# THE THARAKA NITHI COUNTY GOVERNMENT

# TENDER NO. TNCG/PRQ/15/2016-2017- PREQUALIFICATION OF CONTRACTORS FOR REPAIR AND SERVICING OF OFFICE MACHINES AND EQUIPMENT, COMPUTERS, TYPEWRITERS, FAX, PHOTOCOPIERS AND CABINETS ETC

## JULY, 2016

| | |
|---|---|
| The County secretary,<br>Tharaka Nithi County Government,<br>P.O Box 10,<br>**KATHWANA.** | |

**PRE-QUALIFICATION OF BIDDERS FOR SUPPLY/PROVISION OF GOODS, WORKS AND SERVICES FOR THE FINANCIAL YEARS 2016/2017**

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## SECTION I: INFORMATION TO CANDIDATES

### 1. INTRODUCTION

1.1 The Tharaka Nithi county government will pre-qualify and enlist bidders for the supply of goods, works and services from among those who will have submitted their tenders in accordance with the tender requirements to undertake the assignments described herein.

1.2 Bidders are invited to submit a prequalification tender for the supply of goods, works and services in the categories.

1.3 The Pre-qualification Tender document and the Tenderers response thereof shall be the basis for pre-qualification. Tenderers must familiarize themselves with the requirements described in this document including all attachments and take them into account while preparing the response.

1.4 The county does not bind itself to assign supply of goods, works and endeavor to ensure tenders for specific goods, works and services

1.5 Applicants will be informed in writing of the results of the application, without assigning any reason for the Tharaka Nithi county government's decision thereof.

1.6 Tenderers will meet all costs associated with preparation and submission of their applications.

1.7 It is Tharaka Nithi county's policy to require that tenderers observe the highest standard of professional and moral ethics during the selection and execution of such contracts. In pursuance of this policy, TNCG:

a) Defines for the purpose of this provision, the terms set forth below as follows:
   i) "Corrupt practice" means the offering, giving, receiving or soliciting of anything of value to influence the action of an officer of the Purchaser/Employer in the prequalification process; and
   ii) "Fraudulent practice" means a misrepresentation of facts in order to influence the pre-qualification process to the detriment of the Purchaser/Employer, and includes collusive practices among Tenderers (prior to or after submission of Tenders) designed to establish prices at artificial, non-competitive levels and to deprive the Purchaser (Tharaka Nithi county government) of the benefits of free and open competition.

b) Will reject a Tender for pre-qualification if it determines that a Tenderer has engaged in corrupt or fraudulent activities for the contract in question;

c) Will declare a Tender ineligible for pre-qualification if at any time it determines that the Tenderer has engaged in corrupt or fraudulent practices in competing for, or in executing a similar contract;

d) Will have the right to examine financial records relating to the performance of such services to determine capability;

e) Will have the right to inspect the business premises of the tenderer;

f) Will declare a Tender ineligible for pre-qualification if at any time it determines that the Tenderer has no legal capacity to enter into a contract for the procurement;

g) Will declare a Tender ineligible for prequalification if at any time the Commission determines that the tenderer is insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings related to the foregoing;

h) Will declare a Tender ineligible for pre-qualification if at any time the County Government determines that the tenderer is related to an employee of the County Government or a Member of Board or Tender/Procurement committees of the County Government unless otherwise pre-declared to avoid conflict of interest.

i) Will declare a Tender ineligible for pre-qualification if at any time it determines that the tenderer has committed an offence relating to procurement, has breached a contract for procurement before by another public company, has in procurement proceedings given false information about its actions and has been blacklisted before by another public entity.

1.8 Tenderers shall furnish information as described in the pre-qualification tender document.

1.9 Tenderers shall be aware of the provisions of corrupt and fraudulent practices as spelt out in the Public Procurement and Disposal Act, 2005 and the Public Procurement and Disposal Regulations, 2013.

## 2. Clarification of Documents

2.1 A prospective tenderer making inquiries of the tender document may notify the Tharaka Nithi county government by post, fax or by email at the County's address indicated in the Invitation to Tender. The County will respond in writing to any request for clarification of the tender document which it receives not later than five (5) days prior to the deadline for the submission of the tenders prescribed by the County. Written copies of the County's response (including an explanation of the query but without identifying the source of inquiry) will be sent to all candidates who have received the tender document.

