



**EMBU COUNTY GOVERNMENT**

**TENDER NO: EBU/CNT/T/015/2016/2017**

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**PRE-QUALIFICATION TENDER DOCUMENT FOR**

**DESCRIPTION: SUPPLY AND DELIVERY OF PROCESSED AND PACKED MILK FOR THE PROPOSED SCHOOL MILK PROGRAM IN EMBU COUNTY.**

**CLOSING DATE: WEDNESDAY, 8<sup>TH</sup> MARCH 2017**

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**FOR THIS TENDER:**

THE BUYER'S REPRESENTATIVE IS: -  
COUNTY SECRETARY  
EMBU COUNTY  
P.O. BOX 36 - 60100  
**EMBU**

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## **INTRODUCTION**

- Applications are invited from eligible and qualified locally registered dairy firms with technical and financial capacity for **Supply and Delivery of Processed and Packed 200 ml Milk for the Proposed School Milk Program in Embu County.**
- The program is intended to benefit children in public ECDE Centers.
- Under this solicitation, The Embu County Government, based on an open competitive selection process, will award a contract with a value of an agreed upon amount.
- If you decide to submit a bid, it must be submitted in accordance with the solicitation Terms of Reference available in our offices and should be received no later than the date and time indicated.

### **Background:**

In line with the Fourth Schedule of the Constitution of Kenya 2010, Early Childhood and Development Education is a devolved function and a responsibility of County Governments. Chapter 4 of the Constitution of Kenya embodies the Bill of Rights and affirms the right of all Kenyan among other things to Education and Social care. Under schedule 4 Part 2 (9) the county government is mandated to manage the activities of, pre-primary education, village polytechnics, home craft centres and child care facilities.

The health of children has great influence on the growth, development and learning of children. However, it has been observed that in these schools across the County, the pupil's nutrition status is wanting and therefore the need to provide food supplement (**milk**) which is whole food.

Milk is good because it will provide protein necessary for growth, carbohydrate and fat for energy as well as minerals like calcium and phosphorus necessary for skeletal development.

Provision of milk would enhance physical growth and mental development. This would reduce retardation among children, improve mental alertness hence aid in learning. Overall, this would improve access, retention, completion and transition of pupils from their current academic level to the next level.

In order to improve on provision of services delivery through enhancing access, retention, completion and transition of children in this level there is therefore the need to provide stop gap measure which will enable the county government realize its vision and mission of education.

SECTION I  
INVITATION FOR PRE-QUALIFICATION

**Tender No. EBU/CNT/T/015/2016/2017**

**Tender Name: SUPPLY AND DELIVERY OF PROCESSED AND PACKED MILK FOR THE PROPOSED SCHOOL MILK PROGRAM IN EMBU COUNTY.**

1. Embu County Government hereinafter referred as “Procuring entity” intended to prequalify bidders for the Supply and Delivery of Processed and Packed 200 ml UHT/TCA Milk for the Proposed School Milk Program in Embu County.
2. Pre-qualification is open to eligible and qualified bidders with both technical and financial capacity.
3. Eligible bidders may download the pre-qualification document from the Embu County Government website at [www.embu.go.ke](http://www.embu.go.ke)
4. The successful bidders will be selected under the selection procedure described in the pre - qualification documents.
5. Applications for pre-qualification must be submitted enclosed in plain sealed envelopes marked “Original” and “Copy” with the tender name and reference number and addressed to:

**THE COUNTY SECRETARY,  
EMBU COUNTY GOVERNMENT  
P.O. BOX 36 - 60100  
EMBU**

And deposited in the tender box located at the Ground Floor, Office of the Governor so as to be received not later than **Wednesday, 8<sup>th</sup> March 2017 at 10.00am**

6. All bidders 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 bidders prequalified under this pre-qualification process will be invited to tender.

**SECTION II**

EMBU COUNTY GOVERNMENT

## **INSTRUCTIONS TO BIDDERS**

### **1. Notes on Instructions to Bidders**

- I. The instructions to bidders should provide them with adequate information to facilitate preparation and submission of a good pre - qualification application.
- II. All the blank spaces should be properly completed by the procuring entity before the pre - qualification document is given to the bidders.
- III. The notes accompanying the clauses in this part are not part of the text. They are meant to assist the procuring entity when preparing the pre-qualification document. The notes should not be incorporated in the actual pre - qualification documents.
- IV. Where in the text alternative clauses are shown, the procuring entity should select those suitable for the particular contract and discard the alternative text that will not apply. This should also be clarified in the appendix to instructions to bidders.
- V. The instructions to bidders may be amended or supplemented by clauses in the appendix to instructions to bidders

### **2.1 Scope of Tender**

- 2.1.1 Embu County Government hereinafter referred to as the procuring entity intends to prequalify contractors for the following the Supply and Delivery of Processed and Packed 200 ml UHT/TCA Milk for the Proposed School Milk Program in Embu County.

