

REPUBLIC OF KENYA



MIGORI COUNTY GOVERNMENT

TENDER NO. MC/24/2017-18

**REQUEST FOR PRE-QUALIFICATION
2017- 2018**

PROVISION OF LEGAL SERVICES.

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TENDER NOTICE

PRE-QUALIFICATION OF SUPPLIERS FOR THE SUPPLY AND DELIVERY OF GOODS AND SERVICES FOR THE FINANCIAL YEAR 2017-2018.

- Migori County Government desires to engage the services of suitably qualified and experienced candidates under various assignments to be undertaken in the financial year 2017 – 2018.
- Complete set of Prequalification tender documents, containing detailed terms and conditions of tendering can be downloaded **FREE OF ANY CHARGE** from our Website www.migori.go.ke
- Completed prequalification documents in plain sealed envelopes clearly marked with Tender Name and Reference Number shall be addressed to ;

**THE COUNTY SECRETARY,
MIGORI COUNTY GOVERNMENT
P.O. BOX 195 – 40400,
SUNA- MIGORI**

- Should be deposited in the Tender Box located at the entrance of Supply Chain Management Services, County Headquarters so as to be received on or before **Friday, 29th September, 2017 at 10.00am.**
- Applications will be opened immediately thereafter at the entrance; Supply Chain Management Services, County Headquarters in the presence of bidders or their representative, who choose to attend. Late tenders will be returned unopened.
- The successful candidates will be selected under the selection procedure described in the prequalification documents

1.0 PREQUALIFICATION INSTRUCTIONS

1.1 Introduction

Migori County Government would like to invite interested and competent suppliers who wish to be pre-qualified through the following criteria for the Supply and Delivery of Goods and Services for the financial year ending 30th June 2018.

1.2 Pre-qualification objective:

The main objective of this part is to supply goods and services under relevant tenders/quotations, as and when required during the period ending 30th June 2018.

1.3 Invitation of pre-qualification

Suppliers registered with Registrar of companies under the Laws of Kenya in respective merchandise or services are invited to submit their PRE-QUALIFICATION documents to **The County Secretary** so that they may be pre-qualified for invitation to tenders / quotations. Migori County Government requires prospective suppliers to supply mandatory information for pre-qualification.

1.4 Experience

Prospective suppliers and contractors must have carried out successful supply and delivery of similar items /services to other organizations of similar size and complexity. Potential suppliers/contractors must demonstrate the willingness and commitment to meet the prequalification criteria.

1.5 Pre-qualification Document

1.5.1 This document includes questionnaire forms and documents required of prospective suppliers.

1.5.2 In order to be considered for Pre-qualification, prospective suppliers must submit all information herein requested.

1.6 Submission of pre-qualification Documents

Complete pre-qualification documents and other requested information shall be submitted to reach:-

**THE COUNTY SECRETARY,
MIGORI COUNTY GOVERNMENT
P.O. BOX 195 – 40400,
SUNA- MIGORI**

So as to be received not later than **Friday, 29th September, 2017 at 10.00am.**

1.7 Questions Arising from Documents

Questions/Clarifications that may arise from the pre-qualification documents should be directed to:

**Ag. HEAD OF SUPPLY CHAIN MANAGEMENT SERVICES,
MIGORI COUNTY GOVERNMENT
P.O. BOX 195 – 40400,
SUNA- MIGORI
Tel: 0710 464255
Email: procurement.migoricounty@gmail.com**

1.8 Additional Information

The Procuring Entity reserves the right to request submission of additional information from prospective bidders.

1.9 Invitation to Tenders/Quotations

Bidding documents (Tender/Quotations) will be made available only to those bidders whose qualifications are accepted by the Evaluation Committee after scoring more than **80 points** soon after the completion of the pre-qualification process.

2. BRIEF CONTRACT REGULATIONS/GUIDELINES

2.1 Taxes on Imported Materials

The supplier will have to pay custom duty and VAT as applicable for all imported materials to be supplied unless the item(s) is/are donor funded or zero rated.

2.2 Customs Clearance

The contractors shall be responsible for custom clearance of their imported goods and materials.

2.3 Contract Price

The contract shall be of unit price type or cumulative of computed unit price and quantities required. Quantities may increase or decrease as determined by demand and on the authority of clients' Accounting officer or Tender Committee.

