



*The Kenya Power & Lighting Co. PLC.
Central Office – P.O. Box 30099, Nairobi, Kenya
Telephone – 254-02-3201000-Telegrams 'ELECTRIC'- www.kenyapower.co.ke
Stima Plaza, Kolobot Road*

Our Ref: KP1/6A.1/PT/6/20/A79

23rd March 2021

Dear Sir/ Madam

**CLARIFICATION No. 2 OF PREQUALIFICATION DOCUMENT FOR IPC NO: KP1/6A.1/PT/6/20/A79
PROCUREMENT OF RETROFITTING (SUPPLY, INSTALLATION AND COMMISSIONING OF SOLAR
PHOTOVOLTAIC/ WIND ENERGY COMPONENT) OF 23 DIESEL MINI GRIDS IN KENYA DATED 2ND
FEBRUARY, 2021.**

CLARIFICATION TO BID DOCUMENT

The following responses are made to clarifications sought on various issues in the prequalification document for procurement of retrofitting (supply, installation and commissioning of solar photovoltaic/ wind energy component) of 23 diesel mini grids in Kenya.

No.	Bidder Query/ comment	KPLC Response
1.	<p>In the evaluation criteria item 3.1, its stated that applicant should demonstrate access to at least \$625,000 for lot A and \$ 940,000 unencumbered financial capacity.</p> <p>- Does this mean that costing for the procurement of the assets has been done already or is this just an estimate?</p> <p>- If costing has been done already, has it taken into consideration of cabling costs as well as specialized software to manage solar systems in real time?</p> <p>- Any idea on the distances from where the panels shall be located to the existing engines for the gender?</p>	<p>This is a cash flow requirement based on the projected packaging of the works contracts.</p> <p>The actual cash flow requirement for each package (Lot/ contract) shall be as per the works tender documents that will be issued to the prequalified applicant.</p> <p>Details will be provided at Engineering, Procurement and Construction bidding stage.</p>


No.	Bidder Query/ comment	KPLC Response
2.	<p>In Section III – Evaluation and Prequalification Criteria / 3. Financial Situation and Performance / 3.1 Financial Capabilities / page 20, it is mentioned: “The audited balance sheets or, if not required by the laws of the Applicant’s country, other financial statements acceptable to the Employer, for the last <i>three (3) years</i> shall be submitted”.</p> <p>Please clarify, if we have to submit the financial statements for the last three (3 years) or five (5 years) and therefore provide the relevant financial data, as in the Form FIN-3.1 (page 45) it is mentioned “The Applicant and, in case of a JV, each member, shall provide copies of financial statements <i>for 5 years.</i>”</p> <p>Please verify that for the 3.2 Minimum Annual Turnover (page 21) the financial data should correspond to the last five (5) years, as initially mentioned.</p>	<p>Each member of the JV shall provide copies of financial statements for the last Five years</p>
3.	<p>As per Amendment No.1, the new submission deadline is on 18th March and there is no option of submitting any application electronically.</p> <p>We would like to highlight that due to COVID-19 situation and stricter controlling mechanisms, the dispatch of boxes (containing documents) is a struggling and time-consuming procedure that entails risk of not submitting on time.</p> <p>In addition, as per instructions each application needs to be accompanied by an electronic file. However, we were informed that this expedition will be delayed at the customs clearance with unknown date of when it is going to be cleared.</p> <p>Hence, we kindly ask you to reconsider the electronic application in these difficult times, as like this you will help international companies apply in time; Or to postpone the submission date by two more weeks with a new cut-off date, 1st April 2021.</p>	<p>Please ensure that your application is received on or before the tender closing/ opening date and time as per the provision in the prequalification document and Amendment No. 1.</p>
4.	<p>“With regards to ISO 45001 certificate, it is generally not regarded as a common requirement for international tenders. It would actually be the only point that our company could lack in order to qualify for the tender.</p> <p>Is it absolutely mandatory to already possess this certificate to be eligible for the tender? If yes, would it be acceptable for a bidder to commit to get this certificate upon award of the project?”</p>	<p>This is a mandatory requirement</p>

