



Central Office – P.O. Box 30099 – 00100,
Telephone – 254-02-3201000
Fax No. 254-02-3514485
Stima Plaza, Kolobot Road, Nairobi, Kenya

Our Ref: KP1/9A.2/OT/095/CS/23-24 /JN/lt
Your Ref:

Date: 14th May, 2024

TO:
ALL PROSPECTIVE BIDDERS

Dear Sirs/ Madams

**RE: ADDENDUM NO.1 TO THE TENDER NO. KP1/9A.2/OT/095/CS/23-24 FOR
PROCUREMENT OF DISPLAY CABINETS FOR ELECTRIC APPLIANCES IN
ELECTRICITY HOUSE NAIROBI, MOMBASA AND KISUMU BANKING HALLS**

Please refer to the above Tender. The following clarifications and amendments are made to the Principal Tender Document (hereinafter abbreviated as the PTD) for Procurement of Construction and Fabrication of Wall Wrap Frames in Electricity House Nairobi, Mombasa and Kisumu.

1. RELATIONSHIP WITH THE PRINCIPAL TENDER DOCUMENT

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. SETION II- TENDER DATA SHEET (TDS)

TDS has been amended as follows;
ITT Reference 7.1 – Following Gazette Notice No. 5614 of 10th May 2024 as a Public holiday, the Mandatory site visit for Mombasa has been rescheduled from Friday 10/05/2024 from 9:00a.m - 11:00a.m to Friday 17/05/2024 from 9:00a.m - 12:00pm. Bidders who did not attend the site visit are advised to do so. The form shall be duly filled, stamped and signed by the representatives of the firms.

**3. SECTION III – PRELIMINARY & TECHNICAL EVALUATION UNDER
PARAGRAPH 35 OF THE ITT,**

Preliminary Evaluation criteria has been amended as follows;

- 3.2 (a) Submission and considering the Form of Tender, (duly completed and signed) (Appendix 1).

TENDER CLOSING DATE

The tender closing date shall be extended from **16th May, 2024 at 10.00 a.m** to **22nd May 2024 at 12.00 p.m.** Bidders are requested to extend their tender securities. The procuring entity will open the bids online through our E- Procurement Web- Portal at 12.30 pm on the closing day at Stima Plaza, 3rd floor, Supply Chain meeting room.



DR JOHN NGENO, OGW
GENERAL MANAGER, SUPPLY CHAIN AND LOGISTICS

SECTION IV - TENDERING FORMS

FORM OF TENDER

To:

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

Date of this Tender submission:*[insert date (as day, month and year) of Tender submission]*

Tender Nameand Tender Number:

To:

THE KENYA POWER & LIGHTING COMPANY PLC
P.O. Box 30099-00100
Nairobi

- a) **No reservations:** We have examined and have no reservations to the Tendering document, including Addenda issued in accordance with ITT 8;
- b) **Eligibility:** We meet the eligibility requirements and have no conflict of interest in accordance with ITT 4;
- c) **Tender-Securing Declaration:** We have not been suspended nor declared ineligible by KPLC based on execution of a Tender Securing Declaration or Proposal-Securing Declaration in Kenya in accordance with ITT 4.7;
- d) **Conformity:** We offer to provide design, supply and installation services in conformity with the Tendering document of the following:
_____ *[insert a brief description of the Plant, Design, Supply and Installation Services];*
- e) **Tender Price:** The total price of our Tender, excluding any discounts offered in item (f) below is: _____ *[Insert one of the options below as appropriate]*

Option1, in case of one lot: Total price is: *[insert the total price of the Tender in words and figures, indicating the various amounts and the respective currencies];*
Or Option 2, in case of multiple lots: (a) Total price of each lot *[insert the total price of each lot in words and figures, indicating the various amounts and the respective currencies];* and (b) Total price of all lots (sum of all lots) *[insert the total price of all lots in words and figures, indicating the various amounts and the respective currencies];*
- f) **Discounts:** The discounts offered and the methodology for their application are:
 - i) The discounts offered are: *[Specify in detail each discount offered.]*
 - ii) The exact method of calculations to determine the net price after application of

discounts is shown below:

[Specify in detail the method that shall be used to apply the discounts];

- g) **Tender Validity Period:** Our Tender shall be valid for the period of ----- days as specified in TDS 19.1 (as amended if applicable) from the date fixed for the Tender submission deadline specified in TDS 23.1 (as amended if applicable), and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- h) **Performance Security:** If our Tender is accepted; we commit to obtain a Performance Security in accordance with the Tendering document;
- i) **One Tender Per Tenderer:** We are not submitting any other Tender (s) as an individual Tenderer, and we are not participating in any other Tender (s) as a Joint Venture member, and meet the requirements of ITT 4.3, other than alternative Tenders submitted in accordance with ITT 13;
- j) **Suspension and Debarment:** We, along with any of our subcontractors, suppliers, consultants, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension. Further, we are not ineligible under the Kenya laws or official regulations or pursuant to a decision of the United Nations Security Council;
- k) **State-owned enterprise or institution:** *[select the appropriate option and delete the other]* [We are not a state- owned enterprise or institution]/ [We are a state-owned enterprise or institution but meet the requirements of ITT 4.6];
- l) **Commissions, gratuities and fees:** We have paid, or will pay the following commissions, gratuities, or fees with respect to the Tendering process or execution of the Contract: [insert complete name of each Recipient, its full address, the reason for which each commission or gratuity was paid and the amount and currency of each such commission or gratuity]

Name of Recipient	Address	Reason	Amount

(If none has been paid or is to be paid, indicate "none.")

- m) **Binding Contract:** We understand that this Tender, together with your written acceptance thereof included in your Form of Acceptance, shall constitute a binding contract between us, until a formal contract is prepared and executed;
- n) **Not Bound to Accept:** We understand that you are not bound to accept the lowest evaluated cost Tender, the Best Evaluated Tender or any other Tender that you may receive; and
- o) **Fraud and Corruption:** We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf engages in any type of Fraud and Corruption.
- p) **Collusive practices:** We hereby certify and confirm that the tender is genuine, non-collusive and made with the intention of accepting the contract if awarded. To this effect we have signed the "Certificate of Independent Tender Determination" attached below.
- q) **Code of Ethical Conduct:** We undertake to adhere by the Code of Ethical Conduct for Persons Participating in Public Procurement and Asset Disposal Activities in Kenya, copy available from www.pppra.go.ke during the procurement process and the execution of any resulting contract.
- r) We, the Tenderer, have fully completed and signed the following Forms as part of our Tender:
 - (i) Tenderer's Eligibility; Confidential Business Questionnaire – to establish we are not

in any conflict to interest.

- (ii) Certificate of Independent Tender Determination – to declare that we completed the tender without colluding with other tenderers.
 - (iii) Self-Declaration of the Tenderer – to declare that we will, if awarded a contract, not engage in any form of fraud and corruption.
 - (iv) Declaration and commitment to the code of ethics for Persons Participating in Public Procurement and Asset Disposal Activities in Kenya,
- s) Further, we confirm that we have read and understood the full content and scope of fraud and corruption as informed in “**Appendix 1- Fraud and Corruption**” attached to the Form of Tender.

Name of the Tenderer: _____ [insert
complete name of person signing the Tender]

Name of the person duly authorized to sign the Tender on behalf of the Tenderer:
_____ [insert
complete name of person duly authorized to sign the Tender]

Title of the person signing the Tender: _____ [insert
complete title of the person signing the Tender]

Signature of the person named above: _____ [insert
signature of person whose name and capacity are shown above]

Date signed _____ [insert date of signing] _____ **day of** [insert month],
_____ [insert year].

