



Central Office - P.O. Box 30099 - 00100
Telephone – 254 – 02 - 3201000
Stima Plaza, Kolobot Road
Nairobi, Kenya
www.kenyapower.co.ke

Our Ref: KP1/9A.3/OT/22/19-20/JM/pm

3rd December 2019

TO ALL TENDERERS

RE: ADDENDUM NO. 1 TO TENDER NO. KP1/9A.3/OT/22/19-20 FOR SUPPLY OF 12M & 15M CONCRETE POLES 75SC WITHOUT EARTH (LOCAL MANUFACTURERS ONLY)

Please refer to the above Tender. We make the following clarifications and amendments to the Principal Tender Document (*hereinafter abbreviated as the PTD*) for Supply of Concrete Poles.

1. RELATIONSHIP WITH THE PRINCIPAL TENDER DOCUMENT (PTD)

Save where expressly amended by the terms of this Addendum, the PTD shall continue to be in full force and effect. The provisions of this Addendum shall be deemed to have been incorporated in and shall be read and construed as part of the PTD.

2. AMENDMENT OF SECTION III: APPENDIX TO INSTRUCTIONS TO TENDERERS

Section III – Appendix to Instructions to Tenderers (Clauses 3.11.2, 3.20, 3.33.2) has been amended as per attached **Appendix I**.

3. AMENDMENT OF SECTION IV: SCHEDULE OF REQUIREMENTS

Section IV – Part B Delivery Schedule of Goods Required has been amended as per the schedule attached as **Appendix II**.

4. AMENDMENT OF SECTION V: PRICE SCHEDULE FOR GOODS

Section V – Notes on Price Schedule for Goods, have been amended as per the schedule attached as **Appendix III**.

5. AMENDMENT OF SECTION VI – EVALUATION CRITERIA

Section VI – Preliminary Evaluation Clause 6.1 Part I (6.1.13); Technical Evaluation Clause 6.2 Part II (6.2.1.7, Notes on Table 2); Financial Evaluation Clause 6.3 Part III (6.3.1) have been amended as per the attached **Appendix IV**.

6. AMENDMENT OF SECTION VIII – SPECIAL CONDITIONS OF CONTRACT

Section VIII – Special Conditions of Contract (Clause 7.15) has been amended as per attached **Appendix V**.

7. AMENDMENT OF SECTION IX – TENDER FORM

Section IX – Notes have been amended as per attached **Appendix VI**.

8. **AMENDMENT TO SECTION XI A – TENDER SECURITY FORM (BANK GUARANTEE)**

Section XI A – Notes to Tenderers and Banks have been amended as per attached Appendix VII.

9. **DEADLINE FOR SUBMISSION OF TENDER**

The bidders are required to take note that the tender closing date has been extended to **Monday, 6th January 2020 at 10:00am.**

All other terms and conditions remain as per the Principal Tender Document (PTD).

Yours faithfully,

FOR: THE KENYA POWER & LIGHTING COMPANY LIMITED



JANE MUIGAI

AG. SUPPLY CHAIN MANAGER, PROCUREMENT

Appendix I

APPENDIX TO INSTRUCTIONS TO TENDERERS

The following information regarding the particulars of the tender shall complement and or amend the provisions of the Instructions to Tenderers *hereinafter abbreviated as ITT*. Wherever there is a conflict between the provisions of the ITT and the Appendix, the provisions of the Appendix herein shall prevail over those of the ITT.

No.	ITT Reference Clause	Particulars of Appendix
1.	3.3.1 Eligible Tenderers	<i>This Invitation to Tender is open to local manufacturers only</i>
2.	3.3.2 Origin of Eligible Goods	<i>Goods manufactured in Kenya are eligible</i>
3.	3.9 (e) Documents Comprising the Tender – List of Previous Customers	<i>Tenderer shall submit names of previous customers of similar Goods and reference letters confirming completion of orders on schedule by tenderer to KPLC and/or at least four (4) previous customers.</i>
4.	3.11.2 Tender Prices	<i>Tenderers shall quote on Delivered Duty Paid (DDP) for Lots 1, 2 & 3 and both DDP and Ex-works (EXW) for Lot 1 for manufacturers located within a radius of two hundred (200) kilometers from the delivery store.</i>
5.	3.12 Tender Currencies	<i>The price offered by local bidders must be in Kenya Shillings. This will form part of the evaluation criteria.</i>
4.	3.13.3 (a) Manufacturer's Authorization	<i>This is not applicable for this tender</i>
5.	3.13.3 (b) Documentary evidence of financial capability	<i>The audited financial statements required must be those that are reported within eighteen (18) calendar months of the date of the tender document. (For companies or firms that are registered or incorporated within the last one calendar year of the Date of the Tender Document, they should submit certified copies of bank statements covering a period of at least six months prior to the date of the tender document. The copies should be certified by the Bank issuing the statements. The certification should be original).</i>
6.	3.13.3 (c) and (d) Documents of evidence of eligibility	<i>These shall include consideration of quality certificates and tenderer's technical and production capacity necessary to perform the contract.</i>
7.	3.14.3 (a) Catalogues, Manufacturer's Drawings	<i>(i) Bidders shall be required to submit a detailed description of the essential technical and performance</i>