2.2 The Commission shall reply to any clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender

## 3 Amendment of the Tender Document

3.1 At any time prior to the deadline for submission of the tenders, the County Government, for any reason, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tendering documents by amendment.

3.2 All prospective tenderers that have received the tendering documents will be notified of the amendment in writing and it will be binding on them. It is therefore important that tenderers give the correct details when collecting the tender document.

3.3 In order to allow prospective tenderers reasonable time to take any amendments into account in preparation of their tenders, the County may at its sole discretion extend the deadline for the submission of tenders based on the nature of the amendments.

## 4. Language of Tender

4.1 The tender prepared by the tenderer, as well as all correspondence and documents relating to the tender exchanged by the tenderer and the Tharaka Nithi county government shall be in written English language.

## 5. Documents Comprising the Tender

5.1 This document includes questionnaire forms and documents required from the prospective bidders. In order to be considered for pre-qualification prospective bidders must submit all the information herein requested.

## 6. Submission of Application

6.1 The Pre-qualification document shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the tenderer. Any such corrections must be initialed by the person(s) who signs the pre-qualification document.

6.2 The Pre-qualification document should be prepared and submitted as specified in the Invitation for Pre-qualification of Suppliers on or before ……

6.3 Any tender received after the deadline in clause 6.2 shall be rejected as a late tender and shall not be considered.

## 7. Eligible Candidates

7.1 This prequalification document is open to all candidates who are eligible as defined in Kenya's Public Procurement Law and regulations. All bidders who pass the set criteria shall be prequalified. Due diligence will be undertaken and any bidder found to be in breach and has provided false information will lead to automatic disqualification.

## 8. Tender Evaluation

8.2 The Tharaka Nithi county government will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.

8.2 Tenderers shall not contact the county government on matters relating to their tender from the time of opening to the time the evaluation is finalized and official communication sent to them. Any effort by the tenderer to influence the county government in the evaluation shall result in the cancellation of their tender.

8.3 Prequalification will be based on meeting the minimum criteria regarding the applicant's legal status, general and particular experience, personnel and financial position as demonstrated by their responses.

8.4 The applicants must have registered offices and the county government reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said goods, works or services.

8.5 Tenderers who qualify according to the selection criteria will be invited to submit their quotations for the supply of goods, works or services as and when required.

8.6 The county government reserves the right to accept or reject any or all tenders.

8.7 There shall be two phases of carrying out the evaluation of pre-qualification applications:

a) Preliminary Evaluation; and
b) Technical Evaluation.

8.7.1 **Preliminary Evaluation**

a) All the applications shall be sorted out according to the various categories and levels contained in the application for pre-qualification form.
b) Pre-screening shall be done for all the applications in each category to determine responsiveness by providing copies of:
   1) Certificate of Incorporation / Registration;
   2) PIN/VAT Certificate;
   3) Current Trade License / Business Permit;
   4) Certificates from affiliated regulatory or accrediting bodies/associations (where applicable);
   5) Current Tax Compliance Certificate;
   6) Evidence of Physical Location of business premise;
   7) Evidence of Electronic Tax Register (ETR);
   8) At least three (3) letters of commendation from your corporate/major clients;
   9) Completed Confidential Business Questionnaire;
   10) Audited accounts for the last two years or 6 months Bank Statements;
   11) Company profile; and
   12) For the Special Group( Youth, Women and disadvantaged or persons living with disability) MUST provide a copy of certificate of Registration under the Public Procurement & Disposal Act (Preference and Reservations) Regulations, 2013 from the National Treasury or a document of proof of registration from a recognized body.

c) Casual applicants shall be considered substantially non-responsive and shall be excluded from those considered for detailed evaluation

d) A list shall be compiled for those tenderers who pass the preliminary evaluation to be evaluated in detail.

