



The Kenya Power & Lighting Co. Ltd.
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Stima Plaza, Kolobot Road

Our Ref: KP1/9A.2/OT/046/ICT/20-21/JN/rmh

10th May, 2021

M/s

Dear Sir/Madam,

ADDENDUM NO. 2 TO THE TENDER NO. KP1/9A.2/OT/046/ICT/20-21 FOR FIBER OPTIC CABLE NETWORK EXTENSION PHASE IV

The following clarifications are made to the specified provisions of the Tender document.

1. RELATIONSHIP WITH THE PRINCIPAL TENDER DOCUMENT

Save where expressly amended by the terms of this Addendum, the Principal Tender Document 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 as part of the Principal Tender Document.

2. CLARIFICATIONS MADE TO QUERIES ON THE TENDER DOCUMENT

The following are responses made to clarifications sought on various issues on the tender document and shall be deemed to form the addendum

No.	CLARIFICATION	RESPONSE
1.	Tender Commencement & closing date	Commencement date: Wednesday 21 st April 2021 New Closing date: Wednesday 26 th May 2021
2.	Section II – Checklist no, 13 EPRA-A1 Electrical Contractor Certificate	Removed from evaluation criteria in Clause 6.1.12, However, the winning tenderer shall be required to provide their key staff for internal KPLC safety authorization interviews
3.	Section II – Checklist no, 14-NCA1 in Electrical Engineering Service	The requirement for the two licenses will be retained as an evaluation criterion in Clause 6.1.12 a & b as follows;

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	<p>Communications Authority Certificate for Telecommunications Contractor</p> <p>It is very rare to have the 2 certifications as they are in 2 field of Electrical Engineering. Most of the works in the project is on the electrical power line.</p> <p>Can where bidder does not have the 2 certifications can the CAC Telecommunication be a subcontractor as their main function is splicing and testing the fibers</p>	<p>i) The Communications Authority Telecommunications Contractor License allows for the supply, installation and maintenance of communication infrastructure for third party infrastructure providers like NFPs such as Kenya Power, while NCA1 Electrical Engineering Service licence as per NCA Act 41 of 2011, Third schedule part C (h) allows one to undertake Construction of Power Transmission Lines and Installation of Power Distribution Equipment.</p> <p>ii) Though the Fiber Optic cable is being installed on electrical power lines, it is to be used for telecommunication purposes, it is therefore important for the installers to be conversant with treatment of infrastructure for the eventual use.</p> <p>iii) JV's are addressed in the tender document and bidders are advised to adhere to the requirements therein should they opt to enter into one.</p>
4.	<p>For JV if one company have the license like NCA and the other doesn't, is it sufficient</p>	<p>A JV may be entered into so as to complement the strengths of each partner in the JV. Any JV entered into must comply with clause 3.4 of the tender document.</p>
5.	<p>Section II – Checklist no, 15- Experience in previous and on-going Fiber Optic Cable Network construction work. - Bidders MUST provide the Contract / copies of Completion or Sign off certificates, names and addresses of at least three (3) clients who may be contacted for further information – At least three (3)</p> <p>Appendix to ITT 4 – 3.15(f) – List of Previous Customers - <i>The Tenderer shall submit at least four (4) names with full contact including telephone, email and physical addresses of previous clients of similar Works and letters from the previous clients</i></p>	<p>Clause 6.2.1.5 a) shall prevail and <i>Bidders shall provide Contract / copies of Completion or Sign off certificates, names and addresses of at least three (3) previous customers for similar works.</i></p> <p>All bids will be evaluated based on the response and the evaluation criteria and fair consideration will be given to all. Besides if different contracts were executed at different times for different departments of the same organizations, then the completion certificates from such contracts can be submitted as evidence of performance.</p>

