



**Lesotho Maseru – EIB – Technical Assistance for Design Review and Supervision
Consultancy Service**

**CALL FOR EXPRESSIONS OF INTEREST
(CONSULTING SERVICES – FIRMS SELECTION)
DESIGN REVIEW AND CONSTRUCTION SUPERVISION CONSULTANT FOR
WORKS IN LLWDP-II ZONES 6 AND 7
KINGDOM OF LESOTHO**

1. Publication Reference

LLWDP-II/ Z6&7 DRSC/ /C/26/ 160672/2022

2. Procedure

Restricted International.

3. Programme Title

Lesotho Lowlands Water Development Project – Phase II.

4. Financing

European Investment Bank, Contract Number (Fl N°) 87612; Operation Number (Serapis N°) 2017-0197.

Address: 98-100, boulevard Konrad Adenauer,
L-2950, Luxembourg,
Grand Duchy of Luxembourg

5. Contracting Authority

Address - Ministry of Water
2nd Floor Bokamoso Building, Orpen Road, Maseru
Private Bag 440
Maseru 100
Kingdom of Lesotho

Attn: Mr. Mathealira Lerotholi

E-mail: mlelotholi@llwdp.co.ls

CONTRACT SPECIFICATION

6. Nature of Contract

Lump-Sum (Design) and Time-Based (Construction Supervision) Contract.

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 (DRWS), Department of Water Affairs (DWA), Proposed Lesotho Bulk Water Authority (LBWA) and the Water and Sewerage Company (WASCO).

The consulting services (“the Services”) include the detailed design, based on the review of 2018 designs (by others); preparation of pre-qualification and RFB procurement documentation, assistance with bids evaluation and probable contract supervision (dependant on effective design contract performance) for river intake, water treatment and associated works, transmission mains and distribution networks for Zones 6 and 7 (Mohaes Hoek, Mafeteng and selected villages along the main pipeline route). The service will include assistance with tender management and construction supervision.

A. Lump-Sum Contract: (Phase 1 and Phase 2)

Phase 1

PHASE 1.1 – Review of existing designs and documentation; verification of sufficiency of hydraulic data; review of the geotechnical/topographical surveys already conducted (and additional studies/surveys if required); verification/calculation of water demand for both Zones 6 and 7; designs of river intake and water treatment works; and design of three high-lift pump stations.

PHASE 1.2 – Design of transmission mains; reservoirs; and pump stations in Zones 6 and 7.

PHASE 1.3 – Design of the distribution network (3 areas in Zone 6, and 2 areas in Zone 7). This will include attention to the improvement of Non-Revenue Water (NRW) management in accordance with WASCO’s NRW Strategy.

PHASE 1.4 – Assessment of the existing Urban Sanitation System and recommendation of immediate and medium-term rehabilitation and upgrading measures.

Phase 2

PHASE 2.1 – Tender Management of Pre-qualification and RFB/RFP for:

- i. Intake and Water Treatment works. (FIDIC Red Book or Yellow Book)
- ii. Transmission works in Zones 6 and 7. (FIDIC Red Book)

iii. and RFB for distribution networks in 7 areas in Zones 6 & 7.

B. Time -Based Contract: Phase 3 (If the Lump-sum contract had been completed to the satisfaction of the Client)

Phase 3 – Construction Supervision.

CONDITIONS OF PARTICIPATION

8. 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.

9. 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.

10. 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.

11. Sub-Contracting

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

12. 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

13. Provisional date of invitation for Proposals

November 2022

14. Provisional commencement date of the contract

February 2023

15. Initial period of implementation of tasks

Phase 1 is expected to start February 2023. The total contract (Design, Tender and Supervision) period is forty-one (41) calendar months. Procurement of Works, after pre-qualification is expected to start May 2024 and the construction to start in January 2025. The combined construction period to implement all works, is assumed to be twenty-three (23) months plus one (1) year of defect liability, ending by November 30, 2027. This, however, may be adjusted to reflect the actual requirements for implementation of priority investments.

SELECTION AND AWARD CRITERIA

16. 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:

The annual turnover (individual company or consortium overall) of the candidate must be at least EUR4,500,000 for each of the last three (3) years for which accounts have been closed.

(a) Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least: 1. In case of a consortium this criterion must be fulfilled by the leader of the consortium.

