



REPUBLIC OF UGANDA

MINISTRY OF WATER AND ENVIRONMENT

ISINGIRO RURAL WATER AND SANITATION PROJECT

**CONSULTANCY SERVICES FOR THE CONSTRUCTION
SUPERVISION OF ISINGIRO WATER SUPPLY AND
SANITATION PROJECT**

MWE/CONS/21-22/00008

NOTICE OF EXPRESSIONS OF INTEREST

AUGUST 2021

UGANDA

ISINGIRO RURAL WATER AND SANITATION PROJECT

CONSULTANCY SERVICES FOR THE CONSTRUCTION SUPERVISION OF ISINGIRO WATER SUPPLY AND SANITATION PROJECT

CONSULTING SERVICES

Expressions of Interest

The **Ministry of Water and Environment** has received a financing from *Agence Française de Développement* ("AFD"), and intends to use part of the funds thereof for payments under the following project "Isingiro Rural Water and Sanitation Project".

The tentative Services of the consultant shall consist of:

- 1) Construction supervision of Works covering the elements as follows:
 - Construction of approximately **10 steel or reinforced concrete distribution reservoirs** with capacities between 100 m³ and 600 m³, **7 sumps** (reinforced concrete or steel with capacities between 300 m³ and 2,000 m³) and **12** pumping stations with flows between 15 m³/h and 300 m³/h, spread over **18 sites**;
 - Laying of approximately **170 km of transmission mains** (DN 110 to DN 500, ductile iron or HDPE or U-PVC), including connections with existing reservoirs (Kabaare, Ngarama, Masha and Kabuyanda) and the new Kabingo and Kagera pumping stations;
 - Laying of approximately **110 km of distribution network** (DN 90 to DN 250), including connections to existing distribution networks.
- 2) Detailed design of around 200 km of distribution pipes into villages (DN 63 to DN 110) and associated Public Stand Posts (PSPs);
- 3) Participatory & communitary activities (setting up and mobilization of focus groups, water committees, etc.) with respect to (i) hygiene and water conservation awareness raising, and (ii) PSPs location and management;

The service areas shall be in Isingiro District (Southwest of Uganda). The expected supervision period is 24 months, plus 12 months for defect liability period. The assignment is expected to commence in May 2022;

The total cost of the contemplated intervention is estimated at this stage at around EUR 2,5 M.

The **Ministry of Water and Environment** hereby invites Applicants to show their interest in delivering the Services described above.

This Request for Expressions of Interest is open to **Consulting firms**.

Eligibility criteria to AFD financing are specified in sub-clause 1.3 of the "Procurement Guidelines for AFD-Financed Contracts in Foreign Countries", available online on AFD's website: <http://www.afd.fr>.

The Applicant shall submit only one application, either in its own name or as a member of a Joint Venture (JV). If an Applicant (including any JV member) submits or participates in more than one application, those applications shall all be rejected. However, the same Subconsultant may participate in several applications.

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

- a copy of the JV Agreement entered into by all members,

or

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

In the absence of this document, the other members will be considered as Subconsultants.

Experiences and qualifications of Subconsultants are not taken into account in the evaluation of the applications.

Interested Applicants must provide evidence that they are qualified and experienced to perform those Services. For that purpose, documented evidence of recent and similar services shall be submitted.

Determination of the similarity of the experiences will be based on:

- The contract size;
- The nature of the Services and the areas of expertise: Supervision of construction Works (value of the works contracts greater than 30 million Euros) under Red or Pink Book FIDIC rules. Detailed design of drinking pipeworks. Implementation in rural areas will be an advantage;
- The location: at least five (05) international financial institution (IFI) financed projects of Supervision of Works (in the drinking water sector) in Sub-Saharan Africa or in any comparable developing countries.

Determination of the substantiveness of the experiences will be based on whether the experiences presented include :

- a) a minimum of two (02) similar contracts for Supervision of Works over the last 10 years including Ductile Iron pipes with a diameter above 400 mm and a length of more than 10 km. One of the contracts shall be in an English speaking country;
- b) a minimum of two (02) similar contracts for Supervision of Works over the last 10 years including HDPE or PVC pipes with a length of more than 50km. One of the contracts shall be in an English speaking country;
- c) a minimum of two (02) similar contracts for Supervision of Works over the last 10 years including steel reservoirs of a capacity above 500 m³. One contract must be in an English speaking country;
- d) a minimum of two (02) Detailed design experiences of distribution network in Ductile Iron and either HDPE or PVC or both, with a length of more than 50 km for a Red or Pink Book FIDIC works contract. One of the experiences shall be in an English speaking country;
- e) a minimum of one (01) experience with Information, Communication, Education activities in the fields of hygiene, water conservancy, PSP management, with setting up of at least 20 focus groups and/or water committees.