		<p>characteristics of the goods whether in brochures, catalogues brochures and manufacturer's drawings.</p> <p>(ii) A list giving full particulars, including available source of spare parts, special tools and other incidental apparatus necessary for the proper and continuing functioning of the goods as per criteria set under 3.28.</p>												
8.	3.15.1 Sample(s)	<i>This is not applicable to this Tender. However, successful bidders shall be required to submit Drawings for approval before manufacturing.</i>												
9.	3.17.1 Period of Warranty	The Warranty will remain valid for sixty (60) months from the date of delivery to KPLC stores												
10.	3.18.1 Tender Security	<p>A Bid Security valid for 180 days shall be required in form of bank guarantee only.</p> <p>The amount and currency of the bid security shall be as follows:</p> <table border="1" data-bbox="737 846 1422 1120"> <thead> <tr> <th colspan="2">Bid Security in Kenya Shillings</th> </tr> <tr> <th>Lot No.</th> <th>Amount in KSHS</th> </tr> </thead> <tbody> <tr> <td>Lot 1</td> <td>1,350,000.00</td> </tr> <tr> <td>Lot 2</td> <td>1,000,000.00</td> </tr> <tr> <td>Lot 3</td> <td>300,000.00</td> </tr> <tr> <td>Total</td> <td>2,650,000.00</td> </tr> </tbody> </table> <p><i>The Original Tender Security should be kept in an envelope clearly labelled with the Tender number & name, and shall be deposited in the Tender Security Box on 3rd Floor Supply Chain Reception at Stima Plaza, Kolobot Road, on or before the opening date.</i></p> <p><i>Note: Bid Security is required for each lot as per amounts indicated against each lot in the above table. Bidders have the option of submitting one Bid Security for the lots the bidders are bidding for but must be sufficient for at least TWO LOTS or else it will considered non-responsive as per criteria set out under 3.26.</i></p>	Bid Security in Kenya Shillings		Lot No.	Amount in KSHS	Lot 1	1,350,000.00	Lot 2	1,000,000.00	Lot 3	300,000.00	Total	2,650,000.00
Bid Security in Kenya Shillings														
Lot No.	Amount in KSHS													
Lot 1	1,350,000.00													
Lot 2	1,000,000.00													
Lot 3	300,000.00													
Total	2,650,000.00													
11.	3.19.1 Tender Validity	<i>Tender Shall remain valid for 150 days after date of tender opening. A Tender valid for shorter period shall be rejected.</i>												

12.	3.20 Alternative Offers	<i>Bidders to give alternative offers for DDP and/or EXW for items listed under LOT ONE (1) only.</i>
13.	3.33.2 Award of Contract	<p><i>Mode of award shall be in accordance with the following:</i></p> <ul style="list-style-type: none"> <i>a) Each item in a given lot shall be considered independently.</i> <i>b) Bidders shall be required to bid for at least two (2) lots failure to which shall lead to disqualification.</i> <i>c) Bidders may quote for as many items in the given lots but the successful bidders shall be awarded only one (1) item per lot in the main stores and not more than two (2) items per lot in the subsidiary stores. This restriction is to assure security of supply by having multiple suppliers.</i> <i>d) Award shall be on item by item basis to the lowest evaluated bidder. If a bidder qualifies as the lowest evaluated bidder in more than one item, they shall be awarded the item with the highest quantity in a given lot following the procedure in (c) and (e) below. Consequently, the subsequent items in a given lot shall be awarded based on the highest quantity and lowest price until all the items are allocated. In case of a tie, the bidder with the higher capacity shall be considered first following the procedure in (e) below.</i> <i>e) Award shall take into consideration the following:</i> <ul style="list-style-type: none"> <i>(i) The purchaser shall award a maximum number of items that the bidder is entitled to per lot following the procedure in (d) above;</i> <i>(ii) Delivery capability as per information given in the Capacity Declaration form. The parameters to be considered in measuring the firm's capability are:</i> <ul style="list-style-type: none"> <i>- The number of installed spinning machines</i> <i>- The capacity of curing pits</i> <i>- Number of moulds available per pole size</i> <i>- Actual production rate per day (post framing)</i> <i>(iii) Number of poles tendered for and/or available for the contract (as per information given in the in the price schedule and Capacity Declaration Form.</i>