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 professional qualified staff of the candidate (individual company or consortium overall) currently working in fields related to this contract (Design & Supervision) must be at least fifteen (15) for each of the last three (3) years (2019, 2020, 2021).

iii. Technical capacity of candidate

1. The candidate (individual company or consortium altogether) has successfully designed and implemented at least three (3) similar water supply infrastructure construction projects of total construction value of EURO 70,000,000 during the last ten (10) years. As proof of evidence, the candidate must provide the final payment/completion certificate(s) made by the client at any time during the period from January 2012 up to the deadline of submission of applications.
2. Experience, during the last ten (10) years, with the implementation of at least three (3) investment/works contracts funded by International Funding institutions like the World Bank (WB) and the European Investment Bank

(EIB) during the period from January 2012 up to the deadline of submission of applications.

3. Experience with design and supervision during the last ten (10) years of:
 - i) at least three (3) water treatment work of capacity greater than (40,000 m³/day)
 - ii) at least three (3) transmission pipeline projects of more than 10 km and 400 mm diameter or greater
 - iii) distribution network design for at least three (3) towns with populations of more than 8,000 or network length more than 40km.
4. Experience in preparing works bidding documents based on the FIDIC Red Book and the FIDIC Yellow Book Conditions of Contract during the last ten (10) years.

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 eight (8) eligible candidates meet the above selection criteria, the raking of the applicants will be conducted following the number of contracts during the last ten (10) years for the design and supervision of water treatment work (WTW) of capacity greater than (40,000 m³/day). The highest eight (8) ranking candidates will be shortlisted.

In the event of candidates with equal experience following the shortlisting ranking process described above, applicants with the most assignments for the design and supervision of water treatment works in Sub-Saharan Africa, will be preferred.

17. Award criteria

Quality and Cost Based Selection (QCBS)

APPLICATION

18. Deadline for receipt of applications

The Expression of Interest must be received no later than **November 7, 2022, at 12:00** mid-day Lesotho time.

Any application received after this deadline will not be considered.

Interested Candidates may submit clarification questions no later than **October 14, 2022**, 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 **October 24, 2022**. 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.

19. Application Format and details to be provided:

The application must be accompanied by a signed covenant of integrity and E&S covenant 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.

20. Submission of Applications

Expressions of Interest must be delivered in a written format to the address below (in person) by 12h00 Lesotho time, on **November 12, 2022**.

Physical Address:

Attn: Procurement Office

Lesotho Lowlands Water Development Project – Phase II
788/9, Fairview Avenue,
Lower Thetsane, Maseru
Kingdom of Lesotho.

Tel: (+266) 22 32 4555

E-mail: procurement@llwdp.co.ls

The applications must be marked:

**“EXPRESSIONS OF INTEREST
(CONSULTING SERVICES – FIRMS SELECTION)
DESIGN REVIEW AND CONSTRUCTION SUPERVISION CONSULTANT
FOR WORKS IN LLWDP-II ZONES 6 AND 7
/LLWDP-II/ Z6&7 DRSC/C/26/160672/2022**

Applications submitted by any other means will not be considered.

By applying, candidates 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.

21. 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.

22. Operational Language

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

23. Provisional Date of Publication of Contract Forecast

June 2023

24. 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>.

25. Complaints Procedure

In the case where bidder is not satisfied with the procedures or outcome of the Expression of Interest, in lodging their complaint, the bidder should follow the following steps;

1. Tier 1. The procurement Unit (LLWDP-II) will be the first point of contact
Procurement Office
Lesotho Lowlands Water Development Project - Phase II
788/9, Fairview Avenue,
Lower Thetsane, Maseru
Kingdom of Lesotho.
Email address; procurement@llwdp.co.ls
2. Tier 2. Director Procurement Policy and Advise Division
Government Complex
3rd Floor, Finance House
P.O. Box 395
Maseru. 100
Kingdom of Lesotho
Email address; lv.leseli@yahoo.com
lv.leseli@gmail.com
likotsi.leseli@gov.ls
3. Tier 3. Public Procurement Tribunal
Government Complex
3rd Floor, Finance House
P.O. Box 395
Maseru. 100
Kingdom of Lesotho
Email address; lv.leseli@yahoo.com
lv.leseli@gmail.com

likotsi.leseli@gov.ls

4. The Courts of Law of Lesotho