

Memorandum of information European tender studies for Drinking water in Garowe, Somalia

Date: 19 May 2021

In this memorandum of information, the contracting authority provides answers to the questions asked and remarks posted in the context of the above-mentioned European tender. This memorandum of information forms an integral part of the tender document published 16 April 2021

	Paragraph from the tender document	Question	Answer
1.	App. 3 contract	Time and place 5.1 Will the services be performed in Burkina Faso?.	No as indicated in the ToR. The services will be provided in Garowe.
2.		RT9 A senior hydrogeologist that is an international expert having a Master's degree in relevant field and have at least 5 years of experience in the execution of hydrogeological and geophysical studies and prospecting for new groundwater sources. He shall have proven experience in leading a team of geophysicists/hydrogeologists and knowledge of ToR development for production boreholes. Experience within the region is an asset. Does it have to be a he?	No, this can also be a she
3.	contract	Task 2.2 The project costs estimates need to be based on a detailed Bill of Quantities to be filled out in the sheet 'BoQ – Implementations costs' in the Excel file (to be provided). When will the excel file be provided?	Task 2.2 doesn't refer to a BoQ but to a budget and financing plan. The text in the tender document clearly describes what is meant by this.
4.	1.4	Task 1.4: Why is this risk described for borehole exploration here when it is a deliverable after drilling the 10 exploratory boreholes? Potential environmental risks and impacts: Anticipated environmental risks and impacts associated with the project's civil works (borehole exploration and production drilling, distribution network upgrading, construction of water and water treatment plant may include contamination of water, dust generation, noise pollution, soil erosion, surface water sedimentation, traffic interruptions, pollution from construction wastes, as well as waste from worker campsites (where established). These short-term and long term impacts will be prevented or mitigated with standard operating procedures and good construction management practices.	It is not clear what the question is. Task 1.4 is referring to the ESIA scoping and ToR. The potential risk indicated are the risks that are already anticipated (as indicated in the text) and should be taken into consideration. However, it's the consultants task to identify all risk and impacts within the studies.
5.	1.2.7	Task 1.2.7 Drilling supervision and test pumping of production boreholes: Is this task overlapping with «Task 1.2.4 Drilling of ten exploratory boreholes» and «Task 1.2.5 Test pumping of exploratory boreholes»?	Task 1.2.7 and 1.2.4 are both sub tasks of task 1.2 hydro geological survey to confirm potential of groundwater sources. Some overlap can be expected as they are interlinked.
6.		Task 1.2.4 Drilling of ten exploratory boreholes: Is the contractor responsible for drilling?1.2.4	The drilling of the exploratory boreholes is an essential part of the assignment and as such the

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			full responsibility of the consultant / consortium that is contracted following the tender. The ToR outlines the responsibilities of the consultant. Please also look at question and answer 26.
7.	1.2.3	Task 1.2.3 Geophysical survey: Is the contractor doing the geophysical survey or only preparing the plan?	The consultant is responsible for executing the tasks and presenting the deliverables based on the tasks. This includes the Geophysical survey.
8.	IV. 2.8	The contract notice asks to submit the tender in Dutch, while the tender document is open to Dutch or English.	Open to Dutch and English. The tender document prevails.
9.		The awarding criteria from the contract notice document differs than the one on the tender document. The later one states, "quality of the proposed approach up to maximum 40 points, quality of the project team up to 45 points, prices/rates up to maximum 15 points".	The Tender document prevails.
10.		The Contract notice refers only to studies, designs, and preparing the tender documents for the construction/rehabilitation and expansion of the water supply infrastructure of Garowe. However, the tender document includes drilling and geophysical surveys. Is the geological survey and drilling, part of the contract?	Yes, its part of the D2B studies as indicated in the tender documents.
11.		In view of complexity of context and engagement of suitable local partners, could you allow postponement of tender submission by 1 or 2 weeks?	Postponement won't be a possibility.
12.		Could you include link to the "DRIVE requirements"?	These can be found online. How to apply for DRIVE RVO.nl
13.		There appears to be ambiguity on expected max drilling depth. 700 m or 250 m. We will assume 250 m, correct?	Its not clear yet what the max drilling depth is. That is why it differs.
14.		Could you include template of DRIVE intake form?	The DRIVE intake form can be found online. How to apply for DRIVE RVO.nl
15.		You write: Please bear in mind that Agreements have been made with the Dutch Ministry of Foreign affairs on a number of KPI's . These KPI's must be included in the ToC, including number of end users reached and number of jobs created. For the last indicator please ensure that a distinction is made between construction jobs and jobs that are created due to the project. These "Agreements have been made" by who, by RVO? Kindly clarify "These KPI's".	The KPI's that need to be included in the ToC and M&E plan are, as indicated, expected number of end users reached and number of jobs created These are indicators that we report upon to the Ministry of Foreign Affairs. Apart from these two indicators it's up to the consultant/consortium to suggest other KPI's for the baseline and create the baseline that will provide insight in the envisioned impact of the project once being implemented.
16.		Relative to the Risk of both "Travel restrictions" and "Security" you assess the chance of risks as medium, and the Impact as medium. Relative to the general situation in Somalia, the regional volatility and the confirmed notions of the Dutch	The consultant/consortium is expected to provide an emergency response plan as indicated in task 0.1.B

