

LEGAL NOTICE NO.....

THE NATIONAL CONSTRUCTION AUTHORITY ACT, 2011
(No. 41 of 2011)

IN EXERCISE of the powers conferred by section 42 of the National Construction Authority Act, 2011 the Cabinet Secretary for Lands, Public Works, Housing And Urban Development , in consultation with the Board of the National Construction Authority, makes the following Regulations—

**THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT)
REGULATIONS, 2023**

Citation. **1.** These Regulations may be cited as the National Construction Authority (Amendment) Regulations, 2023.

Amendment of L. N. 74 of 2014. **2.** Regulation 2 of the National Construction Authority Regulations, 2014, in these Regulations referred to as “principal Regulations”, is amended by inserting the following new definitions in proper alphabetical sequence—

“applicant” means a person that has submitted an application for registration as a contractor in accordance with regulation 3 or regulation 12;

“building works” means any of the construction works classified as building works under Part A of the Third Schedule to the Act;

“civil engineering works” means any of the construction works classified as civil engineering under Part B of the Third Schedule to the Act;

“construction consultant” means a person who has the requisite academic or professional qualifications in the construction industry and who offers customised, knowledge-based services or advice;

“electronic engineering works” means any of the construction works classified as electrical engineering services under Part C of the Third Schedule to the Act;

“employer” means a person who enters into a contract with a contractor, supplier, agent, professional or any other person in the construction industry, for the provision of supplies, services or construction works;

“evaluation of mandatory requirements” means an assessment of the documents specified in Table set out in the Second Schedule attached to an application made under regulation 3 or regulation 12, to ascertain the legal status and the tax liability of the applicant;

“financial evaluation” means an assessment of the annual turnover and working capital of an applicant;

“industry experience” means the duration that a person has practised in the construction industry after attaining the relevant qualification;

“mechanical engineering works” means any of the construction works classified as mechanical engineering services under Part C of the Third Schedule to the Act;

“technical director” means an applicant, a partner in an applicant’s firm or a director of an applicant’s company, who—

- (a) has the requisite academic qualifications and industry experience for the class of works specified in the application; and
- (b) shall bear the overall responsibility of the works undertaken upon registration of the applicant as a contractor;

“technical evaluation” means an assessment the directors, staff, plant and equipment, experience, workshop, yard and offices;

“technical staff” means a member of staff of an applicant who has academic qualifications and industry experience;

3. (1) Regulation 3 of the principal Regulations are amended by deleting sub-regulation (1) and substituting therefor the following sub-regulation—

- (1) An application for registration as a contractor shall be—
 - (a) made by submitting a duly filled application for registration in Form 1 set out in the First Schedule;
 - (b) be accompanied by copies of the documents specified in Table 1 set out in the Second Schedule; and
 - (c) be accompanied by the application fees specified in Table 1 set the Third Schedule.

(2) Regulation 3 of the principal Regulations are amended by deleting sub-regulation (2) and substituting therefor the following sub-regulation—

(2) Where an application under sub-regulation (1) is made by a person who intends to be registered as an electrical engineering works contractor for the respective sub-class of construction works specified in column two, the application shall be accompanied by copies of the documents specified in Table 2 set out in the Second Schedule.

(2) Regulation 3 of the principal regulations are amended by inserting the following new sub-regulations immediately after sub-regulation (3)—

(3A) An applicant shall indicate the following three persons as referees in the application made under sub-regulation (1)—

- (a) an employer of the applicant;
- (b) a construction consultant; and
- (c) a regulatory body.

4. The principal Regulations are amended by deleting regulation 4 and substituting therefor the following regulation—

Evaluation
criteria for
registration of
contractors and
foreign
contractors.

4. (1) The Authority shall assess every application made under regulation 3 or 12 by a person who intends to be registered as a building works contractor against the evaluation criteria set out in the Fourth Schedule.

(2) The Authority shall assess every application made under regulation 3 or 12 by a person who intends to be registered as a civil engineering works contractor against the evaluation criteria set out in the Fifth Schedule.

(4) The Authority shall assess every application made under regulation 3 or 12 by a person who intends to be registered as an electrical engineering services contractor against the evaluation criteria set out in the Sixth Schedule.

(5) The Authority shall assess every application made under regulation 3 or 12 by a person who intends to be registered as a mechanical engineering services contractor against the evaluation criteria set out in the Seventh Schedule.

(6) A technical director referred to in an application made under regulation 3 or 12 shall have the following academic requirements for the corresponding category of contractors—

- (a) for an applicant who intends to be registered as a building works contractor or foreign contractor the academic requirements specified in Table 1 set out in the Fourth Schedule;
- (b) for an applicant who intends to be registered as a civil engineering works contractor or foreign contractor the academic requirements specified in Table 1 set out in the Fifth Schedule;

(c) for an applicant who intends to be registered as an electrical engineering services contractor or foreign contractor the academic requirements specified in Table 1 set out in the Sixth Schedule; and

(d) for an applicant who intends to be registered as a mechanical engineering services contractor or foreign contractor the academic requirements specified in Table 1 set out in the Seventh Schedule.

(7) An applicant shall attach copies of documents verifying that the academic requirements referred to in sub-regulation (6) have been acquired from a university recognised in Kenya under the Universities Act, 2012 or an institution recognised in Kenya under the Technical and Vocational Education and Training Act, 2013.

(8) The evaluation of an application made under regulation 3 or 12 shall include—

(a) an evaluation of the mandatory requirements;

(b) a technical evaluation; and

(c) a financial evaluation.

(9) On conducting a technical evaluation of the plant and equipment of an applicant, the Authority shall assess the applicant's equipment holdings, workshop, yard and offices.

(10) On conducting a technical evaluation of construction works undertaken by an applicant, the Authority shall consider the construction works undertaken within the preceding five years.

(11) On conducting a financial evaluation the Authority shall assess the statement of accounts of the applicant.

(12) Upon conducting an evaluation of an application under this regulation the Authority shall award the marks specified in the following Tables for the corresponding category of contractors, and for the class of works specified therein—

- (a) for an applicant who intends to be registered as a building works contractor or foreign contractor, the marks specified in Table 11 set out of the Fourth Schedule;
- (b) for an applicant who intends to be registered as a civil engineering works contractor or foreign contractor the marks specified in Table 11 set out in the Fifth Schedule;
- (c) for an applicant who intends to be registered as an electrical engineering services contractor or foreign contractor the marks specified in Table 11 set out in the Sixth Schedule; and
- (d) for an applicant who intends to be registered as a mechanical engineering services contractor or foreign contractor the marks specified in Table 11 set out in the Seventh Schedule.

5. The principal Regulations are amended by deleting regulation 5 and substituting therefor the following regulation—

Issuance of certificate of registration.	5. (1) Where marks have been awarded to an application in accordance with regulation 4 (12), the Authority shall immediately notify the applicant of the decision of the Authority and of the requirement of the payment of the registration fees set out in the Third Schedule.
	(2) The Authority shall issue an applicant who qualifies for registration with a Certificate of Registration—
	(a) to contractor in Form 2; or
	(b) to a foreign contractor in Form 3,
	set out in the First Schedule.
	(2) The Certificate of Registration referred to in sub-regulation (1) shall be issued to contractor in Form 2 set out in the First Schedule.

6. The principal Regulations are amended by inserting the following new regulation immediately after regulation 5—

Scope of construction works.	5A. The scope of construction works that may be undertaken by a contractor who has been issued with a certificate of registration under regulation 5 shall be within the values of the corresponding category of registration—
	(a) for a contractor registered as a building works contractor or foreign contractor, the value of construction works specified in Table 3 set out of the Second Schedule;
	(b) for a contractor registered as a civil engineering works contractor or foreign contractor the value of construction works specified in Table 4 set out in the Second Schedule;
	(c) for a contractor registered as an electrical engineering services contractor or foreign contractor the value of construction works specified in Table 5 set out in the Second Schedule; and
	(d) for a contractor registered as a mechanical engineering services contractor or foreign contractor the value of construction works specified in Table 6 set out in the Second Schedule.

7. (1) Regulation 12 of the principal Regulations are amended by deleting sub-regulation (1) and substituting therefor the following sub-regulation—

(1) Pursuant to section 18 of the Act, an application for registration as a foreign contractor shall be—

- (a) made by submitting a duly filled application for registration in Form 1 set out in the First Schedule;
- (b) be accompanied by copies of the documents specified in Table 1 set out in the Second Schedule;
- (c) be accompanied by the application fees specified in Table 1 set the Third Schedule; and

(d) an undertaking in writing that the foreign person of firm shall transfer technical skills that are not available in Kenya, to a Kenyan firm or person in the manner determined by the Authority.

(2) Regulation 12 of the principal Regulations are amended by inserting the following new sub-regulations immediately after sub-regulation (1)—

(1A) Where an application under sub-regulation (1) is made by a person who intends to be registered as an electrical engineering works foreign contractor for the respective sub-class of construction works specified in column two, the application shall be accompanied by copies of the documents specified in Table 2 set out in the Second Schedule.

(1B) An applicant shall indicate the following three persons as referees in the application made under sub-regulation (1)—

- (a) an employer of the applicant;
- (b) a construction consultant; and
- (c) a regulatory body.

(3) Regulation 12 of the principal Regulations are amended by deleting sub-regulation (2).

(3) Regulation 12 of the principal Regulations are amended by deleting sub-regulation (3).

8. The principal Regulations are amended by deleting the First Schedule and substituting therefor the following Schedule—

FIRST SCHEDULE—FORMS

FORM 1

(r. 3(1), 12(1))

APPLICATION FOR REGISTRATION AS CONTRACTOR

Date of application:

PART I—CLASS OF CONSTRUCTION WORKS & CATEGORY APPLIED FOR

Class of Works

Category Applied For

PART II—DETAILS OF APPLICANT

1. National Identification Number/Business No/Certificate of Incorporation/Certificate of Compliance:
2. Name:
3. Head Office:
4. County:
5. Town:
6. Postal address:
7. Email address:
8. Website:
9. Office Telephone:
10. Mobile Phone Number:
11. Kenya Revenue Authority Personal Identification Number:
12. Kenya Revenue Authority Tax Compliance Certificate Number:
13. Are you registered or licensed by a Ministry or State Corporation?

Yes

No

Note—Tick appropriate box.

If yes, indicate—

Name of the Ministry or State Corporation	License number or certificate number
<i>Note—Indicate all the valid licences or certificates of registration of the applicant</i>	

14. Are you a member of a contractor association?

Yes No

Note—Tick appropriate box.

If yes, indicate—

Name of contractor association Membership number

Note—Indicate all the contractor associations the applicant is a member of.

15. Are you a joint venture firm? Yes/No

Yes No

Note—Tick appropriate box.

16. Are you registered with Access to Government Procurement Opportunities?

Yes No

Note—Tick appropriate box.

If yes, indicate—

Category of registration Certificate number

Note—Indicate all the categories of registration.

**PART III—PARTICULARS OF SOLE PROPRIETOR, PARTNERS
OR DIRECTORS**

(Attach copies of academic certificates and curriculum vitae)

	Name	Email address	Phone number	National identification number or passport number	Nationality	Highest qualification	Profession
1							
2							
3							
4							
5							

PART IV—PARTICULARS OF MEMBERS OF STAFF

(Attach copies of academic certificates and curriculum vitae)

	Name	Email address	Phone number	National identification number or passport number	Nationality	Highest qualification	Profession
1							
2							
3							
4							
5							

PART V—PARTICULARS OF PREMISES

(Indicate offices, workshops and yards)

	Name of premises	Description	Location	Contact details
1				
2				

PART VI—PARTICULARS OF INDUSTRY EXPERIENCE

(Attach documentary support for ongoing and completed projects.)