		<p>(iv) <i>Maximum distance of 200kms from the delivery store for the lowest evaluated bidder for the Ex-works option given under Lot one (1).</i></p> <p>f) <i>In the event the successful bidder is not able to sign a contract with the Purchaser the award shall be annulled and the Purchaser may award to the next lowest evaluated bidder of that particular Lot whose offer is substantially responsive and is determined to be qualified to perform the contract satisfactorily.</i></p> <p><i>KENYA POWER RESERVES THE RIGHT TO COUNTER OFFER THE PRICES</i></p>
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NB: ALL DOCUMENTS SUBMITTED SHOULD BE WELL LABELLED ON THE PORTAL

SECTION IV - SCHEDULE OF REQUIREMENTS**Part B – Delivery Schedule of Goods Required*****NOTES:**

1. All deliveries shall be made to KPLC stores for all DDP stores or as otherwise indicated in accordance with the Delivery Schedule.
2. The delivery schedule in Table 2 here below may be altered and has been used for estimating purposes based on forecasted requirements.
3. The successful bidders shall be expected to adhere to the actual delivery schedule stipulated in the Contract and Official Purchase Order.

Table 2 – Expected Delivery Schedule of Goods Required

Lot No.	Item No.	Size	Item Description	Delivery store	Unit of Measure	Quantity	Earliest Delivery Date	Latest Delivery Date
Main stores (Ex-Works Option)								
1	1	12M	Pole Concrete 12M 75SC Without Earth	Embakasi A	Pieces	1,200	February 2020	December 2020
	2	12M	Pole Concrete 12M 75SC Without Earth	Embakasi B	"	1,000	February 2020	December 2020
	3	15M	Pole Concrete 15M 75SC Without Earth	Embakasi C	"	1,160	February 2020	December 2020
	4	12M	Pole Concrete 12M 75SC Without Earth	Roysambu	"	1,300	February 2020	December 2020
	5	12M	Pole Concrete 12M 75SC Without Earth	Whitesisters (Thika)	"	750	February 2020	December 2020
	6	12M	Pole Concrete 12M 75SC Without Earth	Kiganjo (Nyeri)	"	500	February 2020	December 2020
Main stores (DDP Exclusively)								
2	7	12M	Pole Concrete 12M 75SC Without Earth	Rabai	"	1,300	February 2020	December 2020
	8	12M	Pole Concrete 12M 75SC Without Earth	Lanet	"	1,000	February 2020	December 2020
	9	12M	Pole Concrete 12M 75SC Without Earth	Kigati (Kisii)	"	500	February 2020	December 2020
	10	12M	Pole Concrete 12M 75SC Without Earth	Mamboleo A (Kisumu)	"	1,000	February 2020	December 2020
	11	12M	Pole Concrete 12M 75SC Without Earth	Mamboleo B (Kisumu)	"	700	February 2020	December 2020
	12	12M	Pole Concrete 12M 75SC Without Earth	Rivatex (Eldoret)	"	740	February 2020	December 2020
Subsidiary stores (DDP Exclusively)								
3	13	12M	Pole Concrete 12M 75SC Without Earth	Malindi	"	250	February 2020	December 2020
	14	12M	Pole Concrete 12M 75SC Without Earth	Voi	"	250	February 2020	December 2020
	15	12M	Pole Concrete 12M 75SC Without Earth	Mwambungo (Ukunda)	"	250	February 2020	December 2020
	16	12M	Pole Concrete 12M 75SC Without Earth	Muthatari (Embu)	"	250	February 2020	December 2020
	17	12M	Pole Concrete 12M 75SC Without Earth	Kinoru (Meru)	"	250	February 2020	December 2020
	18	12M	Pole Concrete 12M 75SC Without Earth	Chemosit (Kericho)	"	350	February 2020	December 2020

SECTION V - PRICE SCHEDULE FOR GOODS

(OFFER PRICES MUST BE IN KENYA SHILLINGS ONLY)