No.	Bidder Query/ comment	KPLC Response
5.	<p>Section III – Evaluation and Prequalification Criteria</p> <p>3/ Experience in Africa: Minimum of N [two – 02] contracts.</p> <p>Each of the contracts required above shall meet the following minimum key requirements:</p> <ul style="list-style-type: none"> - <i>Project type: any project in Energy or Power sectors implemented in African country</i> - <i>Contracts of item 3 could be the same as contracts of item 1 or 2</i> <p>For the project type, it is just “any project in Energy or Power sectors implemented in African country”, micro grid project was not mentioned in the original description. Can we provide other Energy or Power related project experience?</p>	<p>Yes, any project in either energy/ power or grid of comparable size are acceptable</p>
6.	<p>Section III – Evaluation and Prequalification Criteria</p> <p>4/ Experience in Multisites Construction Management: Minimum of N [two – 02] contracts</p> <p>Each of the contracts required above shall meet the following minimum key requirements:</p> <ul style="list-style-type: none"> - <i>Project type: any project in Energy or Power sectors</i> - <i>Number of sites : construction works implemented simultaneously in ≥ 4 different sites</i> - <i>Contracts of item 4 could be the same as contracts of item 1 or 2 or 3</i> <p>For the project type, it is just “any project in Energy or Power sectors”, micro grid project was not mentioned in the original description. Can we provide other Energy or Power related project experience?</p>	<p>Yes, any project in either energy/ power or grid of comparable size are acceptable</p>
7.	<p>The restrictive measures due to the COVID-19 pandemic have disrupted the normal course of works in our companies. We experience long delays in exchange of information and correspondence. Taking into account that the members of our intended consortium (via a letter of intent) are four companies incorporated in four different countries, it is inferred that the signing of the Application is a challenging task under the available time frame.</p> <p>To this end, our intention is the three non-Kenyan companies of the intended consortium to prepare a separate power of attorney that will authorize the representative of the Kenyan company to bind each company with his signature and sign the Application Submission Form and all the pages of the application file.</p>	<p>Each member of consortium to provide a power of Attorney appointing the signatory</p>

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8.	I would like to clarify if in case with are in consortium with a partner who is qualified to the category B. In the meanwhile, we have a wind turbine supplier who can qualify us to category A. Could we cover the qualification criteria in this manner.	Analyse the requirement of the issued prequalification document and respond accordingly.
9.	Even though, we have some wind turbine project which capacity is above 1MW, could you please see if it is acceptable	Wind turbine greater than 250kw is acceptable. Wind capacity greater than 250kw is acceptable.
10.	<p>The Description on the tender document shows that funding is done through credit which taxpayers of Kenya are the one who shall pay.</p> <p>a) The criteria set out on section III, clause 3.2, the annual turnover is not for the locals companies. Please reduce the annual turnover to below 1million.</p> <p>b) The ISO certifications are too high and it shows the intention is to discourage the local contractors. Please scrape all those ISO certifications.</p> <p>c) You had also asked for ESHS- In Kenya in most cases only OSHA is normally given- Kindly disprove it as part of requirements</p>	<p>Annual turnover requirements as per issued prequalification document are USD 3.7 million for category A and USD 5.6 million for category B.</p> <p>Internationally recognized equivalent (equivalency to be demonstrated by Applicant)" are accepted.</p> <p>Internationally recognized equivalent (equivalency to be demonstrated by Applicant)" are accepted.</p>
11.	Could you please clarify if 4.2 (b) specific experience could be single contract for wind turbine, single contract for PV and single contract for battery energy storage, which meet the capacity and technology requirement	<p>For category A item No. 1 experience in battery capacity (Battery capacity \geq 50kwh) could be demonstrated by Two (2) additional contracts. Item No. 2, 3 and 4 remain as provided in the issued prequalification document.</p> <p>For category B the requirements remain as provided for in the issued prequalification document.</p>

Yours faithfully,

For: KENYA POWER & LIGHTING COMPANY PLC.


GENERAL MANAGER, SUPPLY CHAIN & LOGISTICS