



MINISTRY OF ROADS AND TRANSPORT

STATE DEPARTMENT FOR AVIATION AND AEROSPACE DEVELOPMENT

Tender No. SDAAD/OT/001/2025-2026.

22nd April, 2026

To: ALL BIDDERS

PROCUREMENT OF WORKS CONTRACT – DESIGN AND BUILD

THE PROPOSED DESIGN, DEVELOPMENT AND MODERNIZATION OF JOMO KENYATTA INTERNATIONAL AIRPORT (JKIA) - Tender No: SDAAD/OT/001/2025-2026

CLARIFICATION No. 4

Pursuant to Sections and Clauses as contained in the table herein under, we hereby issue **Clarification No.4** to the above Tender for your attention.

CLARIFICATION No 4

No	Reference to Tender	Clarifications	Response
1.		<p>Given the scale, complexity, and national importance of this project, we respectfully propose amending the evaluation criteria from the Least Cost Selection (LCS) method to the Quality and Cost Based Selection (QCBS) method (recommending an 80:20 Technical/Financial split).</p> <p>We believe this adjustment will better balance cost efficiency with the technical excellence required for a successful airport modernization.</p>	<p>The tender evaluation methodology has been revised. The evaluation of tenders shall be conducted using the Quality and Cost Based Selection (QCBS) method instead of lowest evaluated tender, with a weightage of 80% assigned to the Technical Proposal and 20% to the Financial Proposal.</p> <p>Tenderers are therefore advised to prepare and submit their proposals in line with the evaluation criteria stipulated in the Addendum No 2 of Tender Documents.</p>
2.		<p>I understand the site visit is on 8th and 9th April. Can you please confirm and share details for the site visit, location and time and contact person.</p> <p>Also please confirm do we have to officially purchase the tender documents to attend the site visit.</p>	<p>Details for the Site Visit have been posted on the website.</p> <p>Tender Documents are available online (www.transport.go.ke) free of charge.</p>
3.		<p>We would like to kindly follow up on our request for the missing tender documents.</p> <ul style="list-style-type: none"> • Volume II – Employer’s Requirements • Volume III – Price Schedule • Volume IV – Drawings • Volume V – Supplementary Information 	<p>All Volumes have been uploaded on the website – www.transport.go.ke</p>
4.		<p>Kindly confirm:</p> <ol style="list-style-type: none"> 1. Whether Kenyan citizens must present both original National ID and original passport for access to the mandatory pre-bid/site visit and advise acceptable alternatives where an attendee has no passport. 	<p>Details have been uploaded on the website.</p> <p>www.transport.go.ke under Clarification 1</p>

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		<ol style="list-style-type: none"> 2. When is the deadline of submitting the list of attendees to obtain the access passes for the meeting. 3. The exact meeting point/location at JKIA and the entry gate/procedure for attendees. 4. Any PPE requirements for the visit (e.g., safety boots, hard hat). 5. Any restrictions (photography, devices, vehicle access/parking). 	
5.	General Inquiry	Can you please confirm that all tender documents will be uploaded to https://transport.go.ke/index.php/sdaa-tenders , or is there any other portal that the Bidders should register?	All Volumes have been uploaded on the website (www.transport.go.ke)
6.	General Inquiry	<p>Can you please share the agenda for the mandatory pre-bid meeting scheduled for 8th and 9th of April?</p> <p>In addition, we would appreciate your clarification on whether a site visit is planned as part of this program. As per Section III – Evaluation and Qualification Criteria – Requirement No. 10, Tenderers are required to submit a signed Site Visit Certificate. In this regard, could you please confirm whether the Site Visit Certificate will be issued during the scheduled program on 8–9 April, or whether bidders are expected to arrange a separate site visit?</p>	Details for the Site Visit have been posted on the website.
7.	ITT 3.10	Pursuant to ITT 3.10, foreign Tenderers are required to source at least forty (40%) percent of their contract inputs (in supplies, subcontracts and labor) from national suppliers and contractors. We do not have complete Employer's Requirements, however, 40% is not achievable for total project, considering significant portion of the investments are machinery and equipment. We propose 10% instead of 40%.	<p>The requirement for the 40% in pursuant to ITT 3.10 is stipulated in accordance with the applicable act and regulations of the republic of Kenya.</p> <p>Tenderers are therefore advised to strictly comply with the provisions of the Tender.</p>

