



KENYA ELECTRICITY GENERATING COMPANY PLC

KGN-GDD-058-2019

**TENDER FOR PREQUALIFICATION OF
BUILDING CONTRACTORS FOR MAJOR WORKS
FOR A PERIOD OF ONE YEAR.**

(CITIZEN CONTRACTORS).

**Kenya Electricity Generating Company PLC
Stima Plaza Phase III, Kolobot Road, Parklands
P.O. BOX 47936-00100**

NAIROBI.

Website: www.kengen.co.ke

APRIL 2019

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SECTION I - INVITATION FOR PREQUALIFICATION (IFQ)

Tender No. KGN-GDD-058-2019

Tender Name. TENDER FOR PREQUALIFICATION OF BUILDING CONTRACTORS FOR MAJOR WORKS FOR A PERIOD OF ONE (1) YEAR

1. The Kenya Electricity Generating company (KenGen) hereinafter referred as “Procuring entity” intends to prequalify candidates for the **TENDER FOR PREQUALIFICATION OF BUILDING CONTRACTORS FOR MAJOR WORKS FOR A PERIOD OF ONE (1) YEAR**
2. This shall be an **OPEN NATIONAL TENDER (CITIZEN CONTRACTORS)**. Prequalification is open to any **CITIZEN CONTRACTORS** who are registered in BUILDING Category NCA 2 and above. The Building Contractor must also qualify as per the tender eligibility criteria.
3. Eligible candidates may obtain the prequalification documents detailing the requirements from the KenGen website (www.kengen.co.ke). Bidders who download the tender documents are required to immediately notify KenGen by sending an email to tenders@kengen.co.ke. Bidders who download the tender document from the website **are advised to forward their particulars to facilitate any subsequent tender clarifications and addenda**. Downloaded documents are free of charge. Bidders are advised from time to time to be checking the website for any uploaded further information on this tender.
4. You may obtain further information from the office of the Supply Chain Director,
Supply Chain Director
Tel: (254) (020) 3666000
Email: tenders@kengen.co.ke;
jgesaka@kengen.co.ke; mnthiga@kengen.co.ke;
5. Applications for prequalification must be submitted on or before **30th April 2019 at 10.00am**, in a plain sealed envelope and marked “**TENDER FOR PREQUALIFICATION OF BUILDING CONTRACTORS FOR MAJOR WORKS FOR A PERIOD OF ONE (1) YEAR**” and addressed to:

**Company Secretary & Legal Affairs Director
Kenya Electricity Generating Company PLC
10th Floor, KenGen Pension Plaza 2,
Kolobot Road, Parklands
P O Box 47936 - 00100
NAIROBI, KENYA**

6. Prequalification documents will be opened on: **30th April 2019 at 10.30am**, in the presence of contractors' representative who choose to attend at the **KenGen Pension Plaza 2, Tender Opening Room, Ground Floor**. All candidates whose applications will have been received before the closing date and time will be advised in due course, of the results of their applications.

**ONLY CANDIDATES PREQUALIFIED UNDER THIS
PREQUALIFICATION PROCESS WILL BE INVITED TO TENDER.**

*KenGen adheres to high standards of integrity in its business operations.
Report any unethical behavior immediately to any of the provided anonymous hotline service.*

- 1) *Call Toll Free: 0800722626;*
- 2) *Free-Fax: 00800 007788;*
- 3) *Email: kengen@tip-offs.com*
- 4) *Website: www.tip-offs.com*

SUPPLY CHAIN DIRECTOR

SECTION II - INSTRUCTIONS TO CANDIDATES (ITC)

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SECTION II - INSTRUCTIONS TO CANDIDATES (ITC)

2.1 Scope of Tender

- 2.1.1 The **Kenya Electricity Generating Company (KenGen)** hereinafter referred as “Procuring entity” intends to prequalify contractors for the following **TENDER FOR PREQUALIFICATION OF BUILDING CONTRACTORS FOR MAJOR WORKS FOR A PERIOD OF ONE (1) YEAR** It is expected that prequalification applications will be submitted to be received by the procuring entity not later than **30th April 2019 at 10.00am.**
- 2.1.2 Prequalification is open to eligible firms and voluntarily formed joint ventures as indicated in appendix to instructions to candidates.
- 2.1.3 General information on the climate, hydrology, topography, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, facilities, services provided by the procuring entity and (other relevant date) are as specified in the appendix to instructions to candidates.

