



THE ACEK NEWSLETTER

ISSUE 03 | MARCH 2021



Trending News:

ACEK Cocktail | March Events

Chairman's Note



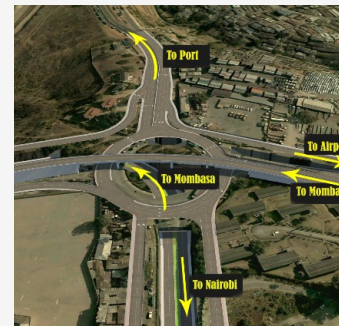
A warm word of welcome to all our members as we release our third edition of the ACEK Newsletter.

March has been an interesting month for the Association. Despite the challenges we are facing, we were able to hold a physical meeting and once again interact with our members after a relatively long time. We were equally honoured to have one of our past Chairmen speak to us during the cocktail.

We continue to hold consultative meetings with our partners and we hope to share the resolutions with our members as and when they come out. The third wave of COVID -19 is here with us and we continue to urge all our members to be more cautious and strictly adhere to the Ministry of Health (MOH) guidelines.

I therefore welcome you to an exciting piece of our March edition of ACEK Newsletter.

Enjoy the read,
Eng. Henry A. Ndugah
Chairman ACEK



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Infrastructure Development Agenda – An overview on Local Content in the Engineering Consulting industry

By Eng. James N. Mwangi



The country continues a strong infrastructure development agenda despite a slow down due to the Covid-19 pandemic. The country is on a recovery path which unfortunately is now been confronted by the 3rd wave of the Covid-19 pandemic. To retain wealth, create employment and boost the social economic benefits arising from infrastructure developments, the country has embarked on legal and regulatory framework for development of local content. So far, this has been captured in the Public Procurement and Asset Disposal Act, the Petroleum Act, the Energy Act, the Mining Act, the Engineers Act, and the National Construction Act (NCA) amongst others. Recently a draft local content policy was developed and has gone through the public stakeholder process.

The full benefits of local content as spelt out in the Public Procurement and Asset Disposal Act are yet to be realised due to several challenges that include: -

- Limited enforcement of the local content requirements in the Public Procurement and Asset Disposal Act,
- Lack of a database to capture the uptake of local content opportunities that exist in infrastructure projects,
- Limited skills in specialised areas which limit level of participation of local firms,

- High cost of borrowing for local firms compared to foreign firms,
- Limited emphasis on technology/skills transfer as part of the local content objectives
- Limited capacity of firms especially local engineering consulting firms (very few firms have a workforce of more than 50 staff compared to many foreign firms who have staff ranging from 200 – over 100,000), leading to local firms partnering with large firms to get only a small slice of the work. In short, there is limited capacity of many of the firms to uptake the ascribed local content percentages including lack of comprehensive management systems.

To overcome these challenges, we propose the following measures to be taken: -

- Strict enforcement of all local content requirements as required in law starting with the Public Procurement and Asset Disposal Act
- Government agencies should comply with presidential directive of publishing local content uptake in all projects,
- Finalisation of local content policy and enactment of necessary legislation,
- Identification of skills gap in the country infrastructure agenda and alignment/ collaboration with universities and other

training institutions for training in skills that would be viable and useful for the country. Enhancing should be made to priorities on skills that have horizontal linkages between the different sectors,

- Encouragement of partnerships between foreign firms and local firms with emphasis on skills and capacity building.
- Strict enforcement of the Engineers Act and the National Construction Act (NCA)
- Collapsing of engineering consulting firms to form larger firms and encourage well-structured partnerships between local firms to undertake ascribed local content percentages on projects.
- Enhancement of capacity (capacity building) including development and implementation of comprehensive management systems/succession plans, integrity management systems etc. in firms to better ensure local content uptake in partnerships with international firms,
- The Association of Consulting Engineers of Kenya (ACEK) to explore potential in capacity building of engineering consulting firms and their staff,

- ACEK to work closely with FIDIC in capacity building etc. and in keeping abreast with international trends in infrastructure development etc.,
- Enforcement of compliance of code of conduct and ethics.

