

COUNTY GOVERNMENT OF KIAMBU



**THE STANDARD TENDER DOCUMENT
AND LIST OF REQUIREMENTS**

TENDER NO. KCG/PQF/004/2020-2022

**PRE-QUALIFICATION
FOR HOTEL
ACCOMMODATION AND CONFERENCE SERVICES.**

(This Prequalification Is Valid For Period of Two Years)

CLOSING: 2nd October 2020

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SECTION I - INVITATION FOR PREQUALIFICATION (IFPQ)

County Government of Kiambu invites sealed tenders from eligible candidates for the provision of **hotel accommodation and conference services**

Interested eligible candidates may obtain further information from and inspect the tender documents at the Procurement office, **P.O. Box 2344 00900 Kiambu Office No. 15 and 15 B Ground Floor of Thika Office** during normal working hours.

A complete set of tender documents may must be **viewed and downloaded free of charge from County Government of Kiambu websites: www.kiambu.go.ke,supplier.treasury.go.ke**. Prices quoted should be net inclusive of all taxes and must be in Kenya Shillings and should remain valid for 120 days after date of tender opening.

Completed tender documents are to be enclosed in plain sealed water proof envelopes, marked **“TENDER NO.CGK/PQF/004/2020-2022 for provision of Hotel Accommodation And Conference Services** and be deposited in the tender box located on the ground floor,outside the Procurement office, **Room 15 B at Thika town hall offices**

so as to be received on or before **2nd October 2020 at Noon**

Due to Covid-19 pandemic, tenders will be opened, on 13th October 2020 at 10.00 A.M. in the presence of the Candidates or their representatives who choose to attend **at Thika Town Hall Chambers Thika Sub county**

SECTION II - TENDER SUBMISSION CHECKLIST

This order and arrangement shall be considered as the Tender Format. Candidates shall tick against each item indicating that they have provided it.

| No. | Item | Tick Where Provided |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 1 | Letter of Application. | |
| 2 | Confidential Business Questionnaire (CBQ) | |
| 3 | Declaration Form(s) duly completed and signed | |
| 4 | Copy of PIN Certificate | |
| 5 | Copy of Valid Tax Compliance Certificate | |
| 6 | Copy of Company or Firm's Registration Certificate | |
| 7 | Copy of relevant business permit/ Council business license | |
| 8 | Copies of rent lease agreements and receipts for payment of rent for the last 3 months | |
| 9 | Copy of the Certificate of Confirmation of Directors and Shareholding (CR12) | |
| 10 | Tender Form duly completed, signed and that the Tender is valid for the period required. | |
| 11 | Copy of Audited accounts of the company for the last three financial years (For companies or firms that are registered or incorporated within the last one calendar year of the Date of the Tender Document, they should submit certified copies of bank statements covering a period of at least six months prior to the date of the tender document. The copies should be certified by the Bank issuing the statements. The certification should be original). | |
| 12 | Tools and Equipment list showing type(s) of relevant tools, equipment and personal protective equipment owned by the company evidenced by ownership documents. | |
| 13 | Copy of Safety program, policies and work practices that also includes disclosure of past safety performance on similar jobs, training of workers on safe work and tools for monitoring safety performance. | |
| 14 | A list of Names and ranks of employees together with the assigned responsibilities | |
| 15 | Copies of Insurance policies covering Group personal accident cover & Public liability cover | |
| 16 | Any other document or item required by the Tender Document. (The Tenderer shall specify such other documents or items it has submitted) | |
| 17 | Record of unsatisfactory or default in performance obligations in any previous contract shall be considered. This shall include any | |

| No. | Item | Tick Where Provided |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| | Tenderer with un resolved case(s) in its performance obligations for more than two (2) months in any contract. Any Tenderer with such a record or unresolved case will not be considered for further evaluation. | |
| 18 | Any other document or item required by the Prequalification Document. (The Candidate shall specify such other documents or items it has submitted) | |

***NOTES TO CANDIDATES**

Valid Tax Compliance Certificate shall be one issued by the relevant tax authorities and valid for at least up to the tender closing date. All Kenyan registered Tenderers must provide a valid Tax Compliance Certificate.

