



KENYA NATIONAL HIGHWAYS AUTHORITY



**PUBLIC-PRIVATE PARTNERSHIP FOR
DEVELOPMENT, OPERATION AND MAINTENANCE OF
THE NAIROBI-NAKURU-MAU SUMMIT HIGHWAY**

PRE-QUALIFICATION CONFERENCE

16th November 2016



**INTERCONTINENTAL
CONSULTANTS AND
TECHNOCRATS PVT.
LTD.**



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THORNTON
INDIA LLP.**



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Please note that this presentation is just a summary of a few provisions of the RFQ document. Prospective Bidders are advised to refer RFQ Document for submission of Qualification Documents.

PROJECT ROAD



□ A8 Highway

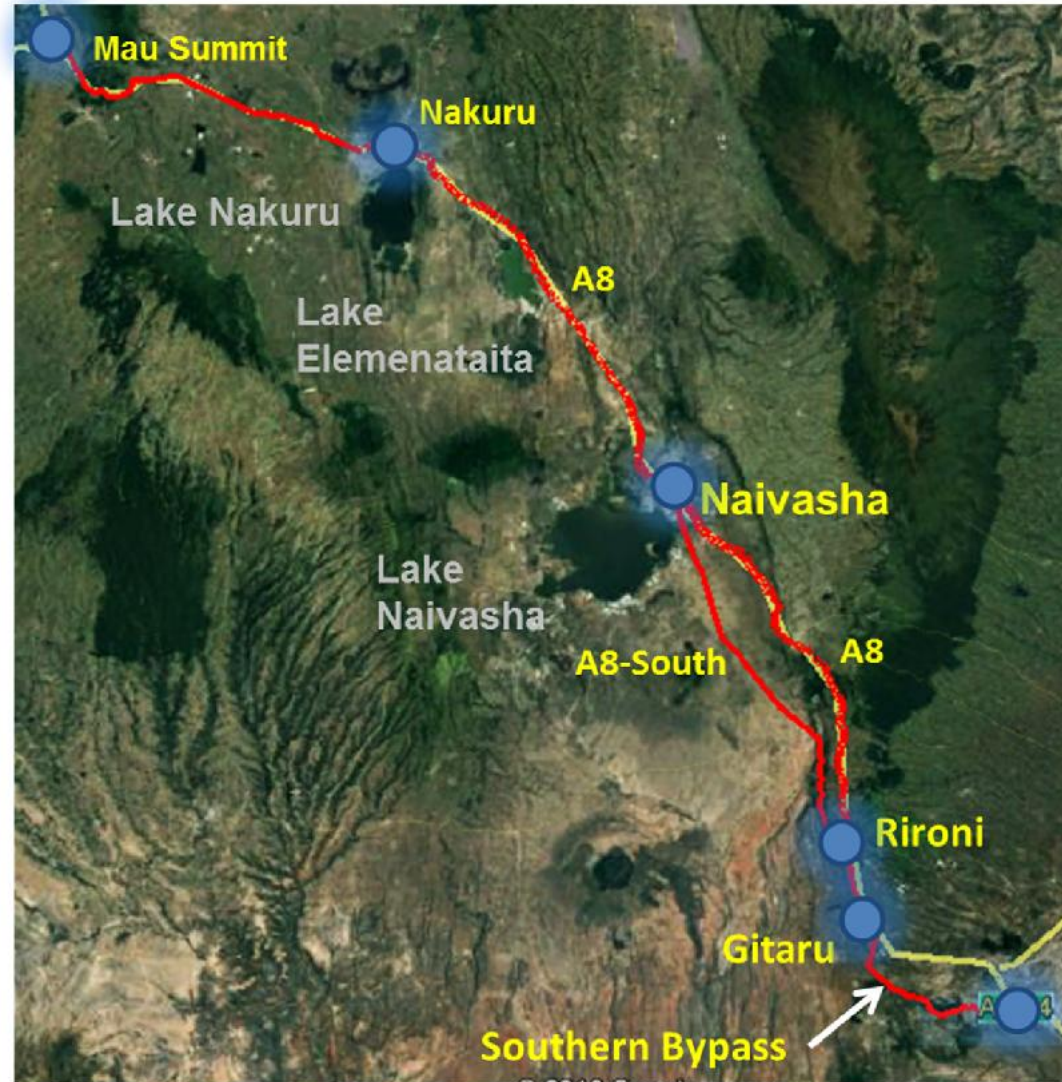
- Widening, O&M of Rironi– Mau Summit section (175 km)
- O&M of Gitaru-Rironi section (12.5 km)