NOTE: Bidders to quote for a minimum of 2 lots

Lot No.	Item No.	Size	Item Description	Delivery store	Unit of Measure	Qty	Unit Price DDP (VAT Excl.)	Total Price DDP (VAT Incl.)	Unit Price EXW (VAT Excl.)	Total Price EXW (VAT Excl.)	Unit Price EXW (VAT Incl.)	Total Price EXW (VAT Incl.)	Distance from Plant to Store in Kms
Main stores (Ex-Works Option)													
1	1	12M	Pole Concrete 12M 75SC Without Earth	Embakasi A	Pieces	1,200							
	2	12M	Pole Concrete 12M 75SC Without Earth	Embakasi B	"	1,000							
	3	15M	Pole Concrete 15M 75SC Without Earth	Embakasi C	"	1,160							
	4	12M	Pole Concrete 12M 75SC Without Earth	Roysambu	"	1,300							
	5	12M	Pole Concrete 12M 75SC Without Earth	Whitesisters (Thika)	"	750							
	6	12M	Pole Concrete 12M 75SC Without Earth	Kiganjo (Nyeri)	"	500							
Main stores (DDP Exclusively)													
2	7	12M	Pole Concrete 12M 75SC Without Earth	Rabai	"	1,300							
	8	12M	Pole Concrete 12M 75SC Without Earth	Lanet	"	1,000							
	9	12M	Pole Concrete 12M 75SC Without Earth	Kigati (Kisii)	"	500							
	10	12M	Pole Concrete 12M 75SC Without Earth	Mamboleo A (Kisumu)	"	1,000							
	11	12M	Pole Concrete 12M 75SC Without Earth	Mamboleo B (Kisumu)	"	700							
	12	12M	Pole Concrete 12M 75SC Without Earth	Rivatex (Eldoret)	"	740							
Subsidiary stores (DDP Exclusively)													
3	13	12M	Pole Concrete 12M 75SC Without Earth	Malindi	"	250							
	14	12M	Pole Concrete 12M 75SC Without Earth	Voi	"	250							
	15	12M	Pole Concrete 12M 75SC Without Earth	Mwambungo (Ukunda)	"	250							
	16	12M	Pole Concrete 12M 75SC Without Earth	Muthatari (Embu)	"	250							
	17	12M	Pole Concrete 12M 75SC Without Earth	Kinoru (Meru)	"	250							
	18	12M	Pole Concrete 12M 75SC Without Earth	Chemosit (Kericho)	"	350							

Name of Tenderer

Name and Designation of authorized person signing the Tender

Signature of authorized person signing the Tender

Stamp of Tenderer and date

***NOTES:-**

1. The offered unit price **MUST** be rounded to two decimal places. Where the Tenderer fails to round the offered unit price as required, then, the offered unit price shall be rounded down-wards to two decimal places and used for the purposes of this tender.
2. The unit prices indicated on the KPLC tendering portal should be exclusive of VAT and shall remain fixed for the contract period
3. EXW offers will be considered for award for only manufacturing plants located within 200 kilometers from delivery store and are applicable for Lot one (1) only

*Appendix IV***SECTION VI - EVALUATION CRITERIA**

Evaluation of duly submitted tenders will be conducted along the following stages: -

6.1 Part 1 - Preliminary Evaluation Criteria Under Paragraph 3.26 of the ITT. These are mandatory requirements. This shall include confirmation of the following: -

- 6.1.1 *Submission of Tender Security - Checking its validity, whether it is Original; whether it is authentic, whether it is sufficient, whether it is issued by a local bank or Microfinance; Institution, whether it is strictly in the format required in accordance with the sample Tender Security Form(s).*
- 6.1.2 *Submission of Manufacturer's Capacity Declaration form*
- 6.1.3 *Submission of Declaration Form(s) duly completed and signed.*
- 6.1.4 *Confirming that the Tender is valid for the period required.*
- 6.1.5 *Submission and considering Tender Form duly completed and signed.*
- 6.1.6 *Submission and considering the following: -*
 - a) *Company or Firm's Registration Certificate*
 - b) *PIN Certificate.*
 - c) *Valid Tax Compliance Certificate.*
 - d) *Names with full contact as well as physical addresses of previous customers of similar Goods and reference letters confirming completion of orders on schedule by tenderer to KPLC and/or from at least four (4) previous customers.*
- 6.1.7 *Submission and considering the Confidential Business Questionnaire: -*
 - a) *Is fully filled.*
 - b) *That details correspond to the related information in the bid.*
 - c) *That the Tenderer is not ineligible as per paragraph 3.2 of the ITT.*
- 6.1.8 *Submission and considering the Certificate of Confirmation of Directors (CR12) which should be not more than 12 months old*
- 6.1.9 *Submission of Copies of relevant Type Test Certificates and their Reports or Test Certificate and their Reports from the designated bodies.*
- 6.1.10 *Submission of a copy of accreditation certificate for the testing body to ISO/ IEC 17025.*
- 6.1.10 *Submission of a copy of:-*
 - a) *Manufacturer's Warranty Form*
 - b) *A copy of the Manufacturer's valid quality management system certification i.e. ISO 9001:2015 for goods and/or valid KEBS Diamond Mark of Quality and/or Standardization Mark Certificate for goods manufactured in Kenya.*
 - d) *Catalogues and/or Brochures and Manufacturer's Drawings*
 - e) *Schedule of Guaranteed Technical Particulars (GTPs) as per tender specifications*

- 6.1.11 *Submission of duly completed and signed Guaranteed Lead Time (GLT) Form*
- 6.1.13 *Checking the submission of audited financial statements.*
- 6.1.14 *Record of unethical practices or unsatisfactory or default in performance obligations in any contract shall be considered. This shall include any Tenderer with unresolved case(s) in its performance obligations for more than two (2) months in any contract where the failure to resolve is not attributable to KPLC.*
- 6.1.15 *Notwithstanding the above, considering any outstanding orders/Supplier Performance Review Scheme (SPRS) where applicable and the production capacity indicated by the Tenderer.*

Tenders will proceed to the Technical Stage only if they qualify in compliance with Part 1 above, Preliminary Evaluation under Paragraph 3.28.

