



Project: Completion of Construction of Nairobi Ring Substations

Tender No.: KETRACO/PT/015/2015

Notice to All Tenderers

The following amendments are made to the specified provisions of the Tender document for the Completion of the Construction of Nairobi Ring Substations.

Save where expressly amended by the terms of this Clarification, the Principal Tender Document shall continue to be in full force and effect.

Bind the attached Tender Addendum and Clarification No. TAC2, consisting of 35 pages (including this page) into the copy of the Tender Documents. These documents should be returned along with the completed Form of Tender.

Tenderers are to conform acknowledgement with tender submission.

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Date: 30th June 2016

Tender No.: KETRACO/PT/015/2015

Tender Addendum and Clarification No. TAC2 has been received and incorporated in the Tender Documents.

Name of Tenderer
(in block letters): _____

Date: _____

Signed for the
Tenderer by: _____

In the Office
Bearer capacity of: _____

Name
(in block letters): _____

This clarification forms part of the Request for Proposal and Contract documents, and modifies them as follows:

1. CLARIFICATIONS

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
33	General	Please clarify that the proposal attachments and forms will common for the two lots or it should be separate.	The proposal forms shall be common
34	Section X. Contract Forms – Appendix 1 - Payment Procedures	In case of award thanks to conform that paying through issuing a letter of credit (LC) is applicable, and if not thanks to specify the method of payment.	Refer to the payment procedure in Addendum 2 below.
35	Section IX. Particular Conditions Clause 14	Referring to PC 14. Taxes and Duties, The contract is exempted of VAT, thanks to clarify if this exemption is applied on local services such as transportation, installation and civil works.	Refer to Addendum 2 below.
36	Price Schedules	Referring to the price schedules, please clarify that there is a column for supplying CIF material while most of the material already had been supplied by another contractor, and please submit a new price schedule with the required material to complete the job.	Refer to the revised price schedules in Addendum 1
37	Section II. Bid Data Sheet Clause 18.1	Referring to the BDS, ITB 18.1 please specify the currency of the civil works, and conform that our understanding is correct that the installation at site	Refer to Section II. Bid Data Sheet Clause 18.1 item iii) which states that

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		for the material supply from aboard should be quoted in foreign currency.	“for the services of design and the assembly, the prices will be quoted in foreign currency (limited to Euros (EUR) or US Dollars (USD)) and/or in the currency of the country of the Employer according to the currency in which the costs are incurred.”
38	Section VIII. General Conditions Clause 27.2	Referring to GC item 27.2, please conform the required warranty period is for the installation works only.	Conformed.
39	General	Please conform that all material in the warehouse are packed and sealed.	Refer to TAC 1 S.No.5 and TAC 1 S.No.16
40	General	Please clarify if any access road is needed to the substations, and for Kimuka and Komorock please clarify if there is any repairing and leveling for the existing access road.	The contractor should quote for complete construction including road site clearance. The road construction shall conform to the specifications of the Employer
41	Section III. Evaluation and Qualification Criteria Clause 2.5 Personnel	Please conform that one project management team can be assigned for the two lots during execution.	The contractor shall comply with the requirements as set out in Section III. Evaluation and Qualification Criteria Clause 2.5 Personnel
42		Appendix 10, item 1.2.1 for ATHI RIVER, which stated that the ACSR and conductors are at site, however we did not indicate such material at site during the site visit.	Conductors were relocated to the warehouse
43		Appendix 10, item 1.2.2 for Isinya, Please give more details regarding the status of partially installed, in other words please state which material already	Bidders were taken to site to verify the additional site works to be carried out in order to conform to the employer’s requirements.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		installed at site and the materials still in the warehouse	
44		Please confirm that we can use any existing material, tools and facilities at site.	The employer will only provide equipment to be installed no tools or material.
45		For the price schedule please give more details and breakdown for Recommended Spares and tools To be completed by bidder.	Refer to the revised Price schedules issued in Addendum 1
46		For Komarock, please give us the exact location of the substation.	Refer to TAC 1
47	Part 1, ITB 17.10	Whether it is mandatory to quote both the lots or any one lot can be quoted, Please clarify.	Both lots must be quoted for any bidder who quotes for only one lot will be disqualified
48	Part 1, BDS ITB 20.1	BG is applicable for both the lots or only one lot, Please clarify	Both
49	Part 3, GCC Clause No. 27 & 34	Many equipment are already supplied under the project. We understand that bidder is not responsible for warranty and insurance for already supplied materials which are at store / site or installed at site. Bidder is only responsible for defect liability for the materials to be supplied by bidder. Please conform. Also, if Insurance has to be considered for already supplied material / executed work Please specify the value to be covered under the insurance.	Bidder is only responsible for defect liability for the materials to be supplied by bidder. Material already supplied is the responsibility of the employer however upon handover to the contractor, the contractor shall cater for the insurance. Bidders have been provided with a detailed list of material and equipment in order to determine the value of insurance cover.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
50	BDS ITB 18.1	Can we quote imported supply items in USD in place of Euro? Can we quote local works portion entirely in USD?	Refer to Section II. Bid Data Sheet Clause 18.1
51	Price Schedule	In price schedule, several items quantity is mentioned as '0'. Please clarify whether we need to do any work for such items and if yes, please specify what we need to do for such items and what should be the quantity for these items for such works?	Refer to the revised price schedules issued in Addendum 1
52	Drawings	Detailed electrical & civil installation drawings are provided for Athi River and Isinya. We understand that supply / civil / Installation for remaining part shall be carried out as per the detailed drawings available in tender docs. Any design activity is not to be carried out for these substations. Please conform.	Bidders were taken to site and supplied with drawings bidders should quote for any design work necessary to complete the stations.
53	Site visit information	During site visit, it is observed that power transformers are already placed on plinth. However any information about oil drums is not available. Further clarity on scope for service engineer for transformer commissioning is also necessary. As PO transformers are already supplied under separate contract, for checking transformer healthiness and commissioning assistance from KETRACO is essential. Please review and clarify.	KETRACO will assist however the contractor shall include the costs associated with supervision by the manufacturer.
54	Site visit information	During site visit, it is observed that for some of equipment foundations reinforcement steel is already in place however concreting is remaining	Bidders were taken to site to verify the additional site works to be carried out in order to conform to the employer's requirements.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		and steel has got rusted. Please clarify usage of such civil works.	
55	Site visit information	As per site conditions, any work related to drainage, road and cable trench is not yet started. Please clarify whether bidder need to follow drawings provided or can propose own design.	For Kimuka and Komarock sites the bidder will be required to propose own design to conform to employers requirements. This shall however be in line with the equipment layout designs already provided.
56	Price schedule, Warehouse details and Audit report	As per warehouse details and audit report, incomplete assemblies are supplied for CB & disconnecter. Please clarify who will be responsible for this incomplete supplies as bidder do not have any contract with supplier.	Refer to the Revised Price Schedules
57	Warehouse details and Audit report	As per audit report flexible conductor / tube and connector are supplied as per drawings. Hence the same are not required to be supplied. Please conform.	Please refer to revised Price Schedules issued with Appendix 1
58	Site visit information	As per site conditions, batteries are already installed in control building, however condition of these batteries is not clear. Please clarify whether same batteries are to be used or new batteries to be supplied.	Please refer to revised Price Schedules issued with Appendix 1
59	General	Please clarify for the scope of supply for equipment if found damaged or not as per requirement for which packing is not opened and the same cannot be assessed during tender stage.	For equipment supplied the responsibility on the condition shall be of the employer for which equipment is to be supplied Please refer to revised Price Schedules issued with Appendix 1

