

PREQUALIFICATION DOCUMENT

PRE-QUALIFICATION OF COMPANIES FOR CONSTRUCTION OF THE LAKE KIVU LK1A PUMP STATION AND TRANSMISSION MAIN IN GOMA

January 2023



MERCY CORPS, D.R. CONGO

BUILD BACK BETTER INFRASTRUCTURE: CONSTRUCTION OF THE LAKE KIVU (LK1A) PUMP STATION IN GOMA AND TRANSMISSION MAIN

NOTICE OF PREQUALIFICATION

1. Background

As part of the Goma water masterplan, a new reservoir was planned at Mount Goma together with a pump station refurbishment and augmentation was planned at Lake Kivu to provide water into the Reservoir. Under the IMAGINE programme, Mount Goma 4 reservoir was constructed to supply water to the south part of Goma city in the Democratic republic of Congo (DRC). The pump station was not constructed under IMAGINE.

This new pump station is now proposed as per the provincial government's request to construct an independent station to Mt Goma 4. The station and pipeline will be constructed under USAID's Sustainable Water and Sanitation System activity (Mercy Corps, Tetrattech and Sanergy are implementers) as part of the build back better (BBB) plan that was developed to mitigate and repair the effects of a major volcanic eruption in May 2021.

Mercy Corps wishes to continue the momentum of the infrastructure improvements in Goma to build back better the existing water system and make sustainable improvements to water supply and distribution in Goma which will allow more reliable water access to hundreds of thousands of residents. There is urgency in completing this both from a water needs requirement and to reinforce the political economy around improving service provision and supporting the province in the process.

2. Scope of works

In summary, the BBB scope is to improve and augment the production capacity at Lake Kivu by implementing a new pump station (LK1A). The proposed BBB works encompass constructing a new pump station building, pump and mechanical and electrical installation, and a main pipeline to connect the LK1A pump station to the existing Mt Goma 4 supply pipeline. These works are expected to take around 12 months to complete when D&B tender design, procurement, construction, and commissioning are included.

SWASSA aims to design and construct the pump station in as short a time as possible.

There are various steps that will need to be undertaken to ensure the work is carried according to the international standards and acceptable quality.

As the predominant work element is mechanical and electrical installation, sensitive to actual equipment supplied, a design build approach has been adopted with a D&B tender design and specification to be provided by SWASSA for the design and build tender. Furthermore, specialist input will be required to review the proposed electrical and design works. For Construction, SWASSA will use a design-build form of contract issued by Mercy Corps as the Principal.

3. Purpose of the prequalification

The purpose of this prequalification is to pre-select national/regional or international companies interested to work in the DR Congo for the construction of the lake Kivu (LK1A) pump station in Goma as part of USAID's Sustainable Water and Sanitation System activity. Only the pre-selected companies will be able to tender and respond to the Request for Proposal.

Companies awarded subsequent contracts will be required to provide bid, advance and/or performance guarantees. By applying for this prequalification, the Company acknowledges its acceptance of Mercy Corps' warranty policy available from the procurement department.

4. Bid phase

Only contractors or joint ventures with proven records of similar types and scope of works and able to demonstrate that they have access to lines of credit and availability of other financial resources will be eligible.

Mercy Corps reserves the right to accept or reject late applications.

Only firms and joint ventures prequalified under this procedure will be invited to bid.

5. Procurement Timing

The following indicative timeline and steps to award.

Procurement Phase	Dates
Invitation for Prequalification	January 13, 2023
Last Day for Questions	January 27, 2023
Mercy Corps to provide answers to all questions	January 31, 2023
Deadline for submission	February 10, 2023
Prequalification review and selection of Tenderers	February 13, 2023 to March 10
Issue Documents for Tender to Bidders	March 13, 2023 to April 13, 2023
Tender Review, Selection, and negotiation	April 17, 2023 to May 12, 2023
Receive approval and NTP from USAID	Week of May 15, 2023
Award Contracts for construction	Week of May 22, 2023

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PART 1 – Prequalification Procedures

Section I. Instructions to Applicants

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Section I. Instructions to Applicants

A. General

1. Scope of Application	1.1 In connection with the Invitation for Prequalification indicated in Section II, Application Data Sheet (ADS), the Employer, as defined in the ADS, issues this Prequalification Document (PQD) to applicants interested in bidding for the works described in Section VI, Scope of Works.
2. Source of Funds	2.1 The Borrower or Recipient (hereinafter called "Borrower") indicated in the ADS has applied for or received financing (hereinafter called "funds") from USAID (hereinafter called "the Bank") towards the cost of the project named in the ADS. The Borrower intends to apply a portion of the funds to eligible payments under the contract(s) resulting from the bidding for which this prequalification is conducted.
3. Corrupt Practices	<p>3.1 The Bank requires that Borrowers (including beneficiaries of Bank loans), as well as Applicants, Bidders, Suppliers, Contractors, and Consultants under Bank-financed contracts, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuit of this policy, the Bank:</p> <ul style="list-style-type: none"> (a) Defines, for the purposes of this provision, the terms set forth below as follows: <ul style="list-style-type: none"> (i) "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution; and (ii) "fraudulent practice" means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the Borrower, and includes collusive practices among Bidders (prior to or after bid submission) designed to establish bid prices at artificial, non-competitive levels and to deprive the borrower of the benefits of free and open competition; (b) Will reject a proposal for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the Contract; and (c) will declare a firm ineligible, either indefinitely or for a stated period of time, to be awarded a Bank-financed contract if it at any time determines that the firm has engaged in corrupt or fraudulent practices in competing for, or in executing, a Bank-financed contract.

4. Eligible Applicants	<p>4.1 An Applicant shall be a private, public or government owned legal entity, subject to ITA 4.6, or any combination of them with the formal intent to enter into an agreement or under an existing agreement in the form of a Joint Venture (JV). In the case of a JV, unless otherwise specified in the ADS, (i) all parties shall be jointly and severally liable, and (ii) there shall be no limit on the number of partners.</p> <p>4.2 An Applicant and all parties constituting the Applicant shall have the nationality of an eligible country. For this purpose, the Bank maintains a list of countries from which bidders, goods, and services are not eligible to participate in procurement financed by the Bank. The list is regularly updated and can be obtained from the Bank's website: http://www.worldbank.org/html/opr/procure/contents.html. An Applicant shall be deemed to have the nationality of a country if the Applicant is a citizen, or is constituted, incorporated or registered and operates in conformity with the provisions of the laws of that country.</p> <p>4.3 This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services.</p> <p>4.4 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of this prequalification. Where a firm, or a firm from the same economic or financial group, in addition to consulting, also has the capability to manufacture or supply goods or to construct works, that firm, or a firm from the same economic or financial group, cannot normally be a supplier of goods or works, if it provided consulting services for the contract corresponding to this prequalification, unless it can be demonstrated that there is not a significant degree of common ownership, influence or control.</p> <p>4.5 A firm shall submit only one bid in the same bidding process, Either individually as a Bidder or as a partner of a joint venture. No firm can be a subcontractor while submitting a bid individually or as a party of a joint venture in the same bidding process. A firm, if acting in the capacity of Subcontractor in any bid, may participate in more than one bid, but only in that capacity. A Bidder who submits, or participates in, more than one bid will cause all the proposals in which the Bidder has participated to be disqualified.</p> <p>4.6 A firm that is under a declaration of ineligibility by the Bank in accordance with ITA 3, at the date of submission of the application or thereafter, shall be disqualified.</p> <p>4.7 Government-owned entities in the Employer's Country shall be eligible only if they can establish that they are legally and financially autonomous, and operate under commercial law, and that they are not dependent agencies of the Employer.</p> <p>4.8 Applicants shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.</p> <p>4.9 Firms from an eligible country may be excluded if, (a) as a matter of law or official regulations the Borrower's country prohibits commercial</p>
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	relations with that country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of goods or the contracting of works required ; or (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower's country prohibits any import of goods or contracting of works or services from that country, or any payments to persons or entities in that country.
B. Contents of the Prequalification Document	
6. Sections of Prequalification Document	<p>6.1 The document for the prequalification of Applicants (hereinafter "prequalification document") consists of parts 1 and 2 which comprise all the sections indicated below and should be read in conjunction with any Addenda issued in accordance with ITA 8.</p> <p>PART 1 Prequalification Procedures</p> <ul style="list-style-type: none"> ● Section I. Instructions to Applicants (ITA) ● Section II. Application Data Sheet (ADS) ● Section III. Qualification criteria ● Section IV. Application Forms <p>PART 2 Works Requirements</p> <ul style="list-style-type: none"> ● Section V. Scope of Works <p>6.2 The Employer accepts no responsibility for the completeness of the prequalification document and its addenda unless they were obtained directly from the Employer.</p> <p>6.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish all information or documentation required by the Prequalification Document.</p>
7. Clarification of Prequalification Document	<p>7.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer's address indicated in the ADS. The Employer will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of applications. The Employer shall forward copies of its response to all applicants who have acquired the prequalification document directly from the Employer including a description of the inquiry but without identifying its source. Should the Employer deem it necessary to amend the prequalification document as a result of a clarification, it shall do so following the procedure under ITA 8 and in accordance with the provisions of ITA 17.2.</p>
8. Amendment of Prequalification Document	<p>8.1 At any time prior to the deadline for submission of applications, the Employer may amend the Prequalification Document by issuing addenda.</p> <p>8.2 Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the prequalification document from the Employer.</p> <p>8.3 To give prospective Applicants reasonable time to take an addendum into</p>