Conclusion

The consulting engineering industry is still small compared to the current infrastructure development agenda. There is huge potential for growth of the consulting engineering industry with the aim of maximising local content participation, increased employment of graduate and professional engineers and creation of wealth.

ACEK should work with the Government in identifying opportunities for competitive borrowing of funds to reduce interest costs. This will go a long way in enabling expansion of firms and enhancement of capacity to participate in more, larger, and more complex projects.

Eng. James N. Mwangi. EBS, CEO

Kurrent Technologies Ltd, FIDIC Board Member.

ACEK Cocktail held on 11th March 2021 at Crowne Plaza Hotel, Nairobi, Kenya.

THE EVENTS CALENDAR 2021

22 nd March	World Water Day
25 th March	Annual General Meeting
7 th April	Water Webinar
28 th April	Renewable Energy – Creating a greener Future
1 st May	World Environment Day
18 th -19 th May	FIDIC Africa Annual Conference
26 th - 27 th May	FIDIC Guide to Practice - The business of a professional Services Firm
16 th June	Project Finance – PPP and other Infrastructure Financing Models
22 nd -23 rd July	FIDIC Training Mod 1
26 th -27 th July	FIDIC Training Mod 4
12 th -14 th September	FIDIC Annual Conference
13 th -15 th October	ACEK Annual Conference
25 th 26 th November	FIDIC Training Mod 2
29 th -30 th November	FIDIC Training Mod 3
09 th December	ACEK Annual Dinner

UPCOMING ACEK ACTIVITIES (APRIL)

1. Water Webinar
2. Renewable Energy Webinar



For more information please contact
Mary Mumbua
ACEK Secretariat
0717191593

The Story of Changamwe Interchange

By Eng. Howard A. M.



Mombasa City is the Kenyan coastal gateway hosting a population of slightly more than 1.2 million people on 294 square kms making it the smallest county by size.

For long, there has been only one entry point to this City from the rest of the

country West of Mombasa. This has been along the road A109 now classified as A8. In the recent years however, The Government of Kenya through The Kenya National Highways Authority has delivered The Kipevu Link road as an alternative access to the port as well as improved the Airport access networks.

A8 remained the only road accessing the island by public vehicles going through Kibarani, Makupa causeway into the Central Business District.

Changamwe junction has been the last traffic conflict point on A8 before getting into Mombasa island. The junction has 4 exits one going down Kibarani along A8, one accessing the port through Gate 18, one going along the MIA along Magongo rd old A109L and the last exit going toward Nairobi on A8 through Mikindani.

This junction became an unbearable bottleneck for traffic into and out of Mombasa. There are testimonies of people who took 5 hours traveling from Nairobi to Miritini only to take another 3 plus hours to cover

