

# REPUBLIC OF KENYA



## KENYA MEDICAL PRACTITIONERS & DENTISTS BOARD

### PRE-QUALIFICATION OF SUPPLIERS AND SERVICE PROVIDERS FOR FY 2018/2019

### INSTALLATION OF POWER BACKUP SYSTEMS

(OPEN)

TENDER NUMBER: KMPDB/15/2018 – 2019

CLOSING DATE: MONDAY 27<sup>TH</sup> AUGUST, 2018

AT 2.00PM LOCAL TIME

Kenya Medical Practitioners and Dentists Board,  
Woodlands Road, Off Lenana Road  
P.O. Box 44839-00100,  
Tel: 020-2728752 / 27 11478 / 2724994  
Mobile: +257 720771478 / +254 738 504 112  
Email: [info@kenyamedicalboard.org](mailto:info@kenyamedicalboard.org)  
Website: <http://www.medicalboard.co.ke>

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## SECTION I

## INVITATION TO TENDER

**DATE:** 13<sup>TH</sup> AUGUST, 2018

**TENDER NO.:** KMPDB/15/2018 – 2019

**TENDER NAME:** INSTALLATION OF POWER BACKUP SYSTEMS

- 1.1 The Medical Practitioners & Dentists Board invites sealed bids from eligible candidates for Installation of Power Backup Systems.
- 1.2 Interested eligible candidates may obtain further information from the tender documents on our website [www.medicalboard.co.ke](http://www.medicalboard.co.ke) or [www.mygov.go.ke](http://www.mygov.go.ke).
- 1.3 Completed tender documents are to be enclosed in plain sealed envelopes marked with tender number and be deposited in the **Tender Box at Kenya Medical Practitioners & Dentists Board, Reception on Ground Floor** or be addressed to:

**Procurement Manager  
Kenya Medical Practitioners & Dentists Board  
P.O. Box 44839 – 00100,  
Nairobi**

So as to be received on or before **2.00pm, Monday 27<sup>th</sup> August, 2018**

**Note: Bidders are advised to fill in the tender register at the reception desk when dropping the tender documents and those sending via post office should send their details to [info@kenyamedicalboard.org](mailto:info@kenyamedicalboard.org)**

- 1.4 Tenders will be opened immediately thereafter in the presence of the Candidates or their representatives who choose to attend at **KMPDB Conference Centre, 3<sup>rd</sup> Floor.**

Procurement Manager  
**For:** Chief Executive Officer  
**Medical Practitioners & Dentists Board**

## SECTION II      INSTRUCTION TO TENDERERS

### 2.1      **Eligible Tenderers**

- 2.1.1      This Invitation for Tenders is open to all interested and eligible tenderers.
- 2.1.2      The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender.
- 2.1.3      Tenderers shall provide the qualification information statement that the tenderer (including all members of a joint venture and subcontractors) is not associated, or have been associated in the past, directly or indirectly, with a firm or any of its affiliates which have been engaged by the Procuring entity to provide consulting services for the preparation of the design, specifications, and other documents to be used for the procurement of the goods under this Invitation for tenders.
- 2.1.4      Tenderers shall not be under a declaration of ineligibility for corrupt and fraudulent practices.

### 2.2      **Cost of Tendering**

- 2.2.1      The Tenderer shall bear all costs associated with the preparation and submission of its tender, and the procuring entity, will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.
- 2.2.2      The tender document can be obtained from our website [www.medialboard.co.ke](http://www.medialboard.co.ke) or [www.mygov.go.ke](http://www.mygov.go.ke) **FREE OF CHARGE.**
- 2.2.3      All firms found capable of performing the contract satisfactorily in accordance with the set prequalification criteria shall be prequalified.

### 2.3      **The Tender Document**

- 2.3.1      The tender document comprises the documents listed below:
  - (i)      Invitation to Tender
  - (ii)     Instructions to tenderers
  - (iii)    Registration Instructions
  - (iv)    Letter of Application
  - (v)    Registration Forms
    - a.      Registration Data
    - b.      Confidential Business Questionnaire
    - c.      General Experience Record
    - d.      Financial Capability
    - e.      Self-declaration
- 2.3.2      The Tenderer is expected to examine all instructions, forms, terms, and specifications in the tender documents. Failure to furnish all information required by the tender documents or to submit a tender not substantially responsive to the

tender documents in every respect will be at the tenderers risk and may result in the rejection of its tender.