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
60	Price Schedule, Audit report	As per the drawings & Audit report CRP/SAS system for Athi River is supplied by GE. As per audit report, all the panels are supplied and installation shall be carried out. Please conform that only installation/testing/commissioning is to be carried out. Further please clarify the arrangements for Testing and commissioning of these panels through M/s GE.	<p>The contractor is expected to carry out the full scope of work with regards to commissioning however, Ketraco will assist to facilitate for assignment of General Electric (GE). The assignment is however not guaranteed as Ketraco does not have a direct contract with GE.</p> <p>The scope of work is as detailed in the Employer's requirements and the full costs shall be borne by the contractor.</p>
61	Price Schedule, Audit report	As per the drawings & Audit report Telecommunication system for Athi River is supplied by ABB. Please conform that only installation/testing/commissioning is to be carried out. Further please clarify the arrangements for Testing and commissioning of these panels through M/s ABB.	<p>The contractor is expected to carry out the full scope of work with regards to commissioning however, Ketraco will facilitate for assignment of ABB. The assignment is however not guaranteed as Ketraco does not have a direct contract with ABB.</p> <p>The scope of work is as detailed in the Employer's requirements and the full costs shall be borne by the contractor.</p>
62	Price Schedule, Audit report	As per the drawings for Isinya substation, CRP/SAS system is supplied by GE and Telecommunication system supplied by ABB. In audit report any information about supply and installation is missing. Please clarify the scope for Supply / Installation / Testing and commissioning of these panels.	Refer to the revised Price schedules in Addendum 1 and Appendix 15
63	General	Since several equipment are already supplied and lying in stores, please clarify whether services like supervision on installation, testing & commissioning works are included in the scope of respective	The contractor will quote for supervision by the manufacturer of the installation & commissioning of the equipment listed below (the vendors are as indicated)-:

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		suppliers? Alternatively, please provide us the name of the suppliers for each supplied equipment to arrange quotation for services from them.	<p>I. Equipment : Circuit Breakers, Current Transformers, Capacitive Voltage Transformers, Surge Arresters and Power Transformers Vendor : Crompton Greaves (India)</p> <p>II. Equipment : Disconnectors Vendor : Siemens (India)</p> <p>III. Equipment : Control, Protection and SCADA System Vendor : General Electric (Spain)</p> <p>IV. Equipment : Telecommunications Vendor : ABB (Switzerland)</p> <p>V. Equipment : Auxiliary Services Switchboard Vendor : Kuadrotek (Spain)</p> <p>VI. Equipment : 110V, 48V, UPS supply, batteries and battery chargers Vendor : Benning (Spain)</p> <p>VII. Equipment : Diesel Generator Vendor : Genesal (Spain)</p>
64	General	Since the supplied materials for different lots/substations are lying assorted in the stores, we request employer to provide us the materials properly segregated and identified for different lots/substations. Please conform.	The materials are stored as per list in Appendix 15