	Project name or title	County	Authority registration number	Contract period	Contract sum
1					
2					
3					
4					

**PART VII—PARTICULARS OF APPLICANT'S PLANT AND
EQUIPMENT**

(Attach proof of ownership)

	Name of plant or equipment	Description	Model	Date of manufacture	Registration number	Owned or leased
1						
2						
3						

PART VIII—FINANCIAL STATUS OF THE APPLICANT

(Attach financial statements for the last three years)

		Year 1	Year 2	Year 3
1	Turnover			
2	Working Capital			

PART IX—PARTICULARS OF PROJECT

(To be filled by foreign contractor)

Project Name or Title	County	Client Name	Commencement Date	Completion Date	Contract Sum

PART X—PARTICULARS OF SUB-CONTRACT

(To be filled by foreign contractor)

	Sub-contractor name	Description of sub-contracted works	Class of works	Category of registration	Sub-contract Sum
1					
2					
3					
4					

PART XI—PARTICULARS OF REFEREES

	Name of Referee	Occupation	Mobile Contact	Postal Address
1				
2				
3				

PART XII—DECLARATION

17. It is declared as follows—

- (a) the information specified in this application by the applicant is accurate;
- (b) where necessary, the applicant authorises any employer, construction consultant or banker to provide information to verify the information specified in this application;
- (c) the applicant shall comply with the Code of Conduct for the Construction Industry;

(d) the applicant acknowledges that any false declaration made in this application may result in the rejection of the application.

Dated thisday of20.....

Signed by:
(Indicate name of person filling in the application)

In the capacity of
(Indicate whether the person filling in the application is sole proprietor/partner/director of the applicant)

Signed.....
(Insert signature of person filling in the application)

FORM 2
(r. 5(2))



CERTIFICATE OF REGISTRATION AS CONTRACTOR

Name of contractor:
.....
is duly registered as a
(indicate class of construction works) Contractor in Category
.....
(indicate category of registration)

Registration Number:.....

Date of issue:.....

Serial number

Signed (Insert common seal of the Authority)
Registrar of Contractors Issued under the common seal of the Authority

(Insert Address of the Authority)

(Insert the quick response code developed by the Authority)

FORM 3

(r. 5(2))



ISO 9001:2015 Certified

CERTIFICATE OF REGISTRATION AS FOREIGN CONTRACTOR

Name of foreign Contractor:

.....

is duly registered as a

(indicate class of construction works) Contractor in Category

.....

(indicate category of registration)

Registration Number:.....

For the project:

.....

(indicate name of project)

Date of issue:.....

Date of expiry:.....

Serial number:

(Insert common seal of the Authority)

Signed
Registrar of Contractors

Issued under the common seal of
the Authority.

(Insert Address of the Authority)

(Insert the quick response code developed by the Authority)

9. The principal Regulations are amended by deleting the Second Schedule and substituting therefor the following new Schedule—

SECOND SCHEDULE—TABLES

TABLE 1

(r. 3(1), 12(1))

DOCUMENTS TO BE ATTACHED TO APPLICATIONS FOR REGISTRATION	
1.	Proof of payment of application fees under schedule six
2.	Certificate of Registration/Incorporation/Compliance
3.	Valid Business Permit
4.	Company Registration (CR) 12
5.	Directors'/Partners/Shareholders/Sole proprietor National Identification/Passport
6.	Valid work permits for directors and members of staff who are foreigners
7.	Kenya Revenue Authority Tax Compliance Certificate
8.	Proprietor/Partners/Director(s) academic certificates and curriculum vitae
9.	Members of staff academic certificates and curriculum vitae
10.	Award letters, practical completion certificates, certificate of taking over, final acceptance certificate for ongoing and completed projects by the applicant
11.	Registration documents, certificate of importation, certificate of sale, formal lease agreements (as issued under Movable Securities Act, 2017), hire purchase agreement (as issued under the hire purchase Act Cap 507)
12.	Financial statements for audited accounts

TABLE 2
(r. 3(1A), 12(1A))

DOCUMENTS TO BE ATTACHED FOR APPLICATIONS FOR REGISTRATION AS ELECTRICAL ENGINEERING WORKS CONTRACTOR

	Sub-class of construction works	Documents to be attached
1	Electrical Installation	(1) An electrical installation license of class A-1 and an electrical installation license of class C-2, issued under rule 5 of the Electric Power (Electrical Installation Work) Rules, 2006. (2) A license issued under the Energy Act, 2019.
2	Installation lifts hoists, escalators, mechanical ramps, travellators, conveyors,	(1) An electrical installation license of class A-1 and an electrical installation license of class A-2, issued under rule 5 of the Electric Power (Electrical Installation Work) Rules, 2006. (2) A license issued under the Energy Act, 2019.

	Belts, generating plants or control panels	
3	Installation of solar power generation and photovoltaic cells	(1) An electrical installation license of class A-1, issued under rule 5 of the Electric Power (Electrical Installation Work) Rules, 2006. (2) A license issued under the Energy Act, 2019.
4	Construction of power transmission lines and installation of power distribution equipment	(1) An electrical installation license of class A-1 and an electrical installation license of class C-2, issued under rule 5 of the Electric Power (Electrical Installation Work) Rules, 2006. (2) A license issued under the Energy Act, 2019.
5	Electronic structured cabling and computer networking installations	Telecommunications Contractor Licence issued under Kenya Information and Communications (Licensing and Quality of Services) Regulations, 2010

TABLE 3
(r. 5A)

VALUE OF CONSTRUCTION WORKS THAT MAY BE UNDERTAKEN BY REGISTERED BUILDING WORKS CONTRACTORS

	Category of registration	Value of construction works (Kshs)
1.	Category 1	More than 1,500,000,000.00
2.	Category 2	Not exceeding 1,500,000,000
3.	Category 3	Not exceeding 750,000,000
4.	Category 4	Not exceeding 500,000,000
5.	Category 5	Not exceeding 200,000,000
6.	Category 6	Not exceeding 100,000,000
7.	Category 7	Not exceeding 50,000,000
8.	Category 8	Not exceeding 20,000,000

TABLE 4
(r. 5A)

**VALUE OF CONSTRUCTION WORKS THAT MAY BE
UNDERTAKEN BY REGISTERED CIVIL ENGINEERING
WORKS CONTRACTORS**

	Category of registration	Value of construction works (Kshs)
1.	Category 1	More than 2,500,000,000.00
2.	Category 2	Not exceeding 2,500,000,000
3.	Category 3	Not exceeding 1,250,000,000
4.	Category 4	Not exceeding 750,000,000
5.	Category 5	Not exceeding 500,000,000
6.	Category 6	Not exceeding 200,000,000
7.	Category 7	Not exceeding 50,000,000
8.	Category 8	Not exceeding 10,000,000

TABLE 5
(r. 5A)

**VALUE OF CONSTRUCTION WORKS THAT MAY BE
UNDERTAKEN BY REGISTERED ELECTRICAL ENGINEERING
SERVICES CONTRACTORS**

Construction works undertaken	Category of registration	Value of construction works (Kshs)
Construction of power transmission lines or installation of power distribution equipment.	Category 1	More than 250,000,000
	Category 2	Not exceeding 250,000,000
	Category 3	Not exceeding 100,000,000
	Category 4	Not exceeding 50,000,000
	Category 5	Not exceeding 20,000,000
(a) Electrical installation. (b) Installation of uninterrupted power supply systems, automatic voltage regulators or surge protectors. (c) Retrofitting for improving energy efficiency.	Category 1	More than 150,000,000
	Category 2	Not exceeding 150,000,000
	Category 3	Not exceeding 75,000,000
	Category 4	Not exceeding 40,000,000
	Category 5	Not exceeding 10,000,000

(d) Installation of telecommunication systems.		
(e) Installation of electronic communications systems.		
(f) Installation of radio communications.		
(g) Structured cabling or installation of computer networking systems.		
(h) Installation of security surveillance systems, intruder alarm and access control systems.		
(a) Installation of generators, lifts, escalators or travelators.	Category 1	More than 50,000,000
	Category 2	Not exceeding 50,000,000
	Category 3	Not exceeding 30,000,000
	Category 4	Not exceeding 15,000,000
(b) Installation of solar photovoltaic systems.	Category 5	Not exceeding 5,000,000

TABLE 6
(r. 5A)

VALUE OF CONSTRUCTION WORKS THAT MAY BE UNDERTAKEN BY REGISTERED MECHANICAL ENGINEERING SERVICES CONTRACTORS

Construction works undertaken	Category of registration	Value of construction works (Kshs)
(a) Installation of plumbing, drainage or sanitary services.	Category 1	More than 150,000,000
	Category 2	Not exceeding 150,000,000
	Category 3	Not exceeding 75,000,000
(b) Installation of refrigeration, heating, cold rooms, air-conditioning or ventilation.	Category 4	Not exceeding 40,000,000
	Category 5	Not exceeding 10,000,000
(c) Installation of oil or gas storage systems.		

(d) Installation of aerial movement or lifting equipment.		
(a) Installation of compressed gas or pressurized vessels	Category 1	More than 50,000,000
	Category 2	Not exceeding 50,000,000
	Category 3	Not exceeding 30,000,000
(b) Installation of swimming pools or health club equipment	Category 4	Not exceeding 15,000,000
(c) Installation of fire engineering services	Category 5	Not exceeding 5,000,000

10. The principal Regulations are amended by deleting the Third Schedule and substituting therefor the following new Schedule—

THIRD SCHEDULE—FEES

TABLE 1
(r. 3(1), 12(1))

APPLICATION FEES FOR REGISTRATION AS CONTRACTOR AND FOREIGN CONTRACTOR

	Type of application	Fees payable by Kenyan contractor (Kshs.)	Fees payable by foreign contractor (US\$)
1	Application for registration as contractor or foreign contractor.	5,000	500
2	Application for upgrading category of registration.	5,000	
3	Application downgrading category of registration	5,000	

TABLE 2
(r. 3(1))

REGISTRATION FEES FOR CONTRACTORS AND FOREIGN CONTRACTORS

	Category of registration	Fees payable by Kenyan contractor (Kshs.)	Fees payable by foreign contractor (US\$)
1	Category 1	100,000	10,000
2	Category 2	75,000	
3	Category 3	50,000	

4	Category 4	25,000	
5	Category 5	20,000	
6	Category 6	15,000	
7	Category 7	10,000	
8	Category 8	5,000	
SKILLED CONSTRUCTION WORKERS & CONSTRUCTION SITE SUPERVISORS			
1	Skilled Construction Workers	1,000	-
2	Construction Site Supervisors	2,000	-

11. The principal Regulations are amended by inserting the following new Schedules immediately after the Third Schedule—

FOURTH SCHEDULE

(r. 4(1))

EVALUATION CRITERIA FOR BUILDING WORKS CONTRACTORS

Part I—Evaluation of Mandatory Requirements

1. On conducting an evaluation of the mandatory requirements, the Authority shall consider whether the applicant who intends to be registered as a building works contractor has—
 - (a) paid the application fees;
 - (b) filled in the application form; and
 - (c) attached the documents referred to in regulation 3 or regulation 12.

Part II—Technical Evaluation

2. The maximum marks that may be awarded for technical evaluation are 70 marks in the following manner—
 - (a) for the evaluation of the directors, 12 marks;
 - (b) for the evaluation of the members of staff, 22 marks;
 - (c) for the evaluation of the plant and equipment, 15 marks;
 - (d) for the evaluation of the construction works undertaken, 16 marks; and
 - (e) for the evaluation of the premises, 5 marks.

3. The technical evaluation of the directors and members of staff shall consider membership in—

- (a) the Architectural Association of Kenya;
- (b) the Institution of Engineers Kenya;
- (c) the Institute of Quantity Surveyors of Kenya;
- (d) the Law Society of Kenya;
- (e) the Institute of Construction Project Managers of Kenya;
- (f) the Association of Construction Managers of Kenya;
- (g) the Institute of Certified Public Accountants of Kenya;
- (h) the Kenya Institute of Planners;
- (i) the Institution of Surveyors of Kenya;
- (j) the Institution of Engineering Technologists and Technicians;
- (k) the Institute of Clerk of Works of Kenya;
- (l) the Chartered Institute of Arbitrators (Kenya Branch); or
- (m) any other relevant body recognized in Kenya.