2.2 Submission of Application

- 2.2.1 Applications for prequalification shall be submitted in sealed envelopes marked with the tender name and reference number and deposited in the tender box at (address and location indicated in the appendix to instructions to candidates (ITC)) or be addressed to so as to be received on or before (*day, date and time mentioned in the appendix to the ITC*). The procuring entity reserves the right to accept or reject late applications.
- 2.2.2 All the information requested for pre qualification shall be provided in the English language. Where information is provided in any other language, it shall be accompanied by a translation of its pertinent parts into English language. The translation will govern and will be used for interpreting the information.
- 2.2.3 Failure to provide information that is essential for effective evaluation of the applicant’s qualifications or to provide timely clarification or sub substantiation of the information supplied may result in the applicant’s disqualification.
- 2.2.4 A consultations and clarifications meeting will be held at (*place, date and time*) at which applicants may request clarifications of the prequalification document. Attendance of this meeting will be voluntary

2.3 Eligible Candidates

- 2.3.1 This invitation for pre-qualification is open to all candidates who are eligible as defined in Kenya’s Public Procurement Law and regulations and as indicated in the appendix to instructions to candidates.

2.3.2 The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender unless where specially allowed under section 131 of the Act.

2.3.3 All terms found capable of performing the contract satisfactorily in accordance to the set prequalification criteria shall be prequalified.

2.4 Qualification Criteria

2.4.1 Pre-qualification will be based on meeting the minimum requirements to pass in the criteria set as shown below. The declaration will be either pass or fail regarding the applicant's general and particular experience, personnel and equipment capabilities and financial position as demonstrated by the applicant's response in the forms provided in Section IV and submitted with the letter of application. The procuring entity reserves the right to waive minor deviations if they do not materially affect the capability of an applicant to perform the contract.

2.4.2 When highly specialized inputs (especially for execution of the contract) are required by the applicant from specialist sub contractors, such subcontractors and their inputs shall be described in the Standard Form 1 (General Information)

2.4.3 General Experience. The applicant shall meet the minimum criteria as indicated in the appendix to instructions to candidates (ITC)

2.4.4 Personnel capabilities shall be as indicated in the appendix to instructions to candidates (ITC)

2.4.5 Equipment capabilities shall be as indicated in the appendix to instructions to candidates (ITC)

2.4.1 Financial position shall be as indicated in the appendix to instructions to candidates (ITC)

2.4.2 The audited Accounts for the last three years shall be submitted and must demonstrate the soundness of the applicant's financial position, showing long-term profitability. Where necessary the procuring entity will make inquiries with the applicant's bankers.

2.4.3 Litigation history the applicant should provide accurate information on any litigation or arbitration resulting from contracts completed or under its execution over the last five years. A consistent history of awards against the applicant or any partner of a joint venture may result in failure of the application.

2.5 Joint Venture (JV)

2.5.1 Joint ventures must comply with the following:-

- (a) Following are the minimum qualification requirements.
- (i) The Joint Venture Partners must provide the requisite certificates of incorporation and Tax Compliance Certificates;
- (ii) Both partners must individually or collectively meet the financial requirements and none of the partners shall be allowed to have been declared to be bankrupt. For avoidance of doubt all the Joint Venture Partners must provide the audited books of accounts and execute the Mandatory Business Questionnaire confirming no bankruptcy at the relevant part.
- (iii) The joint venture must satisfy collectively the criteria of section 4, for which propose the relevant figures for each of the partners shall be added together to arrive at the joint ventures total capacity.

(b) The formation of a joint venture after pre-qualification and any change in a prequalified joint venture will be subject to the written approval of the procuring entity prior to the deadline for submission of bids. Such approval may be denied if (i) partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements (ii) the new partners to a joint venture are not qualified, individually or as an another joint venture; or (iii) in the opinion of the procuring entity a substantial reduction in competition may result.

(c) Any future bid shall be signed so as to legally bind all partners, jointly and severally, and any bid shall be submitted with a copy of the joint venture agreement providing the joint and several liability with respect to the contract.

d) Provide a Power of Attorney (PoA) authorizing/nominating one of the Joint Venture partners to sign the bid on behalf of the joint venture, and clearly allocating powers and functions for the purpose of contract implementation. This PoA shall be signed by both JV partners. Another power of attorney shall be provided authorizing the individual signing this bid and any future bids (this PoA shall be signed by the Authorized/nominated partner)

2.5.2 The pre-qualification of a joint venture does not necessarily pre qualify any of its members individually as a member in any other joint venture or association. In case of dissolution of a joint venture, each one of the constituent firms may prequalify if it meets all the prequalification requirements, subject to a written approval of the procuring entity. Evaluation of this requirement shall be based on eligibility/statutory documents already in the custody (submitted during prequalification stage) of the procuring entity and partners under this paragraph shall NOT be required to provide any further eligibility or statutory documentation for evaluation purposes.