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
65	General	Please conform whether the existing materials available or installed at site can be reused e.g. steel, porta cabins etc.?	No only materials
66	Drawings	Detailed electrical & civil installation drawings are provided for Kimuka substation in Lot-2. We understand that supply / civil / Installation for remaining part shall be carried out as per the detailed drawings available in tender docs. Any design activity is not to be carried out for these substations. Please conform. Further also conform design scope for Komorock substation for which any drawings are not furnished.	Bidders were provided with drawings and also taken to site to verify the additional site works including design works to be carried out in order to conform to the employer's requirements.
67	Site visit information, Audit report and warehouse details	As per audit report almost all the equipment are supplied. However the same are not reflecting in the warehouse details provided with tender docs. Please conform that audit report to be followed to understand the exact scope of supply.	Refer to the revised Price Schedules issued with Addendum 1
68	Site visit information	We understand that 2 transformers for Komarock substation are in manufacturing stage with CG India, who would be responsible for the FAT and transportation these transformers? When these transformers would be available for dispatch?	The equipment will be handed over in CG India to the awarded bidder for installation.
69	General	2 nos of power Transformers are lying in Mombassa port. Who would be responsible for the customs clearance, payment of demurrage, applicable import duties & VAT and transportation to site? In case it is to be in bidder's scope, please inform us the CIF	For the transformers at the port, Demurrage and VAT shall be paid by the employer. Bidder is informed of location of transformers and size and weight for the same. Transport is under the bidder's scope and should be priced for.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		value, amount of demurrage, import duties and VAT amount for the same.	
70	General	Please clarify where the accessories and oil for transformers are kept?	Refer to Appendix 15
71	Site visit information, Audit report and warehouse details	As per audit report very few equipment are supplied for Komorock. However the same are not reflecting in the warehouse details provided with tender docs. Please conform that audit report to be followed to understand the exact scope of supply.	Refer to the revised Price Schedules issued with addendum 1
72	Drawings	In tender documents only CRP scheme drawing are provided. Please clarify design drawing status for Komorock substation. Please clarify the scope for Komorock substation design. Also please clarify that Komorock substation also need to be designed similar to other three substations as it is observed that few equipment are supplied even though any design drawings are not available.	KETRACO shall provide the available protection relay settings and control and protection scheme drawings. Contractor shall be responsible for review, calculations and modifications to achieve a workable design. For Kimuka and Komarock there are no protection relay settings and control and protection scheme drawings as such the contractor shall develop them.
73	General	Please clarify for the scope of supply for equipment if found damaged or not as per requirement for which packing is not opened and the same cannot be assessed during tender stage.	KETRACO is responsible
74	General	Since several equipment are already supplied and lying in stores, please clarify whether services like supervision on installation, testing & commissioning works are included in the scope of respective	Refer to S. No. 63

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		suppliers? Alternatively, please provide us the name of the suppliers for each supplied equipment to arrange quotation for services from them.	
75	General	Since the supplied materials for different lots/substations are lying assorted in the stores, we request employer to provide us the materials properly segregated and identified for different lots/substations. Please conform.	Refer to Appendix 15
76	General	Please provide us the soil investigation report and soil resistivity for Komarock substation.	These data is not available. These is within the bidder's scope of work and will be considered to be included in the contract price. The bidders were advised to carry out soil investigation during the site visit.
77	General	Please conform whether the existing materials available or installed at site can be reused e.g. steel, porta cabins etc.?	The employer will only provide equipment to be installed no tools or material.
78	General	In Kimuka substation, as the drainage, cable trenches, roads and boundary wall not yet done, can we can submit our own design for approval for these items?	yes
79	General	For Kimuka substation, since we understand that the design work is already completed, so we shall provide the works as per already approved design which shall be provided by the client. Please conform our understanding is correct.	Bidders have been provided drawings and were taken to site any additional design required to comply with the employer's requirements shall be done by the bidder and the cost will be considered to be included in the bid

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
80	Price Schedule, Audit report	As per the drawings for Kimuka and Komorock substation, CRP/SAS system is supplied by GE and Telecommunication system supplied by ABB. Please conform that only installation / testing / commissioning is to be carried out. Further please clarify the arrangements for Testing and commissioning of these panels through M/s GE.	Refer to S. No. 60
81	Site visit information	During site visit, it is observed that for some of equipment foundations reinforcement steel is already in place however concreting is remaining and steel has got rusted. Please clarify usage of such civil works.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
82	General	Price schedule provided in the tender document are for complete Turnkey scope of work i.e. including supply on CIP kenya basis, local transportation to respective site, construction, Installation, Testing & commissioning works. Please clarify whether Bidder has to quote unit price for all the items or only for Present scope of work.	Please refer to the revised Price Schedules in Addendum 1
83	General	Please provide Price schedule for exact scope to be quoted under this Bid.	Please refer to the revised Price Schedules in Addendum 1
84	General	Please clarify whether Bidder has to consider Warranty only for the material to be supplied under this contract or for the entire project materials were already supplied by previous contractors.	Consider Warranty only for the material to be supplied under this contract

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		For your information, Improper storage will reduce life of CT, CVT and Tr.bushings. Hence Gurantee / Warranty cant be provided by bidder for such items eventhough pre-commissioning results are ok.	
85	General	Isinya & Athi River substation Foundations already casted. Since the actual strength of the concrete, quality is not known to us If any failure / damage on the foundations who will take responsibility. Whether Bidder to quote prices for this separately ? or Will KETRACO take responsibility?	Refer to Price Schedules in Addendum 1 in addition Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
86	General	Please clarify the scope Insurance coverage for the Materials already supplied by other contractor which are stored in kenya and manufacturer's premises in other country If Bidder has to take the coverage of the materials means please furnish the value of the complete goods.	Refer to S. No. 49
87	General	Please provide status report for Komarock SS.	The list of equipment is as in Appendix 15, Drawings are as provided and site work as per the site visit.
88	General	Please conform that all the necessary statutory approvals are obtained in the name of KETRACO. Also please let us know whether any approvals needs to be obtained in the name of Contractor.	The Contractor being an EPC Contractor should be familiar with this