## **2.4 Clarification of Documents**

2.4.1 A prospective tenderer requiring any clarification of the tender document may notify the Procuring entity in writing or by post at the entity's address indicated in the Invitation to Tender. The Procuring entity will respond in writing to any request for clarification of the tender documents, which it receives not later than seven (7) days prior to the deadline for the submission of tenders, prescribed by the procuring entity. Written copies of the Procuring entities response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers that have received the tender document.

2.4.2 The procuring entity shall reply to any clarifications sought by the tenderer within three (3) days of receiving the request to enable the tenderer to make timely submission of its tender.

## **2.5 Amendment of Documents**

2.5.1 At any time prior to the deadline for submission of tenders, the Procuring entity, for any reason, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tender documents by amendment.

2.5.2 All prospective candidates that have received the tender documents will be notified of the amendment in writing or by post and will be binding on them.

2.5.3 In order to allow prospective tenderers reasonable time in which to take the amendment into account in preparing their tenders, the Procuring entity, at its discretion, may extend the deadline for the submission of tenders.

## **2.6 Language of Tender**

2.6.1 The tender prepared by the tenderer, as well as all correspondence and documents relating to the tender exchange by the tenderer and the Procuring entity, shall be written in English language, provided that any printed literature furnished by the tenderer may be written in another language provided they are accompanied by an accurate English translation of the relevant passages in which case, for purposes of interpretation of the tender, the English translation shall govern.

## **2.7 Tenderers Eligibility and Qualifications**

2.7.1 Pursuant to paragraph 2.1., the tenderer shall furnish, as part of its tender, documents establishing the tenderers eligibility to tender and its qualifications to perform the contract if its tender is accepted.

2.7.2 The documentary evidence of the tenderers eligibility to tender shall establish to the Procuring entity's satisfaction that the tenderer, at the time of submission of its tender, is from an eligible source country.

- 2.7.3 The documentary evidence of the tenderers qualifications to perform the contract if its tender is accepted shall be established to the Procuring entity's satisfaction;
- (a) That, in the case of a tenderer offering to supply goods under the contract which the tenderer did not manufacture or otherwise produce, the tenderer has been duly authorized by the goods' Manufacturer or producer to supply the goods.
  - (b) That the tenderer has the financial, technical, and production capability necessary to perform the contract;
  - (c) That, in the case of a tenderer not doing business within Kenya, the tenderer is or will be (if awarded the contract) represented by an Agent in Kenya equipped, and able to carry out the Tenderer's maintenance, repair, and spare parts-stocking obligations prescribed in the Conditions of Contract and/or Technical Specifications.

## 2.8 Format and Signing of Tender

- 2.8.1 The Procuring entity shall prepare two copies of the tender, clearly marking each "**ORIGINAL TENDER**" and "**COPY OF TENDER**," as appropriate. In the event of any discrepancy between them, the original shall govern.
- 2.8.2 The original and all copies of the tender shall be typed or written in indelible ink and shall be signed by the tenderer or a person or persons duly authorized to bind the tenderer to the contract. The latter authorization shall be indicated by written power-of-attorney accompanying the tender. All pages of the tender, except for un-amended printed literature, shall be initialed by the person or persons signing the tender.
- 2.8.3 The tender shall have no interlineations, erasures, or overwriting except as necessary to correct errors made by the tenderer, in which case such corrections shall be initialed by the person or persons signing the tender.

## 2.9 Sealing and Marking of Tenders

- 2.9.1 The Tenderer shall seal the original and each copy of the tender in separate envelopes, duly marking the envelopes as "**ORIGINAL**" and "**COPY**." The envelopes shall then be sealed in an outer envelope.
- 2.9.2 The inner and outer envelopes shall:
- (a) Be addressed to the Procuring entity at the address given in the Invitation to Tender:
  - (b) Bear, tender number and name in the Invitation for Tenders and the words, "**DO NOT OPEN BEFORE,**" 2.30pm, 27<sup>th</sup> August, 2018.
- 2.9.3 The inner envelopes shall also indicate the name and address of the tenderer to enable the tender to be returned unopened in case it is declared "late".