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	<p><i>confirming satisfactory completion of the contracts and on schedule.</i></p> <p>We have only done fiber work for KPLC over 800KM does that disqualify us as we don't have other 4 customers</p>	
6.	<p>Appendix to ITT 2 – 3.5 Time for completion of works = 36Moths Page 33 – Table 2-Delivery Period: 2years</p>	<p>The successful Tenderer will be expected to complete the Works within 24 months from the commencement date.</p>
7.	<p>Project Manager with at least 3 years' experience in managing Projects for Fiber plant with a minimum of 1000km of Outside Fiber Plant constructed on power lines. They should have a valid Project Management Professional Certification.</p>	<p>This requirement is hereby revised to Project Manager with at least 3 years' experience in managing Projects for Fiber plant with a minimum of 300km of Outside Fiber Plant constructed on power lines.</p>
8.	<p>We have engineers who have managed fiber project and other project and do not have the Project Management Professional Certification and are registered by other registration board like the Engineers Board of Kenya. Confirm Project manager as Engineers is adequate. Engineering is a profession in it own right and not subjudice to other careers. The is also likelihood that registers engineer cannot qualify and novice engineer 3 years' experience with project management certification qualifies</p>	<p>A combination of requisite experience and equivalent professional certification is acceptable</p>
9.	<p>At the time of site visit it is not cost effective for each bidder to walk and capture all the lines by visiting each and every pole of existing network to do</p>	<p>The determination of tentative and final quantities shall be at the discretion of the bidder based on their experience and assessment of what it will require to deliver the project as prices will not be varied</p>

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	<p>design. The final quantities needed will be established during detailed design by the contractor who will be paid to do the detailed survey.</p> <p>Under these circumstance could the tentative quantities of fitting be given for bidding purpose eg. Tension. Suspension, Vibration dampers, Bypass arms. This way the rates for the items are available and the final procured items and paid contract is based on actuals</p>	<p>after tender award unless as provided for within the tender document.</p>
10.	<p>Confirm LC will be provided for Imported component</p>	<p>LC will be issued as per clause 7.17.8 of the tender document</p>
11.	<p>Tender currency limited to Kshs. Can this allow for foreign currency for imported component. This is a risky matter the exchange rate with is outside the control of the bidder. The client need to meet all cost without risk to contractor as they control, when award will be made, when payment will be made if to pay on time or delay etc. There is a doctrine where bigger party takes the risks as they have a greater ability to absorb financial shocks.</p>	<p>The tender currency shall be in Kenya Shillings as outlined in the ITT table and financial evaluation criteria</p>
12.	<p>In the case of payment not being prompt what is the recourse for the contractor who has borrowed money and is paying interest the condition ii (7.18 Interest Interest payment by KPLC is inapplicable in the contract) is likely to cause need for incentives to pay the accounting team to release payment I a way it can institutionalize corruption</p>	<p>Corrupt & fraudulent activities are highly discouraged and this is addressed in clause 3.45 Corrupt or Fraudulent Practices a) of the tender document.</p> <p>KPLC commits to making payments promptly as per clause 7.17 of the tender document, any unintended delay thereof should be addressed as shall be provided for within the contract.</p>
13.	<p>Are we supposed to submit original hardcopy of bid security?</p>	<p>Yes, a scanned soft copy shall be submitted together with the other bidding documents through the e-procurement portal, while the original hard copy shall be</p>

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		deposited at the tender box on the ground floor at Stima Plaza before the tender closing time.
14.	Can we bid partially for supply of OFC 48 F ADSS and OFC Accessories	The scope of the tender is to Design, supply, install and commission
15.	How will the works awarded per Lot/both Lots? Just a confirmation, Is it okay to only participate in only one lot given that award if for only one lot?	Tenderers are free to participate in both or only one lot as they would choose to, however, award shall be for only one lot per tenderer.
16.	Does the bidding company have to be ISO 9001;2015 certified?	The Quality Management System (QMS) Certification is a requirement for the firm that manufactures the materials that are to be supplied for the execution of the project, as such if the tenderer is also the manufacturer then they will be required to provide the QMS Certification
17.	Are we required to supply poles?	KPLC has an existing extensive power distribution network on which the Fiber Optic Cable network is to be built on as per clause 21.2.1 and therefore there will be no need to supply any poles under this project. That notwithstanding, the full schedule of requirements is detailed in section IV
18.	The tender is Open to all contractors (local and foreign). From the scope evaluation on approximate budget per Lot, the tender amount would be in the Citizen contractors range. Why is the tender not preferred to Citizen contractors? Kindly advise Confirm that the tender is for Citizen contractors as per Procurement Act 2015 Can foreign company participate	Due to the legal requirements, exclusive preference for this tender shall be given to citizen contractors as per clause 3.36.5 of the tender document.
19.	Since Manufactures are eligible for this tender, can a manufacturer submit the tender with a local company as a subcontractor for installation as they may not have Local	Due to the legal requirements, exclusive preference for this tender shall be given to citizen contractors as per clause 3.36.5 of the tender document.