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
89	General	Please conform that all the permits required to be taken by bidder in the name of KETRACO will be availed by KETRACO or KETRACO will reimburse the charges at actual	Conformed
90	General	please furnish the list of approvals needs to be obtained in the name of Contractor.	The Contractor being an EPC Contractor should be familiar with this
91	General	Please conform the below All the required documents including Duty, Tax, RDL, CoC & Other levies paid receipt will be provided to Contractor to facilitate Clearing & forwarding activities. or All the equipment will be delivered to Contractor at respective site by KETRACO. As the goods are stored at various location across kenya & abroad vendor works. Which involves charges offshore & On shore shipping, handling & local Transportation charges etc..	The project is tax exempt. KETRACO will facilitate for tax and duty exemption
92	General	Please conform that KETRACO will replace equipments, In case of any failures before commissioning or after commissioning,	Ketraco shall be responsible for the condition of the equipment
93	General	During site visit, we could not able to analyse the cable laying, please furnish the list of cable schedule and list of cables already laid, terminated & Yet to be terminated	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
94		Please conform If LV cables not laid already and / or any shortages and / or damages, will KETRACO supply the required cables including, Cable Glands, Lugs, Ferrules etc.... Can contractor claim separately for each such issues through variation order??	Refer to the revised Price Schedules in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements. The cost will be deemed to be included in the bidder's price.
95		The inter panel and equipment wiring may need to be wired as per the precommissioning requirement. In that case, we need extra cable qty and associated works to be executed. Please clarify KETRACO shall take care of all such issues.	Refer to the revised Price Schedules in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements. The cost will be deemed to be included in the bidder's price.
96	General	Please conform that KETRACO shall take care of all modifications, if any required in control, Protection, meters, Substation Automation System due to design failure	KETRACO shall provide the available protection relay settings and control and protection scheme drawings for Isinya and Athiriver however, the Contractor shall be responsible for review and modifications to achieve workable design. For Kimuka and Komarock there are no protection relay settings and control and protection scheme drawings as such the contractor shall develop.
97	General	Testing & Commissioning of SAS, Telecom, PTR, CB and other special equipment needs presence of Vendor representative at site. Please conform that KETRACO shall arrange such experts at KETRACO's Cost.	Refer to S. No. 63

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
98	General	<p>Please clarify that whether the contractor has to make payment for warehouses where presently the equipments are stored If the contractor has to make payment for ware houses, please mention the period from when the contractor has to make payment</p> <p>Please furnish the name of stores for which rent to be paid Also provide the rent and other expenditures for us include the same in the Bid Please provide separate line of item to quote this</p>	<p>KETRACO shall cater for the rental of the warehouse for one month after commencement date following which contractor should make their own arrangements for the warehouse.</p>
99	General	<p>Please conform that who is responsible for port, CFS & shipping line charges for equipments including transformer stored at port</p> <p>If contractor is responsible means, please mention the date from there contractor has to make payment</p> <p>Also please furnish the name of agencies involved and its charges paid details for considering the same in our Bid</p> <p>Please provide separate line of item to quote this</p>	<p>Please refer to the revised Price Schedules and Appendix 15. Contractor is an Engineering Procurement Construction (EPC) Contractor. These is under the scope and responsibility of the contractor and should be included in transport charges.</p>
100	General	<p>Please clarify that whether contractor have to engage all the original equipment manufacturer's engineers for site installation & Commissioning activities</p>	<p>Refer to S.No. 63</p>
101	General	<p>Please provide the scope of bidder for the transformers stored in manufacturer's premises in abroad (Not in kenya i.e. offshore)</p>	<p>Refer to the revised Price Schedules</p>

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
102	General	For the insurance purpose, Please provide the third party liability & Employer's Liability value for us to consider the same in our bid	Refer to Appendix 3. Insurance Requirements in Section X. Contract Forms of the Bidding Document
103		Please clarify that Modification of Existing LVAC Board and Control Room to be carried out under this contract?	Yes this will be under the contractor's scope and should be quoted for.
104		Please furnish the quantity of Cutting & Filling works in all the 4 sites & for all construction work	All data available has been provided
105		Please provide the Site survey report carried out by the previous contractor or carried out by / available with KETRACO for all the substations.	All data available has been provided
106		Please furnish the soil Investigation report carried out by the previous contractor for all the substations. If not please furnish the soil data substation wise	All data available has been provided. In addition for Kimuka Bidders were taken to site where excavation has been conducted the ground conditions are evident and these supersedes the soil investigations done by Iberdrola prior to excavation.
107		Please furnish Access road condition and distance between the main road and substation entrance for Athi river SS, Komarock SS and Kimuka SS	Refer to TAC 1 S.No.18
108		Please clarify that Testing & Commissioning of SAS and relay, telecommunication which is already	Contractor's scope and should be quoted for.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		installed shall be commissioned by KETRACO or contractor to carryout the same	
109		End to end test for NCC/RCC modification to be carried by Contractor? Please clarify.	yes
110		Scope of work calls for drainage in substation peripheral area. Hence please provide the difference in level between Switchyard area and peripheral area.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements. The bidder's cost shall be deemed to be inclusive of this.
111		Please provide Erection Key SLD, Protection SLD for all the four substations	These were provided
112		KETRACO shall provide all the approved relay settings calculations , design etc...., to contractor. Please conform.	KETRACO shall provide the available protection relay settings and control and protection scheme drawings for Isinya and Athiriver however, the Contractor shall be responsible for review and modifications to achieve workable design. For Kimuka and Komarock there are no protection relay settings and control and protection scheme drawings as such the contractor shall develop.
113	Isinya SS	Please clarify whether Isinya substation batteries need to be replaced with new one.	Refer to the Revised Price Schedules in Addendum 1

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114	Isinya SS	Presently equipments partially installed at Isinya substation. If any failures or faulty during commissioning and/or testing and/ or completion who will take responsibility i.e KETRACO or Bidder. Will KETRACO supply the replacement on free of cost ??	KETRACO will be responsible
115	Athi river	Backfilling can be done with excavated soil or we have to import the soil ? Please clarify	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
116	Athi River	Contract should Cart way the excavated soil under this contract? Please Clarify If so, Kindly furnish the quantity	Yes. Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
117	Athi river	Please include the scope of earth filling work approx 30 m x 170 m area from P3 and P4 grid with exact quantity at athi river substation.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
118	Kimuka SS	Please clarify whether reinforcement Steel supplied by previous Subcontractor in Kimuka SS needs to be replaced with new one by bidder.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.

