

**Section - III.**  
**Evaluation and Qualification Criteria**

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This Section contains all the criteria that the Employer shall use to evaluate bids and qualify Bidders. In accordance with ITB 35 and ITB 37, no other factors, methods or criteria shall be used. The Bidder shall provide all the information requested in the forms included in Section IV, Bidding Forms.

# 1. Evaluation

## 1.1 Technical Evaluation

The ITB 35.2 (a) and 35.2(b) are supplemented by the following listed requirements: The bidder shall demonstrate as part of the requirements of ITB 16.1 the design, installation and project management capabilities through detailed presentation of the firm's design, engineering, installation and project management methodology. This shall include method statements on,

- a. Engineering of Substations and Lines – civil and electrical
- b. Installation and erection in substation projects and lines.

Project Management. The contractor will give a presentation of Project time – implementation schedule WITH matched resources (Human, Tools and Equipment) to ensure timely completion.

- c. Quality control measures, a narration of specific quality control mechanisms measures at design, construction, manufacture, erection, installation, testing and commissioning. The presentation shall include method of supervision of the subcontractors/sub suppliers and how they will be supervised.
- d. Comprehensive method statement

Step by step project implementation plan covering the following:

Design

Civil works

Installation works

Test and Commissioning

- e. Safety, Health and Environmental plan –This should Include a narration of expected safety risks, taking into account local conditions, and mitigation measures that will be adopted to ensure that the projects are completed without accidents, with minimum negative impact on the environment.

- 2. The Bid shall include documentary evidence of the bidder's qualifications, comprehensive enough to allow the Employer to carry out post-qualification as described in Tables below.

### Eligibility and Conformity of Facilities

- 1. Equipment and materials supplied shall meet the technical requirements, requirements of type test, routine test, sample test, prequalification test, and electrical test after installation as specified in technical specifications.
- 2. Bidders shall provide the following duly completed technical documents:

- a. All Technical Schedules with detailed information of offered materials and equipment, in which all required information, should be filled completely as specified in the Tender documents.
  - b. Copies of Type Test Reports and technical documents (catalogue, brochures, drawings.) of each major item offered. Copies of Type Test Reports shall meet the following requirements:
    - i. Type Test Reports shall be carried out by a laboratory independent from the manufacturer or with the witness of independent laboratory. Accreditation certificate for the testing laboratory shall be presented.
    - ii. Results of type test shall have been conducted at least six (6) months prior to the date of tender submission. The bidder shall submit contact details (Title, email, and fax) of certifying laboratory.
    - iii. Testing materials and equipment in Type Test Reports shall have the same code/ country / manufacturer and technical parameters as offered materials and equipment. Type tests of non-conforming materials/equipment shall not be accepted.
    - iv. Type Test Reports shall include all items tested and results confirming that they meet the requirements of applied standards as stipulated in Tender Documents.
    - v. Type Test reports shall have Report Numbers for Authentication.
3. The major equipment in this project are:
- i. Power transformer
  - ii. MV & HV Switchgear
  - iii. Instrument transformers
  - iv. Substation Automation
  - v. Telecommunication equipment
  - vi. Protection and Control Equipment
  - vii. Steel Structures
  - viii. Conductors and Cables
  - vi.
4. The manufacturer of the major equipment is required to have been awarded a valid ISO:9001 Certificate or equivalent Quality Assurance Certification.
5. Only a maximum of two manufacturers of the major equipments shall be proposed. Bids bearing more than two manufacturer will be handled as alternative bids hence non-responsive.
6. Similar types of major equipment (see “3” above) to be supplied must have been installed and been in service for at least five (5) years outside the country of manufacture.

7. International bidders shall nominate locally owned civil and electrical installation sub-contractors.

**1.2 Economic Evaluation**

The following factors and methods will apply:

**(a) Time Schedule:**

Time to complete the Plant and Installation Services from the effective date specified in Article 3 of the Contract Agreement for determining time for completion of facilities is: **18 months,**

**(b) Functional Guarantees of the facilities**

The minimum (or maximum) requirements stated in the Specification for functional guarantees required in the Specification are:

Functional Guarantee	Minimum (or Maximum, as appropriate) Requirement
1. Transformer Losses	Adjustment factor used for bid evaluation will be for transformers only and as follows: USD 4 300 (four thousand three hundred)/kW for no load losses and USD 1,070 (one thousand and seventy)/kW for load losses. The losses to be measured in accordance with IEC 60076 but without tolerances. <u>These same figures shall be used in determining liquidated damages for Functional Guarantees for losses.</u>
2. Transformer Capacity	The prices for Bids with transformer capacities below (or above) those given in the specifications shall be adjusted at a rate calculated as the weighted average bid price per kVA decrease (increase) in the capacity. The same figure shall be used in determining the liquidated damages for Functional Guarantees related to the deficiency in transformer capacity below the guaranteed figures

c. The major milestones must be achieved within specified time limits in table 1:

Table 1:Major Milestones

	Milestone	Maximum Allowed Period From Commencement Date
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1	All Designs for manufacture	2 months
2	Major Civil Works	11 months
3	Installation Works	14 months
4	Testing and Commissioning	18 months

**(d) Specific additional criteria**

The Employer shall, at its discretion, and for **evaluation purposes only**, add to the bid price the cost of quantifiable deviations and omissions from the Technical Specifications as identified in the bidding document. For purposes of contract however, the employer shall assume that the price of any omissions, even if not explicitly stated, is included in the bid price. In the case of deviations, the employer reserves the right to accept or reject offered equipment with unacceptable deviations from those specified in the tender.