6.2 Part II - Technical Evaluation Criteria Under Paragraph 3.28 of the ITT.

NB: Tenderers will proceed to Financial Evaluation stage only if they qualify in compliance with Parts I and II i.e. Preliminary and Technical stages.

- 6.2.1 Stage 1 of II – Technical Evaluation Criteria under Paragraph 3.28 of the ITT. Evaluation of the relevancy of the following technical information against Tender requirements and Specifications: -
- 6.2.1.1 *For goods manufactured outside Kenya, applicable relevant ISO 9001:2015 valid certification*
- 6.2.1.2 *For Goods manufactured in Kenya - valid KEBS Mark of Quality Certificate and / or KEBS Standardization Mark Certificate*
- 6.2.1.2 *Type Test reports and certificates from the relevant International or National Testing/Standards Authority or ISO/IEC 17025 accredited independent laboratory for full compliance with Tender Specifications*
- 6.2.1.3 *The accreditation certificate for the testing laboratory to ISO/ IEC 17025*
- 6.2.1.6 *As contained in the following documents –*
- a) *Manufacturer’s Warranty*
 - b) *Catalogues and/ or Brochures and Manufacturer’s drawings*
 - c) *Schedule of Guaranteed Technical Particulars as per Technical Specifications.*
- 6.2.1.7 *Considering the submitted audited financial statements are those that are reported within eighteen (18) calendar months of the date of the tender document and confirming the auditors practicing license number for local bidders or equivalent for foreign bidders. (NB: Local bidders must clearly indicate the Auditor’s ICPAK practicing license registration number at the top of the audited financial statements report.)*

Tenders will proceed to the Detailed Technical Stage only if they qualify in compliance with Part II clause 6.2.1 above, Preliminary Evaluation under Paragraph 3.28.

Table 1: Mandatory Technical Requirements (against Tender Requirements and Technical Specifications). Verification and consideration of the following: -

	Criteria	KPLC Requirement	Bidder's Offer – Yes or No
1	Valid ISO 9001:2015 certification	Applicable for goods manufactured outside Kenya	
2	Valid KEBS Diamond Mark of Quality Certificate or KEBS Standardization Mark certificate	Applicable for goods manufactured in Kenya	
3	Type Test reports and certificates from the relevant International or National Testing/Standards Authority or ISO/IEC 17025 accredited independent laboratory for full compliance with Tender Specifications	Shall NOT be more than five (5) years old prior to the Date of the Tender document.	
4	Accreditation certificate for the testing laboratory to ISO/ IEC 17025	Should be relevant to the tender and from designated body	
5	Catalogues/Brochures and Drawings	Relevancy to the Tender (Shall be those from the manufacturer / Tenderer)	
6	Full compliance of Guaranteed Technical Particulars	Required as per specifications	
7	Manufacturer's Warranty	Required in the format given in the Tender document	

NOTES TO TABLE 1:

1. Where the Tenderer's offer fails to satisfy any one or more of the requirements as per the Criteria in Table 1 above, that Tenderer will be declared to have failed "*Failed on Mandatory Technical Requirements.*"
2. The Tenderer shall not qualify for further evaluation.
3. Where the Tenderer's offer complies with all the requirements in Table 1 above, that offer shall proceed for further evaluation as per criteria set out in Table 2.

6.2.2 Stage 2 of Part II - Technical Evaluation Criteria under Paragraph 3.28 of the ITT

TABLE 2 – Additional Tender and Technical Requirements (Non-scoring Criteria)