2.6 Public Sector companies

2.6.1 Any public owned enterprise may be eligible to qualify if, in addition to meeting all the above requirements, it is also legally and financially autonomous, it operates under commercial law, and it is not a dependent agency of another public entity.

2.7. Conflict of Interest

- 2.7.1 The applicant (including all members of a joint venture) shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other prequalification and bidding documents for the project, or with an entity that was proposed as engineer for the contract. Any such association must be disclosed and may result in the disqualification of the applicant.

2.8. Updating Pre-qualification Information

- 2.8.1 Pre qualified candidates shall be required to update the financial information used for pre qualification at the time of submitting their bids and to confirm their continued compliance with the qualification criteria. A bid shall be rejected if the applicant's qualification thresholds are no longer met at the time of bidding.

APPENDIX TO INSTRUCTIONS TO CANDIDATES

The following instructions for the pre qualification of candidates shall supplement, complement or amend the provisions of the instructions to candidates.

Where there is a conflict between the provisions of the instructions to candidates and the provisions of the appendix, the provisions of the appendix herein shall prevail over those of the instructions to the candidates.

Ref. No	ITC Clause No	Amendments of, and Supplements to Clauses in the Instruction to Candidates
A. INSTRUCTION TO CANDIDATES		
1	2.1.3	<p>The works envisaged constitutes multi-storey building(s) at or near the KenGen Operation areas.</p> <p>Construction is expected to commence in 2019/20 Financial year and the construction period will be around two years.</p> <p>The works shall be designed by the procuring entity and the contractor shall be to procure materials and carry out the construction and commission the works.</p>
2	2.2.1 Submission of application	<p>Bidders to prepare and submit One Original and Two copies of the application documents to</p> <p>Company Secretary & Legal Affairs Director Kenya Electricity Generating Company PLC 10th Floor, KenGen Pension Plaza 2, Kolobot Road, Parklands P O Box 47936 - 00100 NAIROBI, KENYA</p> <p>To reach on or before</p> <p>Day: Tuesday Date: 30th April 2019 Time: 10.00 A.M.</p>
3	2.2.4 Pre bid meeting	There shall be no pre bid meeting at this stage.
4	2.3.1 Eligibility	<p>The following documents shall be examined in the candidates' bid to ascertain eligibility.</p> <p>A copy of each document specified below MUST be submitted together with the candidate's application,</p> <p>It has to be duly filled, signed & stamped, authentic and valid for the candidate's application to be responsive.</p> <p>Copies of original document and corresponding certified translations shall be submitted if the original document is not in English.</p>

Ref. No	ITC Clause No	Amendments of, and Supplements to Clauses in the Instruction to Candidates
		<ol style="list-style-type: none"> 1) Certificate of incorporation for the bidder and all its JV partners. 2) Joint Venture agreement in the case of joint ventures. 3) Power of attorney authorizing the person signing the tender. 4) Confidential business questionnaire duly completed and signed 5) Audited financial statements for the last three years (2017, 2016, and 2015) for the candidate and all its joint Venture partners. 6) As a minimum, a valid NCA 2 and above registration certificate in Building works. 7) List of major subcontractors and their NCA registration certificates. 8) Current and Valid NCA Practicing Licenses for the Categories Registered for by the Applicant and all Major Subcontractors
5	2.4.1 Prequalification	<p><u>PRELIMINARY/ MANDATORY EXAMINATION OF TENDERS:</u></p> <p>The following documents shall be examined in the candidates bid to ascertain eligibility. Each document specified below MUST be submitted together with the candidate's bid/proposal, It has to be duly filled, signed & stamped, authentic and valid for the candidate's tender submission to be responsive. Copies of original document and corresponding certified translations shall be submitted if the original document is not in English.</p> <ol style="list-style-type: none"> 1) Certificate of incorporation for the bidder and in the case of a JV from all the JV partners. 2) Joint Venture agreement duly executed by the Joint Venture Partners 3) Power of attorney authorizing the person signing the tender. In case of a Joint Ventures, the person signing should be jointly nominated by the JV partners to sign the tender documents and execute other documents in the contract implementation exercise. NB: For avoidance of doubt the Contract shall be executed by both JV Partners 4) Confidential business questionnaire duly completed and signed by the bidder. In the case of a JV all JV Partners must all separately execute the business questionnaire. 5) Audited financial statements for the years (2017, 2016, and 2015) for the candidate/s. In the case of a JV all JV Partners must all separately provide the books of accounts 6) As a minimum, a valid NCA 2 and above registration certificate in Building works. 7) List of major subcontractors and their NCA registration certificates. For Example <ol style="list-style-type: none"> (i) Electrical Subcontractor shall have Relevant NCA certificate and ERC Class B Licenses (ii) Mechanical Subcontractor shall have Relevant NCA