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8.	ITT 17.2	<p>Pursuant to ITT 17.2, Tenderers are required to submit their financial quotations entirely in Kenya Shillings. In order to mitigate exposure to currency fluctuation risks, we would like to propose that quotations and payments be allowed in either USD or EUR.</p> <p>Furthermore, as per ITT 35.1, for the purposes of evaluation and comparison, all tenders will be converted into a single currency. Given that a significant portion of the project costs will be denominated in USD or EUR, permitting submissions in these currencies would enable the Procuring Entity to conduct a more accurate and transparent comparison of bids, without undue reliance on exchange rate assumptions applied by each bidder.</p>	<p>Tenderer's concerns regarding currency fluctuation risks and the proposal to allow submission and payment in USD or EUR are noted. In this regard, the Tender Data Sheet (TDS), which clearly govern the applicable currency framework:</p> <p>(i) As per ITT Clause 17.2, tenderers are already permitted to submit their financial proposals in up to two (02) foreign currencies, where applicable.</p> <p>(ii) For the purposes of evaluation and payment, all bid prices shall be converted into Kenya Shillings (KES) in accordance with ITT Clause 17.2.2, using the exchange rates published by the Central Bank of Kenya (CBK) prevailing twenty-eight (28) days prior to the tender submission deadline.</p> <p>(iii) Additionally, under ITT Clause 35.1, all tenders will be evaluated and compared in a single currency (KES) to ensure uniformity, transparency, and fairness in the evaluation process.</p> <p>Accordingly, the current provisions already accommodate the use of foreign currencies (USD/EUR) at the submission stage while</p>

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			<p data-bbox="1556 276 2190 344">maintaining a standardized evaluation mechanism through conversion into KES.</p> <p data-bbox="1556 387 2190 523">Therefore, no change is required to the tender conditions, and bidders are advised to comply with the existing provisions of the TDS.</p>
9.	ITT 34	<p data-bbox="674 536 1534 715">Pursuant to ITT 34, Tenderers are required to provide monthly costs for major items over the contract term. While this approach may be appropriate for cost-plus type contracts, it is not fully compatible with a lump sum turnkey (LSTK) contracting structure.</p> <p data-bbox="674 758 1534 975">Under an LSTK arrangement, pricing is developed on a consolidated basis, incorporating contingencies, risk allocations, and escalation factors. These elements are inherently embedded within the overall contract price and cannot be meaningfully or accurately allocated across individual items on a monthly basis.</p> <p data-bbox="674 1018 1534 1197">In this context, we would be able to provide monthly quantities within the Bill of Quantities; however, allocating corresponding monthly costs would not reflect the commercial and risk structure of an LSTK contract and may lead to misinterpretation.</p>	<p data-bbox="1556 536 2190 753">The tenderer's concern regarding the applicability of monthly cost breakdowns within a Lump Sum Turnkey (LSTK) contracting framework is noted. However, this is a commercial control requirement, not a pricing methodology change.</p> <p data-bbox="1556 796 2190 1050">The requirements under ITT Clause 34 are intended to ensure (a) transparency in pricing structure (b) development of a balanced payment schedule (c) avoidance of front-loading or unbalanced bids and (d) facilitation of contract administration and interim payment certification</p> <p data-bbox="1556 1093 2190 1272">It is clarified that the Contract remains a Lump Sum contract, and bidders are expected to price the Works on a consolidated basis in accordance with Clause 34.1(d).</p> <p data-bbox="1556 1315 2190 1418">The requirement to provide monthly cost of design / supervisory staff and Monthly cost of major equipment is indicative and for</p>

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			<p>payment scheduling purposes only, and does not alter the lump sum nature of the Contract.</p> <p>Moreover, as stated under ITT Clause 34.2 and 34.3, the breakdown will be used to develop the Bills of Quantities and Payment Schedule and may be subject to clarification to ensure it is not unbalanced or front-loaded</p> <p>Accordingly, bidders are required to comply with the provisions of ITT Clause 34, and no amendment to this requirement is proposed.</p>
10.	Table 1 – Qualification Criteria and Requirement – 3.1 Financial Capabilities	<p>Could you kindly clarify the rationale for requiring demonstration of capacity to secure the full project cash flow, given that the Project is structured as an EPC contract rather than a PPP arrangement?</p> <p>In an EPC context, the contractor’s primary obligation is to deliver the works within the agreed lump sum price, rather than to finance the entire project cost. Therefore, we would propose that the financial capacity requirement be assessed based on the ability to support peak or maximum monthly cash flow requirements during the construction period, rather than the total estimated project cost of KES 100 billion (approximately USD 770 million).</p> <p>We believe that such an approach would more accurately reflect the financial profile and risk allocation of an EPC contract.</p>	<p>The Contractor is referred to Sub-Clause 14.3 of Part A – Contract Data of the Particular Conditions of Contract.</p>