Sr. No.	Criteria	KPLC Requirement	Bidder's response (Yes/No)	Criteria's Overall (Pass if all Yes /Fail if at least one is No)
1.	<ul style="list-style-type: none"> - Schedule of Guaranteed Technical Particulars (GTP) to confirm compliance to the specifications and evaluation of any deviations and exceptions declared by the bidder; - Technical drawings for poles tendered for - Test Bench Drawings 	<ul style="list-style-type: none"> - GTPs compliance to specifications – (Y/N) - Technical Drawings for Pole provided – (Y/N) - Test Bench Drawings provided - (Y/N) 		
2	<p>Provide valid evidence of availability and appropriate qualification of key personnel: -</p> <ul style="list-style-type: none"> a) <i>Minimum level of qualification will be university graduate level or minimum Diploma holder with at least five years relevant experience..</i> b) <i>Professional registration with a recognized Engineering body</i> 	<ul style="list-style-type: none"> o Civil Engineering qualification – (Y/N) o Professional Body registration – (Y/N) o CV Provided – (Y/N) o Employer's Letter or Contract - (Y/N) o Certified Academic Certificates – (Y/N) 		
3	Evidence of ownership / lease of Concrete Pole Manufacturing Plant	<ul style="list-style-type: none"> o Title Deed or Lease Agreement – (Y/N) o Storage acreage – (Y/N) o Insurance Policy/Electricity Bill 		
4	Quality Certification (Marks will be awarded for one certification)	<ul style="list-style-type: none"> o ISO 9001:2015 or Diamond Mark or Standardization - (Y/N) 		
5	<p>Detailed source of availability of raw material for poles production and</p> <ul style="list-style-type: none"> a) No. of HS Bars and size Ø mm b) No. Ring Wires size Ø mm c) No. Spiral Wires size Ø mm <p>(Bidder to provide quantity readily available in stock or attach import documents/receipts. Indicate diameter size of each in mm.)</p>	<ul style="list-style-type: none"> o No. HS bars, size in mm, & ready stock, Bill of lading/ receipts (Y/N) o No. Ring wires, size in mm & ready stocks / bill of lading/ receipts (Y/N) o No. Spiral Wires, size in mm & ready stock/ bill of Lading, or receipts (Y/N) 		
6	<p>Evidence of previous customers of similar goods confirming satisfactory performance by Tenderer</p> <p>Required:</p> <ul style="list-style-type: none"> 1.Name with full contact as well as physical address of previous four (4) customers of similar goods 2.Reference letters from KPLC and/or at least four (4) previous customers 	<ul style="list-style-type: none"> o List of previous four (4) customers – (Y/N) o Reference Letters from KPLC and/or four (4) previous customers – (Y/N) 		

7	Machinery/Equipment: Evidence of availability of loading and offloading equipment; Hauling Trucks; Equipment for determining size of sand and ballast; and Load Cell with valid calibration certificate	a) Make and serial no for overhead crane(s) – (Y/N) b) Log book for Hauling Truck(s) – Y/N c) Make and serial no. for equipment for determining size of sand and ballast – (Y/N) d) Load cell with valid calibration certificate – (Y/N)		
8	Number of moulds available for tendered pole size (12M and/or 15M) indicating butt diameter in millimeter (mm)	a) Number of moulds for 12 and /or 15M – (Y/N) b) Butt diameter for 12M and/or 15M pole – (Y/N)		
OVERALL – Pass/Fail				

NOTES ON TABLE 2

1. Key Personnel

1.1 The key personnel is for the proposed Manufacturing plant, if Bidder is manufacturer. The Bidder shall provide documentary evidence to support the qualifications of key personnel of the manufacturer.

1.2 Evidence of key personnel will be through: -

- a) Employment/appointment letters, contracts of the key personnel including length of service and termination date
- b) Written confirmation of (a) by the particular key personnel
- c) Curriculum Vitae (CV/resume) of the key personnel
- d) Copies of certified relevant degree, diploma or other certificates

2. Evidence of Concrete Pole Plant will be through: -

- a) Own: Title deed and valid insurance policy documents in case of loss or damage of the plant in favour of bidder. The policy must be valid at least up to the closing date of the Tender.
- b) Leased: Lease documentation between the bidder and the owner or operator of the manufacturing plant.

3. Availability of raw materials for poles manufacture will be through: -

- a) Valid receipts or Bill of Lading or importer's sourcing/customs documents
- b) Quantities are readily available in stock

4. Evidence of loading/offloading equipment and haulage trucks will be through: -

- a) Documentary evidence showing make and serial numbers for equipment owned, certified copies of logbooks or other valid registration documents of the machinery in the name of the bidder or manufacturer who provided the warranty, or
- b) Certified copies of legal or hire agreements for the same where they are on hire or leased or sub-contracted.

5. Evidence of calibration status will be through: -

- a) Valid receipts in payment of the fees or charges for calibration;
- b) Serial number where applicable and;
- c) Valid calibration certificates for the Quality instruments. The certificates must be those issued not earlier than 12 months of the date of the Tender documents.

NB: Only Tenderers who meet all the above criteria shall proceed for further Technical Evaluation.

6.2.3 Stage 3 of Technical Evaluation

6.2.3 Further Technical Evaluation. These are mandatory requirements. The Tenderer shall provide duly filled Capacity Declaration Form: -

- a) *Number of mould available for a given pol size*
- b) *Number and size of curing pits*
- c) *Number of spinning machines*
- d) *Availability of loading/offloading machines and equipment*
- e) *Availability of travelling overhead cranes*
- f) *Size of storage area*

TABLE 3: CAPACITY DECLARATION FORM

A. Production Capacity of manufacturing Plant & Number of Poles available to KPLC

Number of Spinning machines	Number of Curing pits	Available storage area (Ha, acres, M ²)	Available overhead travelling crane	Number of moulds available for: -	Availability of loading / offloading equipment (ground cranes)	Production rate per day	Available Ex-stock quantity for this Tender
	1			No. of moulds for 12M Polespcs		12m polespcs	12m polespcs
	2			No. of moulds for 15M Polespcs		15m polespcs	15m polespcs

B. List of Tools and Equipment available for the job (Type and Quality available)

.....