Evaluation will take into account the following:

- a) references combining experiences a), b), c), d), and e) as mentioned here before will score higher;
- b) only experiences with satisfactory completion certificate signed by the Client or the Funder shall be accepted.

The Ministry of Water and Environment will also take into account for the evaluation of the applications the following items:

- Covering Letter, comprising the firm's name, address, contact person, telephone, fax and email. Should a co-operation between firms be proposed for these Services, the form of co-operation should be mentioned. In addition, the firm should provide evidence that the signatory of the covering letter has the powers of attorney, and the authority of both his firm and that of each party in the association to do so, attesting to their agreement with this authority on their behalf;

- Presentation of Firms showing the firms' organization, main activities and expertise (max. 10 pages per firm, no brochures). In case of a co-operation between firms, the presentation must include the main specialisation of each party;
- Submission of a Declaration of submitting a proposal in case of being short-listed duly signed by the lead firm;
- Statement on affiliations of any kind with other firms, which may present a conflict of interest in providing the envisaged services, or a statement having no affiliations of any kind. In case any firm forms part of a group of firms or holding, such firm shall disclose the relations between the group and holding members in the statement of affiliations. If bidders co-operate, all participating parties, also sub-contractors, must provide this statement.
- Statement of Integrity to observe the highest standard of ethics during the bidding process and the execution of the contract. Applicants should be aware that any fraudulent or corrupt activities disqualify them immediately from participation in the selection process and will be subject to further legal investigation. The said declaration shall be submitted and duly signed by the firm and by all co-operating parties (including sub-contractors) according to the form in Appendix 1;
- Certified statements of financial capacity of the lead firm and all members of the consortium for the last three years showing the necessary turnover (proof documents: balance sheets and profit and loss accounts of the last three years. Documents must be in English language (or original with authorised translation) and issued by a certified auditor). The firm, or all members of the consortium individually must have an annual turnover of at least EUR 4,000,000. Sub-contractors must not present financial statements. Moreover, the applicant (in case of a consortium all members) shall prove its solvency by presenting confirmation of a valid guarantee limit / credit line from its bank, which must not be more than six months old;
- Very brief curriculum vitae of in-house experts available to provide home office, to the on site experts, backstopping and quality assurance services (max. 3 pages per staff). Brief CVs shall consist of name, professional qualification and year obtained, number of years with firm, position in firm, technical field and specialisation, languages and foreign service (country, year, duration, project, task, function) if applicable. All CVs must be signed by the respective proposed staff and signatory to the bid;
- Organisational structure of each party in the Joint Venture or Association indicating number and qualifications of in-house personnel, including home office, backstopping and quality assurance personnel;
- Demonstration of the Applicant's Quality assurance procedures and availability of a valid ISO 9001:2015 Quality Management certificate. If the Applicant is a JV, each member must provide individual evidence;
- Firms with local offices or in joint venture or association with local consultants are encouraged to apply.

The Ministry of Water and Environment informs applicants that at the bidding period:

- A margin of preference shall apply to domestic bidders (following the Public Procurement and Disposal of Public Assets Act, 2003 and its amendments);
- Guideline (1/2018) on reservation schemes to promote local content in public procurement (gazetted in February 2018) shall apply.

Among the submitted applications, the Ministry of Water and Environment shall shortlist **a maximum of six (6) Applicants**, to whom the Request for Proposals to carry out the Services shall be sent.

The Expressions of Interest (one original plus three copies plus an electronic must be submitted (in person or by courier) to the address below no later than **11am (EAT) on the 17th September 2021:**

Procurement and Disposal Department

Attn: Head, Procurement and Disposal Unit

Ministry of Water and Environment

Headquarters, Plot 3-7, Kabalega

Crescent, Luzira, Kampala, Uganda

Email: kateregga9@hotmail.com

Applicants shall have the option of submitting their Applications electronically.

Applicants are required to submit an electronic application to pdu@mwe.go.ug, copy to kateregga9@hotmail.com and jamil.wesigomwe@gmail.com

The maximum size of the file is 700 MB.

Hard and soft copies of the Expressions of Interest **MUST** be sent before the application submission deadline. An evidence with the track number of the parcel must be incorporated in the electronic application.

Electronic application shall be protected by a password. Passwords shall be given by Applicants at the application opening meeting.

In the event of a file could not be opened at the application opening meeting and the hard copy is not received, the applicant shall be excluded of the evaluation process.