2. All Kenyan registered Tenderers must provide the Personal Identification Number Certificate (PIN Certificate).

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SECTION III - INSTRUCTIONS TO CANDIDATES

3.1 Definitions

In this tender, unless the context or express provision otherwise requires: -

- a) *Any reference to any Act shall include any statutory extension, amendment, modification, re-amendment or replacement of such Act and any rule, regulation or order made there-under.*
- b) *“Date of Tender Document” shall begin with the first day and end on the last day of the month appearing on the cover page of the Prequalification document.*
- c) *“Day” means calendar day and “month” means calendar month.*
- d) *“KEBS” wherever appearing means the Kenya Bureau of Standards or its successor(s) and assign(s) where the context so admits.*
- e) *“PPOA” wherever appearing means The Public Procurement Oversight Authority or its successor(s) and assign(s) where the context so admits.*
- f) *Reference to “the tender” or the “Tender Document” or the Pre-qualification tender document” includes its appendices and documents mentioned hereunder and any reference to this tender or to any other document includes a reference to the other document as varied supplemented and/or replaced in any manner from time to time.*
- g) *“The Procuring Entity” means County Government of Kiambu or its successor(s) and assign(s) where the context so admits (hereinafter abbreviated as KCG).*
- h) *“The Candidate” means the person(s) submitting its application for the pre-qualification for the supply, installation and commissioning (where applicable) of the goods, equipment and ancillary services in response to the Invitation for Pre-qualification.*
- i) *Where there are two or more persons included in the expression the “Candidate”, any act of default or omission by the Candidate shall be deemed to be an act, default or omission by any one or more of such persons.*
- j) *words importing the masculine gender only, include the feminine gender or (as the case may be) the neutral gender.*
- k) *words importing the singular number only include the plural number and vice-versa and where there are two or more persons included in the expression the “Candidate” the covenants, agreements and obligations expressed to be made or performed by the Candidate shall be deemed to be made or performed by such persons jointly and severally.*

3.3 Description of the Services for Pre-qualification

COUNTY GOVERNMENT OF KIAMBU intends to pre-qualify Suppliers for provision of hotel accommodation and conferencing facilities.

3.2 Eligibility for Pre-Qualification

3.2.1 This Invitation to Prequalify is open to all Candidates eligible as described in the Appendix to Instructions to Candidates.

3.2.2 COUNTY GOVERNMENT OF KIAMBU's employees, committee members, board members and their relatives (spouse(s) and children) are not eligible to participate in the tender.

3.2.3 Candidates shall provide the qualification information statement that the Candidate (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 may be or have been engaged by COUNTY GOVERNMENT OF KIAMBU to provide consulting services for the preparation of the design, specifications, and other documents to be used for the procurement of the goods under the ensuing tender.

3.2.4 Candidates shall not be under a declaration of ineligibility for corrupt and fraudulent practices.

3.2.5 Tenderers shall not be under declarations as prescribed at Section VIII.

3.3 Post – Qualification

3.3.1 COUNTY GOVERNMENT OF KIAMBU will from time to time issue tenders for the actual supply of the goods, equipment and ancillary services.

3.3.2 Only successful identified pre-qualified candidates who are in COUNTY GOVERNMENT OF KIAMBU's Standing List may be invited to tender for future contracts to supply the goods, equipment and ancillary services.

3.3.3 The tenders for future contracts to be issued will be over a period as prescribed in the Appendix to Instructions to Candidates from the date of appointment or as otherwise may be extended. After this period COUNTY GOVERNMENT OF KIAMBU may conduct another pre-qualification for the goods, works and services.

3.4 Fresh Pre-Qualification

3.4.1 At the end of the pre-qualification period, COUNTY GOVERNMENT OF KIAMBU may conduct another pre-qualification process at which the existing Standing List will automatically expire.

3.4.2 At the fresh pre-qualification, all pre-qualified candidates in the Standing List shall be required to re-apply if they so wish to be in the new Standing List.

3.5 Cost of Tendering

- 3.5.1 The Candidate shall bear all costs associated with the preparation and submission of its Tender, and COUNTY GOVERNMENT OF KIAMBU will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.
- 3.5.2 The Prequalification Document shall be free of charge. The document shall be obtained from COUNTY GOVERNMENT OF KIAMBU's website.