4. The technical evaluation of the directors and members of staff shall consider compliance with the requirements of—

- (a) the Engineers Board of Kenya;
- (b) the Board of Registration of Architects and Quantity Surveyors;
- (c) the Institute of Certified Public Accountants of Kenya;
- (d) the Kenya Engineering Technology Registration Board;
- (e) the Land Surveyors Board;
- (f) the National Environmental Management Authority;
- (g) the Building Surveyors Registration Board;
- (h) the Department of Safety and Health; or
- (i) any other relevant body recognized in Kenya.

5. The technical evaluation of the directors shall consider the academic qualifications specified in column 3 set out in Table 1 for the corresponding the category of registration of contractors specified column 2.

Table 1—Academic Qualifications for Technical Directors

	Category of Registration	Academic Qualification
1	NCA 1-3	Bachelor’s Degree
2	NCA 4-6	Diploma
4	NCA 7	Certificate
5	NCA 8	Trade Test

6. The maximum marks that may be awarded for the technical evaluation of a technical director for the specified category of registration of contractors shall be as specified in Table 2

Table 2— Marks for Evaluation of Technical Directors

Academic Qualification	Maximum Marks Attainable for Academic Qualification	Maximum Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors’ Degree	3.0	7.0	More than 10	100
Diploma	2.0	5.0	From 8 to 10	80
Certificate	1.5	3.0	From 5 to 7	60
Trade test	0.5	1.0	Less than 5	40

Note—

- (a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a technical director that has the minimum academic qualification specified in column 1.
- (b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a technical director that has the minimum industry experience specified in column 4.
- (c) Marks will be awarded for the highest ranked technical director of an applicant.
- (d) Where a technical director is a member of a professional body the applicant may be awarded 2 additional marks.
- (e) Where a technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 2 additional marks.
- (f) The marks awarded for the technical evaluation of a technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).

7. The maximum marks that may be awarded for the technical evaluation of non-technical directors shall be as specified in Table 3

Table 3— Marks for Evaluation of Non-Technical Directors

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	0.5	0.5	More than 10	100
Diploma	0.3	0.3	From 8 to 10	80
Certificate	0.2	0.2	From 5 to 7	60
Trade test	0.1	0.1	Less than 5	40
<i>Note—</i>				
(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a non-technical director that has the minimum academic qualification specified in column 1.				
(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a non-technical director that has the minimum industry experience specified in column 4.				
(c) Marks will be awarded for the highest ranked non-technical director of an applicant.				
(d) Where a non-technical director is a member of a professional body the applicant may be awarded 0.25 additional marks.				
(e) Where a non-technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 0.25 additional marks.				
(f) The marks awarded for the technical evaluation of a non-technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).				

8. The maximum marks that may be awarded for the technical evaluation of the members of technical staff shall be as specified in Table 4

Table 4—Marks for Evaluation of Members of Technical Staff

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	0.75	1.0	More than 10	100
Diploma	0.5	0.75	From 8 to 10	80
Certificate	0.25	0.25	From 5 to 7	60
Trade test	0.25	0.25	Less than 5	40
<i>Note—</i>				
(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has members of technical staff that have the minimum academic qualification specified in column 1.				
(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has members of technical staff that have the minimum industry experience specified in column 4.				
(c) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks.				

- (d) Where the members of technical staff are members of a professional body the applicant may be awarded 0.25 additional marks.
- (e) Where the members of technical staff comply with the requirements of the relevant regulatory body the applicant may be awarded 0.25 additional marks.
- (f) The marks awarded for the technical evaluation of the members of technical staff shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (c) or (d), and subject to the maximum marks specified in paragraphs (g), (h), (i) and (j).
- (g) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks.
- (h) Where all the members of technical staff have diplomas, technical evaluation shall be conducted on only four members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 1.5 marks.
- (i) Where all the members of technical staff have Certificates, technical evaluation shall be conducted on only eight members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks.
- (j) Where all the members of technical staff have trade tests, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks.

9. The maximum marks that may be awarded for the technical evaluation of the members of non-technical staff shall be the marks specified in Table 5

Table 5—Marks for Evaluation of Members of Non-Technical Staff

Non-Technical Staff	Marks
Accounts & Finance Officer	1
Human Resource Officer	1
Procurement and contract management Officer	1
Administration Officer	1
<i>Note—</i>	
<i>An applicant may be awarded a maximum of 4 marks if support staff is clearly identified.</i>	

10. The maximum marks that may be awarded for the technical evaluation of the plant and equipment shall be as specified in Table 6

Table 6—Marks for Evaluation of the Plant and Equipment of Building Works Contractors

	Plant and equipment	Quantity	Marks
1	Earth moving machines	6	2.5
	A bulldozer which is capable of generating at least 280HP of power	1	
	A grader which is capable of generating at least 186 HP of power.	1	

	Loaders which are capable of generating at least 200 HP of power.	2	
	A backhoe which is capable of generating at least 100 HP of power.	1	
	An excavator which is capable of moving weight of at least 30T and which is capable of generating at least 230 HP of power.	1	
2	Hauling and transportation	15	2.5
	Tipplers which are capable of hauling at least 15m ³ or a 25T payload.	5	
	A four-wheel drive agricultural tractors which are capable of generating at least 120HP and have trailers attached.	1	
	Non-tipping trucks which are capable of hauling at least 7T.	5	
	Site dumpers which are capable of hauling at least 3T.	4	
3	Concreting equipment	10	2.5
	Concrete mixers which have a capacity of at least 750L	5	
	Compressors which are capable of generating at least compressed air of at least 136 Cfm and have vibrators.	3	
	Concrete pumps which have a pumping volume of at least 10m ³ /hr. for a height of at least 25m.	2	
4	Facilities and workshops	3	2
	A metal workshop	1	
	A carpentry and joinery workshop	1	
	A workshop for precast concrete elements	1	
5	Surveying equipment	3	0.5
	Leveling instruments.	2	
	Theodolite station or total station or real time kinematic station	1	
6	Cranes, hoisting and lifting equipment	4	2
	Tower cranes which are capable of hoisting at least 25T.	2	
	A passenger hoist.	1	
	A mobile crane which are capable of hoisting at least 25T.	1	
7	Water equipment and generators	15	1
	Water Bowsers which have a capacity of at least 3000L.	6	

	Water Pumps which have a suction diameter of at least 4".	6	
	Generators which have a minimum power rating of 25KVA.	3	
8	Miscellaneous		2
	Assortment of hand tools.		
	Scaffolding.		
	Light duty vehicles.		
	Welding sets.		
	Safety gears.		
	TOTAL		15
<i>Note—</i>			
<i>(a) The quantity of the equipment in column 2 considered during technical evaluation shall be that in column 3.</i>			
<i>(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.</i>			
<i>(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.</i>			

11. The maximum marks that may be awarded for the technical evaluation of the construction works undertaken shall be as specified in Table 7

Table 7—Marks for Evaluation of the Construction Works Undertaken by Building Works Contractors

	Value of Construction Works Undertaken (Kshs.)	Marks
1.	More than 500,000,000	16
2.	From 400,000,001 to 500,000,000	14
3.	From 300,000,001 to 400,000,000	12
4.	From 200,000,001 to 300,000,000	10
5.	From 100,000,001 to 200,000,000	8
6.	From 50,000,001 to 100,000,000	6
7.	From 20,000,000 to 50,000,000	4
8.	Less than 20,000,000	3
<i>Notes—</i>		
<i>(a) Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.</i>		
<i>(b) Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.</i>		

12. The maximum marks that may be awarded for the technical evaluation of the premises shall be as specified in Table 8

Table 8—Marks for Evaluation of the Premises of Building Works Contractors

Types of Premises	Marks
Workshops and Yards	3
Office facilities	2
<i>Note—</i>	
<i>(a) The technical evaluation of the premises shall consider the size and complexity of the premises.</i>	
<i>(b) The technical evaluation of office facilities shall consider all the branches of the applicant.</i>	

Part III—Financial Evaluation

13. The marks that may be awarded for financial evaluation are 30 marks in the following manner—

- (a) for the financial evaluation of the turnover, 20 marks; and
- (b) for the financial evaluation of the working capital, 10 Marks.

14. The maximum marks that may be awarded for the financial evaluation of the annual turnover of a building works contractor shall be as specified in Table 9

Table 9—Marks for the Financial Evaluation of the Annual Turnover of Building Works Contractors

	Annual Turnover (Kshs.)	Marks
1.	More than 375,000,000	20.0
2.	From 225,000,001 to 375,000,000	17.5
3.	From 150,000,001 to 225,000,000	15.0
4.	From 75,000,001 to 150,000,000	12.5
5.	From 37,500,001 to 75,000,000	10.0
6.	From 15,000,001 to 37,500,000	7.5
7.	From 7,500,001 to 15,000,000	5.0
8.	Less than 7,500,000	2.5
<i>Note—</i>		

Financial evaluation shall consider the highest annual turnover in Column 2 for the previous three years, and award the corresponding mark in Column 3.

15. The maximum marks that may be awarded for the financial evaluation of the working capital of a building works contractor shall be as specified in Table 10

Table 10—Marks for the Financial Evaluation of the Working Capital of Building Works Contractors

	Working Capital	Marks
1.	More than 50,000,000	10.0
2.	From 30,000,001 to 50,000,000	8.5
3.	From 20,000,001 to 30,000,000	6.5
4.	From 10,000,001 to 20,000,000	5.0
5.	From 5,000,001 to 10,000,000	4.0
6.	From 2,000,001 to 5,000,000	3.0
7.	From 1,000,001 to 2,000,000	2.0
8.	Less than 1,000,000	1.0
<i>Note—</i>		
<i>Financial evaluation shall consider the highest working capital in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

Part IV—Aggregate Marks

16. The aggregate marks that may be awarded on the evaluation of an application for registration as a building works contractor made under regulation 3 of 12 shall be the sum of the total marks awarded on the technical evaluation conducted under Part II and the financial evaluation conducted under Part III.

17. Where the aggregate marks awarded on the evaluation of an application made under regulation 3 or regulation 12 are within the range specified in column 3 of Table 11, the applicant is eligible to be registered as a contractor in the corresponding category specified in column 2.

Table 11—Aggregate Marks for the Category of Registration as Building Works Contractors

	Category of Registration	Aggregate Marks Awarded
1.	Category 1	From 80 to 100

2.	Category 2	From 66 to 80
3.	Category 3	From 56 to 65
4.	Category 4	From 46 to 55
5.	Category 5	From 36 to 45
6.	Category 6	From 21 to 35
7.	Category 7	From 10 to 20
8.	Category 8	Less than 10

FIFTH SCHEDULE

(r. 4(2))

EVALUATION CRITERIA FOR CIVIL ENGINEERING WORKS CONTRACTORS

Part I—Evaluation of Mandatory Requirements

1. On conducting an evaluation of the mandatory requirements, the Authority shall consider whether the applicant who intends to be registered as a civil engineering works contractor or a road works contractor has—
 - (a) paid the application fees;
 - (b) filled in the application form; and
 - (c) attached the documents referred to in regulation 3 or regulation 12.

