

**CALL FOR EXPRESSIONS OF INTEREST
(CONSULTING SERVICES – FIRMS SELECTION)
PROJECT MANAGEMENT CONSULTANCY (PMC) TO MINISTRY OF WATER
KINGDOM OF LESOTHO**

1. Publication reference

PMC/LLWDP – II - EIB/MOW/160672/2019

2. Procedure

Restricted international

3. Programme title

Lesotho Lowlands Water Development Phase II

4. Financing

European Investment Bank,

Address: 98-100, boulevard Konrad Adenauer,

L-2950, Luxembourg,

Grand Duchy of Luxembourg

5. Contracting Authority

Ministry of Water (MoW)

Address: Water Commissioner

Private Bag A 440

15 United Nations Road

Sentinel Park Building

Maseru 100

Tel. +266 22320127 Fax. +266 22 324 529

email. mplerotholi@gmail.com

CONTRACT SPECIFICATION

6. Nature of contract

Fee based

7. Contract description

The Project Promoter is the Ministry of Water. The Official implementing agent for Lesotho Lowlands Water Development Project – Phase II (hereinafter also called “Client”) will be the Commissioner of Water (CoW) through the Project Implementation Unit (PIU). The beneficiaries of the scheme, responsible for operating the assets will be the Department of Rural Water Supply (DWRS), Department of Water Affairs (DWA), Proposed Bulk Water Authority (BWA) and the Water and Sewerage Company (WASCo).

The primary objective of the PMC is to actively facilitate oversight of the Project in accordance with their designated role within the PIU to ensure that projects are completed on time, on budget and in accordance with the expectations of all parties involved in the projects.

The PMC will function as part of the PIU in coordinating the efforts of the Design and Supervision Consultant(s), the Project QA(Quality Assurance)/QC(Quality Control) entity, Project Consultant(s) for associated environmental and social mitigation measures, and the Construction Contractors, to assure that the Promoter's and the Project's needs are properly defined and met. The contract will be 60 months long, with a firm tranche of 30 months and conditional tranche of additional 30 months subject to consultant performance for the first 30 months.

The PMC will be responsible to the PIU Manager for coordinating other tasks that need to be accomplished which may not be assigned to the individual Design and Supervision Consultant(s), the QA/QC entity, the Environmental and Social Management Consultant(s), or the Construction Contractor(s).

10. Scope for additional services

The Contracting Authority may, at its own discretion and subject to the availability of funding, extend the scope and duration of the project to cover complementary and/or additional services.

In case of complementary services, the extension shall be up to a maximum not exceeding 50% of the initial contract value. In case of additional services, such extension shall be up to a maximum not exceeding 12 months.

Any extension of the contract would be subject to satisfactory performance by the Contractor.

CONDITIONS OF PARTICIPATION

11. Eligibility

Participation is open to all legal persons participating either individually or in a grouping (consortium) of candidates. Participation is also open to international organizations. There are no nationality restrictions.

13. Number of applications

No more than one application can be submitted by a legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application). In the event that a legal person submits more than one application, all applications in which that person has participated will be excluded.

14. Shortlist alliances prohibited

Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

16. Sub-contracting

Subcontracting is allowed up to a maximum of 30% of the initial contract value.

17. Number of candidates to be short-listed

On the basis of the applications received, between 4 and 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

October 2019

19. Provisional commencement date of the contract

January 2020

20. Initial period of implementation of tasks

The consultancy assignment is for a period of sixty (60) months with a firm tranche of 30 months and an extension of 30 additional months based on performance and with possible extension for another additional period of maximum 12 months upon work exigencies and satisfactory performance.

SELECTION AND AWARD CRITERIA

21. Selection criteria

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

i. Economic and Financial Capacity:

An average annual turnover of at least €3 million for the last 3 financial years.