3.6 Contents of the Prequalification Document

- 3.6.1 The Prequalification Document comprises the documents listed below and Addendum (where applicable) issued in accordance with clause 3.7 of these Instructions to Candidates: -

- a) *Invitation for Prequalification*
- b) *Tender Submission Checklist*
- c) *Instructions to Candidates*
- d) *Appendix to Instructions to Candidates*
- e) *Description of goods for pre-qualification.*
- g) *Summary of the Evaluation Process*
- j) *Letter of application.*
- k) *Confidential Business Questionnaire Form*
- m) *Manufacturer's Authorization Form*
- n) *Notification of pre-qualification.*
- q) *Technical Specifications*
- (i) *General Requirements*
- (ii.) *Detailed Technical Specifications.*

- 3.5.2 The Candidate is expected to examine all instructions, forms, provisions, terms and specifications in the Prequalification Document. Failure to furnish all information required by the Prequalification Document or to submit a tender not substantially responsive to the Prequalification Document in every respect will be at the Candidate's risk and shall result in the rejection of its Tender.

3.6 Clarification of Documents

- 3.6.1 A prospective Candidate requiring any clarification of the Prequalification Document may notify the County Secretary in writing or by post at COUNTY GOVERNMENT OF KIAMBU's address indicated in the Invitation for Prequalification. COUNTY GOVERNMENT OF KIAMBU will respond in writing to any request for clarification of the Prequalification documents, which it receives not later than seven (7) days prior to the deadline for the submission of Tenders, prescribed by COUNTY GOVERNMENT OF KIAMBU. Written copies of

COUNTY GOVERNMENT OF KIAMBU's response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective Candidates that have duly received the Tender Document.

- 3.6.2 COUNTY GOVERNMENT OF KIAMBU shall reply to any clarifications sought by the Candidate within seven (7) days of receiving the request to enable the Candidate make timely submission of its Tender.
- 3.6.3 If a prospective Candidate sends an inquiry after the stated days or the inquiry is received by COUNTY GOVERNMENT OF KIAMBU after the stated days, COUNTY GOVERNMENT OF KIAMBU shall have the option of responding to the inquiry and extension of the date of submission of tenders or ignoring it.

3.7 Amendment of Documents

- 3.7.1 At any time prior to the deadline for submission of Tenders, COUNTY GOVERNMENT OF KIAMBU, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Candidate, may modify the tender documents by amendment.
- 3.7.2 All prospective Candidates that have received the Prequalification documents will be notified of the amendment(s) (hereinafter referred to or otherwise known as addendum) in writing and will be binding on them.
- 3.7.3 In order to allow prospective Candidates reasonable time in which to take the amendment into account in preparing their Tenders, COUNTY GOVERNMENT OF KIAMBU, at its discretion, may extend the deadline for the submission of Tenders.

3.8 Language of Tender

The Tender prepared by the Candidate, as well as all correspondence and documents relating to the tender, exchanged between the Candidate and COUNTY GOVERNMENT OF KIAMBU, shall be written in English language, provided that any printed literature furnished by the Candidate may be written in another language provide 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. The English translation shall be on the Candidate's letterhead and shall be signed by the duly authorized signatory signing the Tender and stamped with the Candidate's stamp.

3.9 Documents Comprising the Tender

The Tender prepared and submitted by the Candidates shall include but not be limited to all the following components: -

- a) *Letter of Application completed in accordance with paragraphs 3.10, 3.11 and 3.12 below.*

- b) *Documentary evidence established in accordance with paragraph 3.13 that the Candidate is eligible and qualified to tender.*

3.10 Letter of Application

The Candidate shall complete the Letter of Application and all other documents furnished in the Prequalification Document attaching all documents required noting to include originals where necessary. The Candidate should also indicate the items they can tender for and their country of origin if pre-qualified, amongst other information required.

3.13 Candidate's Eligibility and Qualifications

- 3.13.1 Pursuant to paragraph 3.2, the Candidate shall furnish, as part of its Tender, documents establishing the Candidate's eligibility to tender and its qualifications to be pre-qualified.
- 3.13.2 The documentary evidence of the Candidate's eligibility to tender shall establish to COUNTY GOVERNMENT OF KIAMBU's satisfaction that the Candidate, at the time of submission of its Tender, is eligible Candidate as defined under paragraph 3.2.
- 3.13.3 The documentary evidence of the Candidate's qualifications to be pre-qualified if its Tender is accepted shall be established to COUNTY GOVERNMENT OF KIAMBU's satisfaction –
- a) *where applicable, in the case of a Candidate offering to supply goods, equipment and ancillary services upon pre-qualification which the Candidate does not manufacture or otherwise produce, the Candidate has been duly authorized by the goods' manufacturer or producer to supply the goods. The authorization shall strictly be in the form and content as prescribed in the Manufacturer's Authorization Form in the Tender Document*
 - b) *that the Candidate observes financial discipline by operating distinct accounts for the business. The Candidate shall be required to provide the documents as specified in the Appendix to Instructions to Candidates.*
 - c) *where applicable, that the Candidate has the technical and production capability necessary to produce the items upon pre-qualification.*
 - d) *that the Candidate has the capability necessary to supply the items if and when the candidate becomes the successful tenderer upon actual award of a subsequent tender.*