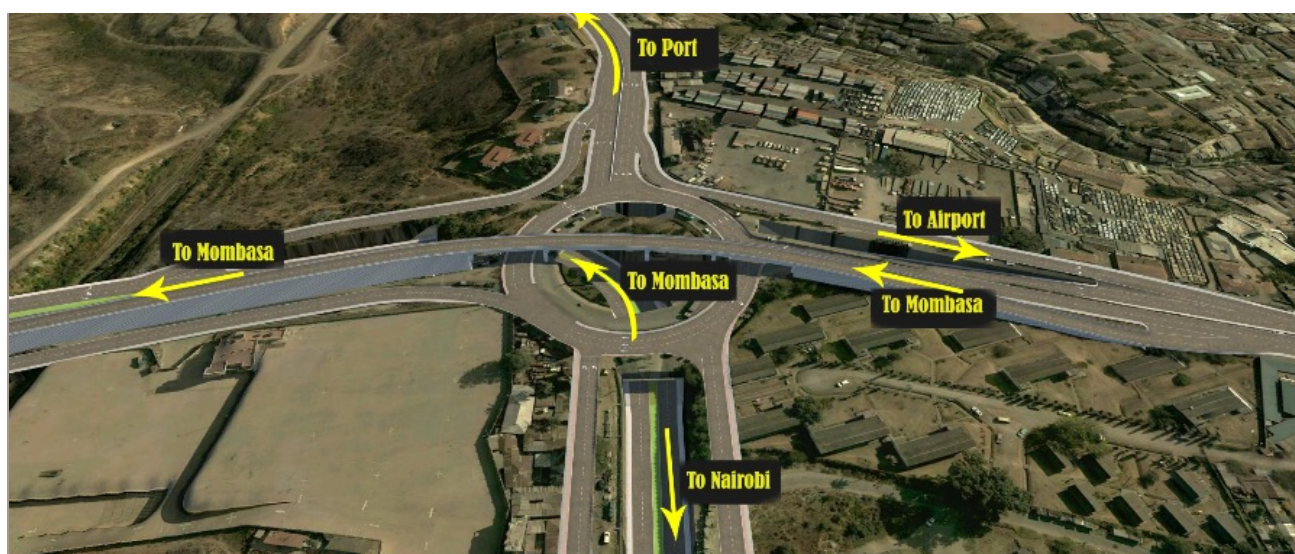
the last 15 kms into Mombasa city. Stories abound of frustrated travelers who have missed flights due to traffic snarl ups at Kibarani climb hardly 4 kms away from the airport. Some have had to walk or used boda-boda to escape the trouble of the traffic gridlock and be able to catch their booked flights.

The Kenya National Highways Authority partnering with African Development bank commenced the construction of Mombasa Jomvu section of Mombasa-Mariakani dualling project.

This was an ambitious project aimed at reducing the inconveniences of traffic congestion along A8 by dualling the section between Mombasa and Mariakani in Kilifi County along the Mombasa – Nairobi highway. Considering the aspect of evacuating the port with transit cargo, the outbound lane pavement was designed as a Continuous Reinforced Concrete pavement while the inbound lane is made of stone mastic asphalt concrete both being premier pavement technologies in Kenya

All major junctions on this project are grade separated and so is the Changamwe interchange. It forms perhaps the most complex interchange in Mombasa, the first of its kind in Coastal Kenya road networks.

The formation is a three level interchange to fully separate traffic movements at the junction and provide free flow of through traffic from the city to the airport and to Nairobi. The design ensures that the high priority travel especially to the airport is seamless and uninterrupted thus flattening the spike



Artist impression of the interchange



Construction progress at 1st March 2021

created by the volume peaking both in the mornings and evenings after work. This will see to it that the city is evacuated with ease at any time of the day without the inconvenience of snarl ups.

The lane getting into Mombasa town from airport is elevated to avoid conflict with any traffic to and from Mikindani side. This improves flow of traffic from airport and from old Magongo road going to the City.

The lanes that remain on the ground with a full roundabout are the inbound lanes from Mikindani as well as the lanes connecting to Mombasa port through gate 18.

Construction of the interchange has been ongoing for slightly more than a year now and is scheduled to be completed by the month of July. The work has been achieved by navigating through several challenges on the ground including acquisition of extra right of way, resettlement of PAPs, relocation of sensitive services among other challenges.

To accommodate the required horizontal curve requirement and the ramps to and from the main road, additional space had to be acquired. This meant that many people living in the area were to be affected. Land-owners, owners of physical developments, tenants, sub tenants and even encroachers had to make drastic changes that would affect their livelihoods and completely change the way they've been living. It took the effort of a dedicated team of experts to gather, synthesize, filter, authenticate information on project affected persons. This is an exercise that continued from the design period through implementation to ensure all complaints are properly documented and

addressed to the satisfaction of all parties involved, and to give the project the most desired buy in from the community.

Among the sensitive services encountered at site as a result of expansion both in vertical and horizontal profiles include water supply mains, oil pipelines, data cables, power distribution lines and power transmission lines. All these required specialized sub-contractors to meticulously carry out the relocation services while ensuring that the essential services are not interrupted. It took extensive collaboration between state agencies and private service providers to design new service lines, install them, commission them and decommission the old lines safely and thereby allow the execution of permanent works to proceed.