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		Ministry of Foreign Affairs (reisadviezen) it would appear obvious that the chance of risk is High. It is well understood that we need to develop plans in an aim to reduce the impact as low as possible (your assessment to medium is understood). Do we agree?	
17.	3.8	Kindly advise what sort of environmental permits you are referring to?	This will need to be researched by the consultants/consortium who win the tender for the project .
18.		You write: CVs for these experts should not be submitted in the tender. The Consultant shall select and hire other experts in agreement with the client as required according to the needs. The selection procedures used by the Consultant to select these other experts shall be transparent, and shall be based on pre-defined criteria, including professional qualifications, language skills and work experience. The selected experts must be subject to approval by the client. We find it challenging to recruit a competent and available team (both key and non key). RVO wishes to approve our non key positions. Some of the positions will already be profiled in our proposal (contrary to RVO's non-requirement above) and we would wish to agree that they can be assumed 'approved by the client' (=RVO). Correct?	Yes, if the positions are already profiled in your proposal and you win the tender, then those positions will do.
19.	requirements	We deem 5 years experience for TL inadequate for the complexity and context of the Garowe project. To ensure a level playing field we would like you to increase the requirement to at least 15 years. Same for RT9 and 10.	No, this is not possible.
20.		We are currently assessing if TEM soundings can be safely and cost effectively organized for Puntland. To our knowledge it has been practiced anywhere in Somalia, and TEM equipment is not present in Somalia. We expect we can mobilize TEM to Puntland, but it involves a high budget. We feel it is not essential, and good survey could be conducted without TEM. Please, confirm that TEM application is a prerequisite requirement in order to have a (budgetary) level playing field.	TEM soundings are part of the assignment as indicated in the text. The consultant/consortium is welcome to suggest other approaches. The alternative approaches will not influence the tender evaluation and will only be discussed "after" the selection of a winning bid.
21.		It appears that RVO already takes the assumption of dual reticulation (raw water and drinking water) already for granted. In our expertise this not at all 'obvious', also in view of the Garowe context. To our knowledge, nowhere in Puntland or Somaliland has dual reticulation been applied, and we have serious questions on this concept (in general). We are well aware of the dilemma's relative to the (partial) brackish water source, but the option of dual reticulation, its cost, and its operational complexity, requires further reflection in our study (= needs to be decided). Correct? Or did RVO already decide? In which case, could you include some further reference to its practice and applicability?	Its up to the consultant/consortium to suggest improvements to the assignment based on their findings and research. RVO doesn't decide on any of these subjects. This should be done in collaboration with the government of Garowe.
22.		RVO writes:	Development of the water supply network as