## 2. Qualification

Factor	2.1 Eligibility					
Sub-Factor	Criteria					Documentation Required
	Requirement	Bidder				
		Single Entity	Joint Venture, Consortium or Association			
			All partners combined	Each partner	At least one partner	
2.1.1 Nationality	Nationality in accordance with ITB 4.2.	Must meet requirement	Existing or intended JVA must meet requirement	Must meet requirement	N / A	Form ELI –1.1 and 1.2, with attachments
2.1.2 Conflict of Interest	No- conflicts of interests as described in ITB 4.3.	Must meet requirement	Existing or intended JVA must meet requirement	Must meet requirement	N / A	Letter of Bid
2.1.3 Bank Ineligibility		Must meet requirement	Existing JVA must meet requirement	Must meet requirement	N / A	Letter of Bid
2.1.4 Government Owned Entity	Compliance with conditions of ITB 4.5	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Form ELI –1.1 and 1.2, with attachments
2.1.5 Ineligibility based on a United Nations resolution or Borrower’s country law	Not having been excluded as a result of the Borrower’s country laws or official regulations, or by an act of compliance with UN Security Council resolution, in accordance with ITB 4.8	Must meet requirement	Existing JVA must meet requirement	Must meet requirement	N / A	Letter of Bid

Factor		2.2 Historical Contract Non-Performance				Contract X
Kenya Power and Lighting Company Distribution Reinforcement and Upgrade		Section I - Instruction to Bidders				
Sub-Factor	Criteria					Documentation Required
	Requirement	Bidder			Documentation Required	
		Single Entity	Joint Venture, Consortium or Association			
			All partners combined	Each partner	At least one partner	
2.2.1 History of non-performing contracts	Non-performance of a contract did not occur within the last Five (5) years prior to the deadline for application submission, based on all information on fully settled disputes or litigation. A fully settled dispute or litigation is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract, and where all appeal instances available to the bidder have been exhausted.	Must meet requirement by itself or as partner to past or existing JVA	N / A	Must meet requirement by itself or as partner to past or existing JVA	N / A	Form CON - 2
2.2.2 Pending Litigation	<b>All pending litigation shall in total not represent more than twenty percent (20%) of the Bidder's net worth and shall be treated as resolved against the Bidder.</b>	Must meet requirement by itself or as partner to past or existing JVA	N / A	Must meet requirement by itself or as partner to past or existing JVA	N / A	Form CON – 2
Factor		2.3 Financial Situation				
Sub-Factor	Criteria					Documentation Required
	Requirement	Bidder			Documentation Required	
		Single Entity	Joint Venture, Consortium or Association			
			All partners combined	Each partner	At least one partner	

Factor	2.3 Financial Situation					
Sub-Factor	Criteria	Bidder				Documentation Required
	Requirement	Single Entity	Joint Venture, Consortium or Association			
			All partners combined	Each partner	At least one partner	
2.3.1 Historical Financial Performance	Submission of audited balance sheets or if not required by the law of the bidder's country, other financial statements acceptable to the Employer, for the last Five [5] years to demonstrate the current soundness of the bidders financial position and its prospective long term profitability.	Must meet requirement	N/A	Must meet requirement	N / A	Form FIN – 3.1 with attachments
2.3.2 Average Annual Turnover	Minimum average annual turnover of: <b>USD 15M for Lot 1-Nairobi</b>  , calculated as total certified payments received for contracts in progress or completed, within the last Five( 5 ) years	Must meet requirement	Must meet requirement	N/A	Must meet seventy percent (70%) of the requirement	Form FIN –3.2

Factor	2.3 Financial Situation					
Sub-Factor	Criteria					Documentation Required
	Requirement	Bidder				
		Single Entity	Joint Venture, Consortium or Association			
All partners combined			Each partner	At least one partner		
2.3.3 Financial Resources	<p>The Bidder must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to meet:</p> <p>(i) the following cash-flow requirement: Capacity to have a cash flow amount of: <b>USD 2M for lot 1 Nairobi</b></p> <p>(ii) the overall cash flow requirements for this contract and its current commitments.</p>	Must meet requirement	Must meet requirement	N/A	Must meet eighty percent (80%) of the requirement	Form FIN –3.3