□ A8-South Highway

- Strengthening, O&M from Rironi – Naivasha (58 km)

□ Nairobi Southern Bypass

- O&M (28 km)



PROCUREMENT PROCESS

Two Stage Process

RFQ Stage

RFQ Document describes

- *Minimum Qualification Requirements*
- *Evaluation criteria*
- *Other terms & conditions*

Prospective bidders meeting the Minimum Qualification Requirements and other terms & conditions of RFQ will be considered as Pre-Qualified bidders

BID Stage

- *Pre-Qualified bidders will be issued RFP document including Draft Project Agreement*
- *RFP describes the contents of the Bid and Evaluation Criteria*
- *Pre-Bid Conference*
- *Competitive Dialogue Process*
- *Pre-Qualified bidders may submit their bid proposal including Technical and Financial Proposals*
- *Selection of Successful Bidder based on evaluation of technical and financial proposals*

MINIMUM QUALIFICATION REQUIREMENTS

WHO CAN APPLY?

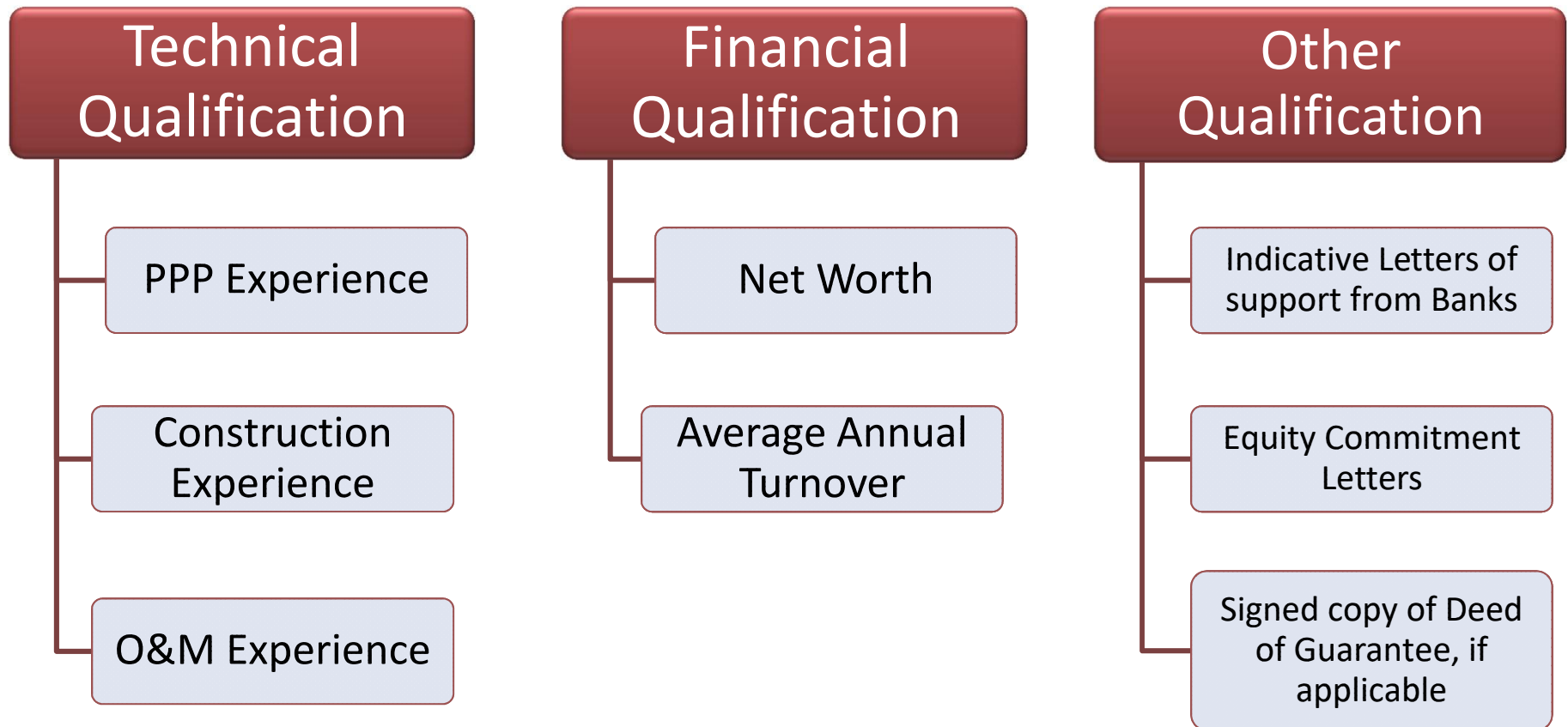


- A company or partnership or a corporation

OR

- Consortium composed of Companies/ Partnerships/ Corporations

MINIMUM QUALIFICATION REQUIREMENTS



TECHNICAL QUALIFICATION REQUIREMENTS :

PPP EXPERIENCE



CRITERIA	SATISFYING PARTY	ELIGIBLE PPP PROJECT	ELIGIBLE PERIOD	MINIMUM THRESHOLD FOR ELIGIBLE PROJECT	THRESHOLD TO BE ACHIEVE