Interested Applicants may obtain further information at the address below during office hours (Monday to Friday from 8:30am to 5:00pm-EAT):

The Head, Procurement and Disposal Unit

Attn: Head, Procurement and Disposal Unit

Ministry of Water and Environment

Headquarters, Plot 3-7, Kabalega

Crescent, Luzira, Kampala, Uganda

Email: pdu@mwe.go.ug; copy to kateregga9@hotmail.com, jamil.wesigomwe@gmail.com

**Appendix to The Notice of Expressions of Interest
(To be submitted with the application, signed and unaltered)**

Statement of Integrity, Eligibility and Environmental and Social Responsibility

Reference of the bid or proposal _____ (the "**Contract**")

To: _____ (the "**Contracting Authority**")

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

- 2.5 Not having fulfilled our fiscal obligations regarding payments of taxes in accordance with the legal provisions of either the country where we are constituted or the Contracting Authority's country;
 - 2.6 Being subject to an exclusion decision of the World Bank and being listed on the website <http://www.worldbank.org/debarr> (in the event of such exclusion, you may attach to this Statement of Integrity supporting information showing that this exclusion is not relevant in the context of this Contract);
 - 2.7 Having created false documents or committed misrepresentation in documentation requested by the Contracting Authority as part of the procurement process of this Contract.
3. We hereby certify that neither we, nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations of conflict of interest:
- 3.1 Being an affiliate controlled by the Contracting Authority or a shareholder controlling the Contracting Authority, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;
 - 3.2 Having a business or family relationship with a Contracting Authority's staff involved in the procurement process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;
 - 3.3 Being controlled by or controlling another bidder or consultant, or being under common control with another bidder or consultant, or receiving from or granting subsidies directly or indirectly to another bidder or consultant, having the same legal representative as another bidder or consultant, maintaining direct or indirect contacts with another bidder or consultant which allows us to have or give access to information contained in the respective applications, bids or proposals, influencing them or influencing decisions of the Contracting Authority;
 - 3.4 Being engaged in a consulting services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the Contracting Authority;
 - 3.5 In the case of procurement of goods, works or plants:
 - a) Having prepared or having been associated with a consultant who prepared specifications, drawings, calculations and other documentation to be used in the procurement process of this Contract;
 - b) Having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract.
4. If we are a state-owned entity, and to compete in a procurement process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.
5. We undertake to bring to the attention of the Contracting Authority, which will inform AFD, any change in situation with regard to points 2 to 4 here above.
6. In the context of the procurement process and performance of the corresponding contract:
- 6.1 We have not and we will not engage in any dishonest conduct (act or omission) deliberately intended to deceive others, to intentionally conceal items, to violate or vitiate someone's consent, to make them circumvent legal or regulatory requirements and/or to violate their internal rules in order to obtain illegitimate profit;

- 6.2 We have not and we will not engage in any dishonest conduct (act or omission) contrary to our legal or regulatory obligations or our internal rules in order to obtain illegitimate profit;
- 6.3 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to (i) any Person who holds a legislative, executive, administrative or judicial mandate within the State of the Contracting Authority regardless of whether that Person was nominated or elected, regardless of the permanent or temporary, paid or unpaid nature of the position and regardless of the hierarchical level the Person occupies, (ii) any other Person who performs a public function, including for a State institution or a State-owned company, or who provides a public service, or (iii) any other person defined as a Public Officer by the national laws of the Contracting Authority's country, an undue advantage of any kind, for himself or for another Person or entity, for such Public Officer to act or refrain from acting in his official capacity;
- 6.4 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to any Person who occupies an executive position in a private sector entity or works for such an entity, regardless of the nature of his/her capacity, any undue advantage of any kind, for himself or another Person or entity for such Person to perform or refrain from performing any act in breach of its legal, contractual or professional obligations;
- 6.5 We have not and we will not engage in any practice likely to influence the contract award process to the detriment of the Contracting Authority and, in particular, in any anti-competitive practice having for object or for effect to prevent, restrict or distort competition, namely by limiting access to the market or the free exercise of competition by other undertakings;
- 6.6 Neither we nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or France;
- 6.7 We commit ourselves to comply with and ensure that all of our suppliers, contractors, subcontractors, consultants or subconsultants comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract, including the fundamental conventions of the International Labour Organisation (ILO) and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the environmental and social commitment plan (ESCP) provided by the Contracting Authority.
7. We, as well as members of our joint venture and our suppliers, contractors, subcontractors, consultants or subconsultants authorise AFD to inspect accounts, records and other documents relating to the procurement process and performance of the contract and to have them audited by auditors appointed by AFD.

Name: _____ In the capacity of: _____

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

Signature: _____

Dated: _____

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