2.9.4 If the outer envelope is not sealed and marked, the Procuring entity will assume no responsibility for the tender's misplacement or premature opening.

## **2.10 Deadline for Submission of Tenders**

2.10.1 Tenders must be received by the Procuring entity on or **before 2.00pm, 27<sup>th</sup> August, 2018** indicating the tender number and addressed to:

**Procurement Manager  
Kenya Medical Practitioners & Dentists Board  
P.O. Box 44839 – 00100,  
Nairobi**

2.10.2 The Procuring entity may, at its discretion, extend this deadline for the submission of tenders by amending the tender documents, in which case all rights and obligations of the Procuring entity and candidates previously subject to the deadline will therefore be subject to the deadline as extended.

## **2.11 Modification and Withdrawal of Tenders**

2.11.1 The tenderer may modify or withdraw its tender after the tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by the Procuring Entity prior to the deadline prescribed for submission of tenders.

2.11.2 The Tenderer's modification or withdrawal notice shall be prepared, sealed, marked, and dispatched. A withdrawal notice may also be sent by post or email but followed by a signed confirmation copy, postmarked no later than the deadline for submission of tenders.

2.11.3 No tender may be modified after the deadline for submission of tenders.

2.11.4 No tender may be withdrawn in the interval between the deadline for submission of tenders and the expiration of the period of tender validity specified by the tenderer.

2.11.5 The procuring entity may at any time terminate procurement proceedings before contract award and shall not be liable to any person for the termination.

2.11.6 The procuring entity shall give prompt notice of the termination to the tenderers and on request give its reasons for termination within 14 days of receiving the request from any tenderer.

## **2.12 Opening of Tenders**

- 2.12.1 The Procuring entity will open all tenders in the presence of tenderers' representatives who choose to attend, **at 2.30pm, 27<sup>th</sup> August, 2018** and in the location specified in the Invitation to Tender.
- 2.12.2 The tenderers' representatives who are present shall sign a register evidencing their attendance.
- 2.12.3 The Procuring entity will prepare minutes of the tender opening.

## **2.13 Clarification of Tenders**

- 2.13.1 To assist in the examination, evaluation and comparison of tenders the Procuring entity may, at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.
- 2.13.2 Any effort by the tenderer to influence the Procuring entity in the Procuring entity's tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

## **2.14 Preliminary Examination**

- 2.14.1 The Procuring entity will examine the tenders to determine whether they are complete, whether any computational errors have been made, whether required sureties have been furnished, whether the documents have been properly signed, and whether the tenders are generally in order.
- 2.14.2 The Procuring entity may waive any minor informality or non-conformity or irregularity in a tender which does not constitute a material deviation, provided such waiver does not prejudice or affect the relative ranking of any tenderer.
- 2.14.3 Prior to the detailed evaluation, the Procuring entity will determine the substantial responsiveness of each tender to the tender documents. For purposes of these paragraphs, a substantially responsive tender is one, which conforms to all the terms and conditions of the tender documents without material deviations. The Procuring entity's determination of a tender's responsiveness is to be based on the contents of the tender itself without recourse to extrinsic evidence.
- 2.14.4 If a tender is not substantially responsive, it will be rejected by the Procuring entity and may not subsequently be made responsive by the tenderer by correction of the non-conformity.

## **2.15 Evaluation and Comparison of Tenders**

- 2.15.1 The Procuring entity will evaluate and compare the tenders which have been determined to be substantially responsive.
- 2.15.2 The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.



2.15.3 A tenderer who gives false information in the tender document about its qualification or who refuses to enter into a contract after notification of contract award shall be considered for debarment from participating in future public procurement.

## **2.16 Preference**

2.16.1 Preference where allowed in the evaluation of tenders shall not exceed 15%

## **2.17 Procuring entity's Right to Accept or Reject Any or All Tenders**

2.17.1 The Procuring entity reserves the right to accept or reject any tender, and to annul the tendering process and reject all tenders at any time prior to contract award, without thereby incurring any liability to the affected tenderer or tenderers or any obligation to inform the affected tenderer or tenderers of the grounds for the Procuring entity's action.