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119	Kimuka SS	Please provide Key plan for TL routing.	Re-routing is part of design to be done by contractor the route shall however be approved by the Employer
120	Komarock	Please provide the survey Report for 10km access road (murrum) to be provided.	There is no survey report bidders shall quote for construction of access road for the distance indicated in the revised price schedules
121	Komarock	Please provide Soil investigation report for komarock SS	There is no soil investigation report. Bidders were advised during site visit to carry their own soil investigation to ascertain the ground conditions .
122	Komarock	During site visit we noticed that 220 kV Line is crossing the proposed site, between 400 and 200 kV side of substation. Please clarify the scope of rerouting falls under scope of KETRACO or contractor If contractor has to do please submit the Profile & Tower drawing and rerouting plan etc....	Refer to TAC 1 S.No. 3 and TAC 1 S.No. 26 Re-routing is part of design to be done by contractor the route shall however be approved by the Employer
123	As per Appendix 16- Audit Report	There is a discrepancy between these two documents. During the site visit also only two warehouses only shown to the bidder. Hence Kindly request you to provide the distances between warehouse and with respective sites.	The bidders were shown the two locations not two warehouses for the warehouses during the site visit. The Embakasi location had three warehouses and the Athiriver location had two warehouses. The bidders were to ascertain the distances during the site visit.
124	Si.No.1.2 to 1.4 of appendix 16- Audit report for komorock.	Kindly conform whether delivery of these disconnectors to warehouse / site is in who scope of work. If it is in current scope then please specify the	The Siemens factory is located in India delivery of these equipment is in the scope of work of the winning bidder.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		place of the Siemens factory to consider the freight charges.	
125	Sl.no 1.7,1.8,1.9,1.10,1.15,1.16,1.17,1.18,2.90,2.10,2.15,2.16,2.17,2.18,11.10,11.20,11.30,11.40 of appendix 16-Audit Report for Komorock .	Please clarify how these materials are going to be coordinated, whether these materials POs are already placed, if yes then who will take care of the delivery & their payments or otherwise these materials are to be quoted newly.	Please refer to the revised price schedules only items to be supplied are those that do not have N/A (not applicable) indicated under the CIF column
126	Sl.no 9.00 to 9.33 of appendix 16-Audit Report for Komorock.	We understand these steel structure materials are to be quoted newly.	Please refer to revised Price Schedules issued with Appendix 1
127	Sl.no 1.11 of appendix 16-Audit Report for Komorock.	If the healthiness of the CT's are found not ok, then who will be responsible for the rectification or bidder has to consider the new current transformer cost for these items.	The Employer is responsible
128	Sl.no 6.1 & 6.3 of appendix 16-Audit Report for Komorock.	Please clarify Please clarify how these materials are going to be coordinated; whether remaining 85% will be coordinated by KETRACO or otherwise these materials are to be quoted newly.	Please refer to the revised Price Schedules issued with addendum 1
129	Sl No 23 of Athi River Substation under Appendix 17 - "Site status report - Athi	As per Appendix 17 Sl no-23 of Athi River site status report it is mentioned that "Final grading, compaction and landscaping" yet to start whereas in the Price Schedule 1a Item No-10.4 "Grading and	Please refer to the revised Price Schedules issued with addendum 1

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
	River, Isinya, Kimuka”	landscaping on completion” is showing “0” quantity. Kindly clarify. Kindly clarify whether any levelling and earthworks related work will be part of this re-tender or not.	
130	Item No- 10.1 Price Schedule 1a Athi River SS	Kindly clarify “Site Survey” stands for which item as in Athi River substation all type of Survey works including soil investigation has been carried out by M/S Iberdrola and that is also available in the re-tender documents as well. Kindly check and conform whether the quantity will be “0” or not in Price Schedule.	Please refer to the revised Price Schedules issued with addendum 1
131	Item No- 10.2 Price Schedule 1a Athi River SS	Please note that in the Price schedule Item No -10.2 quantities reflected as “Lot-1”. Please clarify whether Lot-1 signifies the balance work as mentioned in Appendix-17 Sl No-1 of Athi River Substation Site Status comprising 5% of backfilling works and disposal of excavated material from River side to designated disposal area. Further also inform what is the distance of designated disposal area from River Side of Athi River Substation.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements. Disposal is in the scope of work of the contractor. The contractor should also cater for disposal costs and all arrangements required. The location chosen by contractor must however be approved by the Employer.
132	Item No- 10.9 Price Schedule 1a Athi River SS	Price Schedule item is stating “Perimeter Fence” however as per Appendix -17 Sl No-8 of Athi River substation site status it is mentioned as boundary wall and that too 180m of boundary wall has been erected. Hence kindly clarify whether the quantity of 740 meter against the Price Schedule Item No-10.9 stands for whole new chain link fence or the balance 560 meter boundary wall. If it is newly 740 meter	Refer to the revised Price Schedules in Addendum 1

