

**Section - III**  
**Evaluation and Qualification Criteria**

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This Section contains all the criteria that the Employer shall use to evaluate bids and qualify Bidders. In accordance with ITB 35 and ITB 37, no other factors, methods or criteria shall be used. The Bidder shall provide all the information requested in the forms included in Section IV, Bidding Forms.

## 1. Evaluation

### 1.1 Technical Evaluation

1. The ITB 35.2 (a) and 35.2(b) are supplemented by the following listed requirements: The bidder shall demonstrate as part of the requirements of ITB 16.1 the design, installation and project management capabilities through detailed presentation of the firm's design, engineering, installation and project management methodology. This shall include method statements on,
  - a. Detailed Method statement describing all process of overhead lines construction. The bidder should demonstrate capabilities to complete the works within the specified period. Provide evidence to enable evaluation of the capability.
  - b. Project Management. The contractor will give a presentation of Project time – implementation schedule with matched resources (Human, Tools and Equipment) to ensure timely completion within specified period.
  - c. Detailed Procurement plan for the materials.
  - d. Quality control measures, a narration of specific quality control mechanisms measures at design, manufacture, erection, installation, testing and commissioning. The presentation shall include method of recruitment/selection of the subcontractors/sub suppliers and how they will be supervised.
  - e. Safety, Health and Environmental plan –This should Include a narration of expected safety risks, taking into account local conditions, and mitigation measures that will be adopted to ensure that the projects are completed without accidents, with minimum negative impact on the environment.
2. The Bid shall include documentary evidence of the bidder's qualifications, comprehensive enough to allow the Employer to carry out post-qualification as described in "2.0" below

### 1.2 Eligibility and Conformity of Facilities

1. Equipment and materials supplied shall meet the technical requirements, requirements of type test, routine test, sample test, prequalification test, and electrical test after installation as specified in technical specifications.
2. Bidders shall provide the following duly completed technical documents:
  - a. All Technical Schedules with detailed information of offered materials and equipment (apart from 150mm<sup>2</sup> ACSR Conductor and 300mmsq 33kV Cable), in which all required information, should be filled completely as specified in the Tender documents.
  - b. Copies of Type Test Reports and technical documents (catalogue, brochures, drawings.) of each major item offered. Copies of Type Test Reports shall meet the following requirements:
    - i. Type Test Reports shall be carried out by a laboratory independent from the manufacturer or with the witness of independent laboratory. Accreditation certificate for the testing laboratory shall be presented.

- ii. Results of type test shall have been conducted at least six (6) months prior to the date of tender submission. The bidder shall submit contact details (Title, email, and fax) of certifying laboratory.
  - iii. Testing materials and equipment in Type Test Reports shall have the same code/country / manufacturer and technical parameters as offered materials and equipment. Type tests of non-conforming materials/equipment shall not be accepted.
  - iv. Type Test Reports shall include all items tested and results confirming that they meet the requirements of applied standards as stipulated in Tender Documents.
3. The manufacturer of the major equipment (Insulators, Concrete Poles, Disconnectors) is required to have been awarded a valid ISO 9001 Certificate or equivalent Quality Assurance Certification. This does not apply to 150mm<sup>2</sup> ACSR conductors as it will be provided by the employer.
4. References for similar types of major equipment (see “3” above) to be supplied must demonstrate that they have been installed and been in service for at least five (5) years outside the country of manufacture.
5. In the case of a Bidder who offers to supply and install major items of supply under the contract that the Bidder did not manufacture or otherwise produce, the Bidder shall provide the **manufacturer’s authorization**, using the form provided in Section IV, showing that the Bidder has been duly authorized by the manufacturer or producer of the related plant and equipment or component to supply and install that item in the Employer’s country. The Bidder is responsible for ensuring that the manufacturer or producer complies with the requirements of ITB 4 and 5.
6. Bidders **SHALL** include in their Bids **COMPLETION Certificates** for similar works (33kV and above) carried out prior to this tender. Failure to comply shall lead to the **rejection** of the bidder.

## 1.2 Economic Evaluation

The following factors and methods will apply:

### (a) Time Schedule:

Time to complete the Plant and Installation Services from the effective date specified in Article 3 of the Contract Agreement for determining time for completion of facilities is: **6months**. Bids offering completion **after 6months** will be disqualified.