	account in preparing their applications, the Employer may, at its discretion, extend the deadline for the submission of applications.
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C. Preparation of Applications	
9. Cost of Applications	9.1 The Applicant shall bear all costs associated with the preparation and submission of its application. The Employer will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.
10. Language of Application	10.1 The application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language specified in the ADS. Supporting documents and printed literature that are part of the application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified in the ADS, in which case, for purposes of interpretation of the application, the translation shall govern.
11. Documents Comprising the Application	11.1 The application shall comprise the following: <ul style="list-style-type: none"> (a) Application Submission Sheet, in accordance with ITA 12; (b) Documentary evidence establishing the Applicant's eligibility to prequalify, in accordance with ITA 13; (c) Documentary evidence establishing the Applicant's qualifications, in accordance with ITA 14; and (d) any other document required as specified in the ADS.
12 Application Submission Sheet	12.1 The Applicant shall prepare an Application Submission Sheet using the form furnished in Section IV, Application Forms. This Form must be completed without any alteration to its format.
13. Documents Establishing the Eligibility of the Applicant	13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Sheet and Forms ELI 1.1 and 1.2, included in Section IV, Application Forms.
14. Documents Establishing the Qualifications of the Applicant	14.1 To establish its qualifications to perform the contract in accordance with Section III, Qualification Criteria, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.
15. Signing of the Application and Number of Copies	15.1 The Applicant shall prepare one original of the documents comprising the application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. 15.2 The Applicant shall submit copies of the signed original application, in the number specified in the ADS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

<p>16. Sealing and Identification of Applications</p>	<p>16.1 The Applicant shall enclose the original and the copies of the application in a sealed envelope that shall:</p> <ul style="list-style-type: none"> (a) bear the name and address of the Applicant; (b) be addressed to the Employer, in accordance with ITA 17.1; and (c) bear the specific identification of this prequalification process indicated in the ADS 1.1; <p>16.2 The Employer will accept no responsibility for not processing any envelope that was delivered unsealed or not identified as required</p>
<p>17. Deadline for Submission of Applications</p>	<p>17.1 Applications shall be received by the Employer at the address and no later than the deadline indicated in the ADS. A receipt will be given for all applications submitted.</p> <p>17.2 The Employer may, at its discretion, extend the deadline for the submission of applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.</p>
<p>18. Late Applications</p>	<p>18.1 Any application received by the Employer after the deadline for submission of applications prescribed in ITA 17 will be returned unopened to the Applicant.</p>
<p>19. Opening of Applications</p>	<p>19.1 The Employer shall prepare a record of the opening of applications that shall include, as a minimum, the name of the Applicant. A copy of the record shall be distributed to all Applicants.</p>

E. Procedures for Evaluation of Applications	
20. Confidentiality	<p>20.1 Information relating to the evaluation of applications, and recommendation for prequalification, shall not be disclosed to Applicants or any other persons not officially concerned with such process until the notification of prequalification is made to all Applicants.</p> <p>20.2 From the deadline for submission of applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Employer on any matter related to the prequalification process, may do so but only in writing.</p>
21. Clarification of Applications	<p>21.1 To assist in the evaluation of applications, the Employer may, at its discretion, ask any Applicant for a clarification of its application which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.</p> <p>21.2 If an Applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, its application may be rejected.</p>
22. Responsiveness of Applications	<p>22.1 The Employer may reject any application which is not responsive to the requirements of the prequalification document.</p>
23. Domestic Bidder Price Preference	<p>23.1 Unless otherwise specified in the ADS, a margin of preference for domestic bidders shall not apply in the bidding process resulting from this prequalification.</p>
24. Specialist Subcontractors	<p>24.1 Applicants planning to subcontract any of the key activities indicated in Section III, Qualification Criteria, shall specify the activity or parts of the works to be subcontracted in the Application Submission Sheet and clearly identify such activities and the proposed specialist subcontractors in Forms ELI-1.2 and EXP-4.2(b) in Section IV. Such proposed specialist subcontractor(s) shall meet the corresponding qualification requirements specified in Section III, Qualification Criteria.</p> <p>24.2 At this time, the Employer does not intend to execute certain specific parts of the Works by subcontractors selected in advance by the Employer (Nominated Subcontractors) unless otherwise stated in the ADS.</p>

F. Evaluation of Applications and Prequalification of Applicants	
25. Evaluation of Applications	<p>25.1 The Employer shall use all the factors, methods and criteria defined in Section III, Qualification Criteria to evaluate the qualifications of the Applicants and any specialist subcontractors. The use of other factors, methods or criteria shall not be permitted. The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an Applicant to perform the contract.</p> <p>25.2 Only the qualifications of specialist subcontractors that have been identified in the application may be considered in the evaluation of an Applicant. However, the general experience and financial resources of subcontractors may not be added to those of the Applicant for purposes of prequalification of the Applicant.</p> <p>25.3 Unless otherwise indicated in the ADS, this prequalification shall be for a single contract.</p> <p>25.4 In case of multiple contracts, the Employer shall prequalify each Applicant for the maximum number and types of contracts for which the Applicant meets the appropriate aggregate requirements of such contracts, as specified in Section III, Qualification Criteria.</p>
26. Employer's Right to Accept or Reject Applications	26.1 The Employer reserves the right to accept or reject any application, and to annul the prequalification process and reject all applications at any time, without thereby incurring any liability to Applicants.
27. Prequalification of Applicants	27.1 All Applicants whose applications have met or exceeded the specified threshold criteria will, to the exclusion of all others, be prequalified by the Employer.
28. Notification of Prequalification	28.1 Once the Employer has completed the evaluation of the applications it shall notify all Applicants in writing of the names of those applicants who have been prequalified.
29. Invitation to Bid	<p>29.1 Promptly after the notification of the results of the prequalification the Employer shall invite bids from all the Applicants that have been prequalified.</p> <p>29.2 Bidders will be required to provide bid security acceptable to the Employer in the form and an amount as to be specified in the bidding document, and the successful bidder will be required to provide a performance security as to be specified in the bidding document.</p>
30. Changes in Qualifications of Applicants	30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited shall be subject to written approval of the Employer prior to the deadline for submission of bids. Such approval shall be denied if as a consequence of the change the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria, or if in the opinion of the Employer, a substantial reduction in competition may result. Any such changes shall be submitted to the Employer not later than 14 days after

	the date of the Invitation to Bid.

Section II. Application Data Sheet

A. Introduction

ITA 1.1	<p>The identification of the Invitation for Prequalification is:</p> <p>Prequalification of companies for construction of the lake kivu (LK1A) pump station and transmission main in Goma</p> <p>Tender Package Pick up Location</p> <p>1. Mercy Corps Goma Office : 21 Avenue Bounganvelier1, Q. Les Volcans, Goma, Nord-Kivu, République Démocratique du Congo</p> <p>2. Internet :</p> <p>www.kivu10.org www.bizcongo.cd www.mercycorps.org/tenders www.reliefweb.int</p>
ITA 1.1	The name of the Employer is: Mercy Corps
ITA 2.1	The name of the funds Recipient/Employer is: Mercy Corps
ITA 2.1	<p>The name of the Project is:</p> <p>Build Back Better infrastructure: Construction of the lake Kivu (LK1A) pump station and transmission main in Goma</p>
ITA 4.1	<p>(i) The parties in a joint venture (JV) shall be jointly and severally liable.</p> <p>(ii) Maximum number of partners in the JV shall be: Three</p>