C. Indicate actual ratio used for Gravel, Sand, Cement and Water (Successful bidder must adhere to the Standard)

.....

D. Number of working days in a week and number of shifts per day

.....

E. Information/Disclosure of any type of contracts serviced currently (type of information required is as shown in section (e), (f) and (g) of stage 3 of Technical Evaluation. Bidders may use separate sheet to provide this information).

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F. Acreage of Plant and storage yard

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.....

Notes to Table 3 above:

- 1. KPLC, at its discretion, may visit the lowest evaluated bidders to verify all/ some of the information given above as a part of the post-qualification criteria.**

Name of Tenderer

Name and Designation of authorized person signing the Tender

Signature of authorized person signing the Tender

Stamp of Tenderer and date

Tenderers will proceed to Financial Evaluation stage only if they qualify in compliance with Parts I and II i.e. Preliminary and Technical Evaluation stages.

6.3 Part III – Financial Evaluation Criteria Under Paragraph 3.31 of the ITT. These are mandatory requirements.

6.3.1 This will include the following: -

- a) *Confirmation of and considering Price Schedule duly completed and signed.*
(Note: In case of a price discrepancy between those entered in the SRM portal and those on the price schedule uploaded as an attachment, the latter shall prevail)
- b) *Checking that the Tenderer has quoted prices based on Delivery Duty Paid (DDP) terms and Ex-Works (EXW) where applicable.*
- c) *Conducting a financial comparison, including conversion of tender currencies into one common currency.*
- d) *Taking into account the cost of any deviation(s) from the tender requirements.*
- e) f) *Considering information submitted in the Confidential Business Questionnaire against other information in the bid including: -*
 - i) *Declared maximum value of business*
 - ii) *Shareholding and citizenship for preferences where applicable.*
- f) *Apply Exclusive margin of preference, where applicable as per Clause 3.32 of the tender document*

6.3.2 Confirming the following: -

- 6.3.2.1 *that the Supplier's offered Delivery Schedule meets KPLC's requirements.*
- 6.3.2.2 *that the Supplier's offered Terms of Payment meets KPLC's requirements.*

6.4 The Successful Tenderer (s) shall be the one with the lowest evaluated price subject to the award criteria set out under clause 3.33.2 indicated in the Appendix to Instructions to Tenderer.

6.5 Successful Bidders shall be expected to provide Drawings for approval before commencement of manufacturing

***NOTES: -**

1. Total tender value means the Tenderer's total tender price inclusive of Value Added Tax (V.A.T) for the Goods it offers to supply.
2. For companies or firms that are registered or incorporated within the last one calendar year of the Date of the Tender Document, they should submit certified copies of bank statements covering a period of at least six months prior to the date of the tender document. The copies should be certified by the Bank issuing the statements. The certification should be original.

*Appendix V***SECTION VIII – SPECIAL CONDITIONS OF CONTRACT**

The Special Conditions of Contract *hereinafter abbreviated as SCC* shall form part of the Conditions of Contract. They are made in accordance with the law and KPLC's guidelines, practices, procedures and working circumstances. They shall amend, add to and vary the GCC. The clauses in this section need not therefore, be completed but must be completed by KPLC if any changes to the GCC provisions are deemed necessary. Whenever there is a conflict between the GCC and SCC, the provisions of the SCC shall prevail over those in the GCC.

No.	GCC Reference Clause	Particulars of SCC
1.	7.16.1 Terms of Payment	<i>The credit period shall be thirty (30) days from satisfactory delivery and submission of invoice together with other required and related documents.</i>
2.	7.24.2 Period of Warranty	<i>The Warranty will remain valid for sixty (60) months after the Goods have been delivered and accepted.</i>
3.	7.12 Packaging and labeling	<i>The Goods shall be packed in good conditions suitable for road/rail dispatch. Hazard in transit to the final destination shall include rough handling and storage in tropical conditions.</i>
4.	7.10.4 Inspection and Tests	<i>Upon completion of manufacturing or production process it shall be mandatory for Supplier to notify in writing the date and time when KPLC nominated officers may visit for purposes of inspection of goods on order by giving reasonable notice.</i>
5.	7.14.1 Consignment	<i>The terms shall be strictly on Delivered Duty Paid (DDP) basis and Ex-Works (EXW) where applicable.</i>
6.	7.15 Transportation	<i>For DDP contract items; the Supplier shall be required to meet all transport expenses until delivery to KPLC stores. For Ex-works (EXW) contract items; the supplier shall only be responsible for providing for safe loading of Goods at their premises ready for dispatch and KPLC shall be responsible for all transport expenses until delivery to stores.</i>
7.	7.17.7 Payment	<i>The terms shall be strictly on Delivered Duty Paid (DDP) for local supplier and Ex-works (EXW) where applicable.</i>

*Appendix VI***SECTION IX - TENDER FORM**

Date:.....