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		The increase in water supply automatically implies an increase in the amount of wastewater. The ESIA to be undertaken needs to show how the project will deal with wastewater and take measures that its discharge will not bring any social or environmental harm. In our opinion the project will NOT deal with wastewater. Obviously increased water supply will generate increased volume of wastewater. But RVO has not included sanitation and urban drainage in the project scope. Potentially the project could 'say something about wastewater', but what do you intend? It is relevant to note that per capita consumption will continue to be low, local volumes are insignificant compared to seasonal rains and sanitary discharge is a relevant topic for a new project. Can we exclude the topic? If you still wish us to proceed to engage into the Garowe wastewater situation, could you clarify what kind of activities and study you will expect from us?	proposed in this project will lead to a significant increase in the uncontrolled discharge of domestic wastewater. The uncontrolled discharge of wastewater may pose serious health risks to the population, which should according to World Bank ESS 3 be avoided or minimized. Although sanitation and urban drainage are not included in the scope of the project it is still required to collect or use existing relevant baseline data on the expected quantities and locations of wastewater as a result of this water project, prevalent water related diseases and their causes, needed improvements in sanitation infrastructure in different parts in town and risk areas and factors such as those that may lead to stagnant water. As well as the assessment of potential impacts from increased wastewater discharge and include measures for mitigation and monitoring.
23.		You require 6-8 weeks (what do you mean, 6 weeks or 8 weeks?) for RVO/NCEA review, before ESIA output is submitted to local authorities. We propose this requirement to be adjusted. The ESIA output will include our assessment on sustainable water abstraction. And it will include the outline of water system design (also relative as to the inclusion of water source land owners). 6-8 weeks review by NCEA/RVO prior to submission to local authorities would create undesirable delays in the overall project. We request your review to be both shorter and to be parallel to co-current review by local authorities. We very much hope you understand our concern, and agree to seek how we can accommodate both the good content and the progress of the project.	The timeframe of a minimum of 6 to a maximum of 8 weeks is required for RVO to request and mobilise an independent team of expert of the NCEA to conduct a review of the ESIA, conduct field visits if considered necessary, and consolidate feedback. This timeframe is a fixed requirements and already includes flexibility of two weeks for planning considerations.
24.		We kindly request your serious attention to agree on focus and conduct of ESIA. we are not happy with your focus in Task 1.4. In our view the paramount environmental concern is sustainable exploitation of groundwater aquifers. The paramount social concern is dialogue and agreement between water usage (Garowe Town / NUWACO) and water source land owners. For us it is important that RVO and ourselves have a common understanding of what matters most, and that we engage professional resources accordingly. We would very much welcome if you could share your thoughts, as the ToR (and app 18) feels to be focused differently?	Task 1.4 defines the Environmental and Social Scoping of the project and should identify the extent and complexity of potential environmental and social risks and impacts, and the socioeconomic characteristics of people in the project area as outlined by the ToR. The Scoping will conclude in a Terms of Reference for the ESIA that will serve as a tool to facilitate the identification of potential environmental and social risks and impacts and

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			mitigation measures in Task 2.1. Appendix 18 provides general guidance on the expected ESIA procedure for this project and a first attempt to Environmental and Social Screening Advise from the NCEA of the project which should be verified by the Consultant in Task 1.4.
25.		We request that you clarify the scope relative to the budget. In 3.1 there is no mention of drilling 10 boreholes or conducting geophysical surveys. This would appear very odd because they would appear paramount part of our project. It would be our understanding that geophysical surveys are part of our scope (and budget). It would be our understanding that specification of drilling activities and supervision of drilling activities would be part of our scope (and budget). It would be our understanding that drilling activities will be contracted out and not part of our scope (and budget), and not part of your provisional budget under 2.8. It is not yet clear (to us) what will be our responsibility (and mandate) on contracting out drilling activities. If our estimate will be significantly higher (than your provisional EUR 900,000.-), will this be a 'showstopper' or will it (likely) delay the project start? If geophysical surveys and exploratory drilling are included in our scope and your budget, we deem the payment schedule (section 3.7) inappropriate. What would be best? a. would you propose an improved payment schedule with your answers, or b. will you allow us a second round of questions after your clarifications, or c. would it be acceptable to mutually agree on an appropriate payment schedule upon (provisional) contract award?	The geophysical survey and drilling activities are part of the scope as indicated in the Tender documents in task 1.2.4 and should thus be considered part of this assignment not only supervision of the drilling activities and thus included in the budget. 900.000 euro is considered the maximum for this project. The payment schedule can be discussed when discussing the contract
26.		RVO writes: - The consultant has demonstratable experience in the drilling of exploratory boreholes and test pumping and ground water analyses to assess the sustainability of water abstraction points. Drilling itself is always done by specialized contractor. Do you agree to re-phrase: - The consultant has demonstratable experience in study and specifications, as well as supervision of the drilling of exploratory boreholes and test pumping and ground water analyses to assess the sustainability of water abstraction points.	The consultant or consortium is responsible for the quality and the execution of the drilling of the exploratory boreholes. The drilling itself can be done by a specialized contractor. What is essential is that the consultant/consortium has demonstratable experience with contracts that contain the "drilling of exploratory boreholes and test pumping" under their contractual obligations. Naturally it is accepted when that task (of the reference) has been executed by a (specialized) sub-contractor of the consultant.