B. Prequalification Document

ITA 7.1	<p>Request for clarifications regarding this pre-qualification process should be sent to drc-tender-questions@mercy Corps.org by 17H:00 on January 27,2023.</p> <p>All responses to questions received will be consolidated and uploaded on the above-mentioned websites (Tender package pick up location) by January 31, 2023.</p>
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C. Preparation of Applications	
ITA 10.1	The language of the application as well as of all correspondence is: English but for the prequalified companies French versions would be required in later stages.
ITA 11.1 (d)	The Applicant shall submit with its application, the following additional documents: N/A
ITA 15.1	In addition to the original, the number of copies to be submitted with the application is: two
D. Submission and Opening of Applications	
ITA 17.1	<p>For application submission purposes only, submit offers at Mercy Corps following address:</p> <p>Number and Street: N°021, AV. Bounganveilier 1, Q. Les Volcans, Commune et Ville de Goma, City: Goma Country: Democratic Republic of Congo</p> <p>And/or</p> <p>Electronic mail address: tenders@mercycorps.org</p> <p>The deadline for application submission is: Date: February 10, 2023 Time: 17:00 H, Goma time</p> <p>All bidders must indicate tender name and tender description under the subject line for all electronic tender submission.</p>
E. Evaluation of Applications	
ITA 23.1	A margin of preference shall apply for eligible domestic bidders: No
ITA 24.2	The Employer will not execute certain specific parts of the Works by subcontractors selected in advance (Nominated Subcontractors). The specific parts of the works and the respective subcontractors are: N/A
ITA 25.3	<p>The prequalification is for single or multiple contracts.</p> <p>If the prequalification is for multiple contracts, the methods and qualification criteria to determine the combination of contracts for which the Applicant will prequalify shall be as specified in Section III, Qualification Criteria.</p>

Eligibility Criteria and Submittal Requirements

3.1 Applicant Eligibility

Applicants may not apply, and will be rejected as ineligible, if they:

- Are not registered companies
- Are bankrupt or in the process of going bankrupt
- Have been convicted of illegal/corrupt activities, and/or unprofessional conduct
- Have been guilty of grave professional misconduct
- Have not fulfilled obligations related to payment of social security and taxes
- Are guilty of serious misrepresentation in supplying information
- Are in violation of the policies outlined in Mercy Corps Anti Bribery or Anti-Corruption Statement
- Applicant (or applicant's principals) are on any list of sanctioned parties issued by; or are presently excluded or disqualified from participation in this transaction by: the United States Government or United Nations by the United States Government, the United Kingdom, the European Union, the United Nations, other national governments, or public international organizations.

Additional eligibility criteria are indicated below, the applicants should also submit:

- Certificate of registration of the company (e.g., to which it may be a certificate or equivalent).
- A copy of the valid tax registration certificate or a copy of the last tax clearance.
- Submission of Attachment 1 completed, signed, and stamped – Supplier Information Form.
- UEI registration / submission with USAID – refer to the guidelines on how to register. Evidence of submission will be required even if registration has not been received

Additional eligibility criteria, if applicable, are stated in section 3.2 of this pre-qualification package.

3.2 *Mercy Corps' Anti-Bribery and Anti-Corruption Statement*

Mercy Corps strictly prohibits:

- *Any form of bribe or kickback in relation to its activities*

This prohibition includes any request from any Mercy Corps employee, consultant or agent for anything of value from any company or individual in exchange for the employee, consultant or agents taking or not taking any action related to the award of a contract or the contract once awarded. It also applies to any offer from any company or individual to provide anything of value to any Mercy Corps employee, consultant or agent in exchange for that person taking or not taking any action related to the award of the contract or the contract.

- *Conflicts of interests in the awarding or management of contracts*

If a company is owned by, whether directly or indirectly, in whole or in part, any Mercy Corps employee or any person who is related to a Mercy Corps employee, the company must ensure that it and the employee disclose the relationship as part of or prior to submitting the offer.

- *The sharing or obtaining of confidential information*

Mercy Corps prohibits its employees from sharing, and any applicants from obtaining, confidential information related to this solicitation, including information regarding Mercy Corps' price estimates, competing applicants or competing offers, etc. Any information provided to one offeror must be provided

to all other applicants.

- *Collusion between/among applicants*

Mercy Corps requires fair and open competition for this solicitation. No two (or more) companies submitting Statements of Qualifications can be owned or controlled by the same individual(s). Companies submitting offers cannot share prices or other offer information or take any other action intended to pre-determine which company will win the solicitation and what price will be paid.

Violations of these prohibitions, along with all evidence of such violations, should be reported to:
integrityhotline@mercycorps.org

Mercy Corps will investigate allegations fully and will take appropriate action. Any company, or individual that participates in any of the above prohibited conduct, will have its actions reported to the appropriate authorities, will be investigated fully, will have its offer rejected and/or contract terminated, and will not be eligible for future contracts with Mercy Corps. Employees participating in such conduct will have his/her employment terminated.

Violations will also be reported to Mercy Corps' donors, who may also choose to investigate and debar or suspend companies and their owners from receiving any contract that is funded in part by the donor, whether the contract is with Mercy Corps or any other entity.

3.3 Certification Regarding Terrorism

It is Mercy Corps' policy to comply with humanitarian principles and the laws and regulations of the United States, the European Union, the United Nations, the United Kingdom, host nations, and other applicable donors concerning transactions with or support to individuals or entities that have engaged in fraud, waste, abuse, human

3.4 Content

The SOQ shall contain only the sections listed below, separated by dividers, and shall respond fully to all requirements of the RFQ. See below for required sections and page limits. The prequalification application forms which are not filled out completely and submitted in the prescribed manner will not be considered. All the documents that form part of the proposal must be written in English and be indelible.

Section III. Qualification Criteria

This Section contains all the factors, methods and criteria that the Employer shall use to evaluate applications. The information to be provided in relation to each factor and the definitions of the corresponding terms are included in the respective Application Forms.

Prequalification will be based on meeting all the minimum pass/fail criteria regarding the Applicant's general and particular experience, personnel and equipment capabilities, and financial position, as demonstrated by the Applicant's responses in forms attached to the Letter of Application (specific requirements for joint ventures are given under sections. 7.1 and 7.2 below). Contractor's applying for pre-qualification of more than one contract shall meet the qualification criteria for the multiple contracts applied.

The Employer reserves the right to waive minor deviations, if they do not materially affect the capability of an applicant to perform the contract. Subcontractor's experience and resources will not be taken into account in determining the Applicant's compliance with the qualifying criteria.

1. General Experience

The Applicant shall meet the following minimum criteria:

- (a) Annual Turnover
Annual Turnover expressed as the total value of Construction Works executed in any of the last five years equivalent to US\$5 million.
- (b) Successful experience as prime contractor in the execution of at least three projects of a nature and complexity comparable to the proposed contract within the last five years; this experience should include installation of pumping plant, pipeline works and associated electrical and mechanical controls.

2. Personnel Capabilities

The Applicant must have suitably qualified personnel to fill the positions listed in the Table 3.1 below. The Applicant shall supply information on a prime candidate and an alternate for each position, both of whom should meet the minimum experience requirements specified. Names of the Personnel shall be given and there should be an indication that the proposed personnel will be available for the proposed Contract.

Design Capability

The applicant must demonstrate sufficient design capability – either through a nominated design firm that will be subcontracted by the applicant, or its own in-house staff.

As part of the Tender, a scope of work and design information will be issued to the Tenderer.

The outline pump station requirements and design are:

- 380m section of 500mm pipe and appurtenances
- Pump system to pump water at 797 m³ per hour to 129m.
- Pump configuration as duty / standby
- Pump station Building
- Pump selection
- Electrical works for 3.3kV pumps and variable frequency drives
- Hydraulics design – static and transitory
- Chlorine dosing
- Controls and instrumentation

Design Submission

The applicant is to propose their designer and provide the following information on Form EXP – 4.3:

- List of last 5 pump station projects designed, date when undertaken, size and value
- Company portfolio and team size
- List of up to 20 selected projects undertaken in the last 5 years

The maximum page limit is 5 pages; pages beyond this limit will not be reviewed

Table 3.1 Design Capability – Submit CVs

S/N ^o	POSITION	QUALIFICATION	TOTAL EXPERIENCE (YEARS)	IN SIMILAR WORKS (YEARS)	AS MANAGER OF SIMILAR WORKS (YEARS)
1	Project Design Manager	B.Sc. Civil or, Equivalent	7	5	2
2	Hydraulics lead	B.Sc. Civil or Equivalent	7	5	-
3	Civil lead Engineer	B.Sc. Civil or Equivalent	5	5	-
5	Mechanical lead Engineer	B.Sc. Civil or Equivalent	5	5	-
4	Electrical lead Engineer	B.Sc. Mech. or Equivalent	5	5	-

As a minimum, the applicant will need to provide the following design skills:

- Project Design Manager
- Hydraulics lead
- Civil lead Engineer
- Mechanical lead Engineer
- Electrical lead Engineer

The experience and CVs of the proposed staff are required as per Form EXP 4.3.