Part II—Technical Evaluation

2. The maximum marks that may be awarded for technical evaluation are 70 marks in the following manner—
 - (a) for the evaluation of the directors, 10 marks;
 - (b) for the evaluation of the members of staff, 10 marks;
 - (c) for the evaluation of the plant and equipment, 20 marks;
 - (d) for the evaluation of the construction works undertaken, 25 marks; and
 - (e) for the evaluation of the premises, 5 marks.
3. The technical evaluation of the directors and members of staff shall consider membership in—
 - (a) the Architectural Association of Kenya;

- (b) the Institution of Engineers Kenya;
 - (c) the Institute of Quantity Surveyors of Kenya;
 - (d) the Law Society of Kenya;
 - (e) the Institute of Construction Project Managers of Kenya;
 - (f) the Association of Construction Managers of Kenya;
 - (g) the Institute of Certified Public Accountants of Kenya;
 - (h) the Kenya Institute of Planners;
 - (i) the Institution of Surveyors of Kenya;
 - (j) the Institution of Engineering Technologists and Technicians;
 - (k) the Institute of Clerk of Works of Kenya;
 - (l) the Chartered Institute of Arbitrators (Kenya Branch); or
 - (m) any other relevant body recognized in Kenya.
- 4.** The technical evaluation of the directors and members of staff shall consider compliance with the requirements of—
- (a) the Engineers Board of Kenya;
 - (b) the Board of Registration of Architects and Quantity Surveyors;
 - (c) the Institute of Certified Public Accountants of Kenya;
 - (d) the Kenya Engineering Technology Registration Board;
 - (e) the Land Surveyors Board;
 - (f) the National Environmental Management Authority;
 - (g) the Building Surveyors Registration Board;
 - (h) the Department of Safety and Health; or
 - (i) any other relevant body recognized in Kenya.
- 5.** The technical evaluation of the directors shall consider the academic qualifications specified in column 3 set out in Table 1 for the corresponding the category of registration of contractors specified column 2.

Table 1—Academic Qualifications for Technical Directors

	Category of Registration	Academic Qualification
1	NCA 1-3	Bachelor’s Degree
2	NCA 4-6	Diploma
4	NCA 7	Certificate
5	NCA 8	Trade Test

6. The maximum marks that may be awarded for the technical evaluation of a technical director for the specified category of registration of contractors shall be as specified in Table 2

Table 2— Marks for Evaluation of Technical Directors

Academic Qualification	Maximum Marks Attainable for Academic Qualification	Maximum Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors’ Degree	3.0	5.0	More than 10	100
Diploma	2.0	3.0	From 8 to 10	80
Certificate	1.5	2.0	From 5 to 7	60
Trade test	1.0	1.0	Less than 5	40
<i>Note—</i>				
(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a technical director that has the minimum academic qualification specified in column 1.				
(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a technical director that has the minimum industry experience specified in column 4.				
(c) Marks will be awarded for the highest ranked technical director of an applicant.				
(d) Where a technical director is a member of a professional body the applicant may be awarded 2 additional marks.				
(e) Where a technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 2 additional marks.				
(f) The marks awarded for the technical evaluation of a technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).				

7. The maximum marks that may be awarded for the technical evaluation of non-technical directors shall be as specified in Table 3

Table 3— Marks for Evaluation of Non-Technical Directors

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors’ Degree	0.25	0.75	More than 10	100

Diploma	0.15	0.3	From 8 to 10	80
Certificate	0.1	0.2	From 5 to 7	60
Trade test	0.5	0.1	Less than 5	40
<i>Note—</i>				
(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a non-technical director that has the minimum academic qualification specified in column 1.				
(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a non-technical director that has the minimum industry experience specified in column 4.				
(c) Marks will be awarded for the highest ranked non-technical director of an applicant.				
(d) Where a non-technical director is a member of a professional body the applicant may be awarded 0.25 additional marks.				
(e) Where a non-technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 0.25 additional marks.				
(f) The marks awarded for the technical evaluation of a non-technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).				

8. The maximum marks that may be awarded for the technical evaluation of the members of technical staff shall be as specified in Table 4

Table 4—Marks for Evaluation of Members of Technical Staff

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	0.75	1.0	More than 10	100
Diploma	0.5	0.75	From 8 to 10	80
Certificate	0.25	0.25	From 5 to 7	60
Trade test	0.25	0.25	Less than 5	40
<i>Note—</i>				
(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has members of technical staff that have the minimum academic qualification specified in column 1.				
(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has members of technical staff that have the minimum industry experience specified in column 4.				
(c) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks.				
(d) Where the members of technical staff are members of a professional body the applicant may be awarded 0.25 additional marks.				
(e) Where the members of technical staff comply with the requirements of the relevant regulatory body the applicant may be awarded 0.25 additional marks.				
(f) The marks awarded for the technical evaluation of the members of technical staff shall be the sum of marks attained under paragraphs (a) and (b), in addition to the				

<p>marks awarded under paragraph (c) or (d), and subject to the maximum marks specified in paragraphs (g), (h), (i) and (j).</p> <p>(g) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks.</p> <p>(h) Where all the members of technical staff have diplomas, technical evaluation shall be conducted on only four members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 1.5 marks.</p> <p>(i) Where all the members of technical staff have Certificates, technical evaluation shall be conducted on only eight members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks.</p> <p>(j) Where all the members of technical staff have trade tests, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks.</p>
--

9. The maximum marks that may be awarded for the technical evaluation of the members of non-technical staff shall be the marks specified in Table 5

Table 5—Marks for Evaluation of Members of Non-Technical Staff

Non-Technical Staff	Marks
Accounts & Finance Officer	1
Human Resource Officer	1
Procurement and contract management Officer	1
Administration Officer	1
<i>Note—</i>	
<i>An applicant may be awarded a maximum of 2 marks if support staff is clearly identified.</i>	

10. The maximum marks that may be awarded for the technical evaluation of the plant and equipment shall be as specified in Table 6

Table 6—Marks for Evaluation of the Plant and Equipment of Civil Engineering Works Contractors

	Plant and equipment	Quantity	Marks
1	Earth moving equipment	20	5
	Bulldozers which are capable of generating at least 280HP of power	3	
	Graders which are capable of generating at least 186 HP of power.	6	
	Loaders which are capable of generating at least 200 HP of power.	4	
	Backhoes which are capable of generating at least 100 HP of power.	2	

	Excavators which are capable of moving weight of at least 30T and which are capable of generating at least 230 HP of power.	5	
2	Hauling and transportation	30	3
	Tippers which are capable of hauling at least 15m ³ or a 25T payload.	20	
	Four-wheel drive agricultural tractors which are capable of generating at least 120HP and have trailers attached.	2	
	Non-tipping truck which are capable of hauling at least 7T.	4	
	Low loaders capable of hauling at least 40T and are attached to prime movers which are capable of generating at least 300HP of power.	4	
3	Asphalt and crusher plants	2	2
	Stone crusher 3 stages (primary, secondary or tertiary) installed which has a power rating of at least 750KVA	1	
	Asphalt Plant with 4/5 cold bins, separate dryer and mixer, bag filter for dust collection 80/100T, installed, which has a power rating of at least 600KVA	1	
4	Concreting equipment	11	1.5
	Concrete mixers which have a capacity of at least 750L	6	
	Compressors which are capable of generating at least compressed air of at least 136 Cfm and have vibrators.	4	
	A concrete batch plant weigh scale which has a capacity of at least 30m ³ /hr.	1	
5	Pavement construction or road making equipment	30	5
	Vibrating rollers which has a capacity of at least 12T.	6	
	Tandem rollers which have a capacity of at least 10T	4	
	Pneumatic tyre rollers which have a capacity of at least 10T and have at least 10 wheels	4	
	Pedestrian rollers or plate compactors	4	
	Hand Compressors	2	
	Asphalt Pavers with hydraulic extended tamper table, automatic level controls and heaters for tamping table	2	
	Chip Spreaders which are self-propelled for 3.5m wide carriageway	2	

	Bitumen Distributors or Sprayer which have a capacity of at least 8T for spraying on a 3.5m wide carriageway	2	
	Mechanical brooms	2	
	Stabilization equipment	2	
6	Surveying equipment	3	0.5
	Leveling instruments	2	
	A theodolite station or total station or real time kinematic station	1	
7	Water equipment and generators	15	1
	Water bowsers which have a capacity of at least 3000L	6	
	Water pumps which have a suction diameter of at least 4"	6	
	Generators which have a power rating of at least 25KVA.	3	
8	Miscellaneous		2
	Assortment of hand tools.		
	Scaffolding.		
	Light duty vehicles.		
	Welding sets which have a power rating of at least 300Amps.		
	TOTAL		20

Note—

- (a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.
- (b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.
- (c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.
- (d) Where an application is being evaluated for registration under category NCA 1, the minimum marks that may be awarded shall be 16 marks.
- (e) Where an application is being evaluated for registration under category NCA 2, the minimum marks that may be awarded shall be 12 marks.
- (f) Where an application is being evaluated for registration under category NCA 3, the minimum marks that may be awarded shall be 8 marks.

11. The maximum marks that may be awarded for the technical evaluation of the construction works undertaken shall be as specified in Table 7

Table 7—Marks for Evaluation of the Construction Works Undertaken by Civil Engineering Works Contractors

	Construction Works	Value of Construction Works Undertaken (Kshs.)	Marks
1.	Bituminous works or concrete works	More than 2,500,000,000	25
2.	Bituminous works or concrete works	From 1,500,000,001 to 2,500,000,000	22
3.	Bituminous works or concrete works	From 1,000,000,001 to 1,500,000,000	20
4.	Bituminous works or gravel works	From 500,000,001 to 1,000,000,000	15
5.	Bituminous works or gravel works	From 250,000,001 to 500,000,000	10
6.	Bituminous works or gravel works	From 100,000,001 to 250,000,000	8
7.	Bituminous works or gravel works	From 20,000,000 to 100,000,000	5
8.	Bituminous works or gravel works	Less than 20,000,000	3
Notes—			
(a) <i>Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.</i>			
(b) <i>Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.</i>			
(c) <i>Where an application is being evaluated for registration under category NCA 1, the minimum marks that may be awarded shall be 22 marks.</i>			
(d) <i>Where an application is being evaluated for registration under category NCA 2 the minimum marks that may be awarded shall be 16 marks.</i>			
(e) <i>Where an application is being evaluated for registration under category NCA 3, the minimum marks that may be awarded shall be 11 marks.</i>			

12. The maximum marks that may be awarded for the technical evaluation of the premises shall be as specified in Table 8

Table 8—Marks for Evaluation of the Premises of Building Works Contractors

Types of Premises	Marks
--------------------------	--------------

Workshops and Yards	3
Office facilities	2
Note—	
<i>(a) The technical evaluation of the premises shall consider the size and complexity of the premises.</i>	
<i>(b) The technical evaluation of office facilities shall consider all the branches of the applicant.</i>	

Part III—Financial Evaluation

13. The marks that may be awarded for financial evaluation are 30 marks in the following manner—

- (a) for the financial evaluation of the turnover, 20 marks; and
- (b) for the financial evaluation of the working capital, 10 Marks.

14. The maximum marks that may be awarded for the financial evaluation of the annual turnover of a civil engineering or road works contractor shall be as specified in Table 9

Table 9—Marks for the Financial Evaluation of the Annual Turnover of Civil Engineering or Road Works Contractors

	Annual Turnover (Kshs.)	Marks
1.	More than 1,125,000,000	20.0
2.	From 750,000,001 to 1,125,000,000	17.5
3.	From 450,000,001 to 750,000,000	15.0
4.	From 300,000,001 to 450,000,000	12.5
5.	From 150,000,001 to 300,000,000	10.0
6.	From 75,000,001 to 150,000,000	7.5
7.	From 37,500,000 to 75,000,000	5.0
8.	Less than 37,500,000	2.5
Note—		
<i>Financial evaluation shall consider the highest annual turnover in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

15. The maximum marks that may be awarded for the financial evaluation of the working capital of a civil engineering or road works contractor shall be as specified in Table 10

Table 10—Marks for the Financial Evaluation of the working Capital of Civil Engineering or Road Works Contractors

	Working Capital	Marks
1.	More than 75,000,000	10.0
2.	From 50,000,001 to 75,000,000	8.5
3.	From 30,000,001 to 50,000,000	6.5
4.	From 20,000,001 to 30,000,000	5.0
5.	From 5,000,001 to 20,000,000	4.0
6.	From 1,250,001 to 2,500,000	3.0
7.	From 1,000,000 to 2,000,000	2.0
8.	Less than 1,250,000	1.0
<i>Note—</i>		
<i>Financial evaluation shall consider the highest working capital in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

Part IV—Aggregate Marks

16. The aggregate marks that may be awarded on the evaluation of an application for registration as a building works contractor made under regulation 3 of 12 shall be the sum of the total marks awarded on the technical evaluation conducted under Part II and the financial evaluation conducted under Part III.