Ref. No	ITC Clause No	Amendments of, and Supplements to Clauses in the Instruction to Candidates
		<p>certificate and applicable Trade Licenses.</p> <p>8) Current and Valid NCA Practicing Licenses for the Categories Registered for by the Applicant and all Major Subcontractors</p> <p>The above requirements will be evaluated on PASS or FAIL criteria. Copies of all the required documents must be provided for the Applicant to Pass to the next stage of evaluation</p>
6	<p>2.4.3</p> <p>General Experience</p>	<p>The Applicant company/firm or the lead partner in a JV partnership (as nominated by the power of attorney) must have been engaged as the main contractor in successful execution of building works (for a government or any of its agencies) from start to completion with a contract sum of KES 350,000,000 or above that were completed within time and cost.</p> <p>For Purposes of Evaluation, The Applicant is required to provide details of at least two Building contracts were within 10% on the Original time schedule and within 5 % of the Original Contract Price. Otherwise, the applicant should provide written objective evidence that the excess Variations of Time and/or cost originated from Employer’s instruction.</p> <p>The bidder shall provide Certified copies of Completion Certificates and the contacts of the referees for the jobs. The employer may conduct due diligence on such works.</p> <p>The above requirements will be evaluated on PASS or FAIL criteria. Copies of all the required documents must be provided for the Applicant to Pass in this evaluation criteria.</p>

7	<p>2.4.4</p> <p>Personnel capabilities</p>	<p>Qualification (Relevant Experience of key Technical Staff)</p> <p>The Bidder shall provide details of the proposed personnel, certificates, signed CVs, and evidence of professional registration. Day time contacts for these personnel shall be included in the bid. The bidder shall not be allowed to replace personnel whose CV has been submitted without the approval of the employer.</p> <p>Bidders must complete the attached “KEY PERSONNEL” Form for all the key personnel proposed, only specific and relevant experience shall be included in the form. Failure to complete this form may lead to an disqualification. The employer shall conduct due diligence on the information provided. Bids found to contain false information shall be deemed to contravene the integrity clause and shall suffer the consequences therein.</p>
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		<table border="1"> <thead> <tr> <th data-bbox="542 107 607 142"></th> <th data-bbox="607 107 1471 142">Title</th> </tr> </thead> <tbody> <tr> <td data-bbox="542 142 607 436">1)</td> <td data-bbox="607 142 1471 436"> A Project Manager /Site Agent (i). University Degree in a relevant field (ii). Must be a registered Professional Engineer with Engineers Board of Kenya (EBK) (iii). Total professional experience of at least 10 years some of which the staff has had experience as a project manager in projects execution of a building works of not less than KES 350,000,000. </td> </tr> <tr> <td data-bbox="542 436 607 730">2)</td> <td data-bbox="607 436 1471 730"> Site Environment, safety and Health (ESH) Expert. (i). University Degree/diploma in relevant field (ii). Total relevant professional experience of at least 8years experience as ESH in building projects within which the staff has undertaken assignments as site ESH team lead/manager in the area of expertise for the respective scope of works of similar nature and complexity (iii). Evidence of Registration with relevant professional body. </td> </tr> <tr> <td data-bbox="542 730 607 957">3)</td> <td data-bbox="607 730 1471 957"> Site Engineer – Civil & Structural (i). University Degree in Civil Engineering. (ii). Must be a registered Professional Engineer with Engineers Board of Kenya (EBK). (iii). Total professional experience of at least 5 years in works of similar nature and complexity. </td> </tr> </tbody> </table> <p data-bbox="532 995 1422 1104">The above requirements will be evaluated on PASS or FAIL criteria. Copies of CVs and all relevant certificates must be provided for each critical staff for the Applicant to Pass in this evaluation criteria.</p>		Title	1)	A Project Manager /Site Agent (i). University Degree in a relevant field (ii). Must be a registered Professional Engineer with Engineers Board of Kenya (EBK) (iii). Total professional experience of at least 10 years some of which the staff has had experience as a project manager in projects execution of a building works of not less than KES 350,000,000.	2)	Site Environment, safety and Health (ESH) Expert. (i). University Degree/diploma in relevant field (ii). Total relevant professional experience of at least 8years experience as ESH in building projects within which the staff has undertaken assignments as site ESH team lead/manager in the area of expertise for the respective scope of works of similar nature and complexity (iii). Evidence of Registration with relevant professional body.	3)	Site Engineer – Civil & Structural (i). University Degree in Civil Engineering. (ii). Must be a registered Professional Engineer with Engineers Board of Kenya (EBK). (iii). Total professional experience of at least 5 years in works of similar nature and complexity.
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3)	Site Engineer – Civil & Structural (i). University Degree in Civil Engineering. (ii). Must be a registered Professional Engineer with Engineers Board of Kenya (EBK). (iii). Total professional experience of at least 5 years in works of similar nature and complexity.									
8	<p data-bbox="318 1220 472 1325">2.4.5 Equipment Holding</p>	<p data-bbox="630 1255 1344 1325">List of major items of Construction Plant, Tools and Equipment</p> <p data-bbox="532 1367 1487 1581">Essential equipment to be made available for any future Contracts. Applicants shall attach evidence of ownership (logbook) or a lease agreement. The lease agreement shall be accompanied by evidence of ownership by the lessor. The lessor’s daytime phone contacts and physical address. Where the equipment is registered in the names of the directors. A CR12 form from the lessor shall be attached to the lease agreement.</p> <p data-bbox="532 1623 1417 1654">The following Equipment shall be owned or leased by the candidates</p> <ol data-bbox="581 1661 1276 1906" style="list-style-type: none"> 1. Construction/mobile Crane (minimum 25 Tonnes) 2. Excavator 3. Dozer. 4. Concrete Dumper 5. Concrete batching plant. 6. Tipper Trucks (4 No.) 7. Double Cabin Pickup (1 No.) 								