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11.	Table 1 – Qualification Criteria and Requirement – 4.1 Design and Build Experience	The current wording limits eligible projects to those located in East Africa, where the number of qualifying references is relatively limited. In order to enhance competition and attract a broader pool of qualified bidders, we respectfully propose removing the geographical restriction.	No change will be made to the qualification criteria.
12.	Table 1 – Qualification Criteria and Requirement – 4.2 Specific Experience	Could you please confirm whether the requirement for the successful completion of at least one construction project in a live airport environment may be satisfied by a project with a scope below 100,000 sqm and a value of less than KES 30 billion?	<p>It is clarified that the requirement under item (iv) of the RFP [successful completion of at least one (1) construction project operating in a live airport environment] shall be interpreted in conjunction with the overall scale, complexity, and standards established under item (i).</p> <p>Accordingly, while item (iv) does not explicitly restate minimum thresholds of 100,000 sqm built-up area and KES 30 Billion contract value, the project submitted must be of comparable magnitude, complexity, and operational significance to those defined under item (i).</p> <p>Therefore, projects of substantially smaller scope, value, or complexity will not be considered responsive to this requirement. The Employer expects that the referenced project demonstrates the Tenderer’s proven capability to execute works within a live airport environment of similar scale and operational criticality, including stringent</p>

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			<p>safety, phasing, and coordination requirements.</p> <p>Tenderers are required to provide evidences to substantiate compliance with this Specific Experience.</p>
13.	Schedule of Payments	<p>Milestones of the payments are off the market standards and would limit the competition, and contradicted with ITT 34.3, which avoid front or back loaded payment. We propose:</p> <ul style="list-style-type: none"> i. An amount equivalent to 10% of the Contract Sum, shall be paid as an advance payment against the provision of an unconditional bank guarantee of the same amount and currency; ii. Monthly payment with an amount of the Utilization Request of the previous month iii. 5% of the Contract Sum, shall be payable after the issuance of the Performance Certificate at the end of the Defects Notification Period, but can be released against the provision of an unconditional bank guarantee of the same amount and currency 	<p>It is clarified that the payment provisions set out in the tender have been carefully structured to align with the nature, risk allocation, and cash flow requirements of the Project, while ensuring compliance with ITT 34.3 by avoiding both front-loaded and back-loaded payment arrangements.</p> <p>The Contract adopts a stage-based (progress-linked) payment structure, wherein payments are tied to clearly defined contractual events.</p> <p>Tenderers are advised to price their bids and plan their cash flow in accordance with the payment structure defined in the Tender.</p>
14.	ITT 8.3	Can you please confirm that leased machinery and equipment will be counted for the evaluation the machinery park?	Tenderers are advised to read the Form No. 13 related to Equipment in Section -IV (Tenders Form)
15.	Particular Conditions of Contract – Sub Clause 1.1.20	We propose that where the Contract allows for Cost Plus Profit, percentage profit to be added to the Cost is 12.5%	No change is proposed, and tenderers are advised to comply with the provisions of the Tender as issued.

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16.	ITT 11.1	We propose that the Procuring Entity will grant no margin of preference to be loaded on evaluated prices of the foreign Tenderers	<p>It is noted that ITT Clause 36.2 clearly provides that a margin of preference shall apply for citizen contractors, in accordance with the applicable procurement regulations.</p> <p>Furthermore, the reference made by the Tenderer to ITT Clause 11.1 appears to be misplaced, as this clause relates to the Cost of Tender, which shall be entirely borne by the Tenderer and is not relevant to the subject of the query.</p> <p>Accordingly, the query is not applicable, and no change is proposed. Tenderers are advised to comply with the provisions of the Tender as issued.</p>
17.	ITT 10.2	We propose that no Kenya citizenship requirement for Key Experts.	<p>It is clarified that Kenya citizenship is not a mandatory requirement for Key Experts under the qualification criteria. Bidders are free to propose experts of any nationality.</p> <p>However, as specified in the Tender, additional evaluation marks (05 points) shall be awarded to tenderers who demonstrate that at least 30% of the proposed Key Experts are citizens of Kenya.</p> <p>Accordingly, no change is proposed, and tenderers are advised to comply with the provisions of the RFP as issued.</p>