17. Where the aggregate marks awarded on the evaluation of an application made under regulation 3 or regulation 12 are within the range specified in column 3 of Table 11, the applicant is eligible to be registered as a contractor in the corresponding category specified in column 2.

Table 11—Aggregate Marks for the Category of Registration as Civil Engineering or Road Works Contractors

	Category of Registration	Aggregate Marks Awarded
1.	NCA 1	From 81 to 100
2.	NCA 2	From 66 to 80
3.	NCA 3	From 56 to 65
4.	NCA 4	From 46 to 55
5.	NCA 5	From 36 to 45
6.	NCA 6	From 21 to 35
7.	NCA 7	From 11 to 20
8.	NCA 8	Less than 10

FIFTH SCHEDULE

(r. 4(4))

EVALUATION CRITERIA FOR ELECTRICAL ENGINEERING WORKS CONTRACTORS

Part I—Evaluation of Mandatory Requirements

1. On conducting an evaluation of the mandatory requirements, the Authority shall consider whether the applicant who intends to be registered as a communication engineering works contractor, electrical works contractor or electronic works contractor has—
 - (a) paid the application fees;
 - (b) filled in the application form; and
 - (c) attached the documents referred to in regulation 3 or regulation 12.

Part II—Technical Evaluation

2. The maximum marks that may be awarded for technical evaluation are 70 marks in the following manner—
 - (a) for the evaluation of the directors, 10 marks;
 - (b) for the evaluation of the members of staff, 20 marks;
 - (c) for the evaluation of the plant and equipment, 15 marks;
 - (d) for the evaluation of the construction works undertaken, 20 marks;
and
 - (e) for the evaluation of the premises, 5 marks.
3. The technical evaluation of the directors and members of staff shall consider membership in—
 - (a) the Architectural Association of Kenya;
 - (b) the Institution of Engineers Kenya;
 - (c) the Institute of Quantity Surveyors of Kenya;
 - (d) the Law Society of Kenya;
 - (e) the Institute of Construction Project Managers of Kenya;
 - (f) the Association of Construction Managers of Kenya;

- (g) the Institute of Certified Public Accountants of Kenya;
 - (h) the Kenya Institute of Planners;
 - (i) the Institution of Surveyors of Kenya;
 - (j) the Institution of Engineering Technologists and Technicians;
 - (k) the Institute of Clerk of Works of Kenya;
 - (l) the Chartered Institute of Arbitrators (Kenya Branch); or
 - (m) any other relevant body recognized in Kenya.
4. The technical evaluation of the directors and members of staff shall consider compliance with the requirements of—
- (a) the Engineers Board of Kenya;
 - (b) the Board of Registration of Architects and Quantity Surveyors;
 - (c) the Institute of Certified Public Accountants of Kenya;
 - (d) the Kenya Engineering Technology Registration Board;
 - (e) the Land Surveyors Board;
 - (f) the National Environmental Management Authority;
 - (g) the Building Surveyors Registration Board;
 - (h) the Department of Safety and Health; or
 - (i) any other relevant body recognized in Kenya.
5. The technical evaluation of the directors shall consider the academic qualifications specified in column 3 set out in Table 1 for the corresponding the category of registration of contractors specified column 2.

Table 1—Academic Qualifications for Technical Directors

	Category of Registration	Academic Qualification
1	NCA 1	Bachelor’s Degree
2	NCA 2-3	Diploma
4	NCA 4	Certificate
5	NCA 5	Trade Test

6. The maximum marks that may be awarded for the technical evaluation of a technical director for the specified category of registration of contractors shall be as specified in Table 2

Table 2— Marks for Evaluation of Technical Directors

Academic Qualification	Maximum Marks Attainable for Academic Qualification	Maximum Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	3.0	5.0	More than 10	100
Diploma	2.0	3.0	From 8 to 10	80
Certificate	1.5	2.0	From 5 to 7	60
Trade test	1.0	1.0	Less than 5	40
<i>Note—</i>				
(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a technical director that has the minimum academic qualification specified in column 1.				
(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a technical director that has the minimum industry experience specified in column 4.				
(c) Marks will be awarded for the highest ranked technical director of an applicant.				
(d) Where a technical director is a member of a professional body the applicant may be awarded 2 additional marks.				
(e) Where a technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 2 additional marks.				
(f) The marks awarded for the technical evaluation of a technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).				

7. The maximum marks that may be awarded for the technical evaluation of non-technical directors shall be as specified in Table 3

Table 3— Marks for Evaluation of Non-Technical Directors

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	0.25	0.75	More than 10	100
Diploma	0.15	0.5	From 8 to 10	80
Certificate	0.1	0.3	From 5 to 7	60
Trade test	0.5	0.1	Less than 5	40
<i>Note—</i>				
(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a non-technical director that has the minimum academic qualification specified in column 1.				

- (b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a non-technical director that has the minimum industry experience specified in column 4.
- (c) Marks will be awarded for the highest ranked non-technical director of an applicant.
- (d) Where a non-technical director is a member of a professional body the applicant may be awarded 0.25 additional marks.
- (e) Where a non-technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 0.25 additional marks.
- (f) The marks awarded for the technical evaluation of a non-technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).

8. The maximum marks that may be awarded for the technical evaluation of the members of technical staff shall be as specified in Table 4

Table 4—Marks for Evaluation of Members of Technical Staff

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	0.75	0.75	More than 10	100
Diploma	0.5	0.5	From 8 to 10	80
Certificate	0.25	0.25	From 5 to 7	60
Trade test	0.25	0.25	Less than 5	40
<i>Note—</i>				
<ul style="list-style-type: none"> (a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has members of technical staff that have the minimum academic qualification specified in column 1. (b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has members of technical staff that have the minimum industry experience specified in column 4. (c) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks. (d) Where the members of technical staff are members of a professional body the applicant may be awarded 0.5 additional marks. (e) Where the members of technical staff comply with the requirements of the relevant regulatory body the applicant may be awarded 0.5 additional marks. (f) The marks awarded for the technical evaluation of the members of technical staff shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (c) or (d), and subject to the maximum marks specified in paragraphs (g), (h), (i) and (j). (g) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks. (h) Where all the members of technical staff have diplomas, technical evaluation shall be conducted on only four members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 1.5 marks. (i) Where all the members of technical staff have Certificates, technical evaluation shall be conducted on only eight members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks. 				

(j) Where all the members of technical staff have trade tests, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks.

9. The maximum marks that may be awarded for the technical evaluation of the members of non-technical staff shall be the marks specified in Table 5

Table 5—Marks for Evaluation of Members of Non-Technical Staff

Non-Technical Staff	Marks
Accounts & Finance Officer	1
Human Resource Officer	1
Procurement and contract management Officer	1
Administration Officer	1
<i>Note—</i>	
<i>The Authority may award a maximum of 2 marks if support staff is clearly identified.</i>	

10. The maximum marks that can be awarded for the technical evaluation of the plant and equipment of an applicant who engages in electrical installation shall be as specified in Table 6

Table 6—Marks for the Evaluation of the Plant and Equipment of Communication Engineering Works Contractor, Electrical Works Contractor or Electronic Works Contractors who Engage in Electrical Installation

	Plant and equipment	Quantity	Marks
1	Equipment for electrical installation	10	5
	Portable drilling machines	6	
	Cable lagging machines	4	
2	Testing equipment	26	5
	Multimeters	6	
	Earth loop impedance testers	2	
	Earth resistance testers	2	
	Insulation testers	2	
	Tong testers	6	
	Phase sequence meters	2	
	Phase testers	6	
3	Hauling and transportation	4	4
	Pick-ups	4	
4	Miscellaneous	2	1

	Circuit analyzer	1	
	Hand tools	11	
	TOTAL		15

Note—

- (a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.
- (b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.
- (c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.
- (d) Where an application is being evaluated for registration under category NCA 1, NCA 2, NCA 3 or NCA 4, the application shall be evaluation for the ownership an earth loop impedance and phase sequence meter.

11. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the installation of generators, lifts, escalators or travellers shall be as specified in Table 7

Table 7—Marks for the Evaluation of the Plant and Equipment of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Installation of Generators, Lifts, Escalators or Travellers

	Plant and equipment	Quantity	Marks
1	Equipment for generator, lifts and escalator installation	9	2
	Portable drilling machines	3	
	Cable lagging machines	4	
	Chain blocks and tackles capable of hoisting at least 1T.	2	
2	Testing equipment	14	8
	Multimeters	3	
	Earth loop impedance testers	2	
	Earth resistance testers	2	
	Insulation testers	2	
	Tong testers	3	
	Phase sequence meters	2	
3	Hauling and transportation	5	3
	Pick-ups	2	

	Light trucks which are capable of hauling at least 3T.	2	
	Truck mounted crane	1	
4	Miscellaneous		2
	Assorted hand tools		
	TOTAL		15
<i>Note—</i>			
<i>(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.</i>			
<i>(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.</i>			
<i>(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.</i>			

12. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the installation of solar photovoltaic systems shall be as specified in Table 8

Table 8—Marks for the Evaluation of the Plant and Equipment of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Installation of Solar Photovoltaic Systems

	Plant and equipment	Quantity	Marks
1	Equipment for installing solar photovoltaic systems	7	4
	Solar design software	1	
	Portable drilling machines	6	
2	Testing equipment	12	7
	Multimeters	6	
	Earth loop impedance	2	
	Earth resistance testers	2	
	Insulation testers	2	
3	Hauling and transportation	4	2
	Pick-ups capable of hauling at least 1T	4	
4	Miscellaneous	13	2
	Circuit analyzer	1	
	Assorted hand tools	11	
	Irradiation Meter	1	

	TOTAL		15
<i>Note—</i>			
<i>(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.</i>			
<i>(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.</i>			
<i>(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.</i>			

13. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the construction of power transmission lines or installation of power distribution equipment shall be as specified in Table 9

Table 9—Marks for the Evaluation of the Plant and Equipment of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Construction of Power Transmission Lines or Installation of Power Distribution Equipment

	Plant and equipment	Quantity	Marks
1	Equipment for the construction of power lines	14	4
	Portable drilling machines	4	
	Chain blocks and tackles capable of hoisting at least 1T	4	
	Pull lifts	4	
	Come-a-long cable power pullers which has capable of at least 3/16"	2	
2	Testing equipment	22	4
	Multimeters	6	
	Earth resistance testers	2	
	Insulation testers	2	
	Tong testers	6	
	Line testers	6	
3	Hauling and transportation	6	6
	Light trucks	2	
	Non-tipping trucks	2	
	Truck mounted cranes	2	

4	Miscellaneous		1
	Assorted hand tools		
	TOTAL		15
<i>Note—</i>			
<i>(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.</i>			
<i>(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.</i>			
<i>(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.</i>			

14. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the installation of structured cables or security and communication systems shall be as specified in Table 10

Table 10—Marks for the Evaluation of the Plant and Equipment of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Installation of Structured Cables or Security and Communication Systems

	Plant and equipment	Quantity	Marks
1	Equipment for the installation of electronic, communication, security or access systems	4	2
	Portable drilling machines	4	
2	Testing equipment	22	8
	Multimeters	6	
	Earth resistance testers	2	
	Computers	3	
	Phase testers	6	
	Cable testers	2	
	Krone tools	3	
3	Hauling and transportation	4	3
	Pick-ups	2	
	Light trucks	2	
4	Miscellaneous		2
	Assorted hand tools		

