
- Flange standards: EN1092-1, ANSI 150, ANSI 300, ANSI 600, ANSI 900, DIN 2501, BS 4504, AS 2129 (TABLE D - E - F), AS 4087, ISO 7005-1, KS 10K
- Service life: meter to serve for a minimum of 10 years without losing its metrological properties.
- Communication: Ready to transmit data to a remote server or local drive-by/walk-by unit, LORAWAN, Radio (433or 868Hz) or NBIOT
- Self-diagnostics/alarms; excitation failure, empty pipe, high voltage, pulse overlap, wet electronic board
- Calibration: Onsite calibration/adjustment capability via display unit and software

**4.2.2 Metrological Characteristics**

Sensor diameter	Flow [m3/h]					
	Min Q1	Trans. Q2	Q0,4%	Perm. Q3	Overl. Q4	Ratio Q3/Q1
<b>DN50</b>	0.125	0.2	3.5	25	31.25	200
<b>DN80</b>	0.315	0.5	9	63	78,5	200
<b>DN100</b>	0.5	0.8	14	100	125	200
<b>DN125</b>	0.8	1.28	22	160	200	200
<b>DN150</b>	1.25	2	32	250	312.5	200
<b>DN200</b>	3.15	5.04	57	630	787.5	200
<b>DN250</b>	5	8	90	1000	1250	200
<b>DN350</b>	8	12.5	128	1000	1250,0	125

### 4.3 ULTRASONIC FLOW METER SPECIFICATIONS –

*Nominal diameter: (DN15-DN25)*

#### 4.3.1 General Requirements

- Standard: OIML R 49 - 2013, ISO 4064-2014, GBT 778-2007
- Online self verification
- Large dynamic range R400.
- Protection class of IP68
- Temperature Class: T50
- Working pressure 1.6MPa
- Sensitivity upstream U0
- Sensitivity downstream D0
- Climatic and chemical class C
- Communication interface: Pulse output/ NB IoT/LORAWAN/Driveby-Walk-by/Radio frequencies of 433/868Hz
- Output signal: Two way OCT pulse output/4-20Ma output
- Protection class: IP68, can work 5 meters under water
- Digital display: multi line 9 digit cumulative flow, 4 digit display for instantaneous flow
- Reading transmission: Ability to transmit data remotely via Web Server/Walk/Drive-by radio network through NB IoT or LORAWAN.
- Data storage: EEPROM/FLASH, automatically records cumulative data for a minimum of 15 years.
- Power consumption: less or equal to 2.7AH/Year
- Nominal pressure: 20 BAR
- Measuring accuracy: double beam ultrasonic sensors of MAX+/-0.5%, OIML R:2013 (Ministry of Trade - Weights and Measures Department) compliant, other compliance certificates, and manufacturer's certificates, recognition.
- Power: In-built lithium batteries with operational life time of at least 10 years.
- Has provision for night visibility
- Detects and logs low flows and pressure
- Capability of logging data and compatible with windows 07,08 or other user-friendly OS – readily available
- No moving parts
- All meters shall be provided with effective inlet strainers which should be of rigid construction close fitting and designed for easy removal.
- Inlet strainers should be of nickel-plated copper, stainless steel or other materials having satisfactory characteristics.
- Each meter shall also be equipped internally with an integral reverse flow restrictor.
  - 
  - Warranty: A minimum of 3 years
  - Service life: The meter shall operate for a minimum period of 10 years without losing its metrological properties

#### 4.3.2 Metrological properties for Ultrasonic Flow Meters.

Nominal Diameter (mm)	Min. cutoff	Q:3/Q1	Minimum Q, (m <sup>3</sup> /h)	Transitional Q2 (m <sup>3</sup> /h)	Permanent Q3 (m <sup>3</sup> /h)	Overload Q4 (m <sup>3</sup> /h)
15	0.002	R400	0.010	0.016	2.500	3.125

20	0.003	R400	0.016	0.025	4.000	5.000
25	0.004	R400	0.025	0.040	6.300	7.780

#### 4.4 Additional Information

4.4.1 The tenderer is at liberty to provide additional information on the meter not catered for in this document

**Request For Review**

**FORM FOR REVIEW (r.203 (1))**

**PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

**APPLICATION NO.....OF.....20.....**

**BETWEEN**

.....**APPLICANT**

**AND**

.....**RESPONDENT (Procuring Entity)**

Request for review of the decision of the..... (Name of the Procuring Entity of .....dated the...day of .....20.....in the matter of Tender No.....of .....20..... for ..... (Tender description).

**REQUEST FOR REVIEW**

I/We.....,the above named Applicant(s), of address: Physical address.....P. O. Box No..... Tel. No.....Email ....., hereby request the Public Procurement Administrative Review Board to review the whole/part of the above mentioned decision on the following grounds , namely:

- 1.
- 2.

By this memorandum, the Applicant requests the Board for an order/orders that:

- 1.
- 2.

SIGNED ..... (Applicant) Dated on.....day of ...../...20.....

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FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on.....day of .....20.....

**SIGNED**

**Board Secretary**