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Our Ref: WUC 076 (2020)

23 Dec 2020

All Tenderers

**REQUEST FOR QUALIFICATION - PUBLIC PRIVATE PARTNERSHIP (PPP) PROJECT GLEN VALLEY WASTEWATER RECLAMATION PLANT FOR POTABLE USE, PIPELINE AND UPGRADING THE EXISTING GLEN VALLEY WASTEWATER TREATMENT PLANT PROJECT - TENDER No. WUC 076 (2020)**

**ADDENDUM No. 3**

The tenderer must note and take into account the amendments and/or additions to the Tender Documents contained in the addendum. This addendum shall form an integral part of the tender submission and should be returned with the tender submission.

**RESPONSE TO QUERIES / CLARIFICATION**

Query No.	Document Reference	Queries and Request for clarification	Response/ Clarification details
1.	Cover Page No. 13 & RFQ No. 7.2.2.	<ul style="list-style-type: none"><li>Page 2, Item 13 of the Cover page of the RFQ and the Schedule I Datasheet states that the date of submission of the prequalification application is 14 Jan 2021, however Page 18, Item 7.2.2(b) of the RFQ document states the date of submission as 10 Dec 2021. Kindly clarify.</li></ul>	<ul style="list-style-type: none"><li>We confirm that the deadline to submit the qualification documents has been extended to 14 January 2021.</li><li>Item 7.2.2(b) of the RFQ document should refer to the same. The date of submission has been further revised to 18 February 2021.</li></ul>
2.	Cover Page No. 13 & RFQ No. 7.2.2.	<ul style="list-style-type: none"><li>It is difficult to us to determine Consortium Members for PPP project within such a short period by 10 December 2020, could we just deliver the Letter of Expression of Interest on behalf of individual company by 10 December 2020?</li><li>We propose to determine the consortium members by submitting the Qualifications documents on 14 January 2021.</li><li>As it is an international bid, we propose to source the co-investor internationally. If a company does not deliver the Letter of Expression of Interest on 10 December 2020, could this company become a member of the Consortium or Lead</li></ul>	<ul style="list-style-type: none"><li>We confirm the RFQ does not require the submission of an EOI on 10<sup>th</sup> December 2020 and that the deadline to submit the qualification documents has been extended to 14 January 2021. There has been a further revision of the closing date to 18 February 2020.</li><li>At submission, in the case of a consortium, will be required to meet the prequalification criteria as provided for in the RFQ, including annexes, and addendums.</li><li>As per clause 4.1.2. of the RFQ, composition of any Consortium shall be fixed with effect from the Prequalification Application Submission Deadline. No change in identity or composition (including any partnering</li></ul>