Most of the in-situ concrete works on retaining walls, piers and abutments have been ongoing and nearing completion. Backfilling works in finished sections has been concurrently going on and launching of the precast girders on the elevated section is scheduled to commence. This will see the final structure taking shape and ultimately being opened to use by the public and bringing the long protracted traffic congestion at the entrance of Mombasa to a long awaited relief.

The realization of this project will be a big gain to the Government agenda of evacuating the port of Mombasa, lowering the cost of doing business, reducing traffic congestion and providing easy access to the Moi International Airport. This will go a long way to improve road user comfort, achieve safety and reduce both travel costs as well as carbon emissions.

ACEK Council Members



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Chairman



Eng. Solomon M. Kitema
Hon. Treasurer



Eng. Patrick S. Wambulwa
Hon. Secretary



Eng. Peter Wanday
Former Chairman



Dr. Eng. Siphila Mumenya
Member



Eng. Jane Mutulili
Member



Prof. Eng. Lawrence Gumbe
Member



Eng. Matu Mwangi
Member



Eng. Gabriel Jabongo
Member



Eng. Tom Opiyo
Member



Eng. LaToya Ouna
Member



Lillian Ogombo
CEO

ACEK COMMITTEES

EXECUTIVE COMMITTEE (EC)

- I. Eng. Henry A Ndugah-Chairman
- II. Eng. Patrick S.Wambulwa- Hon. Secretary
- III. Eng. Solomon M Kitema- Hon.Treasurer

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- II. Eng. Solomon M. Kitema - Member
- III. Eng. Matu Mwangi - Member
- IV. Eng. Andrew Wahome - Member
- V. Eng. James N. Mwangi - Member
- VI. Passy Wairimu- Co-opted (FL)

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- I. Eng. Jane W. Mutulili – Chair

- II. Eng. Solomon M. Kitema - Member
- III. Eng. Patrick S.Wambulwa - Member
- IV. Eng. La Toya Ouna - Co-opted (FL)
- V. Hesbon Okari - Co-opted (FL)

MEMBERSHIP & HUMAN RESOURCE COMMITTEE (MHR)

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- II. Eng. Jane Mutulili - Member
- III. Eng. Gabriel Jabongo - Member

RESEARCH & PUBLICATION COMMITTEE (RPC)

- I. Dr. Eng. Siphila Mumenya - Chair
- II. Eng. Tom O. Opiyo - Member
- III. Prof. Eng. Larry Gumbe - Member
- IV. Hon. Eng. Nicolas Gumbo-Member
- V. Eng. Nancy Abira- Member (FL)

BECOME A MEMBER



ACEK offers numerous benefits and keep the membership on top of important, ever hanging issues and trends in the sector.

1. Advocacy

Close liaison with government and other industry bodies on contractual and legislative issues. Lobbying for better procurement laws.

2. Networking & Knowledge Sharing with other consulting engineers both locally and globally.

ACEK organizes a number of events throughout the year, both local and internationally being a member of FIDIC Africa and FIDIC.

3. Business Support to Members

Identification and Sharing of business

opportunities. Access to database of regional and international consulting firms.

4. Capacity Building

ACEK has well-coordinated local and international industry specific training. Members enjoy discounted training rates.

5. Becoming a member of both FIDIC and FIDIC Africa through ACEK

ACEK is a member of FIDIC and Africa. Members automatically become members of these international organizations through ACEK.