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27.	Appendix 18	You write: This PS is triggered because the failure or malfunction of the water supply and management systems may pose threats to public health. This is particularly a concern considering the low water quality of the sources identified. In addition, the wastewater generated through the project could potentially cause water borne and water related diseases like malaria. There is need to identify, understand and manage these health risks throughout the whole lifecycle of the project. We think we have a good understanding of the status and challenges of the WASH aspects in Garowe. From our understanding we believe that this project will positively contribute to Garowe's WASH situation, but, by no means, 'solve everything'. Kindly confirm that what you expect from us is explained in task 1.6, and that no extra activities are expected (from us) in regard to the referenced description in appendix 18.	Appendix 18 provides general guidance on the expected ESIA procedure for this project and a first attempt to Environmental and Social Screening Advise from the NCEA of the project which should be verified by the Consultant in Task 1.4. Regarding the WASH situation and the risks related to wastewater generation please be referred to our reply at 22.
28.	2.5	To our regional experience RVO proposed number of copies is not going to work and will lead to unnecessary frustration. Hard copies will be costly affair, and to have a budgetary level playing field we would like you to confirm as follows for hard copies of output: - draft output 5 hard copies for Puntland and soft copy only for RVO - final output 10 hard copies for Puntland and soft copy only for RVO	All draft reports shall be submitted in 1 hard copy and an electronic copy to RVO.nl, the Ministry of Finance of Puntland and Garowe Municipality for comment.
29.	App. 2, 5.3	Appendix 2 is restricted to the overall budget exclusive of VAT. For the purpose of section 5.3 (5 points) we will submit a separate elaborated budget quotation. No fixed template. Correct?	You must fill in appendix 2 and in addition you will need to send in a more elaborated budget quotation.
30.	3.4.	It is well noted that activities and field deployment to Somalia carry security concerns. But it is also noted that the situation is volatile and subject to change. This implies that suitable measures and its associated cost are also subject to change. Could RVO agree to keep cost that are specifically related to security, outside competitive bidding? (intel subscription, escort fees, tracker devices, etcetera). A parallel budget for security items can be submitted with the proposal, subject to mutually agreed change in accordance with actual developments.	No, the envisioned security costs cannot be excluded from the budget.
31.	1.2.4	RVO writes: The geophysics need to be verified with drilling of exploratory boreholes. The boreholes should have a minimum drilling diameter of 10" and an ID of 8" so they can function as production boreholes if the yield is proved to be sufficient. The boreholes should be equipped with PVC casing and screens. Gravel pack should be installed using siliceous gravel. The upper 5-10 m of the borehole should be grouted.	The specification of the ToR when it comes to the drilling diameter of the exploratory boreholes is indeed so they can function as (possible) production boreholes at a later stage. The evaluation of tenders will be based on this criteria. The consultant however is welcome to <u>also</u> suggest improvements to the proposal based on their