Note to candidates: In the application form, please make sure to include the actual year for which the data is provided.

ii. Professional capacity of candidate

The number of the permanent staff of the candidate (individual company or consortium overall) with field expertise related to this contract (procurement, finance, accounting, Water utilities management specialist and water supply specialist, socio-environmental specialist) must be at least ten (10) for each of the last three (3) years (2016, 2017, 2018).

iii. Technical capacity of candidate

1. At least ten (10) years' experience in the field of assignments in the water supply and sanitation sector.
2. At least five (5) years' experience in the water supply and sanitation sector with Development Partners;
3. Previous experience in project management of at least two (2) water and sanitation projects, each valued more than €70 million.

4. Previous experience in supervision or management of both design-build contracts (e.g. FIDIC yellow book or similar) and engineering design (FIDIC red book or similar).
5. Experience in support to water and or sanitation utility in structuring/restructuring, capacity building, PPP preparation and outsourcing of noncore activities, or implementation of turnaround strategies etc, Such a utility should provide service to minimum 60,000 connections;
6. Previous experience in the field of the assignment in developing countries;

If a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which caused breach of contract and termination by a Contracting Authority shall not be used as reference.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility - notably that of nationality – and must fulfil the same relevant selection criteria as the economic operator. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be reexamined to identify the eight best candidates. The only factors which will be taken into consideration during this re-examination are:

- Criteria 1: number of eligible previous experience in project management of water and sanitation projects (point 3 of technical capacity).
- Criteria 2: number of eligible previous experience in management contracts of water and sanitation utilities (point 4 of technical capacity).

22. Award criteria

Best price-quality ratio.

APPLICATION

23. Deadline for receipt of applications

The applications must be received no later than 23rd September, 2019 at 12:00 mid-day local time.

Any application received after this deadline will not be considered.

Interested Candidates may submit questions no later than 6th September 2019 via the postal or email addresses below, specifying the reference code and the contract title.

Any clarification of the contract notice will be sent to the applicants by the Promoter and any corrigendum to the contract notice will be published in the Ministry of Water website at the latest on 13th September 2019. For communication purpose, each interested bidder is required to send an email to the contracting authority (see point 25 for the email) to be registered in the diffusion list for further communications if needed.

24. Application Format and details to be provided:

The application must be accompanied by a signed covenant of integrity using the template available from the following Internet address:

<http://www.eib.org/infocentre/publications/all/guide-to-procurement.htm>

Any additional documentation (brochure, letter, etc.) sent with an application will not be taken into consideration.

25. How applications may be submitted

Expressions of interest must be delivered in a written form to the address below (in person, or by mail, or by e-mail) by 12h00, on 23rd September 2019.

Ministry of Water
Water Commission
Private Bag A 440
15 United Nations Road
Sentinel Park Building
Maseru 100
Tel. +266 22320127 Fax. +266 22 324 529

Attn: Mr. Mathealira Lerotholi

E-mail: mplerotholi@gmail.com

The Applications must be marked **“PROJECT MANAGEMENT CONSULTANCY (PMC) LESOTHO LOWLANDS WATER DEVELOPMENT PROJECT PHASE II”**.

Applications submitted by any other means will not be considered.

By submitting an application, candidate accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the application.

26. Alteration or withdrawal of applications

Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 26. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. Operational language

All written communications for this tender procedure and contract must be in English.

28. Provisional date of publication of contract forecast

January 2019

29. Legal Basis

The Consultant will be selected in accordance with procedures set out in the European Investment Bank's Guide to Procurement for Projects Financed by EIB (2018) and the exclusion policy that can be consulted through the following link: <http://www.eib.org/about/accountability/anti-fraud/exclusion/index.htm?f=search&media=search>.

30. Additional information

This tender procedure is launched with “suspension clause”. This entails that the award of the contract is subject to the availability of EU funds for the Kingdom of Lesotho. The candidates interested in participating in this tender procedure must be fully aware that in no event shall the Contracting Authority be liable for any damages whatsoever including, without limitation, damages for loss of profits / costs incurred by applicant in preparing and submitting his application, in any way connected with the cancellation of the tender procedure on the ground of the “suspension clause” even if the Contracting Authority has been advised of the possibility of damages.

As such, by submitting their application, the candidate accepts in full the use of the “suspension clause” in this tender procedure as well as its possible consequences.