TOTAL	15
<i>Note—</i>	
<i>(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.</i>	
<i>(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.</i>	
<i>(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.</i>	

15. The maximum marks that may be awarded for the technical evaluation of the value of construction works undertaken by an applicant who engages in electrical installation shall be as specified in Table 11

Table 11—Marks for Evaluation of the Value of Construction Works Undertaken by Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who engage in Electrical Installation

	Value of Construction Works Undertaken (Kshs.)	Marks
1.	More than 250,000,000	10
2.	From 200,000,001 to 250,000,000	9
3.	From 150,000,001 to 200,000,000	8
4.	From 100,000,001 to 150,000,000	7
5.	From 50,000,001 to 100,000,000	6
6.	From 25,000,001 to 50,000,000	5
7.	From 10,000,000 to 25,000,000	4
8.	Less than 10,000,000	3
<i>Notes—</i>		
<i>(a) Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.</i>		
<i>(b) Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.</i>		

16. The maximum marks that may be awarded for the technical evaluation of the complexity of construction works undertaken by an applicant who engages in electrical installation shall be as specified in Table 12

Table 12—Marks for Evaluation of the Complexity of Construction Works Undertaken by Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who engage in Electrical Installation

Class of electrical	Complexity of Electrical Works	Marks
----------------------------	---------------------------------------	--------------

installation licence		
A1	All kinds of electrical installation works	10
B	Electrical installation works for connection to supply metered at voltages not exceeding medium 33,000V	8
C1	Electrical installation works for connection to three phase supply of the voltage that does not exceed 1,000V to a maximum of four -storeyed buildings that are factories or places of public entertainment.	5
C2	Electrical installation works for connection to single phase supply of the voltage that does not exceed 1,000V to a maximum of two -storeyed buildings that are not factories or places of public entertainment.	3

17. The maximum marks that may be awarded for the technical evaluation of the construction works undertaken by an applicant who engages in the installation of structured cables or security and communication systems shall be as specified in Table 13

Table 13—Marks for Evaluation of the Construction Works Undertaken by Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Installation of Structured Cables or Security and Communication Systems

	Value of Construction Works Undertaken (Kshs.)	Marks
1.	More than 250,000,000	20
2.	From 200,000,001 to 250,000,000	18
3.	From 150,000,001 to 200,000,000	16
4.	From 100,000,001 to 150,000,000	14
5.	From 50,000,001 to 100,000,000	12
6.	From 25,000,001 to 50,000,000	8
7.	From 10,000,000 to 25,000,000	5
8.	Less than 10,000,000	2
<i>Notes—</i>		
<i>(a) Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.</i>		
<i>(b) Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.</i>		

18. The maximum marks that may be awarded for the technical evaluation of the construction works undertaken by an applicant who engages in the installation of solar photovoltaic systems shall be as specified in Table 14

Table 14—Marks for Evaluation of the Construction Works Undertaken by Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Installation of Solar Photovoltaic Systems

	Value of Construction Works Undertaken (Kshs.)	Marks
1.	More than 50,000,000	20
2.	From 30,000,001 to 50,000,000	17
3.	From 20,000,001 to 30,000,000	14
4.	From 10,000,001 to 20,000,000	11
5.	From 5,000,000 to 10,000,000	5
6.	Less than 5,000,000	2
<i>Notes—</i>		
<i>(a) Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.</i>		
<i>(b) Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.</i>		

19. The maximum marks that may be awarded for the technical evaluation of the construction works undertaken by an applicant who engages in the construction of power transmission lines or installation of power distribution equipment shall be as specified in Table 15

Table 15—Marks for Evaluation of the Construction Works Undertaken by Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Construction of Power Transmission Lines or Installation of Power Distribution Equipment

	Value of Construction Works Undertaken (Kshs.)	Marks
1.	More than 1,000,000,000	20
2.	From 500,000,001 to 1,000,000,000	18
3.	From 250,000,001 to 500,000,000	16
4.	From 200,000,001 to 250,000,000	14
5.	From 150,000,001 to 200,000,000	12
6.	From 100,000,001 to 150,000,000	10
7.	From 50,000,001 to 100,000,000	8
8.	From 25,000,000 to 50,000,000	5
9.	Less than 25,000,000	3
<i>Notes—</i>		
<i>(a) Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.</i>		
<i>(b) Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.</i>		

20. The maximum marks that may be awarded for the technical evaluation of the premises shall be as specified in Table 16

Table 16—Marks for Evaluation of the Premises of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors

Types of Premises	Marks
Workshops and Yards	3
Office facilities	2
<i>Note—</i>	
<i>(a) The technical evaluation of the premises shall consider the size and complexity of the premises.</i>	
<i>(b) The technical evaluation of office facilities shall consider all the branches of the applicant.</i>	

Part III—Financial Evaluation

21. The marks that may be awarded for financial evaluation are 30 marks in the following manner—

- (a) for the financial evaluation of the turnover, 20 marks; and
- (b) for the financial evaluation of the working capital, 10 Marks.

22. The maximum marks that may be awarded for the financial evaluation of the annual turnover of an applicant who engages in the construction of power transmission lines or installation of power distribution equipment shall be as specified in Table 17

Table 17—Marks for the Financial Evaluation of the Annual Turnover of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Construction of Power Transmission Lines or Installation of Power Distribution Equipment

	Annual Turnover (Kshs.)	Marks
1.	More than 187,500,000	20
2.	From 112,500,001 to 187,500,000	18
3.	From 75,000,001 to 112,500,000	16
4.	From 37,500,001 to 75,000,000	14
5.	From 15,000,001 to 37,500,000	12
6.	From 7,500,001 to 15,000,000	10

7.	From 3,750,000 to 7,500,000	8
8.	Less than 3,750,000	5
<i>Note—</i>		
<i>Financial evaluation shall consider the highest annual turnover in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

23. The maximum marks that may be awarded for the financial evaluation of the working capital of an applicant who engages in the construction of power transmission lines or installation of power distribution equipment shall be as specified in Table 18

Table 18—Marks for the Financial Evaluation of the Working Capital of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Construction of Power Transmission Lines or Installation of Power Distribution Equipment

	Working Capital (Kshs.)	Marks
1.	More than 25,000,000	10.0
2.	From 15,000,001 to 25,000,000	9
3.	From 10,000,001 to 15,000,000	8
4.	From 5,000,001 to 10,000,000	7
5.	From 1,000,001 to 5,000,000	6
6.	From 500,001 to 1,000,000	5
7.	From 250,000 to 500,000	4
8.	Less than 250,000	3
<i>Note—</i>		
<i>Financial evaluation shall consider the highest working capital in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

24. The maximum marks that may be awarded for the financial evaluation of the annual turnover of an applicant who engages in electrical installation or the installation of structured cables or security and communication systems shall be as specified in Table 19

Table 19—Marks for the Financial Evaluation of the Annual Turnover of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in Electrical Installation or Installation of Structured Cables or Security and Communication Systems

	Annual Turnover (Kshs.)	Marks
1.	More than 100,000,000	20
2.	From 75,000,001 to 100,000,000	18
3.	From 50,000,001 to 75,000,000	16
4.	From 37,500,001 to 50,000,000	14
5.	From 15,000,001 to 37,500,000	12
6.	From 7,500,001 to 15,000,000	10
7.	From 3,750,000 to 7,500,000	8
8.	Less than 3,750,000	5
Note—		
<i>Financial evaluation shall consider the highest annual turnover in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

- 25.** The maximum marks that can be awarded for the financial evaluation of the working capital of an applicant who engages in electrical installation or the installation of structured cables or security and communication systems shall be as specified in Table 20

Table 20—Marks for the Financial Evaluation of the Working Capital of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in Electrical Installation or Installation of Structured Cables or Security and Communication Systems

	Working Capital (Kshs.)	Marks
1.	More than 17,500,000	10
2.	From 12,500,001 to 17,500,000	9
3.	From 10,000,001 to 12,500,000	8
4.	From 5,000,001 to 10,000,000	7
5.	From 1,000,001 to 5,000,000	6
6.	From 500,001 to 1,000,000	5
7.	From 250,000 to 500,000	4
8.	Less than 250,000	3
Note—		
<i>Financial evaluation shall consider the highest working capital in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

26. The maximum marks that may be awarded for the financial evaluation of the annual turnover of an applicant who engages in the installation of generators, lifts, escalators, travellers, or solar photovoltaic systems shall be as specified in Table 21

Table 21—Marks for the Financial Evaluation of the Annual Turnover of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who engage in the Installation of Generators, Lifts, Escalators, Travellers or Solar Photovoltaic Systems

	Annual Turnover (Kshs.)	Marks
1.	More than 75,000,000	20
2.	From 50,000,001 to 75,000,000	18
3.	From 37,500,001 to 50,000,000	16
4.	From 15,000,001 to 37,500,000	14
5.	From 7,500,001 to 15,000,000	12
6.	From 3,750,001 to 7,500,000	10
7.	From 1,500,000 to 3,750,000	8
8.	Less than 1,500,000	5
<i>Note—</i>		
<i>Financial evaluation shall consider the highest annual turnover in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

27. The maximum marks that can be awarded for the financial evaluation of the working capital of an applicant who engages in the installation of generators, lifts, escalators, travellers, or solar photovoltaic systems shall be as specified in Table 22

Table 22—Marks for the Financial Evaluation of the Working Capital of Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors who Engage in the Installation of Generators, Lifts, Escalators, Travellers or Solar Photovoltaic Systems

	Working Capital (Kshs.)	Marks
1.	More than 12,500,000	10
2.	From 10,000,001 to 12,500,000	9
3.	From 7,500,001 to 10,000,000	8
4.	From 5,000,001 to 7,500,000	7

5.	From 1,000,001 to 5,000,000	6
6.	From 500,001 to 1,000,000	5
7.	From 250,000 to 500,000	4
8.	Less than 250,000	3
<i>Note—</i>		
<i>Financial evaluation shall consider the highest working capital in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

Part IV—Aggregate Marks

- 28.** The aggregate marks that may be awarded on the evaluation of an application for registration as a communication engineering works contractor, electrical works contractor or electronic works contractor made under regulation 3 or 12 shall be the sum of the total marks awarded on the technical evaluation conducted under Part II and the financial evaluation conducted under Part III.
- 29.** Where the aggregate marks awarded on the evaluation of an application made under regulation 3 or regulation 12 are within the range specified in column 3 of Table 23, the applicant is eligible to be registered as a contractor in the corresponding category specified in column 2.

Table 23—Aggregate Marks for the Category of Registration as Communication Engineering Works Contractors, Electrical Works Contractors or Electronic Works Contractors

	Category of Registration	Aggregate Marks Awarded
1.	NCA 1	From 80 to 100
2.	NCA 2	From 70 to 79
3.	NCA 3	From 60 to 69
4.	NCA 4	From 50 to 59
5.	NCA 5	Less than 50

FIFTH SCHEDULE

(r. 4(5))

EVALUATION CRITERIA FOR MECHANICAL WORKS CONTRACTORS

Part I—Evaluation of Mandatory Requirements

- 1.** On conducting an evaluation of the mandatory requirements, the Authority shall consider whether the applicant who intends to be registered as a mechanical works contractor has—

- (a) paid the application fees;
- (b) filled in the application form; and
- (c) attached the documents referred to in regulation 3 or regulation 12.