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		chain link fence then please conform demolition of existing erected boundary wall will be whose scope of works. If it is boundary wall then the quantity might be changed to 560 meter. Kindly clarify	
133	Item No- 10.14 Price Schedule 1a Athi River SS	Please clarify whether the quantity Lot-1 against the Price Schedule item No 10.14 signifies only the balance work as mentioned in Appendix 17 SI No 13 of Athi River Site status report. If so then please provide us the activity wise quantity for the balance work, as Lot-1 is difficult to quantify the balance amount of work.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
134	SI No 13 of Athi River Substation under Appendix 17 - "Site status report - Athi River, Isinya, Kimuka"	Please inform us whether all the windows are supplied as in Appendix 17 SL No-13 it is mentioned "Fixing in progress".	Supply status is as per Appendix 15
135	Item No- 10.15 Price Schedule 1a Athi River SS	Please clarify whether the quantity Lot-1 against the Price Schedule item No 10.15 signifies only the balance work as mentioned in Appendix 17 SI No 7 of Athi River Site status report. If so then please provide us the activity wise quantity for the balance work, as Lot-1 is difficult to quantify the balance amount of work.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
136	SI No 7 of Athi River Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please inform us whether all the windows are supplied as in Appendix 17 SL No-7 it is mentioned “Fixing in progress”.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements.
137	Item No- 10.16 Price Schedule 1a Athi River SS	Car park quantity in Price Schedule is given as “0” whereas in Appendix 17 SI No-22 is stating “yet to start”. Please clarify whether car park would be in the scope of the re-tender or not.	Please refer to the revised Price Schedules in Addendum 1 and in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements.
138	SI No 3 of Athi River Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that in Appendix 17 SI No-3 it is mentioned that 253 foundations are done out of 290 foundations in total so eventually 37 foundations would be balance. However by adding quantities between Item No 10.17 to 10.26 in Price Schedule 1a we are getting 140 sets of foundation. Kindly clarify which one is correct and please provide the revised price schedule by indicating which foundations are balances.	Please refer to the revised Price Schedules in Addendum 1 and in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements.
139	SI No 2 of Athi River Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please conform the Lot-1 quantities mentioned Price Schedule 1a Item no -10.27 to 10.29 signifies the balance works in accordance to Appendix 17 SI No-2. Also specify grouting is balance for all foundations or not.	Please refer to the revised Price Schedules in Addendum 1 and in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements.
140	SI No 5 of Athi River Substation under	Please note that in Appendix 17 SI No-5 it is mentioned that 122 foundations are done out of 203	Please refer to the revised Price Schedules in Addendum 1

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
	Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	foundations in total so eventually 81 foundations would be balance. However by adding quantities between Item No 10.31 to 10.41 in Price Schedule 1a we are getting 205 sets of foundation. Kindly clarify which one is correct and please provide the revised price schedule by indicating which foundations are balances.	
141	Item No- 10.51 Price Schedule 1a Athi River SS	Please provide length and specification for the approach road.	Please refer to the revised Price Schedules in Addendum 1 and in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements.
142	Item No- 10.1 Price Schedule 3a Isinya SS	Kindly clarify “Site Survey” stands for which item as in Isinya substation hopefully all type of Survey works including soil investigation has been carried out by M/S Iberdrola. Kindly check and conform whether the quantity will be “0” or not in Price Schedule.	Please refer to the revised Price Schedules in Addendum 1 and in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements.
143	Item No- 10.2 Price Schedule 3a Isinya SS	Please note that in the Price schedule Item No -10.2 quantities reflected as “Lot-1”. Please clarify whether Lot-1 signifies the balance work as mentioned in Appendix-17 Sl No-1 of Isinya Substation Site Status comprising only finishing works outside boundary wall. Kindly conform.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements.
144	Sl No 19 of Isinya Substation under Appendix 17 – “Site status report - Athi	As per Appendix 17 Sl no-19 of Isinya site status report it is mentioned that “Final grading, compaction and landscaping” in progress and landscaping whereas in the Price Schedule 3a Item	Please refer to the revised Price Schedules in Addendum 1 and in addition take note that Bidders were taken to site to

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
	River, Isinya, Kimuka”	No-10.4 “Grading and landscaping on completion” is showing “0” quantity. Kindly clarify whether any levelling and earthworks related work will be part of this re-tender or not.	verify the additional works to be carried out in order to conform to the employer’s requirements.
145	SI No 13 of Isinya Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	As per mentioned Appendix SI No DG foundation is completed 100% however as per Price Schedule line Item No 10.50 the quantity mentioned as Lot-1. We feel that would be “0” quantity. Kindly conform and modify the price schedule.	Please refer to the revised Price Schedules in Addendum 1
146	SI No 11 of Isinya Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	No Access road Item is mentioned in Price Schedule 3a however it is mentioned in Appendix 17 SI No 11 as only 50% completed. Kindly clarify whether access road will be in re-tender scope or not. If it is in bidder’s scope then kindly specify the quantity and specification for the same.	Please refer to the revised Price Schedules in Addendum 1
147	Item No- 10.9 Price Schedule 3a Isinya SS	Price Schedule item is stating “Perimeter Fence” however as per Appendix -17 SI No-5 of Isiniaya substation site status it is mentioned as boundary wall and that too boundary wall has been erected completely. Hence kindly clarify whether the quantity of 550 meter against the Price Schedule Item No-10.9 stands for balance activities as Mentioned in the appendix i.e. Plastering, Painting, Barbed wire and support. Kindly conform. Further also conform whether the cracked foundations are repaired by Iberdrola or not. Further also conform whether the erected Boundary wall will be accepted	Please refer to the revised Price Schedules in Addendum 1 also take note that the wall erected is rejected.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		by Ketraco as in site status report it is mentioned as wrong design.	
148	Item No- 10.16 Price Schedule 3a Isinya SS	Car park quantity in Price Schedule is given as "0" whereas in Appendix 17 SI No-18 for Isinya Substation is stating "yet to start". Please clarify whether car park would be in the scope of the re-tender or not.	Please refer to the revised Price Schedules in Addendum 1
149	Item No- 10.15 Price Schedule 3a Isinya SS	Please clarify whether the quantity Lot-1 against the Price Schedule item No 10.15 signifies only the balance work as mentioned in Appendix 17 SI No 4 of Isinya Site status report. If so then please provide us the activity wise quantity for the balance work, as Lot-1 is difficult to quantify the balance amount of work.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
150	SI No 4 of Isinya Substation under Appendix 17 - "Site status report - Athi River, Isinya, Kimuka"	Please inform us whether all the windows & Raised floor materials are supplied as in Appendix 17 SL No-4 it is mentioned "Fixing in progress".	Please refer to the revised Price Schedules in Addendum 1 and in addition take note that Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.
151	Item No- 10.10 Price Schedule 3a Isinya SS	Please clarify whether the quantity Lot-1 against the Price Schedule item No 10.10 signifies only the balance work as mentioned in Appendix 17 SI No 9 of Isinya Site status report. If so then please provide us the activity wise quantity for the balance work, as	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer's requirements.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		Lot-1 is difficult to quantify the balance amount of work.	
152	Sl No 9 of Isinya Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please inform us whether all the windows are supplied as in Appendix 17 SL No- 9 it is mentioned “Fixing in progress”.	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements.
153	Sl No 3 of Isinya Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please conform whether the quantities of foundations mentioned in the price schedule Item No 10.17 to 10.26 signify the balance work in accordance to Appendix 17 Sl No 3 of Isinya Substation report.	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements.
154	Sl No 2 of Isinya Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please conform whether the Lot-1 quantities of foundations mentioned in the price schedule Item No 10.27 to 10.29 signify the balance work in accordance to Appendix 17 Sl No 2 of Isinya Substation report.	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements.
155	General Isinya Substation	Please provide us soil investigation and topography survey report for Isinya substation as it is quite obvious that M/S Iberdrola has carried out that.	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. Available soil investigations have already been given to the bidders