Table 3. 2: Personnel Capabilities

S/N ^o	POSITION	QUALIFICATION	TOTAL EXPERIENCE (YEARS)	IN SIMILAR WORKS (YEARS)	AS MANAGER OF SIMILAR WORKS (YEARS)
1	Project Manager	B.Sc. Civil or, Equivalent	20	10	5
	Alternate	"	15	8	5
2	Site Agent	B.Sc. Civil or Equivalent	20	15	10
	Alternate	"	15	10	8
3	Assistant Site Agent (Civil)	B.Sc. Civil or Equivalent	10	5	5
	Alternate	"	10		
4	Assistant Site Agent (Mechanical & Electrical)	B.Sc. Mech. or Equivalent	10	5	5
	Alternate	"	10	5	
5	Site Supervisor	Ordinary Technical Diploma or Equivalent	15	10	5
	Alternate	"	10	8	5
6	Building Foreman	Basic Technical Education.	15	10	5
	Alternate	"	10	8	5
7	Concrete Foreman	Basic Technical Education.	15	10	5
	Alternate	"	10	8	5
8	Mechanical Foreman	BSc. Civil or Equivalent	15	10	5
	Alternate	"	10	8	5
9	Electrical Foreman	Basic Technical Education.	15	10	5
10	Pipelines Foreman	Basic Technical Education.	10	8	5
11	Land Surveyor	Certificate in Land Surveying	10	5	-
	Alternate	"	10	5	-

3. Equipment Capabilities

The Applicant should own, or have assured access to (through hire, lease, purchase agreement, availability of manufacturing capacity, or other means), the following minimum key items of equipment in full working order, and must demonstrate that, based on known commitments, they will be available for use in the proposed contract. The Serial/Registration No. of the equipment proposed for use in the Contract shall be given. The Applicant may also list alternative equipment which he would propose for the Contract, together with an explanation of the proposal.

Table 3.1: Equipment Capability

S/N ^o	EQUIPMENT TYPE	CAPACITY	MINIMUM REQUIRED NO.
1	Excavator	½ m ³	2
2	Front end loader	4 m ³	1
3	Backhoe		1
4	Hydraulic pressure testing machine		1
5	Pick-up truck	1.5 Ton.	2
6	Tipping lorry	7-ton	2
7	Non-tipping lorry	10 Ton.	2
8	Mobile crane	5 Ton.	1
9	Generators	20 to 50kva	1
10	Roller	5 Ton.	1
11	Vibratory compactor		3
12	Towed compressor	3 m ³ /min.	2
13	Portable compressor	6 m ³ /min.	2
14	Centrifugal pumps	40 l/s	2
15	Transit concrete mixer		1
16	Wheel loader	1.5 - 2.0 m ³	1
17	Tractor trailer		1
18	Water tanker (self-propelled)	3500 – 4000 l	2
29	Concrete mixers	50 l	1
20	Dumpers (751 Kg.)	1.2 Ton.	3
21	Water pumps (inclusive of hoses)	50 – 75 mm	3
22	Concrete vibrators	50 mm	5

4. Financial Position

- 5.1 The Applicant should demonstrate that he has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means of at least US\$ 2 million equivalent for the project, net of the Applicant's commitments for other contracts.
- 5.2 The audited balance sheets for the last five years should be submitted and must demonstrate the soundness of the Applicant's financial position, showing long-term profitability. Where necessary, the Employer will make enquiries with the Applicant's Bankers.

5. Litigation History

The Applicant should provide accurate information on any litigation or arbitration resulting from contracts completed or under execution by him over the last five years. A consistent history of awards against the Applicant or any partner of a joint venture may result in failure of the application.

6. Joint Ventures

- 7.1. Joint ventures must comply with the following requirements:

- (a) Minimum qualifications:
 - (i) The lead partner shall meet not less than 40 percent of all the qualifying criteria given in paragraphs 2 and 5.1 above.
 - (ii) The other partners shall meet not less than 25 percent of all the qualifying criteria given in paragraphs 2 and 5.1 above.
 - (iii) The joint venture must satisfy collectively the criteria of paragraphs 4 and 5.1, for which purpose the relevant figures for each of the partners shall be added together to arrive at the joint venture's total capacity. Individual members must each satisfy the requirements of paragraphs 5.2 and 6 above.
 - (b) The formation of a joint venture after prequalification, and any change in a prequalified joint venture, will be subject to the written approval of the Employer prior to the deadline for submission of bids. Such approval may be denied if (i) partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements: (ii) the new partners to a joint venture are not qualified, individually or in another joint venture: or (iii) in the opinion of the Employer, a substantial reduction in competition may result.
 - (c) Any bid shall be signed so as to legally bind all partners, jointly and severally, and any bid shall be submitted with a copy of the joint venture agreement providing the joint and several liability with respect to the contract.
- 7.2. The prequalification of a joint venture does not necessarily prequalify any of its partners individually or as a partner in any other joint venture or association. In case of dissolution of a joint venture, each one of the constituent firms may prequalify if they meet all the prequalification requirements, subject to the written approval of the Employer.

2. Public Sector Companies

- 8.1 Majority publicly owned enterprises domiciled in the host country may be eligible to qualify if, in addition to meeting all the above requirements, they are also:
- (a) commercially- oriented legal entities distinct from the Employer, and are not a government department:
 - (b) financially autonomous, as demonstrated by requirements in their constitutions to provide separate audited accounts and return on capital, powers to raise loans and obtain revenues through the sale of goods and services:
 - (c) Managerially autonomous.

Qualification Criteria			Compliance Requirement			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture			Submission Requirements
				All Parties Combined	Each Party	One Party	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA Sub-Clause 4.2	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N / A	Forms ELI—1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in ITA Sub-Clause 4.4	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N / A	Application Submission Sheet
1.3	Bank Ineligibility	Not having been declared ineligible by the Bank, as described in ITA Sub-Clause 4.5	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N / A	Application Submission Sheet
1.4	Government Owned Entity	Applicant required to meet conditions of ITA Sub-Clause 4.7	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI—1.1 and 1.2, with attachments
1.5	United Nations resolution or Borrower's country law	Not having been excluded as a result of the Borrower's country laws or official regulations, or by an act of compliance with UN Security Council resolution, in accordance with ITA 4.8	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI—1.1 and 1.2, with attachments
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract did not occur within the last ___[insert number of years in words and figures]__ () years prior to the deadline for application submission based on all information on fully settled disputes or litigation. A fully settled dispute or litigation	Must meet requirement by itself or as a party to past or existing JV	N / A	Must meet requirement by itself or as party to past or existing JV	N / A	Form CON – 2

Qualification Criteria			Compliance Requirement			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture			Submission Requirements
				All Parties Combined	Each Party	One Party	
		is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract, and where all appeal instances available to the applicant have been exhausted.					
2.2	Pending Litigation	All pending litigation shall in total not represent more than ___[insert percentage in words and figures]_ percent (___%) of the Applicant's net worth and shall be treated as resolved against the Applicant	Must meet requirement by itself or as party to past or existing JV	N / A	Must meet requirement by itself or as party to past or existing JV	N / A	Form CON – 2
3. Financial Situation							
3.1	Financial Performance	Submission of audited balance sheets or if not required by the law of the applicant's country, other financial statements acceptable to the Employer, for the last ___[] years to demonstrate: (a) the current soundness of the applicant's financial position and its prospective long term profitability, and (b) capacity to have a cash flow amount of US\$_____ equivalent	Must meet requirement (a) Must meet requirement (b) Must meet requirement	N / A (a) N / A (b) Must meet requirement	Must meet requirement (a) Must meet requirement (b) N / A	N / A (a) N / A (b) N / A	Form FIN – 3.1 with attachments
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of ___[insert amount in US\$ equivalent in words and	Must meet requirement	Must meet requirement	Must meet ___[insert percentage in words and	Must meet ___[insert percentage in words and	Form FIN – 3.2

Qualification Criteria			Compliance Requirement			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture			Submission Requirements
				All Parties Combined	Each Party	One Party	
		figures]__, calculated as total certified payments received for contracts in progress or completed, within the last __[insert number of years in words and figures__ (___)] years			figures]__ percent (___%)] of the requirement	figures]__ percent (___%)] of the requirement	
4. Experience							
4.1	General Construction Experience	Experience under construction contracts in the role of contractor, subcontractor, or management contractor for at least the last ____ [___] years prior to the applications submission deadline, and the activity in at least nine (9) months in each year.	Must meet requirement	N / A	Must meet requirement	N / A	Form EXP – 4.1
4.2 (a)	Specific Construction Experience	Participation as contractor, management contractor or subcontractor in at least _____ (___) contracts within the last _____ () years, each with a value of at least _____ (___), that have been successfully and substantially completed and that are similar to the proposed works. The similarity shall be based on the physical size, complexity, methods/technology or other characteristics as described in Section VI, Scope of Works	Must meet requirement	Must meet requirement	N / A	Must meet requirement for one contract	Form EXP 4.2(a)