3.17 Validity of Tenders

3.17.1 Tenders shall remain valid for one hundred and twenty (120) days after the date of tender opening as specified in the Invitation for Pre-qualification or as otherwise may be prescribed by COUNTY GOVERNMENT OF KIAMBU, pursuant to paragraph 3.23. A Tender that is valid for a shorter period shall be rejected by COUNTY GOVERNMENT OF KIAMBU as non-responsive.

3.17.2 In exceptional circumstances, COUNTY GOVERNMENT OF KIAMBU may extend the Tender validity period. The extension shall be made in writing. A Candidate shall not be required nor permitted to modify its tender during the extended period.

3.19 Number of Sets of and Tender Format– (This shall not apply since all documents shall be uploaded in the COUNTY GOVERNMENT OF KIAMBU’s E-Portal)

3.19.1 The Candidate shall prepare three complete sets of its Tender, identifying and clearly marking the “ORIGINAL TENDER” and 2 copies of “COPY OF TENDER” as appropriate. Each set shall be properly bound. The copy shall be a replica of the Original. The copy will be deemed to contain the same information as the Original.

3.19.2 Notwithstanding the contents of sub-paragraph 3.19.1, where there is any discrepancy between the Original and the Copy of the Candidate’s documents, the Original shall govern.

3.19.3 The Tender shall be bound and divided clearly in descending order as listed in the Tender Submission Checklist. The divisions are for clear identification and marking of the respective documents or information that are serially numbered in the Checklist.

3.19.4 The order and arrangement as indicated in the Tender Submission Checklist will be considered as the Tender Format.

3.19.6 Any Tender not prepared and signed in accordance with this paragraph, may be rejected by COUNTY GOVERNMENT OF KIAMBU as non-responsive, pursuant to paragraph 3.28.

3.21 Preparation and Signing of the Tender

3.21.1 The Original and the copy of the Tender shall be typed or written in indelible ink. They shall be signed by the Candidate or a person or persons duly authorized to bind the Candidate.

3.21.2 The authorization shall be indicated by a written Power of Attorney granted by the Tenderer to the authorized person before any of the following persons:-

a) For local Tenderers, a Commissioner of Oaths or a Notary Public or a Magistrate of the Kenyan Judiciary.

b) For foreign Tenderers, a Notary Public in the country of the Tenderer.

In either case above, the Power of Attorney shall accompany the Tender.

- 3.21.3 All pages of the Tender, including un-amended printed literature, shall be initialed by the person or persons signing the Tender and serially numbered.
- 3.21.4 The Tender shall have no interlineations, erasures, or overwriting except as necessary to correct errors made by the Candidate, in which case such corrections shall be initialed by the person or persons signing the Tender.
- 3.21.5 COUNTY GOVERNMENT OF KIAMBU will assume no responsibility whatsoever for the Candidate's failure to comply with or observe the entire contents of this paragraph 3.21.
- 3.21.6 Any Tender not prepared and signed in accordance with this paragraph may be rejected by COUNTY GOVERNMENT OF KIAMBU as non-responsive, pursuant to paragraph 3.28.