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		<p>Member of the Consortium in the next stage to submit the Qualifications documents?</p> <ul style="list-style-type: none"> <li>• Please clarify.</li> </ul>	<p>arrangements) shall be permitted without the prior written approval of WUC (in its exclusive discretion).</p>
3.	RFQ: Schedule 3	<ul style="list-style-type: none"> <li>• Should all members (except Operator Members) of the Consortium must meet the requirement of “1.2 Technical Criterion n°2: General Construction Experience” and “1.3 Technical Criterion n°3: Specific Construction Experience” by themselves? Or these requirements only be applicable for Lead Members?</li> <li>• Please clarify.</li> </ul>	<ul style="list-style-type: none"> <li>• We confirm that the Prospective Bidder, or if the Prospective Bidder is a Consortium, the relevant Consortium Member, may include references undertaken by one or more of its Affiliates to satisfy the capability requirements set out in Clauses 1.3 of Schedule 3 (Specific Construction Experience Criteria).</li> <li>• The Bidder is allowed to form a consortium that satisfies the prequalification criteria. However, the change in composition of consortium is not permitted without the prior written approval of WUC (in its exclusive discretion) upon submission of the Prequalification Application– Clause 4.1.2. of the RFQ.</li> </ul>
4.		<ul style="list-style-type: none"> <li>• Does the Consortium Lead Member have to be the leader in the aspects of project investments? Or is it just an individual company leading and representing the consortium, and the detailed investment ratio within the consortium members could be determined internally by themselves?</li> <li>• Please clarify.</li> </ul>	<ul style="list-style-type: none"> <li>• We confirm the Consortium <b>Lead Member</b> shall represent and bind all Consortium Members in all matters relating to the bid process as set out in Clause 4.3.1. <b>and shall fulfil</b> the financial criteria N°1 as set out in Clause 2.1 (Financial Criterion n°1) of Schedule 3 (Technical and Financial Criteria); and (b) the financial criterion n°2, as set out in Clause 2.2 (Financial Criterion n°2) of Schedule 3 (Technical and Financial Criteria).</li> <li>• In the case of a Consortium, the <b>Lead Member</b> shall demonstrate alone that it had Net Worth of at least US\$ 25 million or equivalent at all times during its last three (3) fiscal years.</li> <li>• We confirm that the Prospective Bidder, or if the Prospective Bidder is a Consortium, the relevant Consortium Member, may include references undertaken by one or more of its Affiliate companies to satisfy the capability requirements set out in Clauses 1.1 to 2.2 of Schedule 3 (Technical and Financial Criteria).</li> </ul>
5.	<b>Schedule 3:</b> Technical and Financial Criteria	<ul style="list-style-type: none"> <li>• According to the “1.2 Technical Criterion n°2: General Construction Experience” and “1.3 Technical Criterion n°3: Specific Construction Experience”. Should all these projects must be successfully completed, or these relative projects keep ongoing also meet the requirement.</li> <li>• Please clarify.</li> </ul>	<ul style="list-style-type: none"> <li>• We confirm that the Prospective Bidder, or if the Prospective Bidder is a Consortium, the relevant Consortium Member, should include references undertaken of successfully completed projects to meet the capability requirements set out in Clauses 1.2 and 1.3 of Schedule 3 (Technical and Financial Criteria).</li> </ul>
6.	<b>Annex 1:</b> Authorized Representative of Prospective Bidder	<ul style="list-style-type: none"> <li>• Whether it is acceptable for Tenderer to submit the Power of Attorney in Tenderer’s own version rather than provided form in Annex 1. Authorized Representative of Prospective Bidder.</li> <li>• Please clarify.</li> </ul>	<ul style="list-style-type: none"> <li>• While the preference, is for Power of Attorneys which do not deviate from the form in Annex 1, alternative formats can be submitted by Prospective Bidders or Consortia and will be considered.</li> </ul>
7.	<b>RFQ definitions:</b> Page 8	<ul style="list-style-type: none"> <li>• It is mentioned that “Concessionaire means the special purpose limited liability Company incorporated in Botswana to sign the Concession Agreement following the Bid Process and to undertake the Project.”</li> </ul>	<ul style="list-style-type: none"> <li>• We confirm that the draft Concession Agreement, which will be shared in the electronic data room accessible to all prequalified bidders, will specify a deadline for the Preferred bidder or Consortium to incorporate the SPV.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Whether there will be a deadline for Concessionaire to register a special purpose limited liability Company in Botswana after the bid process.</li> <li>• Please clarify.</li> </ul>	
8.	Cover Page No. 12	<ul style="list-style-type: none"> <li>• In page 2, it is mentioned that “submit one (1) original and three (3) copies and 1 CD/memory stick of the Request for Prequalification”.</li> <li>• In page 18, it is mentioned in 7.1.1 that “submit one (1) printed original, two (2) printed copies and one (1) electronic copy (on CD-ROM/DVD-ROM or USB drive) of the complete Prequalification Application”.</li> <li>• In page 18, it is mentioned in Schedule 1 DATA SHEET that “Number of Copies of Prequalification Applications is One (1) printed original; Two (2) printed copies; and One (1) electronic copy”.</li> <li>• Please clarify.</li> </ul>	<ul style="list-style-type: none"> <li>• We confirm as per the previous addendum, Clause 12. Interested eligible applicants are required to submit one (1) original and three (3) copies and 1 CD/memory stick of the Request for Prequalification document in sealed envelopes marked “Prequalification Application for the Glen Valley Wastewater Treatment and Reuse PPP Project”.</li> <li>• In accordance with clause 11 of the advert, Prospective Bidders also have the option of submitting their Applications electronically.</li> </ul>
9.	Cover Page No. 14	<ul style="list-style-type: none"> <li>• In page 2, it is mentioned that “Firms shall have the option of submitting their Applications electronically”.</li> <li>• Does it mean that either individual company or consortium members could submit the Prequalification Applications electronically with the procedure mentioned in page 2 “14. Option for Online Submission” only.</li> <li>• Please kindly clarify.</li> </ul>	<ul style="list-style-type: none"> <li>• In accordance with clause 11 of the advert, Prospective Bidders and Consortia shall have the option of submitting their Applications electronically.</li> </ul>
10.		<p>There is no indication on the below items in the RFQ:</p> <p>A) Construction duration B) Operation &amp; maintenance period C) Estimated project value</p> <p>Kindly provide.</p>	<ul style="list-style-type: none"> <li>• We indicative terms contained in the draft Concession Agreement for the project are as follows (subject to discussion, change and final approval): <ul style="list-style-type: none"> <li>A. Construction – Rehabilitation of the existing secondary wastewater treatment plant is expected to take up to 1 year, construction of the greenfield Reuse plant 2 years and the future expansion expected to occur after 5 years.</li> <li>B. Term –25 years from the date of contract effectiveness.</li> </ul> </li> <li>• The project value (sum of initial investment and capital maintenance over the 25-year term of the contract) has preliminarily been assessed at up to BWP 1.6 billion.</li> </ul>
11.	Schedule 3 Clause 2 (Financial Criteria) N°1 and N°2	Please confirm that, in the case where the Prospective Bidder is a Consortium, the Lead Member may include references by one or more of its Affiliates to satisfy the financial criterion N°1 and N°2	<ul style="list-style-type: none"> <li>• We confirm the financial references can be met by one or more affiliates of the respective consortium member.</li> </ul>
12.	General Inquiry	Would it be possible to visit the site around the time of RFQ submission date?	<ul style="list-style-type: none"> <li>• Detailed site visits will be arranged during the tender process, following the conclusion of the prequalification process.</li> </ul>