## **2.18 Corrupt or Fraudulent Practices**

2.18.1 The Procuring entity requires that tenderers observe the highest standard of ethics during the procurement process and execution of contracts when used in the present regulations, the following terms are defined as follows;

(i) "Corrupt practice" means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution; and

(ii) "Fraudulent practice" means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the Procuring entity, and includes collusive practice among tenderer (prior to or after tender submission) designed to establish tender prices at artificial non-competitive levels and to deprive the Procuring entity of the benefits of free and open competition;

2.18.2 The procuring entity will reject a proposal for award if it determines that the tenderer recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question.

2.18.3 Further a tenderer who is found to have indulged in corrupt or fraudulent practices risks being debarred from participating in public procurement in Kenya.

## **SECTION III      REGISTRATION INSTRUCTIONS**

### **3.1      Registration Data Forms**

**3.1.1**      The attached questionnaire forms F-1, F-2, F-3, F-4 and F-5 are to be completed by eligible interested suppliers who wish to be registered for submission of tender for the specific tenders.

**3.1.2**      The registration forms which are not filled out completely and submitted in the prescribed manner will not be considered. All the documents that form part of the tender registration must be written in English and in a legible handwriting.

### **3.2      Qualification**

**3.2.1**      It is understood and agreed that the registration data provided by the potential candidate is to be used by the Procuring entity in determining, according to its sole judgment and discretion, their qualifications to the tender category as described by the candidate.

**3.2.2**      Prospective candidates will not be considered qualified unless in the judgment of the Procuring entity they possess capability, experience, qualified personnel available and sustainability of equipment and net current assets or working capital sufficient to satisfactorily execute the contract for goods.

### **3.3      Essential Criteria for Registration**

#### **3.3.1      Experience**

Prospective suppliers will have relevant experience in the supply of goods and allied items. In case a candidate is successful, they should show competence, willingness and capacity to serve the contract.

Prospective supplier requires special experience and capability to organize supply and delivery of items or services at short notice.

#### **3.3.2      Personnel**

The names and pertinent information of the key personnel for individual or group to execute the contract must be indicated.

#### **3.3.3      Financial Condition**

The potential supplier's financial condition will be determined by latest financial statements submitted with the registration documents as well as letters of reference from their bankers regarding supplier's credit position. Potential suppliers will be registered on the satisfactory information given.

**3.3.4** Special consideration will be given to the financial resources available as working capital, taking into account the amount of uncompleted orders on contract and now in progress. However, potential suppliers should provide evidence of financial capability to execute the contract.

**3.3.5 Past Performance**

Past performance will be given due consideration in registering suppliers. A copy of Purchase Order or Service Order, contract agreement or inspection and acceptance certificate accompanied by a recommendation letter from past customers should be provided when invited to participate in the bidding process.

**3.4 Declaration Statement**

Application must include a self declaration form F-5 by the applicant ensuring the accuracy of the information given.

**3.5 Withdrawal of Registration**

Should a condition arise between the time the firm is registered to bid and the bid opening date which in the opinion of the Procuring entity could substantially change the performance and qualification of the bidder or their ability to perform but not limited to bankruptcy, change in ownership or new commitments, the Procuring entity reserves the right to reject the tender from such a bidder even though he was initially registered.

**3.6** The firm must have a fixed Business Premise and must be registered in Kenya, with a Certificate of Registration/Incorporation/Memorandum and Article of Association, copies of which must be attached.

**3.7** The firm must show proof that it has paid all its statutory obligations and have a current Tax Compliance Certificate.