3.22 Sealing and Outer Marking of Tenders

- 3.22.1 The Candidate shall seal the Original and the copy of the Tender in separate envelopes or packages, duly marking the envelopes or packages as "ORIGINAL" and "COPY OF TENDER". The envelopes or packages shall then be sealed in outer envelopes or packages.
- 3.22.2 The inner and outer envelopes or packages shall -
- a) *be addressed to COUNTY GOVERNMENT OF KIAMBU at the address given in the Invitation to Tender,*
 - b) *bear the tender number and name as per the Invitation to Prequalification and the words, "DO NOT OPEN BEFORE 13th October 2020 as specified in the Invitation for Prequalification.*
- 3.22.4 All inner envelopes or packages shall also indicate the name and full physical, telephone, e-mail, facsimile and postal contacts of the Tenderer to enable the Tender to be returned unopened in circumstances necessitating such return including where Tenders are received late, procurement proceedings are terminated before tenders are opened or the Tender does not qualify for further financial evaluation in accordance with the Summary of Evaluation Process set out in the Tender Document.
- 3.22.5 If the envelopes or packages are not sealed and marked as required by this paragraph, COUNTY GOVERNMENT OF KIAMBU will assume no responsibility whatsoever for the Tender's misplacement or premature opening. A tender opened prematurely for this cause will be rejected by COUNTY GOVERNMENT OF KIAMBU and promptly returned to the Tenderer.

3.22 Deadline for Submission of Tenders

- 3.22.1 Tenders must be received by COUNTY GOVERNMENT OF KIAMBU by the time and at the place specified in the Invitation for Prequalification.
- 3.22.2 COUNTY GOVERNMENT OF KIAMBU may, at its discretion, extend this deadline for submission of Tenders by amending the pre-qualification documents in

accordance with paragraph 3.7, in which case all rights and obligations of COUNTY GOVERNMENT OF KIAMBU and the Candidate's previously subject to the initial deadline, will therefore be subject to the deadline as extended.

3.23 Modification and Withdrawal of Tenders

- 3.23.1 The Candidate may modify or withdraw its Tender after it has submitted it, provided that written notice of the modification, including substitution or withdrawal of the Tender is received by COUNTY GOVERNMENT OF KIAMBU prior to the deadline prescribed for submission of tenders.
- 3.23.2 The Candidate's modification or withdrawal notice shall be prepared, sealed, Marked, and dispatched in accordance with the provisions of paragraphs 3.19, 3.20 and 3.21. A withdrawal notice may also be sent by facsimile, electronic mail, cable or telex but followed by an original signed confirmation copy, postmarked not later than the deadline for submission of Tenders.
- 3.23.3 No Tender may be modified after the deadline for submission of Tenders.

3.24 Opening of Tenders

- 3.24.1 COUNTY GOVERNMENT OF KIAMBU shall open all Tenders promptly after the close of submission at the location specified in the Invitation for Prequalification or as may otherwise be indicated. The Candidates or their representatives may attend the opening and those present shall sign a register evidencing their attendance.
- 3.24.2 The Candidate's names, tender modifications or withdrawals and such other details as COUNTY GOVERNMENT OF KIAMBU, at its discretion, may consider appropriate, will be announced at the opening.
- 3.24.3 COUNTY GOVERNMENT OF KIAMBU will prepare Minutes of the tender opening.

3.25 Clarification of Tenders

- 3.25.1 To assist in the examination, evaluation and comparison of Tenders COUNTY GOVERNMENT OF KIAMBU may, at its discretion, ask the Candidate for a clarification of its Tender. The request for clarification and the response shall be in writing, and no change in the substance of the Tender shall be sought, offered, or permitted.
- 3.25.2 Failure to provide timely clarification or substantiation of the information that is essential for effective evaluation of the Candidate's qualifications shall result in the Candidate's disqualification.

3.15 Inspection

- 3.151 COUNTY GOVERNMENT OF KIAMBU or its representative(s) shall have the right to inspect the Candidate's capacity, equipment, premises, and to confirm their conformity to the pre-qualification requirements. This shall include the quality

management system. COUNTY GOVERNMENT OF KIAMBU's representative(s) retained for these purposes shall provide appropriate identification at the time of such inspection.

- 3.16.2 COUNTY GOVERNMENT OF KIAMBU shall meet its own costs of the inspection. Where conducted on the premises of the Candidate(s), all reasonable facilities and assistance shall be furnished to the inspectors at no charge to COUNTY GOVERNMENT OF KIAMBU.
- 3.16.3 Inspection Report shall be completed upon conclusion of the inspection. This Report will be considered at time of evaluation and or approval as pre-qualified.