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		We do not fully agree. In our expert opinion it is budgetary ineffective to over size exploratory drilling when not necessary. We would advise to drill more boreholes for the same budget. For deeper options, large diameter may be needed for the simple reason of quantitative testing (flow + head), but for shallow options smaller diameter may satisfy exploratory purpose. If RVO, against our advice, requires functional production boreholes for all options, we propose that the design will be conform to local standards and regulations. Our question is: a. does RVO agree to change the requirement to exploratory drilling only (fit for exploratory purpose relative to depth), or b. does RVO agree to conform to local practice and regulation for production boreholes where, to our understanding, minimum drilling will be 12" and standard casing will be 8", or c. does RVO stick to the current ToR which is against our expert opinion, and which is, according to our regional experience, in non-conformity to local practice and regulation? In our opinion the budget for drilling should not be part of the proposal except for the drilling related TA (specification and supervision), and the scope of exploratory/productive drilling should be further defined and confirmed during the project, whereas the ToR will provide a useful 'benchmark' as to the expected scope of exploratory drilling (fit for purpose to prepare our TA budget accordingly).	experience.
32.	1.2.6	We understand 1.2.4 to refer to exploratory drilling, and 1.2.6 to refer to production well drilling. Correct? In 2.5 RVO has included a provisional reporting schedule, but we propose that you may be more clear on the project planning. 1.2.6. is part of phase 1. Do we understand correctly that RVO proposes that production well drilling tender documents are to be prepared withing phase 1? In 1.2.6 you request our TA services during the tendering process. This confirms that you propose that the production well tendering will occur during the current project, whereas other relevant tasks (2.1, 2.2, 2.3, 2.4, 2.5 and 2.6) will still be running in parallel (and could potentially have a major impact on the well field already under tender). We could understand RVO's intent to accelerate the implementation of production well field(s), but it will be helpful if RVO could clarify its intended project phasing.	1.2.4 refers to the exploratory drilling of 10 boreholes 1.2.6. refers to the ToR for the boreholes in the wellfield. The tender documents will only be prepared in the final phase and only in this phase the assistance would be required. aThe well field will thus not be tendered before other tasks are completed.
33.	1.2.7	Section 1.2.7 refers to Drilling supervision and test pumping of production Boreholes. We know that 10 exploratory wells will be drilled, but this activity cannot be quoted because we do not know how many production boreholes will be drilled/supervised, how deep they are, if RVO will engage one, two or more rigs at the same time etc. Sometimes drillers take weeks to complete a borehole. In a recent example a driller (two weeks ago) after completion of the lining and	Only the 10 exploration boreholes are part of the D2B project as described in the ToR. The production boreholes are part of the actual infrastructure project, that follows the D2B study and engineering project. The D2B projects stops at the tender document for the infrastructure project.

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		gravel pack started the development with an air compressor. As soon as the development started due to high pressure the screen of one section of the borehole exploded and the gravel pack invaded the borehole. The borehole must be drilled again and the supervision repeated. The extended supervision time cannot be foreseen. In our expert judgement, it is not feasible to carry out the study including 10 exploration boreholes, then supervise the drilling of additional production boreholes in 16 months: please advise of your vision on planning. Which could mean that the last installment will be frozen until the last productive borehole is drilled (unknown deadline). If possible it would be better if RVO can accept the supervision of the drilling of the productive boreholes as unit rate (local consultant + logistics etc.) as separate it from the contract payment schedule, in this case there is no need to know how many boreholes or how deep etc. RVO will pay depending on the effective service provided and the risk will not be on the shoulder of the Consulting firm.	
34.	3.6.7	If the Tenderer indicates that no VAT is applicable, then he agrees to provide documentary proof of the grounds for this to the Contracting Authority within fifteen calendar days of the request to do so. question: what would be regarded as sufficient documentary proof? RVO blijft in hun uitvragen refereren aan verantwoordelijkheid bij opdrachtnemer om goedkeuring vanuit de Belastingdienst te overleggen, waarbij ons door de inspecteur is aangegeven (en eerder ook al gecommuniceerd richting RVO) dat dergelijke verklaringen niet worden afgegeven. Achtergrond ligt in het gegeven dat de Belastingdienst aangeeft dat als wij zelf vinden dat aan de voorwaarden van het btw-besluit wordt voldaan (waarmee het 0% btw kan worden toegepast), deze goedkeuring automatisch geldt en niet door de belastingdienst kan of moet worden bevestigd.	It will be considered sufficient for the tenderer to provide document of proof in the form of an internal analysis confirmed by reputable external tax-advisor / accountancy firm, that a different VAT rate applies, if a statement by the tax inspector is refused.
35.	3.5.7	3.6.7 Given the nature of this assignment, which includes development cooperation that exclusively benefits a developing country, a VAT rate of 0% applies to the amount specified on the quotation provided the Contractor is established in the Netherlands and his organisation is registered as an entrepreneur for VAT purposes. For extra certainty in this matter, you can request a declaration of exemption from VAT from the tax inspector. More information on this matter can be found within the decree issued by the Ministry of Finance on 21 September 2015 (no. BLKB/2015/76M). If you submit a statement from the tax inspector within 30 days of the award of the Contract that specifies that a different VAT rate applies, then the contract price will be increased to include the applicable VAT rate.	See answer 34. It will be considered sufficient for the tenderer to provide document of proof in the form of an internal analysis confirmed by reputable external tax-advisor / accountancy firm, that a different VAT rate applies, if a statement by the tax inspector is refused.