Factor	<b>2.4 Experience</b>							
Sub-Factor	Criteria	Documentation Required						
	Requirement					Bidder		
						Single Entity	Joint Venture, Consortium or Association	
		All partners combined	Each partner	At least one partner				
2.4.1(a) General Experience .	Experience under contracts in the role of contractor, subcontractor, or management contractor for at least the last Five [5] years prior to the applications submission deadline, and with activity in at least nine (9) months in each year.	Must meet requirement	Must meet requirement	N / A	Must meet requirement	Form EXP-2.4.1		
2.4.1(b) General Experience Outside country of Registration	Experience under contracts in the role of contractor, subcontractor, or management contractor for at least one infrastructure project outside the country of registration in the last Five (5) years. This does not apply for the local bidders.	Must meet requirement	Must meet requirement	N / A	Must meet requirement	Form EXP-2.4.1		
2.4.2 Specific Experience	(a) Participation as contractor, management contractor, or subcontractor, in at least two (2) contracts within the last five (5) years , that have been successfully completed and that are similar to the proposed , Plant and Installation Services. The similarity shall be based on the physical size, complexity, methods /technology, with <i>multiple sites</i>	Must meet requirement	Must meet requirements for all characteristics	N / A	Must meet requirement for one characteristic	Form EXP 2.4.2(a)		

Factor	2.4 Experience							
Sub-Factor	Criteria	Documentation Required						
	Requirement					Bidder		
						Single Entity	Joint Venture, Consortium or Association	
		All partners combined	Each partner	At least one partner				
	under one contract that are geographically widespread or other characteristics as described in Section VI, Employer's Requirements.							
2.4.2 Specific Experience	(b) For the above or other contracts executed during the period stipulated in 2.4.2(a) above, a minimum experience in the following key activities as follows:  <b>Lot1-</b> Design, supply and installation of Medium Voltage ( 66/11KV ) Substations and lines with minimum transformer capacity of 23MVA .	Must meet requirements	Must meet requirements	N / A	Must meet requirements	Form EXP-2.4.2(b)		
2.4.2 Specific Experience		Must meet requirements	Must meet requirements	N / A	Must meet requirements	Form EXP-2.4.2(b)		

## 2.5 Personnel

The Bidder must demonstrate that they will have the personnel for the key positions that meet the following requirements:

No.	Position	Total Work Experience (years)	In Similar Works Experience (years)
1	Project Manager	10	5
2	Design Engineer - Electrical	5	3
3	Design Engineer - Civil	5	3
4	Resident Project Manager	5	3
5	Construction Engineer - Civil	5	3
6	Construction Engineer - Electrical	5	3
7	Safety manager	5	3

The Bidder shall provide details of the proposed personnel and their experience records in the relevant Forms included in Section IV, Bidding Forms.

## 2.6 Equipment

The Bidder must demonstrate that they will have access to the key Contractor's equipment listed hereafter:

No.	Equipment Type and Characteristics	Minimum Number required
1	Testing equipments for primary and secondary substation equipment. ( <i>Live line tester 66KV, Clamp resistance measuring equipment, Secondary voltage /current injection sets, Current injection set 500Amps, Earth resistance measuring equipment, portable Earthing conductors.</i> )	each

2	Oil circulation machine	<u>one</u>
3	Excavation Machines	<u>one</u>
4	HIAB (Lifting equipment -5 tonnes) fitted on a truck	<u>one</u>
5	Line construction Tools ( <i>List and provide details in the relevant form in section IV</i> )	

The Bidder shall provide further details of proposed items of equipment using the relevant Form in Section IV.

## 2.7 Subcontractors

Subcontractors/manufacturers for the following major items of supply or services must meet the following minimum criteria, herein listed for that item:

Item No.	Description of Item	Minimum Criteria to be met
1	Sub Supplier for Substation control system	Must have supplied at least two substation control systems of similar size/complexity and must have been in service for at least 5years outside country of manufacture.
2	Sub contractor for the line component	Must have completed at least 2 line projects of similar size.
3	Substation Installation subcontractor	Must have completed at least 1 s project of similar size and complexity. They must demonstrate that they have access to all the necessary human resource and equipment required for the substation installation works.
4	Civil Subcontractor	Must have completed at least 1 Civil infrastructure project of similar size They must demonstrate that they have access to all the necessary human resource and equipment required for civil works.



- i. Failure to comply with the requirements in the table above will result in rejection of the subcontractor/s.
- ii. In the case of a Bidder who offers to supply and install major items of supply under the contract that the Bidder did not manufacture or otherwise produce, the Bidder shall provide the **manufacturer's authorization**, using the form provided in Section IV, showing that the Bidder has been duly authorized by the manufacturer or producer of the related plant and equipment or component to supply and install that item in the Employer's country. The Bidder is responsible for ensuring that the manufacturer or producer complies with the requirements of ITB 4 and 5 and meets the minimum criteria listed above for that item.