### (b) Specific additional criteria

The Employer shall, at its discretion, and for **evaluation purposes only**, add to the bid price the cost of quantifiable deviations and omissions from the Technical Specifications as identified in the bidding document. For purposes of contract however, the employer shall assume that the price of any omissions, even if not explicitly stated, is included in the bid price. In the case of deviations, the employer reserves the right to accept or reject offered equipment with unacceptable deviations from those specified in the tender.

**2. Qualification**

| Factor                        | 2.1 Eligibility                                    |                       |   |                       |       |   |
|-------------------------------|--|-----------------------|---|-----------------------|-------|---|
| Sub-Factor                    | Criteria   |                       |   |                       |       | Documentation Required                  |
|                               | Requirement  | Bidder                |   |                       |       |   |
|                               |  | Single Entity         | Joint Venture, Consortium or Association          |                       |       |   |
| All partners combined         |  |                       | Each partner                                      | At least one partner  |       |   |
| 2.1.1 Nationality             | Nationality in accordance with ITB 4.2.            | Must meet requirement | Existing(Preq aulified) JVA must meet requirement | Must meet requirement | N / A | Form ELI –1.1 and 1.2, with attachments |
| 2.1.2 Conflict of Interest    | No conflicts of interests as described in ITB 4.3. | Must meet requirement | Existing(Preq ualified) JVA must meet requirement | Must meet requirement | N / A | Letter of Bid                           |
| 2.1.3 Government Owned Entity | Compliance with conditions of ITB 4.5              | Must meet requirement | Must meet requirement                             | Must meet requirement | N / A | Form ELI –1.1 and 1.2, with attachments |

| Factor                                    | <b>2.2 Historical Contract Non-Performance</b>  |   |  |   |                      |                        |
|---|---|---|--|---|----------------------|------------------------|
| Sub-Factor                                | Criteria  |   |  |   |                      | Documentation Required |
|   | Requirement   | Bidder  |  |   |                      |                        |
|   |   | Single Entity   | Joint Venture, Consortium or Association |   |                      |                        |
|   |   |   | All partners combined                    | Each partner  | At least one partner |                        |
| 2.2.1 History of non-performing contracts | Non-performance of a contract did not occur within the last Five (5) years prior to the deadline for application submission, based on all information on fully settled disputes or litigation. A fully settled dispute or litigation is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract, and where all appeal instances available to the bidder have been exhausted. | Must meet requirement by itself or as partner to past or existing JVA | N / A                                    | Must meet requirement by itself or as partner to past or existing JVA | N / A                | Form CON - 2           |
| 2.2.2 Pending Litigation                  | All pending litigation shall in total not represent more than twenty percent (20%) of the Bidder's net worth and shall be treated as resolved against the Bidder.   | Must meet requirement by itself or as partner to past or existing JVA | N / A                                    | Must meet requirement by itself or as partner to past or existing JVA | N / A                | Form CON – 2           |

| Factor  | <b>2.3 Financial Situation</b>  |                       |  |                       |  |                                 |  |
|---|---|-----------------------|--|-----------------------|--|---------------------------------|--|
| Sub-Factor                                    | Criteria  |                       |  |                       |  | Documentation Required          |  |
|   | Requirement   | Bidder                |  |                       |  |                                 |  |
|   |   | Single Entity         | Joint Venture, Consortium or Association |                       |  |                                 |  |
|   |   |                       | All partners combined                    | Each partner          | At least one partner                               |                                 |  |
| <b>2.3.1 Historical Financial Performance</b> | <b>Submission of financial statements, acceptable to the Employer, for the last Three [3] years to demonstrate the current soundness of the bidders financial position and its prospective long term profitability.</b>   | Must meet requirement | N/A                                      | Must meet requirement | N / A  | Form FIN – 3.1 with attachments |  |
| <b>2.3.2 Average Annual Turnover</b>          | Minimum average annual turnover of: <b>KES 15,000,000.00</b> calculated as total certified payments received for contracts in progress or completed, within the last three (3) years  | Must meet requirement | Must meet requirement                    | N/A                   | Must meet seventy percent (70%) of the requirement | Form FIN –3.2                   |  |
| <b>2.3.3 Financial Resources</b>              | The Bidder must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to meet the following cash-flow requirement:<br>(i) Capacity to have a cash flow amount of: <b>KES 5,000,000.00</b><br>(ii) The overall cash flow requirements for this contract and its current commitments. | Must meet requirement | Must meet requirement                    | N/A                   | Must meet eighty percent (80%) of the requirement  | Form FIN –3.3                   |  |