Part II—Technical Evaluation

2. The maximum marks that may be awarded for technical evaluation are 70 marks in the following manner—
 - (a) for the evaluation of the directors, 10 marks;
 - (b) for the evaluation of the members of staff, 20 marks;
 - (c) for the evaluation of the plant and equipment, 15 marks;
 - (d) for the evaluation of the construction works undertaken, 20 marks;
and
 - (e) for the evaluation of the premises, 5 marks.
3. The technical evaluation of the directors and members of staff shall consider membership in—
 - (a) the Architectural Association of Kenya;
 - (b) the Institution of Engineers Kenya;
 - (c) the Institute of Quantity Surveyors of Kenya;
 - (d) the Law Society of Kenya;
 - (e) the Institute of Construction Project Managers of Kenya;
 - (f) the Association of Construction Managers of Kenya;
 - (g) the Institute of Certified Public Accountants of Kenya;
 - (h) the Kenya Institute of Planners;
 - (i) the Institution of Surveyors of Kenya;
 - (j) the Institution of Engineering Technologists and Technicians;
 - (k) the Institute of Clerk of Works of Kenya;
 - (l) the Chartered Institute of Arbitrators (Kenya Branch); or

- (m) any other relevant body recognized in Kenya.
4. The technical evaluation of the directors and members of staff shall consider compliance with the requirements of—
- (a) the Engineers Board of Kenya;
 - (b) the Board of Registration of Architects and Quantity Surveyors;
 - (c) the Institute of Certified Public Accountants of Kenya;
 - (d) the Kenya Engineering Technology Registration Board;
 - (e) the Land Surveyors Board;
 - (f) the National Environmental Management Authority;
 - (g) the Building Surveyors Registration Board;
 - (h) the Department of Safety and Health; or
 - (i) any other relevant body recognized in Kenya.
5. The technical evaluation of the directors shall consider the academic qualifications specified in column 3 set out in Table 1 for the corresponding the category of registration of contractors specified column 2.

Table 1—Academic Qualifications for Technical Directors

	Category of Registration	Academic Qualification
1	NCA 1	Bachelor's Degree
2	NCA 2-3	Diploma
4	NCA 4	Certificate
5	NCA 5	Trade Test

6. The maximum marks that may be awarded for the technical evaluation of a technical director for the specified category of registration of contractors shall be as specified in Table 2

Table 2— Marks for Evaluation of Technical Directors

Academic Qualification	Maximum Marks Attainable for Academic Qualification	Maximum Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	3.0	5.0	More than 10	100
Diploma	2.0	3.0	From 8 to 10	80

Certificate	1.5	2.0	From 5 to 7	60
Trade test	1.0	1.0	Less than 5	40

Note—

(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a technical director that has the minimum academic qualification specified in column 1.

(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a technical director that has the minimum industry experience specified in column 4.

(c) Marks will be awarded for the highest ranked technical director of an applicant.

(d) Where a technical director is a member of a professional body the applicant may be awarded 2 additional marks.

(e) Where a technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 2 additional marks.

(f) The marks awarded for the technical evaluation of a technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).

7. The maximum marks that may be awarded for the technical evaluation of non-technical directors shall be as specified in Table 3

Table 3— Marks for Evaluation of Non-Technical Directors

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	0.5	0.5	More than 10	100
Diploma	0.3	0.3	From 8 to 10	80
Certificate	0.2	0.2	From 5 to 7	60
Trade test	0.1	0.1	Less than 5	40

Note—

(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has a non-technical director that has the minimum academic qualification specified in column 1.

(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has a non-technical director that has the minimum industry experience specified in column 4.

(c) Marks will be awarded for the highest ranked non-technical director of an applicant.

(d) Where a non-technical director is a member of a professional body the applicant may be awarded 0.25 additional marks.

(e) Where a non-technical director complies with the requirements of the relevant regulatory body the applicant may be awarded 0.25 additional marks.

(f) The marks awarded for the technical evaluation of a non-technical director shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (d) or (e).

8. The maximum marks that may be awarded for the technical evaluation of the members of technical staff shall be as specified in Table 4

Table 4—Marks for Evaluation of Members of Technical Staff

Academic Qualification	Marks Attainable for Academic Qualification	Marks Attainable for Industry Experience	Industry Experience in Years	Percentage of Marks Awarded
Bachelors' Degree	0.75	1.0	More than 10	100
Diploma	0.5	0.5	From 8 to 10	80
Certificate	0.25	0.25	From 5 to 7	60
Trade test	0.25	0.25	Less than 5	40
<i>Note—</i>				
<p>(a) Column 5 provides for the percentage of the marks specified in column 2 that are attainable by an applicant that has members of technical staff that have the minimum academic qualification specified in column 1.</p> <p>(b) Column 5 provides for the percentage of the marks specified in column 3 that are attainable by an applicant that has members of technical staff that have the minimum industry experience specified in column 4.</p> <p>(c) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks.</p> <p>(d) Where the members of technical staff are members of a professional body the applicant may be awarded 0.25 additional marks.</p> <p>(e) Where the members of technical staff comply with the requirements of the relevant regulatory body the applicant may be awarded 0.25 additional marks.</p> <p>(f) The marks awarded for the technical evaluation of the members of technical staff shall be the sum of marks attained under paragraphs (a) and (b), in addition to the marks awarded under paragraph (c) or (d), and subject to the maximum marks specified in paragraphs (g), (h), (i) and (j).</p> <p>(g) Where all the members of technical staff have bachelors' degrees, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 2 marks.</p> <p>(h) Where all the members of technical staff have diplomas, technical evaluation shall be conducted on only four members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 1.5 marks.</p> <p>(i) Where all the members of technical staff have Certificates, technical evaluation shall be conducted on only eight members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks.</p> <p>(j) Where all the members of technical staff have trade tests, technical evaluation shall be conducted on only three members of the technical staff of an applicant and the marks awarded for the technical evaluation shall be a maximum of 0.75 marks.</p>				

9. The maximum marks that may be awarded for the technical evaluation of the members of non-technical staff shall be the marks specified in Table 5

Table 5—Marks for Evaluation of Members of Non-Technical Staff

Non-Technical Staff	Marks
Accounts & Finance Officer	1

Human Resource Officer	1
Procurement and contract management Officer	1
Administration Officer	1
Note—	
<i>The Authority may award a maximum of 2 marks if support staff is clearly identified.</i>	

10. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the installation of refrigeration, heating, air conditioning or ventilation systems and has specialised equipment shall be as specified in Table 6

Table 6—Marks for the Evaluation of the Plant and Equipment of Mechanical Works Contractors who Engage in the Installation of Refrigeration, Heating, Air Conditioning or Ventilation Systems and has Specialised Equipment

	Plant and equipment	Quantity	Marks
1	Installation equipment	36	14
	Portable drilling machines	4	
	Pipe jointing formation equipment or fusion welders	4	
	Generators which have a capacity of generating at least 2HP of power.	4	
	Welding machines which have a power rating of at least 225Amps of Alternative Current	4	
	Threading machines	4	
	Pressure testing pumps which have a capacity that does not exceed 30bar	2	
	Sheet metal workshops	4	
	Pipe chains which have diameters ranging from 14” to 24”	2	
	Gas filling equipment	4	
	Copper tube handling equipment sets	4	
2	Hauling and transportation	6	4
	Pick-ups which are capable of hauling at least 1T	4	
	Light trucks which are capable of hauling at least 3T	2	
3	Miscellaneous	2	2
	Assorted tools	1	
	Assorted electrical tools	1	

	TOTAL		15
<i>Note—</i>			
<i>(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.</i>			
<i>(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.</i>			
<i>(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.</i>			
<i>(d) Where an application is being evaluated for registration under category NCA 1 or NCA 2, the minimum marks that may be awarded shall be 12 marks.</i>			

- 11.** The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the installation of refrigeration, heating, air conditioning or ventilation systems without specialised equipment shall be as specified in Table 7

Table 7—Marks for the Evaluation of the Plant and Equipment of Mechanical Works Contractors who Engage in the Installation of Refrigeration, Heating, Air Conditioning or Ventilation Systems Without Specialised Equipment

	Plant and equipment	Quantity	Marks
1	Installation equipment	28	4
	Portable drilling machines	4	
	Pipe jointing formation equipment or fusion welders	4	
	Generators which have a capacity of generating at least 2HP of power.	4	
	Welding machines which have a power rating of at least 225Amps of Alternative Current	4	
	Threading machines	4	
	Pressure testing pumps which have a capacity that does not exceed 30bar	2	
	Sheet metal workshops	4	
	Pipe chains which have diameters ranging from 14” to 24”	2	
2	Hauling and transportation	6	4
	Pick-ups which are capable of hauling at least 1T	4	

	Light trucks which are capable of hauling at least 3T	2	
3	Miscellaneous	2	2
	Assorted tools	1	
	Assorted electrical tools	1	
			10
	TOTAL		
<i>Note—</i>			
(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.			
(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.			
(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.			
(d) Where an application is being evaluated for registration under category NCA 1 or NCA 2, the minimum marks that may be awarded shall be 12 marks.			

12. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who is a borehole contractor and engages in the installation of refrigeration, heating, air conditioning or ventilation systems shall be as specified in Table 8

Table 8—Marks for the Evaluation of the Plant and Equipment of Borehole Contractors who Engage in the Installation of Refrigeration, Heating, Air Conditioning or Ventilation Systems

	Plant and equipment	Quantity	Marks
1	Installation Equipment	28	3
	Portable drilling machines	4	
	Pipe jointing formation equipment or fusion welders	4	
	Generators which have a capacity of generating at least 2HP of power.	4	
	Welding machines which have a power rating of at least 225Amps of Alternative Current	4	
	Threading machines	4	
	Pressure testing pumps which have a capacity that does not exceed 30bar	2	
	Sheet metal workshops	4	
	Pipe chains which have diameters ranging from 14” to 24”	2	

2	Hauling and transportation	6	0
	Pick-ups which are capable of hauling at least 1T	4	
	Light trucks which are capable of hauling at least 3T	2	
3	Miscellaneous	2	1
	Assorted tools	1	
	Assorted electrical tools	1	
	TOTAL		4

Note—

- (a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.
- (b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.
- (c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.
- (d) Where an application is being evaluated for registration under category NCA 1 or NCA 2, the minimum marks that may be awarded shall be 12 marks.

13. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the installation of compressed air, hydraulic, liquified petroleum gas or medical gas systems and has specialised equipment shall be as specified in Table 9

Table 9—Marks for the Evaluation of the Plant and Equipment of Mechanical Works Contractors who Engage in the Installation of Compressed Air, Hydraulic, Liquified Petroleum Gas or Medical Gas Systems and has Specialised Equipment

	Plant and equipment	Quantity	Marks
1	Installation equipment	40	14
	Portable drilling machines	4	
	Pipe jointing formation equipment or fusion welders	4	
	Generators which have a capacity of generating at least 2HP of power.	4	
	Welding machines which have a power rating of at least 225Amps of Alternative Current	4	
	Threading machines	4	

	Pressure testing pumps which have a capacity that does not exceed 30bar	2	
	Sheet metal workshops	4	
	Pipe chains which have diameters ranging from 14” to 24”	2	
	Hoisting equipment which is capable of hoisting at least 250kg	1	
	Telescopic inspection cameras	2	
	1000V rated electrical screwdriver sets	2	
	Pressure vessel inspection kit	1	
	Differential thermometers	4	
	Electronic leak detectors	2	
2	Hauling and transportation	6	4
	Pick-ups which are capable of hauling at least 1T	4	
	Light trucks which are capable of hauling at least 3T	2	
3	Miscellaneous	2	2
	Assorted tools	1	
	Assorted electrical tools	1	
	TOTAL		15
<i>Note—</i>			
(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.			
(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.			
(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.			
(d) Where an application is being evaluated for registration under category NCA 1 or NCA 2, the minimum marks that may be awarded shall be 12 marks.			