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
156	Item No- 10.2 Price Schedule 5a Kimuka SS	Please note that in the Price schedule Item No -10.2 quantities reflected as "Lot-1". Please clarify whether Lot-1 signifies the balance work as mentioned in Appendix-17 Sl No-1 of Kimuka Substation Site Status comprising only 15% backfilling works. Kindly conform.	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer's requirements.
157	Item No- 10.1 Price Schedule 5a Kimuka SS	Kindly clarify "Site Survey" stands for which item as in Kimuka substation hopefully all type of Survey works has been carried out by M/S Iberdrola and that is also available in the re-tender documents as well. Kindly check and conform whether the quantity will be "0" or not in Price Schedule.	Refer to the revised Price Schedules in Addendum 1
158	Sl No 23 of Kimuka Substation under Appendix 17 - "Site status report - Athi River, Isinya, Kimuka"	As per Appendix 17 Sl no-23 of Kimuka site status report it is mentioned that "Final grading, compaction and landscaping" yet to start whereas in the Price Schedule 1a Item No-10.4 "Grading and landscaping on completion" is showing "0" quantity. Kindly clarify. Kindly clarify whether any levelling and earthworks related work will be part of this re-tender or not.	Refer to the revised Price Schedules in Addendum 1
159	Item No- 10.51 Price Schedule 5a Kimuka SS	Please provide length and specification for the approach road as the drawing provided in the document is not showing the length of the same	Refer to the revised Price Schedules in Addendum 1
160	Item No- 10.16 Price Schedule 5a Kimuka SS	Car park quantity in Price Schedule is given as "0" whereas in Appendix 17 Sl No-22 for Kimuka Substation is stating "yet to start". Please clarify	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer's requirements.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
		whether car park would be in the scope of the tender or not.	
161	Sl No 2 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 Sl No-2 it is mentioned that excavation for 20 foundations out of 28 foundations are completed. Please note that we are not going to consider any further excavation for those 20 foundations. Kindly conform	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
162	Sl No 2 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 Sl No-2 it is mentioned that blinding for 12 foundations out of 28 foundations are completed. Please note that we are not going to consider any new blinding for those 12 foundations. Kindly conform	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
163	Sl No 3 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 Sl No-3 it is mentioned that excavation for 82 foundations out of 202 foundations are completed. Please note that we are not going to consider any further excavation for those 82 foundations. Kindly conform	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
164	Sl No 3 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 Sl No-3 it is mentioned that blinding for 29 foundations out of 202 foundations are completed. Please note that we are not going to consider any new blinding for those 29 foundations. Kindly conform	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
165	SI No 4 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 SI No-4 it is mentioned that excavation & blinding for 18 foundations out of 18 foundations are completed. Please note that we are not going to consider any further excavation and blinding for any 66kV Gantry Column foundations. Kindly conform	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
166	SI No 5 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 SI No-5 it is mentioned that excavation for 100 foundations out of 206 foundations are completed. Please note that we are not going to consider any further excavation for those 100 foundations. Kindly conform	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
167	SI No 5 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 SI No-5 it is mentioned that blinding for 58 foundations out of 206 foundations are completed. Please note that we are not going to consider any new blinding for those 58 foundations. Kindly conform	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
168	SI No 6 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 SI No-6 it is mentioned that reinforcement is laid for base, side wall, and pedestal for both the transformer and concreting is balance. Kindly conform whether the laid steel can be used during the implementation stage of this current re-tender.	Bidders were taken to site to verify the additional works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
169	SI No 7 of Kimuka Substation under Appendix 17 – “Site	Please note that as per Appendix 17 SI No-7 it is mentioned that “Excavation & Blinding completed. Almost 80% of Steel & Formworks for Tie Beams &	Bidders were taken to site to verify the additional site works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
	status report - Athi River, Isinya, Kimuka”	Column Foundations is completed. Structural concreting yet to be done”. Kindly conform whether the laid steel & formwork can be used during the implementation stage of this current re-tender.	enable full completion of project and no variation shall be given for their omission in their bid.
170	Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	We understand that there is a mobilization of nearly 100MT of steel which is rusted or going to be rusted during the implementation of this current re-tender. Kindly advise us who will be responsible to dispose of that reinforcement from site to designated area and in that case also provide us the distance of the designated area from site.	This is in the scope of work of the contractor. The contractor should also cater for disposal costs and all arrangements required. The location chosen by contractor must however be approved by the Employer.
171	Sl No 16 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 Sl No-16 it is mentioned that “Only Excavation & Blinding completed”. Please note that we are not going to consider any further excavation and blinding concrete for Septic tank. Kindly conform.	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
172	Sl No 17 of Kimuka Substation under Appendix 17 – “Site status report - Athi River, Isinya, Kimuka”	Please note that as per Appendix 17 Sl No-17 it is mentioned that “Only Excavation & Blinding completed”. Please note that we are not going to consider any further excavation and blinding concrete for DG foundation. Kindly conform.	Bidders were taken to site to verify the additional civil works to be carried out in order to conform to the employer’s requirements. The bidder shall therefore cost to enable full completion of project and no variation shall be given for their omission in their bid.
173	General Kimuka Substation	Please provide us soil investigation report for Kimuka substation as it is quite obvious that M/S Iberdrola has carried out that.	Bidders were taken to site where excavation has been conducted the ground conditions are evident and these supersedes the soil investigations done by Iberdrola prior