Qualification Criteria			Compliance Requirement			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture			Submission Requirements
				All Parties Combined	Each Party	One Party	
4.2 (b)		For the above or other contracts executed during the period stipulated in 4.2(a) above, a minimum construction experience in the following key activities:	Must meet requirements	Must meet requirements	N / A	Must meet requirements	Form EXP – 4.2(b)

Section IV. Application Forms

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Application Submission Sheet

Date: _____
 IFP No.: _____
 ICB No.: _____
 UEI registration No.: _____

To: _____

We, the undersigned, apply to be prequalified for the referenced ICB and declare that:

- (a) we have examined and have no reservations to the Prequalification Document, including Addenda No., issued in accordance with ITA Clause 8: _____
 _____;
- (b) we, including any subcontractors or suppliers for any part of the contract subject to this prequalification process, have nationalities from eligible countries, in accordance with ITA Sub-Clause 4.2: ;
- (c) we, including any subcontractors or suppliers for any part of the contract subject to this prequalification do not have any conflict of interest, in accordance with ITA Sub-Clause 4.4;
- (d) we, including any subcontractors or suppliers for any part of the contract subject to this prequalification, have not been declared ineligible by the Bank, or under the Employer’s country laws or official regulations or by an act of compliance with a decision of the United Nations Security Council, in accordance with ITA Sub-Clauses 4.6 and 4.8 ;
- (e) we are not a government owned entity, and if we are, we meet the requirements of ITA Sub-Clause 4.7;
- (f) we, in accordance with ITA Sub-Clause 24.1, plan to subcontract the following key activities and/or parts of the works:
- (g) we declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process.

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>

[If none has been paid or is to be paid, indicate “none ”.]

- (h) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any application that you may receive nor to invite the prequalified applicants to bid for the contract subject of this prequalification, without incurring any liability to the Applicants, in accordance with ITA Clause 26.

Signed

Name

In the Capacity of

Duly authorized to sign the application for and on behalf of:

Applicant's Legal Name

Address

Dated on _____ day of _____, _____

Form ELI – 1.1

Applicant Information Sheet

Date: _____

IFP No.: _____

ICB No.: _____

Page _____ of _____ pages

Applicant's legal name
In case of JV, legal name of each party:
Applicant's Actual or Intended country of constitution:
Applicant's Actual or Intended year of constitution:
Applicant's Legal Address in country of constitution:
<p>Applicant's authorized representative information</p> <p>Name:</p> <p>Address:</p> <p>Telephone/Fax numbers:</p> <p>E-mail address:</p>
<p>Attached are copies of original documents of:</p> <ul style="list-style-type: none"> • 1. In case of single entity, articles of Incorporation or Documents of Constitution of the legal entity named above, in accordance with ITA 4.1 and 4.2. • 2. In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.1. • 3. In case of a government-owned entity, any additional documents not covered under 1 above required to comply with ITA 4.7.

Form ELI – 1.2**Applicant Information Sheet for each JV
Party/Subcontractor as per ITA 24.2**

Date: _____

IFP No.: _____

ICB No.: _____

Page _____ of _____ pages

Applicant's legal name:
JV's party/Subcontractor's legal name:
JV's party/Subcontractor's country of constitution:
JV's party/Subcontractor's year of constitution:
JV's party/Subcontractor's legal address in country of constitution:
JV's party authorized representative information Name: Address: Telephone/Fax numbers: E-mail Address:
Attached are copies of original documents of: <ul style="list-style-type: none"> Articles of Incorporation or Documents of Constitution of the legal entity named above, in accordance with ITA 4.1 and 4.2. In case of government-owned entity, documents establishing legal and financial autonomy and compliance with commercial law, in accordance with ITA 4 7.

Form CON – 2

Historical Contract Non –Performance

Applicant’s Legal Name: _____ Date: _____
 JV Party Legal Name: _____ IFP No.: _____
 ICB No.: _____
 Page _____ of _____ pages

<i>Non-Performing Contracts in accordance with Section III, Qualification Criteria</i>			
~ Contract non -performance did not occur during the stipulated period, in accordance with Sub- Factor 2.1 of Section I, Qualification Criteria			
<i>Pending Litigation, in accordance with Section III, Qualification Criteria</i>			
<ul style="list-style-type: none"> • No pending litigation in accordance with Sub-Factor 2.2 of Section III, Qualification Criteria • Pending litigation in accordance with Sub-Factor 2.2 of Section III, Qualification Criteria, as indicated below 			
<i>Year</i>	<i>Outcome as Percent of Total Assets</i>	<i>Contract Identification</i>	<i>Total Contract Amount (current value, US\$ equivalent)</i>
_____	_____	<i>Contract Identification:</i> <i>Name of Employer:</i> <i>Address of Employer:</i> <i>Matter in dispute:</i>	_____
_____	_____	<i>Contract Identification:</i> <i>Name of Employer:</i> <i>Address of Employer:</i> <i>Matter in dispute:</i>	_____

Form FIN – 3.1

Financial Situation

Applicant's Legal Name: _____ Date: _____
 JV Party Legal Name: _____ IFP No.: _____
 ICB No.: _____
 Page _____ of _____ pages

To be completed by the Applicant and, if JV, by each party

Financial information in US\$ equivalent	Historic information for previous () years (US\$ equivalent in 000s)				
	Year 1	Year 2	Year 3	Year ...	Year n
Information from Balance Sheet					
Total Assets (TA)					
Total Liabilities (TL)					
Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					

- Attached are copies of financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following conditions:
 - a) Must reflect the financial situation of the Applicant or party to a JV, and not sister or parent companies
 - b) Historic financial statements must be audited by a certified accountant

- c) Historic financial statements must be complete, including all notes to the financial statements
- d) Historic financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted)

Form FIN – 3. 2**Average Annual Construction Turnover**

Applicant's Legal Name: _____ Date: _____
 JV Party Legal Name: _____ IFP No.: _____
 ICB No.: _____
 Page _____ of _____ pages

Annual turnover data (construction only)		
Year	Amount and Currency	US\$ equivalent
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
*Average Annual Construction Turnover	_____	_____

*Average annual construction turnover calculated as total certified payments received for work in progress or completed, divided by the number of years specified in Section III, Qualification Criteria, Sub-Factor 3.2

Form EXP – 4.1

General Construction Experience

Applicant’s Legal Name: _____ Date: _____
 JV Party Legal Name: _____ IFP No.: _____
 ICB No.: _____
 Page _____ of _____ pages

Starting Month / Year *	Ending Month / Year	Contract Identification	Role of Applicant
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____

*List calendar year starting with the earliest year

Form EXP – 4.2(a)

Specific Construction Experience

Applicant’s Legal Name: _____ Date: _____
 JV Party Legal Name: _____ IFP No.: _____
 ICB No.: _____
 Page _____ of _____ pages

Similar Contract Number: ___ of ___ required.	Information		
Contract Identification	_____		
Award date	_____		
Completion date	_____		
Role in Contract	• Contractor	• Management Contractor	• Subcontractor
Total contract amount	_____		US\$ _____
If party in a JV or subcontractor, specify participation of total contract amount	_____ %		US\$ _____
Employer’s Name:			
Address:	_____		
Telephone/fax number:	_____		
E-mail:	_____		

Form EXP – 4.2(a) (cont.)

Specific Construction Experience (cont.)

Applicant’s Legal Name:

Page

of

pages

JV Party Legal Name:

Similar Contract No. _____ of _____ required	Information
Description of the similarity in accordance with Sub-Factor 4.2a) of Section III:	
1. Amount	_____
2. Physical size	_____
3. Complexity	_____
4. Methods/Technology	_____
5. Other Characteristics	_____

Form EXP – 4.2(b)**Specific Construction Experience in Key Activities**

Applicant's Legal Name: _____ Date: _____
 JV Party Legal Name: _____ IFP No.: _____
 Subcontractor's Legal Name (as per ITA 24.2) _____ ICB No.: _____
 Page _____ of _____ pages

Similar Contract Number: ___ of ___ required.	Information		
Contract Identification	_____		
Award date	_____		
Completion date	_____		
Role in Contract	• Contractor	• Management Contractor	• Subcontractor
Total contract amount	_____		US\$ _____
If party in a JV or subcontractor, specify participation of total contract amount	_____ %		US\$ _____
Employer's Name:			
Address:	_____		
Telephone/fax number:	_____		
E-mail:	_____		

Form EXP – 4.2 (b)(cont.)

