



**REPUBLIC OF KENYA**  
**THE NATIONAL TREASURY**

**PREQUALIFICATION OF TRANSACTION ADVISORS (TA) FOR PPP  
PROJECTS**

**(CONSULTING SERVICES – FIRMS SELECTION)**

**Tender No.: TNT/30/2014-2015**

**BIDDER QUERIES AND PPP UNIT RESPONSES**

**Question 1:**

Do you require firms to apply to pre-qualify in consortium (i.e. financial, legal and technical advisers applying jointly) or can a firm apply individually/separately?

**PPP Unit Response:**

The PPP Unit is seeking to pre-qualify a **consortia** of organisations providing the requisite **combined** financial, legal, technical and sectoral skills and experience in preparing PPP Feasibility Studies and in designing and implementing PPP procurements. Section 3.0 of our ToR describes this requirement and we encourage you to take a closer review before submission of bid. Firms that apply individually will be considered as an incomplete submission and shall thus not be evaluated.

However, bidders are free to include **more than 3** organisations within their consortia if they so wish, provided they are able to demonstrate that they cover all of three key disciplines - financial, legal, technical. (NB: Refer to addendum No. 1 on our website).

**Question 2:**

If bidding in consortium, is it possible to apply to prequalify as part of a different consortium depending on which sector is applied for?

**PPP Unit Response:**

Yes, but not within the same sector.

The statement in Section 3.2 of the Terms of Reference that “CVs of personnel appearing in more than one Expression of Interest will lead to both interested parties being disqualified” refers to two or more Expressions of Interest within one sector. There is no restriction on a CV being in multiple EOIs that relate to different sectors.

**Question 3:**

Is it permitted to apply to pre-qualify for some but not all sectors?

**PPP Unit Response:**

Yes.

**Question 4:**

Is there no requirement for bidders to team with environmental and social consultants during the prequalification stage?

**PPP Unit Response:**

Yes. Environmental and social capability will not be assessed during the evaluation of the prequalification submissions. Bidders may choose to include additional expertise outside of the core financial, legal and technical competencies if they wish but such expertise will not be evaluated at this stage. Bidders may prefer to bring in such expertise when they are bidding for specific projects for which they have been shortlisted.

**Question 5:**

We note that the Energy sector has been presented as one subject for prequalification – can a bidder apply to either oil & gas, or power separately?

**PPP Unit Response:**

Yes. Prequalification for the Energy sector is now split into its various components two sub-sectors:

- Oil and gas
- Power.

and bidders are invited to prequalify separately for each of these sub-sectors. Within the power sector, bidders are encouraged to identify their experience in renewables (Refer to addendum No. 1 on our website).

**Question 6:**

Please elaborate what you mean by Municipal Services?

**PPP Unit Response:**

Municipal Services refer to basic services that are to be provided at County Government level e.g. water and sewerage to include desalination, bulk water supply and distribution, street lighting, solid waste, libraries etc.

**Question 7:**

Will the list of prequalified Transaction Advisors be renewed regularly?

**PPP Unit Response:**

Once pre-qualified, the organisations/consortia will be eligible for shortlisting for specific PPP projects for a period of one (1) year, after which another prequalification exercise will be undertaken.

**Question 8:**

Can an individual apply under any category, or only firms/companies are entitled to apply?

**PPP Unit Response:**

While our ToR was not specific on its limitations to firms, every qualification criteria leans heavily towards firms/organizations. Nonetheless, there is no restriction on individuals applying but they would be subjected to the qualification criteria within the ToR.

**Question 9:**

Can we submit our bid documents electronically?

**PPP Unit Response:**

Yes. We encourage the submission of the bid documents electronically to:

E-mail: [info@pppunit.go.ke](mailto:info@pppunit.go.ke); and/or  
[pppsecretariat@treasury.go.ke](mailto:pppsecretariat@treasury.go.ke)

**Question 10:**

Is the submission of Audited Balance Sheet for the previous 3 years required for all the firms within the consortia or just the lead firm?

**PPP Unit Response:**

This requirement applies to just the lead firm within the consortia.

**Question 11:**

The lead member organisation of our consortium is a Kenyan registered partnership and there are no audited financial statements. However, two other firms within our consortium do have audited financial statements. Will this be sufficient?

**PPP Unit Response:**

OK, but do also provide the unaudited statements for the lead for the stated duration.

**Question 12:**

There is a limit of 20 CVs for the consortium. Our consortium would like to be considered for all sub-sectors. Is it acceptable for the total number of CVs submitted in our EOI to exceed 20 on the basis that there are no more than 20 CVs per sub-sector?

**PPP Unit Response:**

Yes.