Lane-km of Highway sector PPP project	<p>Prospective Bidder</p> <p>Qualifying Shareholders</p> <p>Affiliates, who will execute the Deed of Guarantee</p> <p>Holding or held an equity shareholding of not less than five percent (5%) in the project company responsible for the Eligible PPP Project.</p>	<p>Highway Sector PPP design, construct, finance, operate and maintain Project</p>	<p>Been in operation for at least 1 year prior to RFQ Submission Date</p>	<p>175 Lane-km</p>	<p>Aggregate of 3500 Lane-km</p>

TECHNICAL QUALIFICATION REQUIREMENTS : CONSTRUCTION EXPERIENCE



CRITERIA	SATISFYING PARTY	ELIGIBLE CONSTRUCTION PROJECT	ELIGIBLE PERIOD	MINIMUM THRESHOLD FOR ELIGIBLE PROJECT	THRESHOLD TO BE ACHIEVE
Lane-km of Highway project construction	<p>Prospective Bidder</p> <p>Qualifying Shareholders</p> <p>Affiliates, who will execute the Deed of Guarantee</p> <p>Construction Contractor</p>	Highway Sector Construction Project	Construction completed within 10 years prior to RFQ Submission Date	80 Lane-km	Aggregate of 5,000 Lane-km

TECHNICAL QUALIFICATION REQUIREMENTS : CONSTRUCTION EXPERIENCE



CRITERIA	SATISFYING PARTY	ELIGIBLE PROJECT	ELIGIBLE PERIOD	MINIMUM THRESHOLD FOR ELIGIBLE PROJECT	THRESHOLD TO BE ACHIEVE
<p>Lane-km of Grade Separated Structure</p>	<p>Prospective Bidder</p> <p>Qualifying Shareholders</p> <p>Affiliates, who will execute the Deed of Guarantee</p> <p>Construction Contractor</p>	<p>Grade Separated Structure</p>	<p>Construction completed within 10 years prior to RFQ Submission Date</p>	<p>N/A</p>	<p>10 Lane-km</p>

TECHNICAL QUALIFICATION REQUIREMENTS :