		The above requirements will be evaluated on PASS or FAIL criteria Copies of (i) Applicant’s log books or (ii) Agreements for Hire with logbook of the equipment owners must be provided for each equipment for the Applicant to Pass in this criteria.
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9	2.4.1 Financial capabilities	<p>a) Average Construction Turnover Bidder shall provide proof of average annual construction turnover of at least KES 300,000,000 (Three Hundred Million Kenya Shillings), calculated as total certified payments received for contracts in progress and/or completed, within the last three (3) years divided by three (3) years. For Joint Ventures, an aggregate of the construction turnover for all the JV partners may be considered.</p> <p>b) <u>Evidence of working capital in form of</u> Access to financial resources of Not less than KES 200,000,000 (Kenya Shillings Two Hundred Million.) in form of lines of credit and availability of other financial resources from reputable Commercial Banks. Where a line of credit is provided, the letter must be current to the last month preceding closing of the tender. For Joint Ventures, an aggregate of working capital for all the JV partners may be considered.</p> <p>c) Acid Ratio all of 1:1 for the last audited financial year.</p> <p>The above requirements will be evaluated on PASS or FAIL criteria. Certified copies of statements and other evidence demonstrating compliance with these requirements must be provided for the Applicant to Pass in this criteria</p>
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10	2.4.3	<p>Bidder shall provide a list of all litigations or arbitrations in which either the bidder or any of its JV partners were a party and the outcome of such litigation. Failure to provide this information shall lead to disqualification from the prequalification process.</p> <p><u>IMPORTANT TO NOTE:</u> Contractors who have been issued with a <u>Default Notice</u> in any Government/public funded project or private entity within the last 5 years are ineligible to tender.</p> <p>Debarred firms are ineligible to tender.</p> <p>The above requirements will be evaluated on PASS or FAIL criteria. Certified copies of statements and other evidence demonstrating compliance with this criterial must be provided for the Applicant to Pass in this criteria</p>
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<p>10</p>		<p>CLARIFICATIONS</p> <p>Further information and/or clarification may also be obtained from the Employer's representative at the following address: -</p> <p style="text-align: center;">Supply Chain Director Kenya Electricity Generating Company PLC 2nd Floor, Stima Plaza, Phase III; Kolobot Road, Parklands P O Box 47936 - 00100 NAIROBI, KENYA</p> <p>Email; tenders@kengen.co.ke; cc: mnthiga@kengen.co.ke podipo@kengen.co.ke</p>
<p>11</p>		<p>Deadline for submission of inquiries for clarifications shall be five (5) days prior to prequalification Closing Date as set out in this document.</p> <p>The procuring entity shall reply to any clarifications sought by the Bidder within 3 days of receiving the request to enable the Bidder to make timely submission of its tender.</p>
<p>12</p>		<p>Potential bidders are advised to regularly check KenGen website for any uploaded information on this tender. Any issued Addenda/Clarification shall be uploaded by Procuring entity on the website.</p> <p>Website: - http://www.kengen.co.ke</p>

SECTION III- LETTER OF APPLICATION

Date

To

 (*name and address of the procuring entity*)

Ladies and/or Gentlemen

1. Being duly authorized to represent and act on behalf of _____ (*name of firm*) (hereinafter referred to as “the Applicant”), and having reviewed and fully understood all of the pre qualification information provided, the undersigned hereby apply to be prequalified by yourselves as a bidder for the following contract(s) under (Tender No. and Tender name)

Tender number	Tender name
1.	
2.	
3.	
4.	
5.	