**3.8 Mandatory Requirements**

All firms **MUST** provide all the mandatory requirements listed below in the order they appear:

1. A Copy of **Certificate of Incorporation or Business Registration**
2. A Copy of **PIN Certificate**
3. A Copy of **Valid Tax Compliance Certificate**
4. A Copy of the **Current Trade License/Business Permit** from respective county government
5. **Two Letters of Recommendation** from current clients/organizations where the company is supplying or has supplied similar goods before.
6. Copies of Bank Statements for the past 2 years
7. Audited Accounts for the past 2 years

8. Name of Bankers and Auditors
9. A Comprehensive **Company Profile**
10. **Declaration** – All firms **MUST** fill and sign the declaration form that they are not barred from participating in a procurement proceeding.
11. **Self-declaration** to show that the bidder is not insolvent, in receivership, bankrupt or in the process of being wound up.
12. Dully completed **Confidential Business Questionnaire (Form F-2)**

**NOTE: Failure to submit all the mandatory documents will lead to automatic disqualification. Firms that meet the above requirements will be subjected to further detailed evaluation.**

**SECTION IV LETTER OF APPLICATION**

- I. The letter of application will be prepared by the applicant and will follow the form presented herein.
- II. The letter of application will be prepared on the letterhead paper of the applicant or partner responsible for a joint venture and will include full postal address, telephone numbers and email address.
- III. The letter of application will be signed by duly authorized representatives of the applicant.

**Category**.....

**Tender No.:** .....

To,

Date: .....

Chief Executive Officer,  
Kenya Medical Practitioners & Dentists Board,  
P.O. Box 44839 – 00100,  
Nairobi

Dear Sir,

- 1. Having examined the application documents, of which I hereby duly acknowledge, I/We the undersigned offer to supply and deliver to Kenya Medical Practitioners and Dentists Board (KMPDB) and as may otherwise be directed in.....(Category). And conformity with the said application documents all or part of the items/services in this category or such other items that may be required and are within my/our capability to supply/provide.
- 2. We will undertake if our application is acceptable to deliver goods/services with accordance with the delivery schedule in the schedule of requirements or official order signed by authorized officer(s) of KMPDB.
- 3. We agree to abide by this application for the period of processing the applications and prepared and executed, this application together with the written acceptance thereof shall constitute a binding agreement between us.
- 4. We also understand that:-

- I. This is not a tender or quotation but an application for consideration to be registered as KMPDB's supplier for goods/services included or related to this category.
- II. KMPDB is not bound to accept this application or any that it may receive.

5. We make this application with the full understanding that:-

- I. Bids by prequalified applicants will be subject to verification of all information submitted for prequalification at the time of bidding.
- II. KMPDB reserves the right to:
  - a. 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
  - b. Reject or accept any application, cancel the prequalification process, and reject all applications.
- III. KMPDB shall not be liable for any such actions and shall be under no obligation to inform the applicant of the grounds for them.

The undersigned declare that the statement made and the information provided in the dully completed application are complete, true and correct in every detail.

**Name:** ..... **Sign:** .....

**Designation:** ..... **Date:** .....

*Official Company rubber stamp*

**For or on behalf of:** ..... **Sign:** .....

*Name of Partner*

## SECTION V REGISTRATION FORMS

You are required to fill Forms F-1, F-2, F-3, F-4 and F-5 below, where applicable:

### FORM F-1 REGISTRATION DATA

I/We ..... hereby apply for  
Registration as Supplier(s).

<b>Company/Firm Registration Number:</b>	
<b>Category:</b>	
<b>Tender No.:</b>	
<b>Post Office Address:</b>	
<b>Code:</b>	
<b>Town:</b>	
<b>Name of Building:</b>	
<b>Street:</b>	
<b>Floor No.:</b>	
<b>Room/Office No.:</b>	
<b>Office Telephone No.:</b>	1) 2)
<b>Mobile No.</b>	1) 2)
<b>Contact Person(s)</b>	1) 2)
<b>Official Email Address(es)</b>	1) 2)
<b>Alternative Email Address</b>	

**FORM F-2 CONFIDENTIAL BUSINESS QUESTIONNAIRE**

You are required to give the particulars indicated in Part 1, either Part 2(a), 2(b) or 2(c) whichever applies to your type of business , Part 3 and Part 4.

You are advised that it is a serious offence to give false information on this form.

**Part 1 – General**

Business Name: .....

Location of Business Premises: .....

Plot No.: .....Street/Road: .....

P.O. Box: ..... Code: ..... Town: .....

Email Address: .....

Nature of Business: .....

Current Business Permit No.: ..... (Attach Copy)

Certificate of Registration Number: ..... (Attach Copy)

PIN Certificate Number: ..... (Attach Copy)

Tax Compliance Number: ..... (Attach Copy)

**Part 2 (a) – Sole Proprietor**

Name in full: ..... Age: ..... ID/PP No. ....