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	licences like, NCAs required in the tender.	<i>If the manufacturer intends to be involved in the tender, then a JV may be entered into in compliance with clause 3.4 and clause 3.36.3 of the tender document.</i>
20.	Technical question: could you please give us a clear requirement on the maintenance for OPGW link to repair? Should we change the OPGW cable or accessories or repair of the outer mechanical strand members,	The bidder shall be required to assess the extent of damage to the OPGW link and thereby prepare a full quote for the reinstatement of the OPGW link. As specified, the subject link is 20km.
21.	The certifications required on the document are Kenya Specific, what about foreign companies that are not registered in Kenya?	Due to the legal requirements, exclusive preference for this tender shall be given to citizen contractors as per clause 3.36.5 of the tender document. That notwithstanding, both the National Construction Authority (NCA) and Communication Authority of Kenya (CA-K) who provide the requisite certifications have provisions for certifying foreign companies that have interest in carrying our operations in Kenya.
22.	Can we use NCA2 in place of NCA1? Please clarify on NCA1 requirement, this may lockout many prospective Contractors	NCA1 Electrical Engineering Service license as per NCA Act 41 of 2011, Third schedule part C (h) allows one to undertake Construction of Power Transmission Lines and Installation of Power Distribution Equipment which is similar to the scope of the contract in this tender. The requirements for NCA-1 certification can be obtained from the NCA website.
23.	Is the site visit mandatory? Will there be a site visit form that MUST be signed by regional Engineer upon visit.	As per clause 1.6 of the tender document, there shall be a site visit, a site visit schedule has already been shared in Addendum I and a form therein attached to the tenderer shall present for the Regional ICT officers shall sign. A copy of the signed form shall be submitted together with the tender bid documents as evidence for attendance of the site visit.
24.	What will be the span of the ADSS OFC cable?	The ADSS FOC should be designed to be installed in minimum spans of 150m as

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		specified in clause 21.11 in the tender document
25.	<p><i>Repeated clause numbers</i></p> <p><i>6.1.10 Original Manufacturers Authorization FIBER OPTIC CABLE NETWORK EXTENSION-PHASE IV</i></p> <p><i>6.1.11 Record of 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</i></p> <p><i>6.1.12 Notwithstanding the above, considering any outstanding orders/Supplier Performance Review Scheme (SPRS) where applicable and the production capacity indicated by the Tenderer.</i></p>	<p><i>6.1.13 Original Manufacturers Authorization FIBER OPTIC CABLE NETWORK EXTENSION-PHASE IV</i></p> <p><i>6.1.14 Record of 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</i></p> <p><i>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.</i></p>

3. CHANGE OF EVALUATION CRITERIA

Clause 6.2.1.5 a) of Technical evaluation criteria has been changed

From:

Bidders shall provide Contract / copies of Completion or Sign off certificates, names and addresses of at least three (3) previous customers for similar works.

TO:

Bidders shall provide single or Multiple Contract / copies of Completion or Sign off certificates, from previous customers of similar works that adds up to a minimum 300KM

4. TENDER CLOSING DATE

The tender **closing date** is extended from **12th May, 2021** to **26th May, 2021** at 10.00am.

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

Yours faithfully,

For: **THE KENYA POWER & LIGHTING CO. PLC**



DR. JOHN NGENO
GENERAL MANAGER, SUPPLY CHAIN & LOGISTICS