2. Attached to this letter are copies of original documents defining
 (a) the Applicant’s legal status
 (b) the principal place of business and
 (c) the place of incorporation (*for applicants who are corporations*), or the place of registration and the nationality of the owners (*for applicants who are partnerships or individually-owned firms*).

3. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and as requested by yourselves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.

4. Your Agency and its authorized representatives may contact the following persons for further information.

General and managerial inquiries	
Contract 1	Telephone 1

Contract 2	Telephone 2
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Personnel inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

Technical inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

Financial inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

5. This application is made with the full understanding that:
- (a) bids by prequalified applicants will be subject to verification of all information submitted for prequalification at the time of bidding.
 - (b) Your Agency reserves the right to:
 - amend the scope and value of any contracts bid under this project; in such event, bids will only be called from prequalified bidders who meet the revised requirements; and
 - reject or accept any application, cancel the prequalification process, and reject all applications
 - (c) your Agency shall not be liable for any such actions and shall be under no obligation to inform the Applicant of the grounds for them
1. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the <each> contract, and the responsibilities for execution of the <each> contract.
 2. We confirm that if we bid, that bid, as well as any resulting contract, will be:
 - (a) signed so as to legally bind all partners, jointly and severally; and
 - (b) submitted with a joint venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.
 3. The undersigned declare that the statement made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead partner of a joint venture)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)

SECTION IV - STANDARD FORMS

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APPLICATION FORM(1)

GENERAL INFORMATION

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact
4.	Fax	E-mail
5.	Place of incorporation/registration	Year of incorporation/registration

Nationality of owners		
	Name	Nationality
1.		
2.		
3.		
4.		
5.		

APPLICATION FORM (2)

GENERAL EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

Annual turnover data (Construction only)		
Year	Turnover	Kshs.
1.		
2.		
3.		
4.		
5.		

APPLICATION FORM (2A)

JOINT VENTURE SUMMARY

Names of all partners of a joint venture
1. Lead partner
2. Partner
3. Partner
4. Partner
5. Partner
6. Partner

Total value of annual construction turnover, in terms of work billed to clients, in Kshs.

Annual turnover data (construction only: Kshs.
--

Partner	Form 2 Page no.	Year 1	Year 2	Year 3
1. Lead Partner				
2. Partner				
3. Partner				
4. Partner				
5. Partner				
6. Partner				
	Totals			

APPLICATION FORM (3)

PARTICULAR EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

APPLICATION FORM (3A)

DETAILS OF CONTRACTS OF SIMILAR NATURE AND COMPLEXITY

Name of Applicant or partner of a joint venture

Use a separate sheet for each contract.

1.	Number of contract	
	Name of Contract	
	Country	
2.	Name of employer	
3.	Employer address	
4.	Nature of works and special features relevant to the contract for which the Applicant wishes to prequalify	
5.	Contract role (check one) * Sole contract * Management contract * Subcontract * Partner in a joint venture	
6.	Value of the total contract/subcontract/partner share (in specified currencies at completion, or at date of award for current contract)	
7.	Date of award	
8.	Date of completion	
9.	Contract/subcontract duration (years and months) - years - months	
10	Specified requirements	

APPLICATION FORM (4)

**SUMMARY SHEET: CURRENT CONTRACT
COMMITMENTS/WORK IN PROGRESS**

Name of Applicant or partner of a joint venture

Name of contract	Value of outstanding work Kshs.	Estimated completion date
1.		
2.		
3.		
4.		
5.		
6.		

APPLICATION FORM (5)

PERSONNEL CAPABILITIES

Name of Applicant

1.	Title of position Name of prime candidate Name of alternate candidate
2.	Title of position Name of prime candidate Name of alternate candidate
3.	Title of position Name of prime candidate Name of alternate candidate
4.	Title of position Name of prime candidate Name of alternate candidate

APPLICATION FORM (5A)

CANDIDATE SUMMARY

Name of Applicant

Position	Candidate * Prime * Alternate	
Candidate information	1. Name of candidate	2. Date of birth
	3. Professional qualifications	
Present employment	4. Name of employer	
	5. Address of employer	
	Telephone	Contact (manager/personnel officer)
	Fax	E mail
	Job title of candidate	Years with present employer

Summarize professional experience over the last 20 years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the Project.