3.26 Tender Evaluation

- 3.26.1 COUNTY GOVERNMENT OF KIAMBU will determine the responsiveness of each Tender. For purposes of this pre-qualification, a responsive Tender is one that conforms to all the requirements of the Evaluation. COUNTY GOVERNMENT OF KIAMBU's determination of a Tender's responsiveness is to be based on the contents of the Tender itself without recourse to extrinsic evidence.
- 3.26.3 If a Tender is not responsive, it will be rejected at the earliest stage of evaluation by COUNTY GOVERNMENT OF KIAMBU and cannot subsequently be made responsive by the Candidate by correction of any non-conformity.
- 3.26.4 Pre-qualification will be based on meeting the requirements to pass in the criteria set out in the Summary of Evaluation Process.

3.27 Process to be Confidential

- 3.27.1 After the opening of tenders, information relating to the examination, clarification, evaluation and comparisons of tenders and recommendations arising there-from shall not be disclosed to a Candidate or other person(s) not officially concerned with such process until conclusion of that process.
- 3.27.2 Any effort by a Candidate to influence COUNTY GOVERNMENT OF KIAMBU or any of its staff members in the process of examination, evaluation and comparison of tenders and information or decisions concerning award of Contract may result in the rejection of the Candidate's tender.

3.29 Minor Deviations, Errors or Oversights

- 3.29.1 COUNTY GOVERNMENT OF KIAMBU may waive any minor deviation in a Tender that does not materially depart from the requirements set out in the Tender Document.
- 3.29.3 COUNTY GOVERNMENT OF KIAMBU may waive errors and oversights that can be corrected without affecting the substance of the Tender.

3.31 Tender Evaluation Period

The tender evaluation committee shall evaluate the tender within the validity period of the tender.

3.32 Debarment of a Candidate

A Candidate who gives false information in the Tender about its eligibility or qualification shall be considered for debarment from participating in future public procurement.

3.35 Confirmation of Qualification for Appointment on the Standing List

3.35.1 COUNTY GOVERNMENT OF KIAMBU may confirm to its satisfaction whether the Candidate that is identified is qualified for appointment.

3.35.2 The confirmation will take into account the Candidate's technical, and production capabilities. It will be based upon an examination of the documentary evidence of the Candidate's qualifications submitted by the Candidate, pursuant to paragraph 3.13 as well as confirmation of such other information as COUNTY GOVERNMENT OF KIAMBU deems necessary and appropriate. This may include factory and other facilities inspection and audits.

3.35.3 An affirmative confirmation will be a prerequisite for appointment to the Standing List. A negative confirmation will result in rejection of the Candidate's tender.

3.36 Approval of Pre-qualification

3.36.1 The approval of pre-qualification will be either pass or fail regarding the Candidate's general and particular experience, capabilities and financial position as demonstrated by the Candidate's response to this Tender and inspection when conducted.

3.36.2 Approval shall be for all Candidates who meet the prequalification requirements as prescribed in the Appendix to Instructions to Candidates.

3.36.3 COUNTY GOVERNMENT OF KIAMBU shall invite tenders as and when it requires from only the Candidates who have been pre-qualified, subject to applicable thresholds.

3.36 Termination of Procurement Proceedings

3.36.1 COUNTY GOVERNMENT OF KIAMBU may at any time terminate prequalification proceedings before approval and shall not be liable to any person for the termination.

3.36.2 COUNTY GOVERNMENT OF KIAMBU shall give prompt notice of the termination to the Candidates and, on request from any Candidate, give its reasons for termination within fourteen (14) days of such request.

3.37 Notification of Appointment

- 3.37.1 Prior to the expiration of the period of tender validity, COUNTY GOVERNMENT OF KIAMBU shall notify the successful Candidate(s) in writing that its Tender has been approved.
- 3.37.2 The notification of appointment shall not constitute the formation of the contract.
- 3.37.3 Simultaneously, on issuance of Notification of Appointment to the successful Candidate(s), COUNTY GOVERNMENT OF KIAMBU shall notify each unsuccessful Candidate.

3.38 Acceptance of Pre-qualification

- 3.38.1 At the same time as COUNTY GOVERNMENT OF KIAMBU notifies the approved Candidate that its Tender has been approved, COUNTY GOVERNMENT OF KIAMBU will send the Candidate a copy of the Notification of Appointment together with any other necessary documents incorporating all agreements between the Parties.
- 3.38.2 Within Seven (7) days of the date of notification of appointment, the successful Candidate(s) shall sign and stamp (where applicable) the copy of notification of appointment and all other documents, if any, and return them to COUNTY GOVERNMENT OF KIAMBU.
- 3.38.4 Failure of the successful Candidate(s) to sign and return the copy of the Notification of Appointment, the Appointment shall stand nullified.