Nationality: ..... Citizenship Details: .....

**(b) – Partnership**

Name of partners:

Name	Nationality	Citizenship Details	Shares
Name	Nationality	Citizenship Details	Shares
Name	Nationality	Citizenship Details	Shares



**(c) – Registered Company**

Private or Public .....

State the nominal and issued capital of company:-

Nominal Ksh. ....

Issued Ksh. ....

Details of all directors:-

1.	Name	
	Nationality	
	Citizenship details	
	Shares	
2.	Name	
	Nationality	
	Citizenship details	
	Shares	
3.	Name	
	Nationality	
	Citizenship details	
	Shares	

*N/B: If Kenyan citizen, indicate under “Citizenship Details” whether by birth, Naturalization or Registration.*

*\*Attach CR12 indicating the directors and their shareholding and copies of Directors’ ID/Passports (Where applicable)*

**Part 3 – Company Profile (Attach Copy)**

**I. Personnel**

Number of staff employed: .....

Qualifications: .....

Level of experience: .....

**II. Referees**

Name of Company: .....

P.O. Box: ..... Town: .....

Tel: ..... Email: .....

*Official Company rubber stamp*

Name of Company: .....

P.O. Box: ..... Code: .....Town: .....

Tel: ..... Email: .....

*Official Company rubber stamp*

**Part 4 - Financial**

I. Maximum value of business you can handle at any one time:

Ksh. : .....

II. Name of Banker: .....

Branch: .....

III. Credit period willing to offer KMPDB: .....

IV. What is your annual turnover? .....

**Date:** ..... **Candidate's signature:** .....

**FORM F-3 GENERAL EXPERIENCE RECORD**

I. List at least **three (3)** reputable clients:

a. Client: .....

P.O. Box: ..... Code: ..... Town: .....

Telephone: ..... Email Address: .....

---

b. Client: .....

P.O. Box: ..... Code: ..... Town: .....

Telephone: ..... Email Address: .....

---

c. Client: .....

P.O. Box: ..... Code: ..... Town: .....

Telephone: ..... Email Address: .....

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II. Attach proof of experience relevant to the chosen category by attaching any of the following documents:

- a. Copies of signed LPOs/LSOs
- b. Copies of Letters of Award
- c. Copies of Delivery Notes
- d. Extract of Contract Documents

III. Describe nature of business performed by your firm

.....  
.....

IV. How many years of experience have you had in the type of work described in (III) above.

.....

**FORM F-4 FINANCIAL CAPABILITY**

Banker	Name of banker			
	<hr/> Address of banker ..... Telephone No.: ..... Email: .....			
Financial information in Kshs. Actual: ..... Previous Two (2) Years: .....				
	1	2	3	
1. Total assets				
2. Current assets				
3. Total liabilities				
4. Current liabilities				
5. Profits before taxes				
6. Profits after taxes				

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

**Note: Attach a copy of firm's audited accounts and certified bank statements for the past two (2) years together with letters of reference from the bankers regarding the firm's credit position.**

**FORM F-5 SELF DECLARATION**

**a) ANTI-CORRUPTION DECLARATION**

I/We .....  
declare and guarantee that no offer, gift or payment, consideration or benefit of any kind, which constitutes an illegal or corrupt practice, has been or will be made to anyone by our organization or agent, either directly or indirectly, as an inducement or reward for the award or execution of his procurement.

In the event the above is contravened we accept that the following to apply:-

- i. The person shall be disqualified from entering into a contract for the procurement or
- ii. If a contract has already been entered into with the person, the contract shall be voidable at the option of KMPDB.
- iii. The voiding of a contract by the procuring entity under subsection (b) does not limit any other legal remedy that KMPDB may have.

Name: .....

Signature: ..... Date: .....

*Company seal/Business stamp*

**b) ANTI-FRAUDULENT PRACTICE DECLARATION**

I/We ..... declare and guarantee that no person in our organization has or will be involved in a fraudulent practice in any procurement proceeding. Further we declare that as we bid, we have not been convicted of corrupt or fraudulent practices.

Name: .....

Signature: ..... Date: .....