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18.	ITT 22.1/ITT24.1, Item 9 of INVITATION TO TENDER	Please confirm the submission method, physically or electronically?	<p>Tenderers are advised to read the ITT 24.1, ITT 27.1 and ITT 22.1 of Tender Data Sheet (TDS).</p> <p>Electronic submission of tender is not applicable.</p>
19.	PC 6.5	Please provide the airside/night working time windows for the contractor.	<p>It is clarified that airside and night working time windows will be subject to operational requirements and approvals of the relevant airport / aviation authorities.</p> <p>Indicative working hours and access restrictions will be finalized in coordination with the successful Contractor prior to commencement of the Works and may be adjusted from time to time based on operational constraints.</p> <p>Tenderers are therefore advised to make reasonable assumptions regarding working hours, including night operations</p> <p>No further clarification is proposed at this stage.</p>
20.	ITT 21.1	The Tender Security is 2.5 billion Kenyan Shillings, which is equivalent to about 19 million USD. According to our experience, it is an extremely large amount for tender security. Please confirm	<p>The requirement for submission of a Tender Security in the amount of KES 2,500,000,000 (Two Billion Five Hundred Million Kenyan Shillings), with a validity of 210 days from the date of Tender opening, is clearly stipulated in the Tender.</p> <p>This requirement has been determined in line with the scale, complexity, and risk profile of the Project, and is considered appropriate to</p>

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			<p>ensure the seriousness and commitment of tenderers.</p> <p>Accordingly, no change is proposed, and tenderers are required to strictly comply with the Tender Security requirements as specified in the Tender.</p>
21.	PC 14.7b (i) / 14.7b (ii)	Please clarify the relevant payment deadlines.	Tenderers are advised to read PCC 14.3 [<i>Period of Payment</i>]
22.	PC 14.5(b)(i)/14.5(c)(i)	Please clarify the payment method for the material advance payment, and whether the material advance payment needs to be refunded.	<p>It is clarified that the Contract adopts a work progress-based payment structure in accordance with Sub-Clause 14.3, which governs the release of payments against the Contract Sum.</p> <p>With respect to Sub-Clause 14.5(b)(i) and 14.5(c)(i) [<i>Plant and Materials for payment when shipped and when delivered to Site</i>], these provisions do not constitute a separate material advance payment mechanism and are intended solely to facilitate valuation, verification, and certification by the Engineer for effective contract administration</p> <p>Tenderers are advised to structure their pricing and cash flow accordingly in line with Sub-Clause 14.3.</p>
23.	PC 14.5(b)(i)/14.5(c)(i)/14.3 Period of Payment	Please clarify the relationship between the material advance payment and these four payment milestones.	It is clarified that the Contract adopts a work progress-based payment structure, as defined under Sub-Clause 14.3, which shall

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			<p>govern the release of payments against the Contract Sum.</p> <p>With respect to Sub-Clause 14.5(b)(i) and 14.5(c)(i) regarding Plant and Materials [<i>when shipped and when delivered to Site</i>], these provisions are intended to facilitate effective contract administration by the Engineer, including monitoring, verification, and valuation of materials and equipment during execution.</p> <p>Tenderers are advised to price and plan their cash flow in line with the work progress-based payment provisions of the Contract.</p>
24.	PC1.1.86 Time for Completion	Do these two phases start simultaneously or in sequential order? Please confirm	Phases of the project are planned to commence simultaneously.
25.	Employer Requirements, Drawings and Price Schedule	<p>Employer Requirements, Drawings and Price Schedule</p> <ol style="list-style-type: none"> 1. Employer Requirements 2. Price Schedule 3. Drawings 4. Supplementary Information <p>The content of the left-hand list is missing in the Tender Documents. Please provide accordingly.</p>	All Volumes have been uploaded on the website (www.transport.go.ke)
26.	PC 21.6 (a)	It is recommended to change the seat of arbitration to a third country.	No change is proposed to the seat of arbitration to a third country, and tenderers are advised to comply with the provisions of the Tender.

No	Reference to Tender	Clarifications	Response
27.	General Enquiry	We kindly request you to share the online meeting link for our key experts who will not manage to travel to be able to participate in the pre-bid meeting.	Details of the pre-bid meeting and site visit have already been published on the website.