- 14.** The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who engages in the installation of refrigeration, heating, air conditioning or ventilation systems without specialised equipment shall be as specified in Table 10

Table 10—Marks for the Evaluation of the Plant and Equipment of Mechanical Works Contractors who Engage in the Installation of Compressed Air, Hydraulic, Liquefied Petroleum Gas or Medical Gas Systems Without Specialised Equipment

	Plant and equipment	Quantity	Marks
1	Installation equipment	28	4
	Portable drilling machines	4	
	Pipe jointing formation equipment or fusion welders	4	
	Generators which have a capacity of generating at least 2HP of power.	4	
	Welding machines which have a power rating of at least 225Amps of Alternative Current	4	
	Threading machines	4	
	Pressure testing pumps which have a capacity that does not exceed 30bar	2	
	Sheet metal workshops	4	
	Pipe chains which have diameters ranging from 14” to 24”	2	
2	Hauling and transportation	6	4
	Pick-ups which are capable of hauling at least 1T	4	
	Light trucks which are capable of hauling at least 3T	2	
3	Miscellaneous	2	2
	Assorted tools	1	
	Assorted electrical tools	1	
			10
	TOTAL		
<i>Note—</i>			
<i>(a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.</i>			
<i>(b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.</i>			
<i>(c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.</i>			
<i>(d) Where an application is being evaluated for registration under category NCA 1 or NCA 2, the minimum marks that may be awarded shall be 12 marks.</i>			

15. The maximum marks that may be awarded for the technical evaluation of the plant and equipment of an applicant who is a borehole contractor and engages in the installation of compressed air, hydraulic, liquified petroleum gas or medical gas systems shall be as specified in Table 11

Table 11—Marks for the Evaluation of the Plant and Equipment of Borehole Contractors who Engage in the Installation of Compressed Air, Hydraulic, Liquefied Petroleum Gas or Medical Gas Systems

	Plant and equipment	Quantity	Marks
1	Installation Equipment	28	3
	Portable drilling machines	4	
	Pipe jointing formation equipment or fusion welders	4	
	Generators which have a capacity of generating at least 2HP of power.	4	
	Welding machines which have a power rating of at least 225Amps of Alternative Current	4	
	Threading machines	4	
	Pressure testing pumps which have a capacity that does not exceed 30bar	2	
	Sheet metal workshops	4	
	Pipe chains which have diameters ranging from 14” to 24”	2	
2	Hauling and transportation	6	0
	Pick-ups which are capable of hauling at least 1T	4	
	Light trucks which are capable of hauling at least 3T	2	
3	Miscellaneous	2	1
	Assorted tools	1	
	Assorted electrical tools	1	
	TOTAL		4

Note—

- (a) The quantity of equipment in column 2 considered during technical evaluation shall be that in column 3.
- (b) Where an applicant has the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded the maximum marks specified in column 4.
- (c) Where an applicant does not have the quantity specified in column 3 of the equipment specified in column 2, the evaluation will be awarded as a portion of marks specified in column 4.
- (d) Where an application is being evaluated for registration under category NCA 1 or NCA 2, the minimum marks that may be awarded shall be 12 marks.

16. The maximum marks that may be awarded for the technical evaluation of the value of construction works undertaken by an applicant who engages in the installation of—

- (a) plumbing, drainage or sanitary services;
- (b) refrigeration, heating, cold rooms, air-conditioning or ventilation systems;
- (c) oil or gas systems; or
- (d) aerial movement systems or lifting equipment,

shall be as specified in Table 12.

Table 12—Marks for Evaluation of the Value of Construction Works Undertaken by Mechanical Works Contractors who Engage in the Installation of Plumbing, Drainage, Sanitary Services, Refrigeration, Heating, Cold Rooms, Air-Conditioning, Ventilation, Oil systems, Gas, Aerial Movement Systems or Lifting Equipment

	Value of Construction Works Undertaken (Kshs.)	Marks
1.	More than 250,000,000	20
2.	From 200,000,001 to 250,000,000	18
3.	From 150,000,001 to 200,000,000	16
4.	From 100,000,001 to 150,000,000	14
5.	From 50,000,001 to 100,000,000	12
6.	From 25,000,001 to 50,000,000	8
7.	From 10,000,000 to 25,000,000	5
8.	Less than 10,000,000	2
<i>Notes—</i>		
<i>(a) Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.</i>		
<i>(b) Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.</i>		
<i>(c) Where an application is being evaluated for registration under category NCA 1, the minimum marks that may be awarded shall be 16 marks.</i>		
<i>(d) Where an application is being evaluated for registration under category NCA 1, the minimum marks that may be awarded shall be 14 marks.</i>		

17. The maximum marks that may be awarded for the technical evaluation of the value of construction works undertaken by an applicant who engages in the installation of—

- (a) compressed gas or pressurized vessels;
- (b) swimming pool or health club equipment; or

(c) fire engineering services,

shall be as specified in Table 13.

Table 13—Marks for Evaluation of the Value of Construction Works Undertaken by Mechanical Works Contractors who Engage in the Installation of Compressed Gas, Pressurized Vessels, Swimming Pools, Health Club Equipment or Fire Engineering Services

	Value of Construction Works Undertaken (Kshs.)	Marks
1.	More than 100,000,000	20
2.	From 75,000,001 to 100,000,000	18
3.	From 50,000,001 to 75,000,000	16
4.	From 25,000,001 to 50,000,000	14
5.	From 10,000,001 to 25,000,000	12
6.	From 5,000,001 to 10,000,000	8
7.	From 2,500,000 to 5,000,000	5
8.	Less than 2,500,000	2

Notes—

(a) Technical evaluation shall consider the total value of construction works undertaken and divided by the five years.

(b) Where the value determined in paragraph (a) falls within the values specified in column 2, the technical evaluation may be awarded the corresponding marks in column 3.

(c) Where an application is being evaluated for registration under category NCA 1, the minimum marks that may be awarded shall be 16 marks.

(d) Where an application is being evaluated for registration under category NCA 1, the minimum marks that may be awarded shall be 14 marks.

18. The maximum marks that may be awarded for the technical evaluation of the premises shall be as specified in Table 14

Table 16—Marks for Evaluation of the Premises of Mechanical Works Contractors

Types of Premises	Marks
Workshops and Yards	3
Office facilities	2

Note—

(a) The technical evaluation of the premises shall consider the size and complexity of the premises.

(b) The technical evaluation of office facilities shall consider all the branches of the applicant.

Part III—Financial Evaluation

19. The marks that may be awarded for financial evaluation are 30 marks in the following manner—

- (a) for the financial evaluation of the turnover, 20 marks; and
- (b) for the financial evaluation of the working capital, 10 marks.

20. The maximum marks that may be awarded for the financial evaluation of the annual turnover of an applicant who engages in the installation of—

- (a) plumbing, drainage or sanitary fittings;
- (b) refrigeration, heating, air conditioning or ventilation;
- (c) compressed air, hydraulic, liquified petroleum or medical gas;
- (d) cranes or hoists; or
- (e) oil storage or pumping reticulation,

shall be as specified in Table 17

Table 17—Marks for the Financial Evaluation of the Annual Turnover of Mechanical Works Contractors who Engage in the Installation of Plumbing, Drainage, Sanitary Fittings, Refrigeration, Heating, Air Conditioning, Ventilation, Compressed Air, Hydraulics, Liquified Petroleum Gas, Medical Gas, Cranes, Hoists, Oil Storage Or Pumping Reticulation

	Annual Turnover (Kshs.)	Marks
1.	More than 200,000,000	20.0
2.	From 15,000,001 to 200,000,000	17.5
3.	From 100,000,001 to 150,000,000	15.0
4.	From 75,000,001 to 100,000,000	12.5
5.	From 50,000,001 to 75,000,000	10.0
6.	From 25,000,001 to 50,000,000	7.5
7.	From 10,000,000 to 25,000,000	5.0
8.	Less than 10,000,000	2.5
<i>Note—</i>		
<i>Financial evaluation shall consider the highest annual turnover in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

21. The maximum marks that may be awarded for the financial evaluation of the working capital of an applicant who engages in the installation of—

- (a) plumbing, drainage or sanitary fittings;
- (b) refrigeration, heating, air conditioning or ventilation;
- (c) compressed air, hydraulic, liquified petroleum or medical gas;
- (d) cranes or hoists; or
- (e) oil storage or pumping reticulation,

shall be as specified in Table 18

Table 18—Marks for the Financial Evaluation of the Working Capital of Mechanical Works Contractors who Engage in the Installation of Plumbing, Drainage, Sanitary Fittings, Refrigeration, Heating, Air Conditioning, Ventilation, Compressed Air, Hydraulics, Liquified Petroleum Gas, Medical Gas, Cranes, Hoists, Oil Storage Or Pumping Reticulation

	Working Capital (Kshs.)	Marks
1.	More than 75,000,000	10.0
2.	From 50,000,001 to 75,000,000	8.5
3.	From 30,000,001 to 50,000,000	6.5
4.	From 20,000,001 to 30,000,000	5.0
5.	From 5,000,001 to 20,000,000	4.0
6.	From 2,500,001 to 5,000,000	3.0
7.	From 1,250,000 to 2,500,000	2.0
8.	Less than 1,250,000	1.0
<i>Note—</i>		
<i>Financial evaluation shall consider the highest working capital in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

22. The maximum marks that may be awarded for the financial evaluation of the annual turnover of an applicant who engages in the installation of—

- (a) fire engineering services;

- (b) swimming pools, health club facilities or hospital equipment; or
- (c) borehole equipment,

shall be as specified in Table 19

Table 19—Marks for the Financial Evaluation of the Annual Turnover of Mechanical Works Contractors who Engage in the Installation of Fire Engineering Services, Swimming Pools, Health Club Facilities, Hospital Equipment or Borehole Equipment

	Annual Turnover (Kshs.)	Marks
1.	More than 75,000,000	20.0
2.	From 50,000,001 to 75,000,000	17.5
3.	From 25,000,001 to 50,000,000	15.0
4.	From 10,000,001 to 25,000,000	12.5
5.	From 5,000,001 to 10,000,000	10.0
6.	From 2,500,001 to 5,000,000	7.5
7.	From 1,000,000 to 2,500,000	5.0
8.	Less than 1,000,000	2.5
<i>Note—</i>		
<i>Financial evaluation shall consider the highest annual turnover in Column 2 for the previous three years, and award the corresponding mark in Column 3.</i>		

23. The maximum marks that may be awarded for the financial evaluation of the working capital of an applicant who engages in the installation of—

- (a) fire engineering services;
- (b) swimming pools, health club facilities or hospital equipment; or
- (c) borehole equipment,

shall be as specified in Table 20

Table 20— Marks for the Financial Evaluation of the Working Capital of Mechanical Works Contractors who Engage in the Installation of Fire Engineering Services, Swimming Pools, Health Club Facilities, Hospital Equipment or Borehole Equipment

	Working Capital (Kshs.)	Marks
--	--------------------------------	--------------

1.	More than 50,000,000	10.0
2.	From 30,000,001 to 50,000,000	8.5
3.	From 15,000,001 to 30,000,000	6.5
4.	From 7,500,001 to 15,000,000	5.0
5.	From 2,500,001 to 7,500,000	4.0
6.	From 1,750,001 to 2,500,000	3.0
7.	From 750,000 to 1,750,000	2.0
8.	Less than 750,000	1.0

Note—

Financial evaluation shall consider the highest working capital in Column 2 for the previous three years, and award the corresponding mark in Column 3.

Part IV—Aggregate Marks

24. The aggregate marks that may be awarded on the evaluation of an application for registration as a mechanical works contractor made under regulation 3 or 12 shall be the sum of the total marks awarded on the technical evaluation conducted under Part II and the financial evaluation conducted under Part III.
25. Where the aggregate marks awarded on the evaluation of an application made under regulation 3 or regulation 12 are within the range specified in column 3 of Table 21, the applicant is eligible to be registered as a contractor in the corresponding category specified in column 2.

Table 21—Aggregate Marks for the Category of Registration as Mechanical Works Contractors

	Category of Registration	Aggregate Marks Awarded
1.	NCA 1	From 80 to 100
2.	NCA 2	From 70 to 79
3.	NCA 3	From 60 to 69
4.	NCA 4	From 50 to 59
5.	NCA 5	Less than 50

Made on the, 2023.

ZACHARIA MWANGI NJERU,
Cabinet Secretary
Ministry of Lands, Public Works, Housing And Urban Development.