*Company seal/Business stamp*

**c) NON-DEBARMENT DECLARATION**

I/We .....  
declare and guarantee that no director, sub-contractor or any person who has any  
controlling interest in our organization has been debarred from participating in a  
procurement proceeding.

Name: .....

Signature: ..... Date: .....

*Company seal/Business stamp*

**d) NOT INSOLVENT, IN RECEIVERSHIP, BANKRUPT OR IN THE PROCESS  
OF BEING WOUND UP**

I/We .....  
declare and guarantee that the person or the company bidding is not insolvent, in  
receivership, bankrupt or in the process of being wound up.

Name: .....

Signature: ..... Date: .....

*Company seal/Business stamp*

**FOR OFFICIAL USE ONLY**

**SECTION VI PREQUALIFICATION EVALUATION CRITERIA**

KMPDB will consider five major categories of criteria for evaluating tenders and tenderers:

**A. MANDATORY REQUIREMENTS**

The tenderer must provide the following and provide copies of documents to support the information given.

<b>Requirement</b>	<b>Score (Yes or No)</b>
Copy of Certificate of Incorporation, Partnership or Business Registration	
Copy of PIN Certificate	
Copy of Valid Tax Compliance Certificate	
Copy of Valid Trade License/Business Permit from respective county government	
Two Letters of Recommendation from current or previous clients	
Copies of Bank Statements for the past 2 years	
Audited Accounts for the past 2 years	
Name of Bankers and Auditors	
Company Profile	

**B. CAPABILITY ASSESSMENT**

<b>Requirement</b>	<b>Score</b>
Years in business 0 -1 Year - <i>1 Mark</i> 2 Years - <i>02 Marks</i> 3 Years - <i>03 Marks</i> 4 Years - <i>04 Marks</i> 5 Years & Above - <i>05 Marks</i>	<b>05</b>
Relevant experience with other Public Organizations 1 Public Organization – <i>02 Marks</i> 2 Public Organizations – <i>03 Marks</i> 3 and Above – <i>05 Marks</i>	<b>05</b>
Names of at least three clients supplied with similar services 1 Client – <i>05 Marks</i> 2 Clients – <i>10 Marks</i>	<b>15</b>



3 Clients – <i>15 Marks</i>	
Proof of experience by attached copies of LPOs/LSOs, delivery notes and award letters 1 LPO/LSO/Delivery Note – <i>03 Marks</i> 2 LPOs/LSOs/Delivery Notes – <i>05 Marks</i> 3 & Above LPOs/LSOs/Delivery Notes – <i>10 Marks</i>	<b>10</b>
Nature of business related to the prequalification	<b>05</b>
<b>Score</b>	<b>40%</b>

### C. FINANCIAL CAPABILITY

Financial capability will be determined by latest financial statements submitted, as well as letters of reference from the bankers regarding supplier's credit position. Potential suppliers will be registered on the satisfactory information given.

<b>Requirement</b>	<b>Score</b>
Audited Accounts for the past 2 years	<b>15</b>
Net Worth	<b>10</b>
General financial trends for the past 2 years	<b>15</b>
<b>Total Score</b>	<b>40%</b>

### D. OPERATIONAL ASSESSMENT BY SITE VISIT

<b>Requirement</b>	<b>Score</b>
Confirmation of Business name and physical address	<b>03</b>
Confirmation of originals of attached documents	<b>03</b>
Name and qualification of key management and technical staff	<b>02</b>
Nature of operation	<b>03</b>
Size of business: Small – <i>01 Mark</i> Medium – <i>02 Marks</i> Large – <i>03 Marks</i>	<b>03</b>
Customer service centre/after sale service	<b>02</b>
Major principles represented Names of the manufacturers, distributors or wholesalers	<b>03</b>
Premises owned or leased	<b>01</b>
<b>Total Score</b>	<b>20%</b>

## E. SUMMARY OF EVALUATION

<b>Summary of Evaluation</b>	<b>Overall Score</b>
Mandatory Requirements	YES/NO
Capability Assessment	40%
Financial Capability	40%
Operational Assessment by site visit	20%
<b>Total Score</b>	<b>100%</b>

**N/B: Only bidders who will obtain 70% and above as pass mark shall be prequalified.**