| Factor   | <b>2.4 Experience</b>   |                       |  |                      |  |                        |
|--|---|-----------------------|--|----------------------|--|------------------------|
| Sub-Factor   | Criteria  |                       |  |                      |  | Documentation Required |
|  | Requirement   | Bidder                |  |                      |  |                        |
|  |   | Single Entity         | Joint Venture, Consortium or Association       |                      |  |                        |
| All partners combined  |   |                       | Each partner                                   | At least one partner |  |                        |
| 2.4.1(a) General Experience .  | Experience under contracts in the role of contractor, subcontractor, or management contractor for at least the last five [3] years prior to the applications submission deadline, and with activity in at least nine (9) months in each year.   | Must meet requirement | Must meet requirement                          | N / A                | Must meet requirement                        | Form EXP-2.4.1         |
| 2.4.1(b) General Experience Outside country of Registration (Not Applicable) | Experience under contracts in the role of contractor, subcontractor, or management contractor for at least one infrastructure project outside the country of registration in the last five (5) years. (Condition doesn't apply to companies registered in Kenya)  | N/A                   | N/A  | N / A                | N/A  | Form EXP-2.4.1         |
| 2.4.2 Specific Experience  | (a) Participation as contractor, management contractor, or subcontractor, in at least two (2) contracts within the last five (5) years , that have been successfully and substantially completed and that are similar to the proposed Plant and Installation Services. The similarity shall be based on the physical size, complexity, methods /technology or other | Must meet requirement | Must meet requirements for all characteristics | N / A                | Must meet requirement for one characteristic | Form EXP 2.4.2(a)      |

| Factor                           | <b>2.4 Experience</b>  |                        |  |                       |                        |                        |
|----------------------------------|--|------------------------|--|-----------------------|------------------------|------------------------|
| Sub-Factor                       | Criteria   |                        |  |                       |                        | Documentation Required |
|                                  | Requirement  | Bidder                 |  |                       |                        |                        |
|                                  |  | Single Entity          | Joint Venture, Consortium or Association |                       |                        |                        |
|                                  | characteristics as described in Section VI, Employer’s Requirements.   |                        |  | All partners combined | Each partner           | At least one partner   |
| <b>2.4.2 Specific Experience</b> | (b) For the above or other contracts executed during the period stipulated in 2.4.2(a) above, a minimum experience in the following key activities:<br><b>Supply and installation</b> of 33KV Lines or higher voltage using concrete poles | Must meet requirements | Must meet requirements                   | N / A                 | Must meet requirements | Form EXP-2.4.2(b)      |

## 2.5 Personnel

The Bidder must demonstrate that it will have the personnel for the key positions that meet the following requirements:

| No. | Position                            | Total Work Similar Experience (years) | In Similar Works Experience (years) |
|-----|-------------------------------------|---------------------------------------|-------------------------------------|
| 1   | Project Manager                     | <u>5</u>                              | <u>3</u>                            |
| 2   | Design Engineer - Electrical        | 5                                     | 3                                   |
| 3   | Construction Engineer - Electrical  | <u>5</u>                              | 3                                   |
| 4   | Safety Health & Environment Officer | <u>5</u>                              | 2                                   |

The Bidder shall provide details of the proposed personnel and their experience records in the relevant Forms included in Section IV, Bidding Forms.

## 2.6 Equipment

The Bidder must demonstrate that they will have access to the key Contractor's equipment listed hereafter:

| No. | Equipment Type and Characteristics   | Minimum Number required |
|-----|--|-------------------------|
| 1   | Testing equipments for distribution lines. ( <i>Live line tester for 33KV, Clamp resistance measuring equipment, Earth resistance measuring equipment, portable Earthing conductors.</i> ) | Two                     |
| 2   | Excavation Machines  | Two                     |
| 3   | Lifting equipment - for the size of poles described in the scope   | Two                     |
| 4   | Line construction Tools ( <i>List and provide details in the relevant form in section IV</i> )   |                         |

The Bidder shall provide further details of proposed items of equipment using the relevant Form in Section IV. **Failure** to provide the equipment list will lead to rejection of the bidder.

## 2.7 Suppliers

Suppliers for the following major items of supply or services must meet the following minimum criteria, herein listed for that item:

| Item No. | Description of Item               | Minimum Criteria to be met   |
|----------|-----------------------------------|--|
| 1        | Suppliers for the major equipment | Must be firmed up at the time of bidding and change of suppliers will not be acceptable after award. The suppliers who do not meet the Employers' requirements will lead to rejection of the bidder as Non Responsive. |