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		You are liable for any costs (extra or otherwise) in the event that you incorrectly charge no VAT or an incorrect amount of VAT to the Contracting Authority question: said declaration of exemption will not be provided by the Dutch Tax Authorities (DTA) as they have confirmed to us. DTA states that the conditions for the application of the 0% VAT rate as included in the decree are clear in itself and the taxpayer needs to review him/herself that these conditions are met. The DTA can not provide any declaration confirming the applicability of tax law in general and the decree in particular. Is it sufficient to provide document of proof (internal analysis confirmed by external advisor) that a different VAT rate applies, if a statement by the tax inspector is refused.	
36.	1.2.8	In section 1.2.8 the Consultant is requested to make Isotope water analysis. We will request to a lab in Europe to send us some specifications of this Isotope test (which we will include in the proposal) and well inquire if there is a time limit from the time the sample is taken and the time the sample is delivered, just as precaution because the water samples can only be delivered by hand. DHL service from Somalia to Europe does not work. The isotope test is quite expensive therefore we request that RVO clearly indicates how many chemical and isotope test RVO plans to carry out. It could be 10 for 10 exploratory wells, or it could be many more when existing wells are included. We understand that isotope testing may be revealing on annicinity of groundwater, but we need to bear in mind that our true concern will be to 'find fresh water'. We don't need isotope testing for that...	The analysis on isotopes not only gives information on the annicinity of the groundwater but is also to be used to get an indication of the (possible) recharged of the groundwater. Getting insight on that is also relevant in regard of the sustainability of the source of "fresh water" that is found. To what extend "isotope tests" are expensive also depends on what/what number of isotopes the samples are analysed. This is open to the consultant as long as the results are useful for the purpose. It is suggested to indicate that a total of 25 samples is to be taken and tested. This includes the 10 exploratory wells and also a number samples of existing wells can be included in that number.
37.	1.2.4	We expect it is required to make a borehole EC log when the test boreholes have been completed. Correct?	Correct
38.		The ToR assumes 3 phases (0, 1 and 2). With a successful project, it would be likely for the project to proceed into tendering of the works (phase 3: tendering assistance) and execution (phase 4: supervision). Will there be contractual accommodations to extend the contract into phase 3 and 4?	No, this is not included in this assignment.
39.	1.3. 1.5	In our understanding there is significant overlap in tasks 1.3 and 1.5. Do you recognize our assessment, and would you agree to consider tasks 1.3 and 1.5 as one comprehensive task to assess the existing system and to develop Feasibility Study	Task 1.5 is often a component of a feasibility study and is important for a robust feasibility study. If preferred, the consultant can combine the 2 tasks

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		and conceptual designs for systems upgrade and extension?	into 1 task, submitting both tasks during deadline for task 1.3, as long as all requirements in the ToR are fulfilled.