APPENDIX TO INSTRUCTIONS TO TENDERS

The following information regarding the particulars of the tender shall complement and or amend the provisions of the Instructions to Candidates *hereinafter abbreviated as ITC*. Wherever there is a conflict between the provisions of the ITC and the Appendix, the provisions of the Appendix herein shall prevail over those of the ITC.

| No. | ITC Reference Clause | Particulars of Appendix |
|-----|----------------------------------------------------------------------|---------------------------------------------------------------------|
| 1. | 3.2.1 Eligible Candidates | <i>Companies registered in Kenya</i> |
| 2. | 3.3.2 Prequalification period | <i>2 years.</i> |
| 4 | 3.19& 3.22 Number of Sets of and Tender Format... | <i>Two (original & copy)</i> |
| 5. | 3.35.2 Mode of Award | <i>All eligible Candidates who shall attain 80 marks and above.</i> |

SECTION IV – DETAILED DESCRIPTION OF SERVICES

Part A - Brief Schedule of services- prequalification for provision of Outside Catering, Hotel Accommodation and Conference Facilities Services.

| No. | Service | TICK |
|-----|-----------------------|------|
| 1. | Hotel Accommodation | |
| 2. | Conference Facilities | |

*NOTES:

1. All Candidates must indicate their interest by saying “Yes” or “√” Ticking or “Not Applicable (N/A) or “X” Crossing against each item.
2. Please note that where a Candidate leaves a blank space it will be deemed and evaluated on the basis that the Candidate is not interested in that item i.e. N/A.

3. Candidate, please note that COUNTY GOVERNMENT OF KIAMBU intends to tender and procure the above items/services from time to time over the period prescribed in the Appendix to Instructions to Candidates.
4. **Bidders are requested to indicate clearly what services they can offer and proof of the same to given.**
5. **The prequalification shall be for a period of two years.**

SECTION V - SUMMARY OF EVALUATION PROCESS

Evaluation of duly submitted prequalification tenders will be conducted along the following lines and scores given against each criterion: -

4. Evaluation Criteria. These are mandatory requirements

| No. | Item | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 4.1.1 | Letter of Application duly completed, signed and that the Tender is valid for the period required. | 6 |
| 4.1.2 | Confidential Business Questionnaire (CBQ) | 5 |
| 4.1.3 | Declaration Form(s) duly completed and signed | 5 |
| 4.1.4 | Copy of PIN Certificate | 5 |
| 4.1.5 | Copy of Valid Tax Compliance Certificate | 5 |
| 4.1.6 | Copy of Company or Firm's Registration Certificate | 5 |
| 4.1.7 | Copy of relevant business permit/ Council business license | 5 |
| 4.1.8 | Copy of the Certificate of Confirmation of Directors and Shareholding (CR12) | 10 |
| 4.1.9 | Proof of certifications that the business entity is run by qualified personnel/has qualifications in the service to be provided. | 5 |
| 4.1.10 | Membership to relevant governing bodies in the service to be provided. | 2 |
| 4.1.11 | Copy of Audited accounts of the company for the last three financial years((For companies or firms that are registered or incorporated within the last one calendar year of the Date of the Tender Document, they should submit certified copies of bank statements covering a period of at least six months prior to the date of the tender document. The copies should be certified by the Bank issuing the statements. The certification should be original). | 3 |
| 4.1.12 | Tools, Equipment and personal protective equipment owned by the company evidenced by ownership documents. | 15 |
| 4.1.13 | Copy of Safety program, policies and work practices that also includes disclosure of past safety performance on similar jobs, training of workers on safe work and tools for monitoring safety performance. | 2 |
| 4.1.14 | Experience of the Tenderers Personnel and complete with Copies of Curriculum Vitae with certified copies of certificates for all the Management/ Technical personnel (certified by an Advocate or Magistrate) | 15 |
| 4.1.15 | Copies of Insurance policies covering Group personal accident cover & Public liability cover | 2 |
| 4.1.16 | Attached clear colored pictures and any required certificates or documents showing the hotel is compliant with government regulations on safety measures on COVID 19 | 10 |
| | TOTAL | 100 |

SECTION VI -LETTER OF APPLICATION/TENDER FORM

Date...