### 8.7.2Technical Evaluation

a) The evaluation committee shall undertake a thorough and objective analysis of the suppliers contained in the list;
b) A detailed assessment of each applicant will be made in the course of evaluating the application.
c) Details of the applicants organizational structure/people, financial capability, annual turnover for the last two years/bank statements, experience in the relevant field, available resources and references will be assessed as follows:

**PLEASE TURN OVER**

| Item No. | Evaluation Criteria | Max Score | Score Awarded | Remarks |
|---|---|---|---|---|
| **A** | **Mandatory Requirements** | **YES/NO** | | |
| 1 | Certificate of Incorporation under Companies Act 486/Registration certificate | YES/NO | | |
| 2 | PIN/VAT Certificate | YES/NO | | |
| 3 | Current Trading License under Trading license Act/Business Permit | YES/NO | | |
| 4 | Tax Compliance Certificate | YES/NO | | |
| 5 | Audited accounts for the last two years or 6 months certified Bank Statements; | YES/NO | | |
| B | Technical/Other Requirements | | | |
| 1 | **Company Profile:**<br>a) Provide company profile showing names of Directors, management team and general structure of the company.<br>b) Certification by regulatory/affiliation bodies (attach copy)<br>c) State number of Permanent and Temporary Employees<br>d) Any quality standards certifications? | <br><br><br>10<br><br>5<br><br>5<br>5 | | |
| 2 | **Experience:**<br>a) Number of years in the business (maximum score for five years and above);<br>b) List (and provide evidence) of 3 major current references with their contacts within the last two years. State product/service provided and value of goods/service. | <br>10<br><br>5 | | |
| 3 | **Physical Facilities:**<br>a) Provide evidence of availability of office premise (copy of title deed, lease/tenancy agreement or utility bill); | <br>15 | | |
| 4 | **Financial Capacity:** Provide audited accounts for the last 2 years or 6 months bank statements;<br>b) Demonstrate access to credit facilities; | <br>10<br>10 | | |
| 5 | Provide qualifications and experience of key personnel (attach CVs) | 8 | | |
| 6 | State Regions where you have presence outside of Nairobi | 2 | | |
| 7. | Document Presented in a required format(Neatly bound and required certificates arranged in a flowing manner easy to be seen and read) | 15 | | |
| | Total Score | 100 | | |

**A candidate must meet all requirements under mandatory evaluation to qualify for evaluation under technical/general requirements**

**Pass mark under Technical/general requirements is 70% and above. A candidate shall be considered Pre-qualified if their total points is 70%**

8.8 Information relating to preliminary evaluations of all the applications and also those who qualify for pre-qualification shall not be disclosed to applicants or any other persons not officially concerned with such process until the notification of pre- qualification results is made to all applicants.

8.9 Once the list of those who succeeded to be prequalified has been approved and ratified by the Tender Committee, the county government shall notify in writing all those applicants who have been pre-qualified.

## 9 Confidentiality

9.1 Information relating to evaluation of tenders and recommendations concerning pre-qualification shall not be disclosed to the tenderers until the pre-qualified firms have been advised accordingly.

## CONFIDENTIAL BUSINESS QUESTIONNAIRE

You are requested to give particulars indicated in Part1 and either Part 2(a), 2(b) or 2(c) whichever applies to your type of business. You are advised that it is a serious offence to give false information on this Form

**PART 1-GENERAL**

Business Name.....

Registration Ref No.....

Location of business premises, i.e. Building.....

Floor No..... Room No.....

Plot No..... Street/Road.....

Postal Address..... Postal Code……..

Tel No..... Fax No…….……...

E- Mail……Website.....

Nature of business.....

VAT Certificate Number..... .....PIN Certificate No.....

Local Authority License No..... Expiry Date.....

**NB:** Attach copies of Registration Certificate, Trade License, and VAT Registration Certificate.PIN Certificate and Local Authority License.

Maximum Value of business which you can handle at any one time KShs.....

Name of your main Bankers.....

Branch.....

**PART 2 (A) SOLE PROPRIETORS:**

My Name in full ..... Age.....

Nationality..... ID/PassportNo ..... Country of Origin.....

**PART 2(B) PARTNERSHIP**

Name &Age Nationality Citizenship Details Shares

1. .....
2. .....
3. .....

**ART 2(C) REGISTERED COMPANY**

State whether Private or Public.....

State the nominal and issued Capital of the Company

Nominal KShs.....Or Other Convertible currency.....

Issued KShs..... Or Other Convertible currency.....

Give Details of all Directors as follows:

Name & Age Nationality Citizenship Details Shares

1.....

2.....

3.....

**PART 3 – GIVE DETAILS OF ALL DIRECTORS OF THE COMPANIES YOU HAVE LISTED ABOVE AS FOLLOWS:-**

1.....

2.....

3.....

**DECLARATION**

I certify that all the above particulars are true

Name of Applicant (Officer).....

Signature of Applicant.....

Position in the Company/Title.....

Date.....

**NB: Please affix rubber stamp or seal**