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			<ul style="list-style-type: none"> <li>Bidders may make their own arrangements to visit the plant before the RFQ submission date. Requests should be submitted to Mr Botshabelo Koolopile email: <a href="mailto:bkoolopile@wuc.bw">bkoolopile@wuc.bw</a></li> </ul>
13.	Consortium Copo	Due to the shortage of the sub-consultants in the wastewater treatment field, are the sub-consultants allowed to participate with more than one main contractor for this work?	<ul style="list-style-type: none"> <li>Sub-consultants may be nominated by more than one Prospective Bidder or Consortium. However, such shared arrangements must be immediately disclosed in writing to WUC, together with an explanation of any procedures which such consultant proposes to adopt to mitigate conflict of interest.</li> <li>WUC will then evaluate whether this could potentially affect fair competition in the Bid Process. In such case, such sub-consultant may not be nominated by more than one Prospective Bidder.</li> </ul>
14.	Design Criteria	Under the Design Criteria, Point (C), at least one (1) Tertiary Treated Potable Re-Use Scheme using Effluent from a WWTP as Raw Water Source, with a Design Capacity of at least 25 Ml/d. However, if the Consortium has a Tertiary Treated Reuse Scheme but not a Tertiary Treated Potable Scheme, will that be deemed acceptable to WUC or would the Consortium be disqualified?	The purpose of the qualification criteria is to ensure that Prospective Bidders or Consortia possess prior experience designing, building, and operating installations of comparable complexity to the one that is to be undertaken at Glen Valley. While some industrial applications require water to be treated to standards that exceed those for potable uses, other require lower treatment levels. For industrial reuse projects to be deemed an acceptable reference, Prospective Bidders or Consortia would need to provide evidence that treated industrial water met or exceeded the Botswana Standards for Drinking Water – BOS 32:2015 and that process train include multiple barriers (as in a potable reuse treatment plant)".

15. The submission date has been moved to **18 February 2021 at 1400hrs.**

All other conditions remain the same.

Yours faithfully



Z. Mmolawa

**SENIOR MANAGER – SUPPLY CHAIN**

Cc: TSD