Tender No.....

To:

The Kenya Power & Lighting Company Limited,
 Stima Plaza,
 Kolobot Road, Parklands,
 P.O Box 30099 – 00100,
Nairobi, Kenya.

Ladies and Gentlemen,

1. Having read, examined and understood the Tender Document including all Addenda, the receipt of which is hereby duly acknowledged, we, the undersigned Tenderer, offer to supply, deliver, install and commission *(the latter two where applicable)* *(insert Goods description)* in accordance and conformity with the said tender document for the sum of*(total tender amount inclusive of all taxes in words and figures)* or such sums as may be ascertained in accordance with the Price Schedule attached herewith and made part of this Tender.
2. We undertake, if our Tender is accepted, to deliver, install and commission the Goods in accordance with the delivery schedule specified in the Schedule of Requirements.
3. If our Tender is accepted, we will obtain the performance security of a licensed commercial bank in Kenya in a sum equivalent to ten percent (10%) of the contract price for the due performance of the contract, in the form(s) prescribed by The Kenya Power & Lighting Company Limited.
4. We agree to abide by this Tender for a **period of.....days (Tenderer please indicate validity of your tender)** from the date fixed for tender opening as per the Tender Document, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
5. This Tender, together with your written acceptance thereof and your notification of award, shall not constitute a contract, between us. The contract shall be formed between us when both parties duly sign the written contract.
6. We understand that you are not bound to accept any Tender you may receive.

Yours sincerely,

Name of Tenderer

Signature of duly authorised person signing the Tender

Name and Designation of duly authorised person signing the Tender

Stamp or Seal of Tenderer

***NOTES:**

1. KPLC requires a validity period of at least one fifty (150) days.
2. This form must be duly completed, signed, stamped and/or sealed.

Appendix VII

SECTION XI A - TENDER SECURITY FORM – (BANK GUARANTEE)

(To Be Submitted On Bank’s Letterhead)

Date:

To:

The Kenya Power & Lighting Company Limited,
Stima Plaza,
Kolobot Road, Parklands,
P.O Box 30099 – 00100,
Nairobi, Kenya.

WHEREAS (*name of the Tenderer*) (*hereinafter called “the Tenderer”*) has submitted its Tender dated for the supply, installation and commissioning of..... (*please insert KPLC tender no. and name*) (*hereinafter called “the Tender”*);

KNOW ALL PEOPLE by these presents that **WE**.....ofhaving our registered office at.....(*hereinafter called “the Bank”*), are bound unto The Kenya Power and Lighting Company Limited (*hereinafter called “KPLC” which expression shall where the context so admits include its successors-in-title and assigns*) in the sum of for which payment well and truly to be made to the said KPLC, the Bank binds itself, its successors, and assignees by these presents.

We undertake to pay you, upon your first written demand declaring the Tenderer to be in breach of the tender requirements and without cavil or argument, the entire sum of this guarantee being (*amount of guarantee*) as aforesaid, without you needing to prove or to show grounds or reasons for your demand or the sum specified therein.

This tender guarantee will remain in force up to and including thirty (30) days after the period of tender validity, and any demand in respect thereof should reach the Bank not later than the date below.

This guarantee is valid until theday of.....20.....

EITHER

SEALED with the)
COMMON SEAL)

of the said **BANK**) _____
 thisday) **BANK SEAL**
 of20....)
)
 in the presence of: -)
)
 _____)
)
 and in the presence of: -)
)
 _____)

OR

SIGNED by the **DULY AUTHORISED REPRESENTATIVE(S)/ ATTORNEY(S)** of the **BANK**

 Name(s) and Designation of duly authorised representative(s)/ attorney(s) of the Bank

 Signature(s) of the duly authorised person(s)

NOTES TO TENDERERS AND BANKS

1. *Please note that no material additions, deletions or alterations regarding the contents of this Form shall be made to the Tender Security to be furnished by the Tenderer. If any are made, the Tender Security shall not be accepted and shall be rejected by KPLC. For the avoidance of doubt, such rejection will be treated as non-submission of the Tender Security where such Security is required in the tender.*
2. *It is the responsibility of the Tenderer to sensitize its issuing bank on the need to respond directly and expeditiously to queries from KPLC. The period for response shall not exceed three (3) days from the date of KPLC’s query. Should there be no*
3. *Conclusive response by the Bank within this period, such Tenderer’s Tender Security shall be deemed as invalid and the bid rejected.*
4. ***The issuing bank should address its response or communication regarding the bond to KPLC at the following e-mail address – “guarantees@ kplc.co.ke”***
5. *The Tender validity period is one fifty (150) days as set out in the Invitation to Tender (at Section I of the Tender document) or as otherwise may be extended by KPLC. Therefore, the Tender Security must at all times be valid for at least 30 days beyond the tender validity period.*