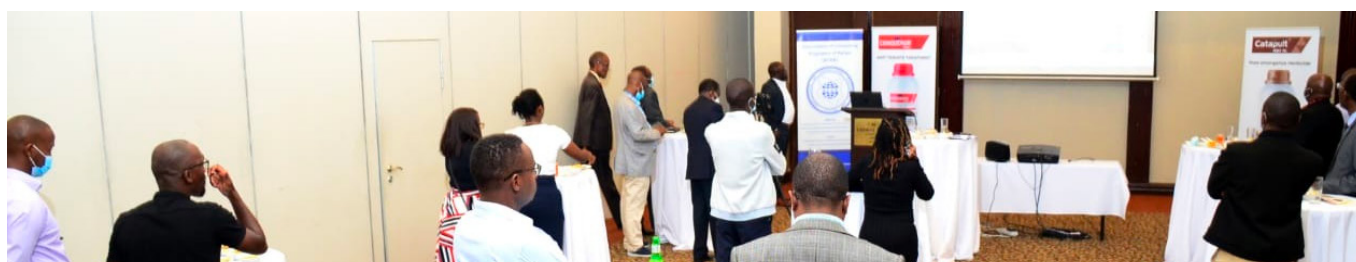
6. Public and Private Sector Support

The association acts as a public watchdog on engineering issues and acts as an interface between the public and consulting engineers.

ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP

- ACEK Members profess to possess the relevant qualifications, expertise and facilities to offer the highest quality of service in their engineering disciplines of expertise while adhering to the highest ethical and professional standards.
- To join ACEK, an Engineer must be registered with the Engineers Board of Kenya (EBK) in the category of Registered Consulting Engineer.
- Must be a corporate member of the Institution of Engineers of Kenya (IEK)
- Must be actively practicing engineering as a partner, director or sole principal in a firm registered as a legal entity under the Laws of Kenya.

Chairman's Networking Cocktail



OUT OF SITE, OUT OF GRIND!

If you thought construction work requires a lot of hard work, then you have not seen the effort termites put in to destroy your masterpiece. Did you know a subterranean worker termite can carry a load of its plunder for up to 100 yards to their colony nest? Not to mention the obstacles it must cross to get that cellulose from your timber. Now, imagine a few months after handing over a project to the client, they file a complaint and going back you find the structure looks like a google maps screenshot with endless lines of termite nests meandering on a concrete backdrop.

Before you think of following a trail of the industrious insect to unearth the queen as a solution in an attempt to keep up with the termite's hard work, let me introduce to you

Conqueror 100SC. A broad-spectrum, pre and post construction termiticide with Fipronil for contact and stomach action. What this means is that it gets rid of the termite menace and prevents any future invasions for up to 20 years. It also creates an effect where termites infect each other and is safe for use as it does not contain organochlorine, organophosphates or pyrethroids. It is suitable for use on lawns, buildings, road construction, prefabricated structures, and timber houses among other areas.

The other thing you will need to take care of, apart from keeping away the termites, is weeds that invade building sites, pavements, roads, runways, and storm drainage systems. **Catapult 480SL** has just the formulant (Glyphosate Acid) for the job. It is absorbed through foliage and minimally through roots then translocated to growing points where it inhibits the plant's enzyme involved in the synthesis of the aromatic amino acids that are needed for plant growth. Catapult will ensure both grass and broad-leaved weeds are out of your way.

There you have it! Just like that we keep the termites out of the site and save ourselves from the grind of weeding.

Contact +254 (0) 780 785 293 for sales and support enquiries.



**ANTI TERMITE
TREATMENT**



VIRTUAL FIDIC CONTRACTS TRAINING COURSES - EBK APPROVED COURSES

FIDIC Guide to Practice 26th – 27th May 2021

The business of a professional Services Firm

Module 1 - 22nd – 23rd July 2021

(The Practical use of the 2017 FIDIC Conditions of Contract for Construction – Red Book and Design & Build – Yellow Book)

Module 4 - 26th -27th July 2021

“The Contract Management & Administration of the 2017 FIDIC Conditions of Contract”
(Construction Contract and Plant& Design-Build)

Module 2 - 25th - 26th November 2021

(Management of Claims and Dispute Resolution Under the FIDIC Contracts Red and Yellow Book 2017)

Module 3 - 29th - 30th November 2021

Understanding DABs- The program aims to: - explain the use of DABs in the FIDIC 2017 Construction and Plant and Design-Build Contracts and the application of Dispute Board rules and procedures.

WHO SHOULD ATTEND?