O&M EXPERIENCE



CRITERIA	SATISFYING PARTY	ELIGIBLE O&M PROJECT	ELIGIBLE PERIOD	MINIMUM THRESHOLD FOR ELIGIBLE PROJECT	THRESHOLD TO BE ACHIEVE
Lane-km of Highway project O&M	Prospective Bidder	Highway Sector Performance Based Project	Ongoing or completed during the 10 years immediately prior to RFQ Submission Date	350 Lane-km	Aggregate of 3500 Lane-km
	Qualifying Shareholders		Minimum 5 year contract		
	Affiliates, who will execute the Deed of Guarantee				
	O&M Contractor				

FINANCIAL QUALIFICATION REQUIREMENTS



CRITERIA	SATISFYING PARTY	ELIGIBLE PROJECT	ELIGIBLE PERIOD	MINIMUM THRESHOLD	THRESHOLD TO BE ACHIEVE
Net Worth	Prospective Bidder	NA	Latest Audited Financial Statements with year end not earlier than 15 months prior to RFQ Submission Date	USD 50 mn	USD 1.0 Bn
	Qualifying Shareholders				
	Affiliates, who will execute the Deed of Guarantee				
Average Annual Turnover (from Construction activities)	Construction Contractor	N/A	3 financial year ends prior to RFQ Submission Date	N/A	USD 850 mn

OTHER QUALIFICATION REQUIREMENTS



CRITERIA	SATISFYING PARTY	ELIGIBLE PROJECT	ELIGIBLE PERIOD	MINIMUM THRESHOLD FOR ELIGIBLE PROJECT	THRESHOLD TO BE ACHIEVE
Indicative Letters of Support from Qualifying Bank and Financial Institution	Prospective Bidder Qualifying Bank and Financial Institution	N/A	N/A	N/A	From two or more Qualifying Bank and Financial Institution
Equity Commitment Letters	Prospective Bidder Consortium Members	N/A	N/A	N/A	Aggregate of USD 150 mn
Signed copy of Deed of Guarantee, if applicable	Affiliate/s	N/A	N/A	N/A	N/A

GROUNDS FOR DISQUALIFICATION



- ❑ Prospective Bidder shall be disqualified if it is:
 - a Prohibited Person; or
 - submits false, inaccurate or incomplete information in; or
 - involves in any Corrupt, Fraudulent or Dishonest, Collusive, Coercive, Undesirable, or Restrictive Practice; or
 - has a Conflict of Interest; or
 - contravenes the provisions of the PPP Act, PPP Regulations or any other written law, inter-alia, in order to have an unfair advantage over the other Prospective Bidders; or
 - fails to meet any of the Minimum Qualification Requirements; or
 - makes a material misrepresentation in the Qualification Documents; or
 - participates in any illegal activity or attempts to influence the Pre-Qualification Committee's evaluation of the Qualification Documents or otherwise interferes with the Pre-Qualification process; or
 - fails to make payment of the Participation Fee in accordance with the RFQ.



CONTENTS OF QUALIFICATION DOCUMENTS

- ❑ Proof of payment of Participation Fee
- ❑ Notarized Application to Pre-Qualify
- ❑ Notarized Authority to apply to Pre-Qualify and Designation of Authorized Representative
- ❑ Consortium Member's Notarized Authority to Participate in the Consortium and designation of Lead Member and Authorized Representative of Consortium
- ❑ Business Structure
- ❑ Basic Information Sheet of all entities identified in the Business Structure
- ❑ PPP, Construction and O&M Experience
- ❑ Financial Capacity

CONTENTS OF QUALIFICATION DOCUMENTS

...CONTD.