2.4 Payments

All Payments shall be on credit terms as stipulated in the Contract Agreement.

3. PRE-QUALIFICATION DATA INSTRUCTIONS

3.1 PRE-QUALIFICATION DATA FORMS

3.1.1 The attached questionnaire forms PQ-1, PQ-2, PQ-3, PQ-4, PQ-5, PQ-6, PQ-7 and PQ-8 are to be completed by prospective suppliers/contractors who wish to be pre-qualified for submission of tender for the specified tender lot.

3.1.2 The pre-qualification application 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 proposal must be written in English Language and in indelible ink.

3.2 QUALIFICATION

3.2.1 It is understood and agreed that the pre-qualification data on prospective bidders is to be used by the Procuring entity in determining, according to its sale judgment and discretion, the qualification of prospective bidder to perform in respect to the Tender Lot as described by the client.

3.2.2 Prospective bidders will not be considered qualified unless in the judgment of the Evaluation Committee they possess capability, experience, qualified personnel available and suitability of equipment and net current assets or working capital sufficient to satisfactorily execute the contract for goods/services.

3.3 ESSENTIAL CRITERIA FOR PRE-QUALIFICATION

3.3.1

(a) **Experience:** Prospective bidders shall have at least three (3) years experience in the supply of goods, services and allied items. In case of potential supplier/Contractors they should show competence, willingness and capacity to service the contract.

(b) Prospective suppliers require 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 and the Curriculum Vitae of the key personnel or group to execute the contract must be indicated in form PQ-3.

3.3.3 Financial Condition

The supplier's financial condition will be determined by latest financial statement submitted with the pre-qualification documents as well as letters of references from their bankers regarding supplier's credit position. Potential suppliers/contractors will be pre-qualified 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. Information on Form PQ-4 should be provided as evidence of financial capability to execute the contract.

3.3.5 Past Performance

Past performance will be given due consideration in pre-qualifying bidders. Letter of reference from past customers should be included in Form PQ-5 where applicable.

3.4 STATEMENT

Application must include a sworn statement (Form PQ-6) by the Tenderer ensuring the accuracy of the information given.

3.5 WITHDRAWAL OF PRE-QUALIFICATION

Should a condition arise between the time the firm is pre-qualified to bid and the bid opening date which in the opinion of the Procuring Entity could substantially change the performance and the qualification of the bidder or his ability to perform such as 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-qualified.

3.6 OUTLINED SUPPLY AND DELIVERY PROCEDURES

The pre-qualified applicant should also submit a brief statement of supply and service delivery methods and procedures he/she plans to use to execute the contract in Form PQ-2

3.7 Pre-qualification Criteria

	Required information	Form Type	Points Scored
1	Registration Documentation	PQ-1	30
2	Pre-qualification Data	PQ-2	10
3	Supervisory Personnel	PQ-3	10
4	Financial Position	PQ-4	15
5	Confidential Questionnaire	PQ-5	10
6	Past Experience	PQ-6	15
7	Sworn Statement	PQ-7	05
8	Litigation History	PQ-8	0 <u>5</u>
		Total	<u>100</u>

3.8 Qualification Mark

The qualification mark is **80 points and above**.

PRE-QUALIFICATION DOCUMENTS

FORM PQ -1 PRE-QUALIFICATION DOCUMENTATION

All Firms must provide:

- (a) Copies of Certificate of Registration.
- (b) Copy of V.A.T. Registration Certificate.
- (c) Tax compliance certificate from Kenya Revenue Authority (Failure to produce this certificate to prove compliance will lead to automatic disqualification thus no further evaluation of your application).
- (d) Copies of Pin Certificates of Firm/Company/Individual
- (e) List of ongoing Contracts/Projects (goods, services)
- (f) Bank References.

(30 Points)

FORM PQ-2 PRE-QUALIFICATION DATA FORM

1. Contract Identification
Legal/Name of Firm
Post Office Address
Street and Address
City
Country
Telephone No.
Person to Contact
Title
2. Organization & Business information
Management Personnel
President
Secretary
General Manager
Treasurer
Other
Partnership (if applicable)
Names of Partners
3. Business founded or incorporated
4. Under present Management since
5. Net worth equivalent Kshs.
6. Bank reference and address
7. Bonding company reference and address
8. Enclose copy of the organization chart of the firm indicating the main fields of activities.