Specific Construction Experience in Key Activities (cont.)

Applicant’s Legal Name: _____ Date: _____
 JV Party Legal Name: _____ IFP No.: _____
 Subcontractor’s Legal Name (as per ITA 24.2) _____ ICB No.: _____
 Page _____ of _____ pages

	Information
Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	

Instructions for Completing the Application Forms

The Applicant shall fill in and complete all the blank spaces in the Application Forms in accordance with the instructions for each form indicated below. The Applicant shall note that the forms included here are for guidance purposes only and that the Applicant shall prepare its prequalification using the corresponding blank forms.

Application Submission Sheet

Date: **[insert day, month, year]**

IFP No.: **[insert Invitation for Prequalification number]**

ICB No.: **[insert ICB number]**

UEI registration No.: **[insert UEI number]**

To: **__[insert full name of Employer]__**

We, the undersigned, apply to be prequalified for the referenced ICB and declare that:

- (a) we have examined and have no reservations to the prequalification documents, including Addenda No., issued in accordance with ITA Clause 8: **__[insert the number and issuing date of each addenda]**

_____;

- (b) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification process, have nationalities from eligible countries, in accordance with ITA Sub-Clause 4.2: **__[insert the nationality of the Applicant, including that of all parties in case of a JV, and the nationality of each already identified subcontractor and supplier of related services, if applicable]__**;
- (c) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification do not have any conflict of interest, in accordance with ITA Sub-Clause 4.4;
- (d) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, have not been declared ineligible by the Bank, or under the Employer's country laws or official regulations or by an act of compliance with a decision of the United Nations Security Council, in accordance with ITA Sub-Clauses 4.5 and 4.8;
- (e) we are not a government owned entity, and if we are, we meet the requirements of ITA Sub-Clause 4.5;
- (f) we, in accordance with ITA Sub-Clause 24.1, plan to subcontract the following key activities and/or parts of the works:

__[insert any of the key activities identified in Section III- 4.2b) which the Applicant intends to subcontract]

- (g) we declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding bidding process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
[insert full name for each occurrence]	[insert street/number/city/country]	[indicate reason]	[specify amount in US\$ <u>equivalent</u>]
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If none has been paid or is to be paid, indicate “none”.]

- (h) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any application that you may receive nor to invite the prequalified applicants to bid for the contract subject of this prequalification, without incurring any liability to the Applicants, in accordance with ITA Clause 26.

Signed __[insert signature of person whose name and capacity are shown below]__
[insert full name of person] **[insert legal capacity of person]**

Name **_[signing the application]** In the Capacity of **_[signing the application]**_____

Duly authorized to sign the application for and on behalf of: Applicant’s Name __[insert full name of Applicant]
 Address __[insert street number/town or city/country address]

Dated on __[insert day number]_ day of __[insert month]__, __[insert year]__.

Form ELI – 1.1

Applicant Information Sheet

Date: **[insert day, month, year]**IFP No.: **[insert Invitation for Prequalification number]**ICB No.: **[insert ICB number]**Page **[insert page number]** of **[insert total number]** pages

Applicant's legal name __ [insert full legal name]
In case of JV, legal name of each party: ___ [insert full legal name of each party in JV]
Applicant's Actual or Intended country of constitution: __ [indicate country of Constitution] __
Applicant's actual or Intended year of constitution: ___ [indicate year of Constitution] __
Applicant's legal address in country of constitution: ___ [insert street/ number/ town or city/ country]
Applicant's authorized representative information Name: __ [insert full legal name] Address: __ [insert street/ number/ town or city/ country] Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes] E-mail address: ___ [indicate e-mail address] ___
Attached are copies of original documents of: <ul style="list-style-type: none"> • Articles of Incorporation or Documents of Constitution of the legal entity named above, in accordance with ITA 4.1 and 4.2. • In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.1. • In case of government owned entity, documents establishing legal and financial autonomy and compliance with commercial law, in accordance with ITA 4.6.

Form ELI – 1.2

Applicant Information Sheet for each JV Party and Subcontractor as per 24.2

Date: [insert day, month, year]

IFP No.: [insert Invitation for Prequalification number]

ICB No.: [insert ICB number]

Page [insert page number] of [insert total number] pages

Each Applicant that is a JV Party and each Subcontractor in key activity must submit this information.

JV applicant legal name: __[insert full legal name]
JV's party/Subcontractor's legal name: ___[insert full legal name of JV party or Subcontractor]
JV's party/Subcontractor's country of registration: __[indicate country of registration]__
JV's party/Subcontractor's year of constitution: ___[indicate year of constitution]__
JV's party/Subcontractor's legal address in country of constitution: ___[insert street/ number/ town or city/ country]
JV's party authorized representative information Name: __[insert full legal name] Address: ___[insert street/ number/ town or city/ country] Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes] E-mail address: [indicate e-mail address]
Attached are copies of original documents of: <ul style="list-style-type: none"> • Articles of Incorporation or Documents of Constitution of the legal entity named above, in accordance with ITA 4.1 and 4.2. • In case of government owned entity, documents establishing legal and financial autonomy and compliance with commercial law, in accordance with ITA 4.6.

Form CON – 2

Historical Contract Non -Performance

Applicant’s Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

JV Party Legal Name: *[insert full name]* IFP No.: *[insert Invitation for Prequalification number]*

ICB No. : *[insert ICB number]*

Page *[insert page number]* of *[insert total number]* pages

<i>Non-Performing Contracts in accordance with Section I, Qualification Criteria</i>			
<i>~ Contract non -performance did not occur during the stipulated period, in accordance with Sub-Factor 2.1 of Section I, Qualification Criteria</i>			
<i>Pending Litigation, in accordance with Section III, Qualification Criteria</i>			
<ul style="list-style-type: none"> • <i>No pending litigation in accordance with Sub-Factor 2.2 of Section III, Qualification Criteria.</i> • <i>Pending litigation in accordance with Sub-Factor 2.2 of Section III, Qualification Criteria, as indicated below.</i> 			
<i>Year</i>	<i>Outcome as Percent of Total Assets</i>	<i>Contract Identification</i>	<i>Total Contract Amount (current value, US\$ equivalent)</i>
<i>[insert year]</i> _____	<i>[insert percentage]</i> _____	<i>Contract Identification: [indicate complete contract name/ number and any other identification]</i> <i>Name of Employer: [insert full name]</i> <i>Address of Employer: [insert street/city/country]</i> <i>Matter in dispute: [indicate main issues in dispute]</i>	<i>[insert amount]</i> _____
_____	_____	<i>Contract Identification:</i> <i>Name of Employer:</i> <i>Address of Employer:</i> <i>Matter in dispute:</i>	_____

Form FIN – 3.1

Financial Situation

Applicant's Legal Name: **[insert full name]**Date: **[insert day, month, year]**JV Party Legal Name: **[insert full name]** IFP No.: **[insert Invitation for Prequalification number]**ICB No.: **[insert ICB number]**Page **[insert page number]** of **[insert total number]** pages

To be completed by the Applicant and, if JV, by each party

Financial information in US\$ equivalent	Historic information for previous _[insert in words and figures]_ () years (US\$ equivalent in 000s)				
	Year 1	Year 2	Year 3	Year ...	Year n
Information from Balance Sheet					
Total Assets (TA)					
Total Liabilities (TL)					
Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					

- Attached are copies of financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following conditions:

(a) Must reflect the financial situation of the Applicant or party to a JV, and not sister or parent

companies.

- (b) Historic financial statements must be audited by a certified accountant.
- (c) Historic financial statements must be complete, including all notes to the financial statements.
- (d) Historic financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).

Form FIN – 3.2**Average Annual Construction Turnover**

Applicant's Legal Name: **[insert full name]** Date: **[insert day, month, year]**
 JV Party Legal Name: **[insert full name]** IFP No.: **[insert Invitation for Prequalification number]** Subcontractor's Legal Name: **[insert full name]** ICB No.: **[insert ICB number]**
 Page **[insert page number]** of **[insert total number]** pages

Annual turnover data (construction only)		
Year	Amount and Currency	US\$ equivalent
[indicate year]	[insert amount and indicate currency]	[insert amount in US\$ equiv.]
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
Average Annual Construction Turnover *	_____	_____

* Average annual construction turnover calculated as total certified payments received for work in progress or completed, divided by the number of years specified in Section III, Qualification Criteria, Sub-Factor 3.2.

Form EXP – 4.1

General Construction Experience

Applicant's Legal Name: **[insert full name]** Date: **[insert day, month, year]**
 JV Party Legal Name: **[insert full name]** IFP No.: **[insert Invitation for Prequalification number]**

ICB No.: **[insert ICB number]**

Page **[insert page number]** of **[insert total number]** pages

Identify contracts that demonstrate continuous construction work in accordance with Section III, Qualification Criteria, Sub-Factor 4.1.