The courses provide the necessary knowledge for, and targets, professionals from Government Ministries and its Agencies, Private Sector Employers, Consulting Engineers, Contractors, Quantity Surveyors and Architects, Legal Advisers in the construction sector, and ALL those involved with the procurement, implementation and management of large Works Contracts

COURSE MATERIALS

All delegates will be provided the following materials, in English:

- Soft copy of presentation
- Soft copy of case studies
- CPD Accredited Certificate for 12 EBK PDU points per module

TO BE PURCHASED BY PARTICIPANTS

- Hard copy of Red and Yellow Books from ACEK Office
- Soft copy of FIDIC Red and Yellow Books (www.fidic.org/bookshop)

COURSE RECOGNITION

Association of Consulting Engineers of Kenya (ACEK) is fully accredited as a CPD provider and the courses validated by Engineers Board of Kenya. 12 Professional Development Units (PDUs) will be awarded per course.

The training is FIDIC accredited and the trainer is fully FIDIC accredited. Each participant will receive a certificate of attendance per module

For more details, get in touch with ACEK Secretariat on Tel: +254 020 2249085
Mobile: +254 717191593 | E-mail : aceksecretariat@gmail.com, acek@acek.co.ke

Available FIDIC Publications

EPC/Turnkey Contract (Silver Book) 2nd Ed 2017

Plant and Design-Build Contract (Yellow Book) 2nd Ed 2017

Construction Contract (Red Book) 2nd Ed 2017

Design-Build-Operate Contract (Gold Book)

1st Ed 2008

Short Form of Contract (Green Book) 1st Ed

1999

Construction Contract MDB Harmonised Ed

(Pink book) Version 3: June 2010 Harmonised Red

Book

FIDIC Golden Principles Free

Construction Subcontract 1st Ed 2011

Client-Consultant Agreement (White Book) 5th

Ed 2017

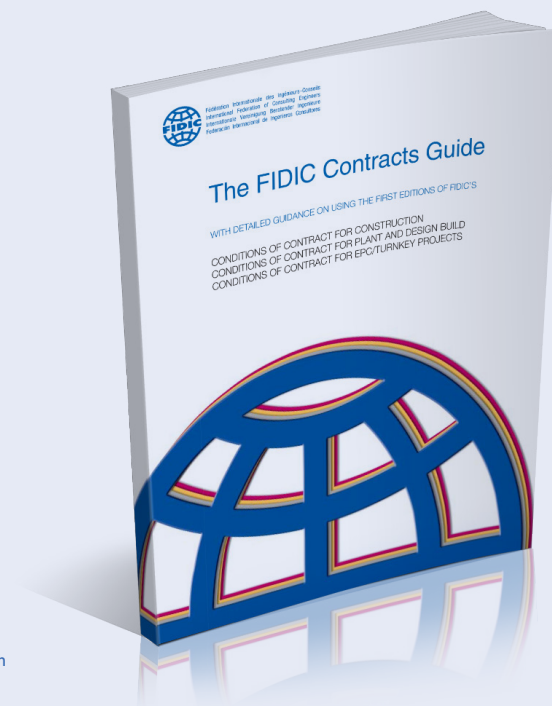
FIDIC Procurement Procedures Guide 1st Ed 2011

FIDIC Contracts (1999 editions) Guide 1st Ed 2000

Sub-Consultancy Agreement 2nd Ed 2017

DBO (2008 Gold Book) Contract Guide 1st Ed 2011

FIDIC Guide to Practice, The Business of a Professional Services Firm 2015 Edition



EDITORIAL TEAM

- I. Dr. Eng. Siphila Mumenya - Editor in Chief
- II. Eng. Tom O. Opiyo - Member
- III. Prof. Eng. Larry Gumbe - Member
- IV. Hon. Eng. Nicolas Gumbo - Member
- V. Eng. Nancy Abira - Member
- VI. ACEK Secretariat

A quarterly magazine published by ACEK. Members and partners are invited to **contribute articles** as well as **advertise**.



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