(10 Points)

FORM PQ-3 SUPERVISORY PERSONNEL

Name
Age
Academic Qualification
Professional qualification
Length of service with contractor of supplier position held
.....

Supply of service experience

- (a) Name of Client/Customer
- (b) Character and nature of contract
- (c) Contract value
- (d) Location of Contract
- (e) Period of Contract
- (f) Title and responsibility in contract
-
- (g) Other

Proposed Technical personnel

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)

Proposed position if contract is awarded
.....

Brief statement of supply and service delivery method the supplier plans to use to execute the contract.

(10 Points)

FORM PQ – 4 FINANCIAL POSITION

FINANCIAL CAPABILITY	<ul style="list-style-type: none"> • Attach certified Audited reports for the last 3 years 	(5 points)
	<ul style="list-style-type: none"> • Attach letters of reference from the bankers regarding supplier's credit position 	(5 points)
CREDIT FACILITY	<ul style="list-style-type: none"> • Cash with order/ on delivery 	(1 point)
	<ul style="list-style-type: none"> • 30 days credit 	(2 points)
	<ul style="list-style-type: none"> • 60 days credit 	(3 points)
	<ul style="list-style-type: none"> • 90 days credit 	(4 points)
	<ul style="list-style-type: none"> • Over 90 days credit 	(5 points)

(15 Points)

FORM PQ-5 CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

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

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
Postal Address	Tel No. Fax
E mail	
Nature of Business	
Registration Certificate No.....	
Maximum value of business which you can handle at any one time Kshs.....	
Name of your bankers Branch.....	

	Part 2 (a) - Sole Proprietor
	Your name in fullAge
	Nationality Country of origin
	• Citizenship details
	Part 2 (b) Partnership
	Given details of partners as follows:
	Name Nationality Citizenship Details Shares
	1.....
	2.....
	3.....
	4.....
	Part 2 (c) - Registered Company
	Private or Public.....
	State the nominal and issued capital of company-
	Nominal Kshs.
	Issued Kshs.
	Given details of all directors as follows
	Name Nationality Citizenship Details Shares
	1.....
	2.....
	3.....
	4.....
	5
Date	Signature of Candidate

- If a Kenya Citizen, indicate under "Citizenship Details" whether by Birth, Naturalization or Registration

(10 Points)

FORM PQ-6 PAST EXPERIENCE

NAME(S) OF MAJOR CLIENT(S) IN THE LAST TWO YEARS AND VALUE OF CONTRACT/ORDERS

1. (i) **Name of 1st client(Organization)**.....
(ii) Address of client (Organization)
(iii) Name of contact person at the client (Organization).....
(iv) Telephone No. of client
(v) Value of contract
(vi) Duration of contract (date)

2. (i) **Name of 2nd client(Organization)**.....
(ii) Address of client (Organization)
(iii) Name of contact person at the client (Organization).....
(iv) Telephone No. of client
(v) Value of contract
(vi) Duration of contract (date)

3. (i) **Name of 3rd client(Organization)**.....
(ii) Address of client (Organization)
(iii) Name of contact person at the client (Organization).....
(iv) Telephone No. of client
(v) Value of contract
(vi) Duration of contract (date)

(15 Points)

FORM PQ-7 SWORN STATEMENT

- a) Having studied the pre-qualification information for the above project we/I hereby state:
- b) The information furnished in our/my application is accurate to the best of our knowledge.
- c) That in case of being pre-qualified we acknowledge that this grants us the right to participate in due time in the submission of a tender or quotation on the basis of provisions in the tender or quotation documents to follow.
- d) When the call for Tenders/Quotations is issued the legal technical or financial condition or the contractual capacity of the firm changes we come ourselves to inform you and acknowledge your right to review the pre-qualification made.
- e) We enclose all the required documents and information required for the pre-qualification evaluation.

Full Name of Applicant:

Signed and Sealed:

For and on behalf of :

Position in the Company:

Date:

(5 points)

PQ-8 LITIGATION HISTORY

Name of Contractor/Supplier

Contractors/Suppliers should provide information on any history litigation or arbitration resulting from contracts executed in the last five years or currently under execution.

YEAR	AWARD FOR OR AGAINST	NAME OF CLIENT CAUSE OF LITIGATION AND MATTER IN DISPUTE	DISPUTED AMOUNT (CURRENT VALUE, KSHS. EQUIVALENT.)

(5 Points)