Starting Month / Year *	Ending Month / Year	Contract Identification	Role of Applicant
[indicate month/ year] _____	[indicate month/ year] _____	Contract name: [insert full name] Brief Description of the Works performed by the Applicant: [describe works performed briefly] Name of Employer: [indicate full name] Address: [indicate street/number/town or city/country address]	[indicate whether as Contractor, Subcontractor, or Contract Manager]
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____
_____	_____	Contract name: Brief Description of the Works performed by the Applicant: Name of Employer: Address:	_____

*List calendar year for years starting with the earliest year

Form EXP – 4.2(a)

Specific Construction Experience

Applicant's Legal Name: **[insert full name]** Date: **[insert day, month, year]**

JV Party Name: **[insert full name]** IFP No.: **[insert Invitation for Prequalification number]**

ICB No.: **[insert ICB number]**

Page **[insert page number]** of **[insert total number]** pages

Similar Contract No. __ [insert Specific number] of [total number of contracts] __ required	Information		
Contract Identification	_ [insert contract name and number, if applicable] _		
Award date	_ [insert day, month, year, i.e., 15 June, 2015] _		
Completion date	[insert day, month, year, i.e., 03 October, 2017]		
Role in Contract [check the appropriate box]	Contractor •	Management Contractor •	Subcontractor •
Total Contract Amount	__ [insert total contract amount in local currency] __		US\$ __ [insert total contract amount in US\$ equivalent]
If party in a JV or subcontractor, specify participation of total contract amount	[insert a percentage amount]	[insert total contract amount in local currency]	[insert total contract amount in US\$ equivalent] —

Similar Contract No. __[insert specific number] of [total number of contracts] __ required	Information
Employer's Name:	__[insert full name]__
Address:	[indicate street / number / town or city / country]
Telephone/fax number	[insert telephone/fax numbers, including country and city area codes]
E-mail:	[insert e-mail address, if available]

Form EXP – 4.2(a) (cont.)

Specific Construction Experience (cont.)

Applicant's Legal Name: **[insert full name]** Page **[insert page number]** of **[insert total number]** pages JV Party Legal Name: **[insert full name]**

Similar Contract No. ___ [insert specific number] of [total number of contracts] ___ required	Information
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Amount	___ [insert amount in US\$ in words and in figures] ___
2. Physical size	___ [insert physical size of activities] ___
3. Complexity	___ [insert description of complexity] ___
4. Methods/Technology	___ [insert specific aspects of the methods/technology involved in the contract] ___
5. Other Characteristics	___ [insert other characteristics as described in Section V, Scope of Works] ___

Form EXP – 4.2(b)

Specific Construction Experience in Key Activities

Applicant's Legal Name: **[insert full name]** Date: **[insert day, month, year]** JV Party Name: **[insert full name]** IFP No.: **[insert Invitation for Prequalification number]** Subcontractor's Legal Name (as per ITA 24.2): **[insert full name]** ICB No.: **[insert ICB number]**

Page **[insert page number]** of **[insert total number]** pages

All Subcontractors for key activities must complete the information in this form as per ITA 24.2 and Section III, Qualification Criteria, Sub-Factor 4.2.

	Information		
Contract Identification	_[insert contract name and number, if applicable]_		
Award date	[insert day, month, year, i.e., 15 June, 2015]		
Completion date	[insert day, month, year, i.e., 03 October, 2017]		
Role in Contract [check the appropriate box]	Contractor •	Management Contractor •	Subcontractor •
Total Contract Amount	___[insert total contract amount in local currency]___		US\$ __[insert total contract amount in US\$ equivalent]
If party in a JV, specify participation of total contract amount	[insert a percentage amount]	[insert total contract amount in local currency]	[insert total contract amount in US\$ equivalent]
Employer's Name:	[insert full name]		
Address: Telephone/fax number E-mail:	[indicate street / number / town or city / country] [insert telephone/fax numbers, including country and city area codes] [insert e-mail address, if available]		

Form EXP – 4.2(b) (cont.)

Specific Construction Experience in Key Activities (cont.)

Applicant's Legal Name: **[insert full name]** Page **[insert page number]** of **[insert total number]** pages JV Party Legal Name: **[insert full name]**
 Subcontractor's Legal Name (as per ITA 4.2): **[insert full name]**

	Information
Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	
	<i>[insert response to inquiry indicated in left column]__</i>

Form EXP – 4.3

Specific Design Experience in Key Activities

Designation	Information
Nominated Designer	<i>[insert response to inquiry on Design Capability]__</i>
Specific Experience	<i>Provide List of last 5 pump station projects designed, date when undertaken, size and value</i>

Company Portfolio	Company portfolio and team size
General Experience	List of up to 20 selected projects undertaken in the last 5 years
The maximum page limit is 5 pages; pages beyond this limit will not be reviewed	

Submit CVs / names

S/N ^o	Position	Qualification	Cv Required?	Total Experience (Years)	In Similar Works (Years)	As Manager Of Similar Works (Years)
1	Project Design Manager	B.Sc. Civil or, Equivalent	Yes	7	5	2
2	Hydraulics lead	B.Sc. Civil or Equivalent	Yes	7	5	-
3	Civil lead Engineer	B.Sc. Civil or Equivalent	Half page	5	5	-
5	Mechanical lead Engineer	B.Sc. Civil or Equivalent	Half page	5	5	-
4	Electrical lead Engineer	B.Sc. Mech. or Equivalent	Half page	5	5	-

CVs of the proposed staff are required; The applicant cannot replace any staff member without approval. **The maximum page limit per CV is 2 pages;** pages beyond this limit will not be reviewed

The Applicant will commit to use the proposed designer. Should the Applicant change the design organisation, a review of its capacity will be undertaken, and the prequalified contractor may be disqualified.

Applicant Information Form

The information provided will be used to evaluate the Company for Eligibility to contract with Mercy Corps.

Please complete all fields.

Applicant Information

Company Name	
Any other names company is operating under (Acronyms, Abbreviations, Aliases)	
Previous names of the company	
Address	
Website	
Phone/Fax Numbers	Phone: _____ Fax: _____
Primary Contact	Name: Phone Number: Email Address:
# of Staff	
# of Locations	
Avg. Value of Equipment and Materials on Hand (USD)	

Government - owned (yes/no)	
Name(s) of Board of Directors if any	
Name(s) of Company Owner(s)	
Parent companies, if any	
Subsidiary or affiliate companies, if any	

Applicant Self-Certification of Eligibility

Company certifies that:

It, its affiliates and subsidiaries, owners, officers, directors and key employees (to the best of its knowledge) are not the subject of any government's sanctions, designations, donor rules or prohibitions, or laws prohibiting transactions with it/them. It is not the subject of any donor government investigation into its misconduct with any other recipient of that donors funding.

1. It, its affiliates and subsidiaries, owners, officers, directors and key employees have not and do not engage in any form of terrorism or attacks on civilians and do not provide any form of material support or financial resources for individuals or organizations that do engage in any form of terrorism or deliberate attacks on civilians.
2. It, its affiliates and subsidiaries, owners, officers, directors and key employees have not and do not engage in weapons or drugs manufacture, transport, sale or distribution.
3. It is not in default on any material credit agreement, bankrupt or being wound up, are having its affairs administered by the courts, have entered into arrangements with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations.
4. It has not been determined to be in breach of a material contract by any legal body anytime within the past 2 years.
5. It pays taxes as and when due and is not currently the subject of any investigation or proceeding related to back-owed taxes.
6. It provides workers compensation insurance to its workers in accordance with the laws of the countries where it operates.
7. It pays social security obligations as required in the countries where it operates.
8. It, its owners, officers and directors have not been convicted of an offense concerning its professional conduct and has not engaged in grave professional misconduct.
9. It, its affiliates and subsidiaries, owners, officers, directors and key employees have not been the subject of criminal investigation or judgement for fraud, corruption, human trafficking, spying, weapons transport or smuggling, sexual exploitation or abuse, involvement in a criminal organization or any other criminal activity.
10. It treats its employees with dignity and respect and maintains social operating standards, including:: working conditions and social rights: avoidance of child labor, bondage, forced labor, human trafficking or exploitation; assurance of safe and reasonable working conditions; freedom of association; freedom from exploitation, abuse, and discrimination; protection of basic social rights of its employees and Mercy Corps beneficiaries.
11. To the best of its knowledge, no Mercy Corps employee, officer, consultant or other party related to Mercy Corps has a financial interest in the Company's business activities, nor is any Mercy Corps employee related to any owner, officer, director or employee of the company, and, if so, it will ensure that the relationship is disclosed to Mercy Corps and will not used for improper influence. Discovery of an undisclosed Conflict of Interest will result in immediate revocation of the Company's Prequalified status and disqualification of Company from participation in future Mercy Corps procurement.
12. It understands that attempting to or agreeing to provide anything of value to any Mercy Corps employee, agent or representative for the purpose of encouraging that person to award Company a contract or take or not take any action related to any contract will result in immediate termination of any agreement. Company certifies that it does not engage in such conduct.