- ❑ signed copy of Deed of Guarantee (if applicable)
- ❑ Indicative letters of support from two or more Qualifying Bank and Financial Institutions regarding the provision of debt finance for the Project
- ❑ Letter of Commitment stating minimum intended level of equity contribution to the Project Company
- ❑ Notarized Certification of Absence of Unsatisfactory Performance Record
- ❑ Project Management Information;

all using formats provided in the RFQ document



- ❑ All queries, comments, etc. w.r.t RFQ shall be submitted **in writing**
 - using the **'Template for Queries and Comments on RFQ'** as provided at **Schedule-1 of the RFQ**
- ❑ All queries w.r.t RFQ should be addressed to **email addresses provided under Section 3 (j) (i) of the RFQ**
- ❑ All queries should be submitted not later than 14 Business Days prior to RFQ Submission Date
- ❑ Responses to queries will be made by KeNHA in writing through issue of Addendum or Clarification

INDICATIVE BIDDING PROCESS



EVENT/ ACTIVITY DESCRIPTION	RESPONSIBLE PARTY	TARGET DATE/TIME PERIOD
PRE-QUALIFICATION STAGE		
Publication of Pre-Qualification notice	KeNHA	9 th November 2016
Pre-Qualification Conference	KeNHA	16 th November 2016
Last date for submission of queries on the RFQ	Prospective Bidders	5 th December 2016
Last date for replying to the queries of the Prospective Bidders	KeNHA	16 th December 2016
RFQ Submission Date	Prospective Bidders	09th January 2017
Opening of all Qualification Documents received	KeNHA	9 th January 2017
Notification of results of evaluation of the Qualification Documents	KeNHA	20 th January 2017

INDICATIVE BIDDING PROCESS



EVENT/ ACTIVITY DESCRIPTION	RESPONSIBLE PARTY	TARGET DATE/TIME PERIOD
BID STAGE		
Issuance of Request for Proposal Document (RFP) together with the draft Project Agreement including Schedules thereto	KeNHA	06 th February 2017
Pre-Bid Conference	KeNHA	20 th February 2017
Last date for submission of queries on the Bidding Documents	Pre-Qualified Bidders	27 th February 2017
Last date for replying to the queries of the Pre-Qualified Bidders	KeNHA	10 th March 2017
Site visits	KeNHA / Pre-Qualified Bidders	20 th February to 20 th April 2017
Pre-Qualified Bidders due diligence	Pre-Qualified Bidders	20 th February to 30 th June 2017
Competitive dialogue process	KeNHA / Pre-Qualified Bidders	20 th March to 19 th May 2017
Issuance of final Request for Proposal Document (RFP) together with the draft Project Agreement and its Schedules	KeNHA	31 st May 2017
Bid Submission Date	Pre-Qualified Bidders	30 th June 2017
Opening of Technical Proposals	KeNHA	30 th June 2017
Notification of the results of evaluation of the Technical Proposals	KeNHA	10 th July 2107

INDICATIVE BIDDING PROCESS



EVENT/ ACTIVITY DESCRIPTION	RESPONSIBLE PARTY	TARGET DATE/TIME PERIOD
BID STAGE		
Opening of Financial Proposals	KeNHA	25 th July 2017
Completion of Evaluation of Financial Proposals and Ranking of Bidders	KeNHA	4 th August 2017
PPP Committee Approval of Tender Evaluation Report	PPP Unit/Committee	18 th August 2017
Finalisation of negotiations between KeNHA and the Preferred Bidder	KeNHA/Preferred Bidder	21 st August to 15 th September 2017
PPP Committee approval of Project and Financial Risk Assessment (or Negotiation) Report	PPP Unit & PPP Committee	29 th September 2017
Approval of Project	Cabinet	27 th October 2017
Issuance of Letter of Award to the Successful Bidder	KeNHA	30 th October 2017
Compliance by the Successful Bidder of the Post-Award Requirements	Successful Bidder	30 th November 2017
Issuance of notice of compliance with all Post-Award Requirements	KeNHA	4 th December 2017
Signing of Project Agreement	KeNHA and Successful Bidder	20 th December 2017
Financial Close/ Project Agreement effectiveness	KeNHA and Successful Bidder	Q1, 2018

ASANTE SANA
(THANK YOU)