To.

County Government of Kiambu

P.O BOX 2344 – 00900

KIAMBU

Dear Sir/ Madam

1. Having read, examined and understood all of the pre-qualification information provided in the Prequalification Document, the receipt of which is hereby duly acknowledged, we, the undersigned Candidate, hereby apply to be prequalified by yourselves as a potential bidder for the item(s) as indicated by us in Section IV Detailed Description of Items.
2. We agree to abide by this Tender for a **period of.....days (Candidate please indicate validity of your tender)** from the date fixed for tender opening as per the Prequalification Document, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
3. This application, together with your written appointment thereof, shall not constitute a contract between us nor commit COUNTY GOVERNMENT OF KIAMBU to any actual tender or amount of contract.
4. We understand that you are not bound to accept any application you may receive.
5. We declare that the statements made and the information provided in our prequalification tender document are complete, true, and correct in every detail.

Yours sincerely,

Name of Candidate

Name and Capacity of authorised person signing the Application

Signature of authorised person signing the Tender

Stamp or Seal of Candidate

NOTES:-

1. COUNTY GOVERNMENT OF KIAMBU requires a validity period of at least one hundred and twenty (120) days.
2. This form must be duly signed, stamped and/or sealed.

SECTION VII – CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

All Candidates are requested to give the particulars indicated in Part 1 and either Part 2 (a), 2 (b) or 2 (c) whichever applies to your type of business. Candidates 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 Postal Code

Tel No.....

Facsimile.....

Mobile and CDMA No.....

E-mail.....

Nature of your business

Registration Certificate No.....

Maximum value of business which you can handle at any time KSh.....

Name of your BankersBranch.....

*Names of Candidate’s contact person(s)

Designation/ capacity of the Candidate’s contact person(s)

Address, Tel, Fax and E-mail of the Candidate’s contact person(s)

.....

.....

Part 2 (a) Sole Proprietor

Your name in full

NationalityCountry of origin

Part 2 (b) Partnership

Give details of partners as follows: -

| Names | Nationality | Shares (%) |
|-------|-------------|------------|
|-------|-------------|------------|

1.....

2.....

3.....

4.....

5.....

Part 2 (c) Registered Company

Private or Public

State the nominal and issued capital of company-

Nominal KSh.

Total Issued KSh.

Give details of all directors as follows

| Name | Nationality | Shares (%) |
|------|-------------|------------|
|------|-------------|------------|

1.....

2.....

3.....

4.....

5.....

Name of duly authorized person to sign for and on behalf of the Tenderer.....

Capacity of the duly authorized person.....

Signature of the duly authorized person.....

***NOTES TO THE TENDERERS ON THE QUESTIONNAIRE**

1. *The address and contact person of the Candidate provided above shall at all times be used for purposes of this pre-qualification tender.*

2. *The details on this Form are essential and compulsory for all Candidates.***Failure to provide all the information requested shall lead to the Candidate's disqualification.**

SECTION VIII - DECLARATION FORM

Date _____

To:

County Government of Kiambu

P.O BOX 2344 – 00900

KIAMBU

Dear Sir/ Madam

The Tenderer i.e. (full name and complete physical and postal address)

_____ declare the following: -

- a) That I/ We have not been debarred from participating in public procurement by anybody, institution or person.
- b) That I/ We have not been involved in and will not be involved in corrupt and fraudulent practices regarding public procurement anywhere.
- c) That I/We or any director of the firm or company is not a person within the meaning of paragraph 3.2 of ITT (Eligible Tenderers) of the Instruction to Tenderers.
- d) That I/ We are not insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings relating to the foregoing.
- e) That I/ We are **not** associated with any other tenderer participating in this Tender.
- f) That I/We do hereby confirm that all the information given in this tender is accurate, factual and true to the best of our knowledge.

Yours sincerely,

Name of Tenderer

Signature of duly authorised person signing the Tender

Name and Capacity of duly authorised person signing the Tender

Stamp or Seal of Tenderer

IX - THE TECHNICAL SPECIFICATIONS

Technical specifications describe the basic requirements for services. In addition to the information and documentation in the Prequalification document regarding the technical aspects of this tender, all Candidates shall comply with the following -

***Note:**

Technical specifications of the services shall be provided during Request for Quotations (RFQ) to the invited bidders who shall have been shortlisted as a result of this tender.