13. It understands that Mercy Corps seeks fair and open competition and the fairest price available and that any attempt by company to subvert fair and open competition, including working with other bidders to fix prices, working to exclude competition, seeking confidential information from Mercy Corps or other bidders, using multiple related or controlled companies to give the appearance of competition, or any similar activity, will result in termination of any agreement. Company certifies that it does not engage in such conduct.
14. It understands that Mercy Corps prohibits any of its partners or suppliers from bribing public officials and certifies that it does not do so.
15. It is not conducting business under other names or aliases that have not been declared to Mercy Corps.

If the Company cannot certify to any of the above it should explain why not. Mercy Corps may take the individual circumstances into account for some situations. However, any false certification could be grounds for immediate disqualification and termination of any future agreement.

By signing the Applicant Information Form you certify that your Company is eligible to supply goods and services to major donor funded organizations and that all of the above statements are accurate and factual.

Company Name: _____

Name of Representative:

Title:

Signature:

Date:

PART 2 – Works Requirements

Section V. Scope of Works

Contents

1. Description of the Works	2-4
2. Construction Period	2-5
3. Site and Other Data	2-6

1. Description of the Works

The scope of works comprises of the following but not limited to:

- 380m section of 500mm pipe and appurtenances
- Pump system to pump water at 797 m³ per hour to 129m.
- Pump configuration as duty / standby
- Pump station Building
- Pump selection
- Electrical works for 3.3kV pumps and variable frequency drives
- Hydraulics design – static and transitory
- Chlorine dosing
- Controls and instrumentation

In details, the works will include:

- The final design of the pump station which includes the design of all civil works, mechanical and electrical associated works for the planned LK1A pump station.
- Supply and install the transmission main pipeline to the Mount Goma4 reservoir. The Contractor is responsible for all final design which will be approved by the SWASSA Activity prior to Construction.
- Supply materials in accordance with the technical specifications as approved by the Engineer for the construction works. This includes all type of required pumps, valves, restrainers, dismantling joins, all required flanges, flow meters, vents, reinforced steel concrete encasements, check valves, butterfly valves, gauges...etc.
- Supply and install all electrical and mechanical components of the pumps, all IT Controls, and all materials for civil works.
- Construct the pump house the implementation of all civil works as per Tender design which include all concrete, steel (welding) and masonry works necessary for the pump house and installation of pipes.
- Construction of Chambers.
- Construction of a guard /Operation room.
- The installation of the chlorine dosing structure.
- Installation of an overhead Crane Cap. 3 ton.
- The installation of all mechanical, electrical parts, IT and controls as per detailed design.
- Clean up and restoration activities.
- Testing, Hydrostatic testing, disinfection, chlorination, flushing, commissioning, and training.

2. Construction Period

The construction period for the works is about 10 months.

3. Site and Other Data

3.1 Location of the project area

The town of Goma is located in North Kivu Provinces in the eastern region of the Democratic Republic of Congo respectively, approximately 1,600 km from the capital, Kinshasa (see Figure 3.1 below).

Figure 3.1: Location map for the project towns



Goma is the capital of the province of North Kivu, in the east of the Democratic Republic of the Congo (DRC). It is located on the northern shore of Lake Kivu at the border with Rwanda, and covers an area of about 75 square kilometres. It lies at an average altitude of 1,500 metres above sea level and is close to Virunga National Park in the north, with the Masisi hills in the west.

3.2 Goma project area characteristics

3.2.1 Climate, Topography and Geology

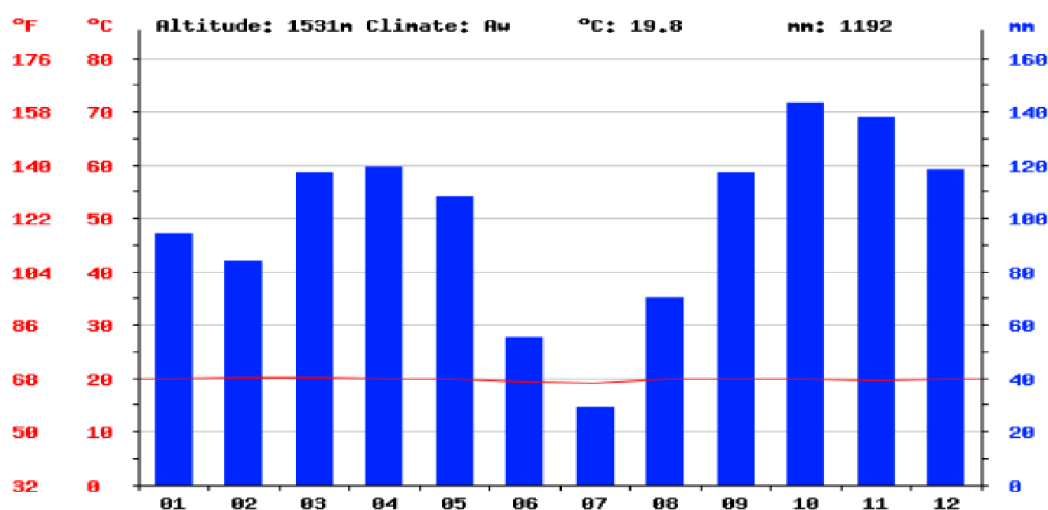
(a) Climate

Goma has a tropical climate. According to Köppen-Geiger climate classification system, its climate is tropical wet and dry. The average annual temperature in Goma is 19.86°C. About 1192 mm of precipitation falls annually. The average climate data for Goma is presented in Table 3.1 and Figure 3.2 below.

Table 3.1: Average climate data for Goma

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Average high °C	25.6	25.7	25.7	25.4	25.3	25.3	25.2	25.8	25.9	25.7	25.3	25.4	25.52
Daily mean °C	20	20.1	20.1	20	19.9	19.4	19.7	19.8	19.8	19.9	19.7	19.9	19.86
Average low °C	14.4	14.6	14.6	14.7	14.6	13.6	13.1	13.9	14	14.2	14.1	14.4	14.18
Precipitation mm	94	84	117	119	108	55	29	70	117	143	138	118	1,192
Avg. rainy days	16	16	19	22	18	8	6	8	15	20	22	19	189
Mean daily sunshine hours	5	5	5	5	5	6	7	5	5	5	5	5	5.3

Figure 3.2: Climate Graph for Goma



From Figure 3.2 above, the driest month is July with 29 mm of rain while the wettest month is October, with an average precipitation of 143 mm.

(a) Topography and Geology

The geology of the city of Goma and the areas surrounding Lake Kivu, including the city of Bukavu, is influenced by its location in the Western Rift Valley of Africa and the Virunga volcanic region with two volcanoes, Nyiragongo and Nyanulagira, which are among the most active in the world. Goma is constructed on young lava flows of Nyiragongo volcano.

Several hills around Goma are the old cones of Nyiragongo. The prominent ones being Mt. Goma and Masisi. Most of Nyiragongo's lavas are made of melilites and nephelinite, an alkali-rich volcanic rock. Goma is therefore underlain by volcanic rock up to the surface, which is difficult to excavate during installation of underground services such as water pipes. This phenomenon increases the cost of such installations.

The topography of Goma generally undulating and sloping from the north to the shores of Lake Kivu.

(b) Communication

Goma city is provided with mobile, land telephone and post office communication services. There are three main mobile operators (Airtel, Vodacom, and Orange) covering the entire city although the network coverage can be poor or unavailable in some parts surrounding the town.

Although there are telephone land lines, the system is mostly unavailable, unreliable and has very limited coverage or use by the residents.

(c) Energy

Goma is mainly supplied by electricity by three companies namely SNEL, SOCODEE and VIRUNGA. This is after SNEL decades of monopoly which now has competitors who contribute to the city's power supply, allowing some businesses and residents to enjoy relatively stable power.

At the pump station the operator REGIDESO is still dependent on SNEL whose supply is intermittent and sometimes unreliable and usually he must rely on generators.

(d) Water Services

The main water service provider in Goma is REGIDESO. Other suppliers work mainly in the peripheral area of the city of Goma. However, the existing water supply services are inadequate, do not cover the entire city, and mainly provided by rationing.