From	To	Company/Project/Position/Relevant technical and management experience

APPLICATION FORM (6)

EQUIPMENT CAPABILITIES

Name of Applicant

Item of equipment		
Equipment information	1. Name of manufacturer	2. Model and power rating
	3. Capacity	4. Year of manufacturer
Current status	5. Current location	
	6. Details of current commitments	
Source	7. Indicate source of the equipment * Owned * Rented * Leased * Specially manufactured	

Omit the following information for equipment owned by the Applicant or partner

Owner	8. Name	
	9. Address of owner	
	Telephone	Contact name and title
	Fax	Email
	Agreements	
Details or rental/lease/manufacture agreements specific to the project		

APPLICATION FORM (7)

FINANCIAL CAPABILITY

Name of Applicant or partner of a joint venture

Banker	Name of banker
	Address of banker
 Telephone Contact name and title
	Fax E mail

Financial information in Kshs.	Actual : previous five years		Projected: next two years	
	1.	2.	3.	4.
1. Total assets				
2. Current assets				
3. Total liabilities				
4. Current liabilities				

APPLICATION FORM (8)

LITIGATION HISTORY

Name of Applicant or partner of a joint venture

Applicants, including each of the partners of a joint venture, should provide information of any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution (Instructions to Applicants, para. 4.8). A separate sheet should be used for each partner of a joint venture.

Year	Award FOR or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value Kshs.)

5. Profits before taxes				
6. Profits after taxes				

Source of finance	Amount Kshs.
1.	
2.	
3.	
4.	

Date: _____

: TENDER SUBMISSION FORM

To: Company Secretary & Legal Affairs Director
Kenya Electricity Generating PLC
Pension Plaza II, 10th Floor, Kolobot Road, Parklands
P.O. Box 47936 – 00100, GPO
NAIROBI, KENYA
FAX: 254-2-248848

Dear Madam/Sir,

TENDER FOR PREQUALIFICATION OF BUILDING CONTRACTORS FOR MAJOR WORKS FOR A PERIOD OF ONE YEAR

We, the undersigned, hereby submit our proposal to provide Building Contractors services in accordance with your Request for Prequalification of Building Contractors for Major Works for a Period of One Year, and we hereby submit our Tender Document.

Our Tender is binding to us and if found acceptable we shall be pleased to be included in the list of pre-qualified firms.

We understand you are not bound to accept any tender you receive.

We remain

Yours sincerely,

Authorized Signature:

Name and Title of Signatory:

Name of Tenderer:

Address:

MANDATORY CONFIDENTIAL BUSINESS QUESTIONNAIRE

(Must be filled by all applicants or Tenderers' who choose to participate in this tender)

Name of Applicant(s).....

You are requested to give the particulars in Part 1 and either Part 2 (a), 2 (b) or 2 (c), whichever applies to your type of business. Part 2 (d) to part 2 (i / j) must be filled. You are advised that giving wrong or false information on this Form will lead to automatic disqualification of your tender or termination of your contract or debarment of your firm at your cost.

Part 1 – General

Business Name:.....Certificate of
Incorporation / Registration No.Location of
business premises:

CountryPhysical address

TownBuilding.....

Floor.....Plot No.

Street / RoadPostal Address

Postal / Country Code.....Telephone No's.....

Fax No's.E-mail address

Website

.....
Contact Person (*Full Names*) Direct / Mobile No's.....

Title Power of Attorney (**Yes / No**)

If **yes**, attach written document.

Nature of Business (*Indicate whether manufacturer, distributor, etc*)

.....

(Applicable to Local suppliers only)

Local Authority Trading License No. Expiry Date

KRA PIN

No.....

Value of the largest single assignment you have undertaken to date (*USD/KShs*)

.....

Was this successfully undertaken? **Yes / No**.(If **Yes**, attach
reference)

Name (s) of your banker (s)

.....

Branches Tel. No's.

Part 2 (a) – Sole Proprietor (if applicable)

Full names

.....

Nationality..... Country of Origin.....

.....

Company Profile (*Attach brochures or annual reports in case of
public company*)

Part 2 (b) – Partnerships (if applicable)

Give details of partners as follows:

Full Names Nationality Citizenship Details Shares

1.
2.

Company Profile

Part 2 (c) – Registered Company (if applicable - as per the CR12 form)

Private or public

Company Profile (*Attach brochures or annual reports in case of public companies*)

State the nominal and issued capital of the Company

Nominal KShs

Issued KShs

List of top ten (10) shareholders and distribution of shareholding in the company. Give details of all directors as follows:-

Full Names Nationality Citizenship Details Shares

1.....

2.....