S.No.	Clause/Paragraph/Item No.	Clarification/Query	Response
			to excavation. Bidders have also been provided with the available soil investigations.
174	General Komarock Substation	Please provide us soil investigation and topography survey report for Komarock substation.	Refer to TAC 1 S.No.18
175	Item No- 10.51 Price Schedule 7a Komarock SS	Please provide length and specification for the approach road.	Refer to TAC 1 S.No.18
176	General	Being an existing awarded contract and retendered kindly inform us if any arbitration is going on with existing contractor i.e. M/S Iberdrola.	The winning bidder will be informed should there be any interference on their contract due to the previous contractor contract.
177	General	As most of the equipments are already available in the ware house and we don't know the healthiness of the same. If we consider new equipment cost for this then tender cost will be very high and similar to a construction of new substations. Hence we are assuming that if any healthiness issue of already installed and supplied equipment will be found during implementation of current retendered project, then the rectification of healthiness will be in Ketraco's scope. Kindly conform.	Refer to TAC 1 S.No.5 and TAC 1 S.No.16

2. ADDENDUM 2

The following Addendum shall modify and form part of the bid documents for the Completion of Construction on 220kV Nairobi Ring Substations.

Appendix 1. Terms and Procedures of Payment in Section X Contract Forms of the Bidding document shall be modified to include the following payment procedures-:

PAYMENT PROCEDURES

All payments shall be upon submission of payment request to the Engineer. The submission date will be the date upon which the Contractor sends to the employer a scanned copy of the receipt cover letter stamped by the Engineer.

All payments will be made through Direct Transfer to the contractor account.

The Engineer shall issue the payment certificate to the Employer with a copy to the contractor. The Engineer shall issue the payment certificate within seven days receipt of the invoice with relevant attachments as per contract.

In the event the Engineer requires the contractor invoice to be corrected, he shall correct the invoice and the payments shall be made for the corrected amount by the Engineer.

Note: Any submitted incomplete and/or incorrect invoice without the relevant supporting documentation shall be rejected. The 45 days shall start running upon its proper resubmission.

In the event that the Employer fails to make any payment on its respective due date, the Employer shall pay to the Contractor interest on the amount of such delayed payment at the discount rate of the issuing institute of the contractor's country of origin increased by 1% per amount for the foreign currency part, and the Central Bank of Kenya discount rate for the local currency part.

The Particular Conditions of Contract GC Clause 14.1 shall be revised as follows-:

PC 14. Taxes and Duties		
GC	Clause	The project will be exempted of customs and import duties for all Plant (including Mandatory Spare Parts) Supplied from Abroad
14.1		It is understood from this clause that Plants and Equipment to be installed exclusively in the Works under this project are imported into the Republic of Kenya will remain the property of the Employer (KETRACO) for proper and specific purposes of this Contract, then the Employer shall be liable for customs duties, IDF Fees and VAT on such plant and Equipment. However, exemption of custom duties, IDF Fees and VAT for Goods and Equipment for Use in Donor Funded Projects is provided for under paragraph 10 of the 5th Schedule of the East African Community Management Act, 2004 and Section 68(4)(A) of VAT Act 2013. Therefore the Government of Kenya

	<p>will exempt custom duties, IDF Fees and VAT on materials and equipment on importation upon application by the employer.</p> <p>The employer shall manage and provide the Goods so as to preserve and maximize all exemptions available to the Contractor and the Company from Customs Duties, IDF fees and VAT.</p> <p>Withholding Tax(WHT)</p> <p>The contractor shall be liable for payment of WHT as applicable under Kenya’s tax laws. WHT is deducted by the Employer from the payments made to the contractor. WHT is tax on contractor’s income and therefore does not form part of the contract price.</p> <p>Import duties and taxes for Contractors equipment and machinery</p> <p>For contractor’s equipment and machinery imported on temporary basis for the execution of the contract, the contractor is liable for payment of duties/taxes on importation, however the contractor in collaboration with the Employer will request temporary importation approval from Kenya Revenue Authority whereby the duties/taxes will not be paid if the imported materials are re -exported within the granted allowed period.</p> <p>The contractor will be liable for payment of taxes for consumable items and spare parts of its own machineries.</p> <p>On completion of the project, if the contractor decides to dispose materials imported under temporary regime, the buyer will be required to settle the tax dues for the disposed materials.</p> <p>Contractor/subcontractor shall indemnify and hold Employer free from any liability on account of all taxes such as payroll taxes and corporate tax in connection with the provision of the Services during execution of the project.</p> <p>Railway Development Levy</p> <p>The Finance Act 2014 amended Section 117(A) of the Customs and Excise Act on payment of Railway Development Levy (RDL) by introducing Subsection 6. The new Subsection states that payment of RDL shall not apply to goods imported for the implementation of official aid funded projects. This project falls under the official aid funded category and is therefore exempted from RDL.</p>
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