Part 2 (d) – Debarment

I/We declare that I/We have not been debarred from any procurement process and shall not engage in any fraudulent, corrupt, coercive and obstructive acts with regard to this or any other tender by the KENGEN and any other public or private institutions.

Full Names

.....

Signature

.....

Dated this.....day of

.....2019.

In the capacity of

.....

Duly authorized to sign Tender for and on behalf of

.....

Part 2 (e) – Bankruptcy / Insolvency / receivership.

I/We declare that I/We have not been declared bankrupt or insolvent by the competent Authorities in Kenya and neither are we under receivership:

Full Names

.....

Signature

.....

Dated this.....day of2019.

In the capacity of

.....

Duly authorized to sign Tender for and on behalf

of.....

Part 2 (f) – Criminal Offence

I/We, (Name (s) of Director (s)):-

a)

b)

Have not been convicted of any criminal offence relating to professional conduct or the making of false statements or misrepresentations as to its qualifications to enter into a procurement contract within a period of three (3) years preceding the commencement of procurement proceedings.

Signed
 For and on behalf of M/s

In the capacity of

Dated this.....day of2019.

Suppliers' / Company's Official Rubber Stamp

Part 2 (g) – Conflict of Interest

I/We, the undersigned state that I / We have no conflict of interest in relation to this procurement:

a)

b)

For and on behalf of M/s

In the capacity of

Dated this.....day of2019

Suppliers' / Company's Official Rubber Stamp

Part 2 (h) – Interest in the Firm:

Is there any person/persons in KENGEN or any other public institution who has interest in the Firm? Yes/No *(Delete as necessary)*

Institution.....

(Title) (Signature) (Date)

Part 2(i) – Experience: NOTE: THIS SECTION IS MANDATORY ONLY IF IT FORMS PART OF TECHNICAL EVALUATION. IT'S ALSO NOT NECESSARY FOR ALREADY PRE-QUALIFIED OR DIRECT PROCUREMENT FIRMS. ITS ALSO NOT APPLICABLE FOR AGPO FIRMS TENDERS.

Please list here below similar projects accomplished or companies / clients you have supplied with similar items or materials in **the years prescribed.**

	Company Name	Country	Contract/Order No.	Value	Contact person (Full Names)	E-mail address	Cell phone No.
1							
2							

Part 2 (i or j) – Bank account details:

AGPO firms must provide evidence from their bank that the account to which KenGen shall make payment has a youth or a woman or a PWD listed in the **CR12 form/partnership deed/sole proprietor certificate** as a MANDATORY signatory of that account,- **Sec.157 (11) of PPADA:**

Account No:.....Name of the person(s) in the CR12 form OR in the partnership deed OR in the sole proprietor certificate...../.....
ID No(s):...../.....Signature and stamp of the authorized Banker
Representative.....Date.....
Part 2(j or k) – Declaration

I / We, the undersigned state and declare that the above information is correct and that I / We give KENGEN authority to seek any other references concerning my / our company from whatever sources deemed relevant, e.g. Office of the Registrar of Companies, Bankers, etc.

Full names

.....

Signature.....

For and on behalf of M/s

.....

In the capacity of

.....

Dated thisday of

.....2019.

Suppliers' / Company's Official Rubber Stamp

.....

LETTER OF NOTIFICATION OF AWARD

Address of Procuring Entity

To: _____

RE: Tender No. _____

Tender Name _____

This is to notify that the contract/s stated below under the above mentioned tender have been awarded to you.

1. Please acknowledge receipt of this letter of notification signifying your acceptance.
2. The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
3. You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

(FULL PARTICULARS) _____

SIGNED FOR ACCOUNTING OFFICER

REQUEST FOR REVIEW FORM

FORM RB 1

**REPUBLIC OF KENYA
PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

APPLICATION NO.....OF.....20.....

BETWEEN

.....APPLICANT

AND

.....RESPONDENT (*Procuring Entity*)

Request for review of the decision of the..... (*Name of the Procuring Entity*) of
.....dated the...day of20.....in the matter of Tender No.....of
.....20...

REQUEST FOR REVIEW

I/We.....the above named Applicant(s), of address: Physical
address.....Fax No.....Tel. No.....Email, hereby request the Public
Procurement Administrative Review Board to review the whole/part of the above mentioned
decision on the following grounds , namely:-

- 1.
 - 2.
- etc.

By this memorandum, the Applicant requests the Board for an order/orders that: -

- 1.
 - 2.
- etc

SIGNED(Applicant)

Dated on.....day of/...20...

FOR OFFICIAL USE ONLY

Lodged with the Secretary Public Procurement Administrative Review Board on day of
.....20.....

SIGNED
Board Secretary