It is expected that pre - qualification applications will be submitted to be received by the procuring entity not later than date and time specified in the invitation for pre - qualification.

- 2.1.2 Pre - qualification is open to eligible firms and voluntarily formed joint ventures as indicated in appendix to instructions to bidders.

### **2.2 Submission of Application**

- 2.2.1 Applications for pre - qualification shall be submitted in sealed envelopes marked with the tender name and reference number and addressed to;

**THE COUNTY SECRETARY,  
EMBU COUNTY GOVERNMENT  
P.O. BOX 36 - 60100  
EMBU**

And deposited in the tender box located at the entrance of County Treasury so as to be received not later than **Wednesday, 8<sup>th</sup> March 2017 at 10.00am**

2.2.2 Embu County Government has the right to reject late applications.

2.2.3 All the information requested for pre-qualification shall be provided in the English language.

2.2.4 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.

### **2.3 Eligible Bidders**

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

2.3.2 The procuring entity's employees, committee members, board members and their relatives (Spouse and Children) are not eligible to participate in the tender.

2.3.3 All bidders found capable of performing the contract satisfactorily in accordance to the set pre -qualification criteria shall be pre-qualified.

### **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 sub-contractors and their inputs shall be described in the Standard Form 1 (General Information)

2.4.3 General Experience. The applicant shall meet the following minimum criteria

- (a) Average annual turnover as main contractor.
- (b) Successful experience as prime contractor in execution of at least one project of a nature and complexity comparable to the proposed contract within the last one year.

2.4.4 Personnel capabilities. The applicant must have suitably qualified personnel to fill the following positions.

Position	Total experience (years)	In similar works (years)	As manager of similar works (years)
Project Manager			
Other Position			
Other position			

2.4.5 Equipment capabilities. The applicant should own, or have assured access (through hire, lease, purchase agreement, availability of manufacturing equipment, or other means) the following key items of equipment in full good working order, and must demonstrate that, based on known commitments they will be available for use in the proposed contract. The applicant may also list alternative equipment that it would propose for the contract together with an explanation of the proposal

Equipment type and characteristics	Minimum number required
1)	
2)	
3)	

2.4.6 Financial position. The applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit and other

financial means sufficient to meet the contract cash flow for a period of three (3) months, estimated at **Kshs. 10,000,000** (Ten million shillings only) net of the applicants commitments for other contracts.

2.4.7 The audited Accounts for the last three (3) 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.

2.4.8 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**

2.5.1 Joint ventures must comply with the following:-

(a) Following are the minimum qualification requirements.

(i) The lead partner shall meet not less than 80% of all the qualifying criteria in paras's 2.4.3 and 2.4.6 above (24)

(ii) The other partners shall meet individually not less than 20 % of all the qualifying criteria given in para. 2.4.3 and 2.4.6 above

(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. Individual members must each satisfy the requirements of para 2.4.7 and 2.4.8 above.

(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.

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 pre - qualification requirements, subject to a written approval of the procuring entity

## **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 pre - qualification 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 dis- qualification of the applicant.

## **2.8. Updating Pre-qualification Information**

2.8.1 Pre-qualified bidders 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 BIDDERS

### 3.1 Notes on the appendix to instructions to Bidders

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

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

1. THE BUYER:

Name: The County Government of Embu  
Address: P.O. Box 36-60100  
Embu

2. Name of Buyer's Representative:

Name: The County Secretary of Embu  
Address: P.O. Box 36-60100  
Embu

3. Embu County Government will select bidders among those that submit documents, in accordance with the method of selection detailed under this section.

4. Bidders will be asked required to quote prices in accordance with the schedule of prices provided in this pre-qualification document.

5. **Prices** quoted should be net inclusive of all taxes and delivery costs to ECDE Centers, must be expressed in Kenya shillings and shall remain valid for a period of one year.

6. Clarifications on this pre-qualification document and or any further correspondence shall be made to the address specified below.

COUNTY SECRETARY  
EMBU COUNTY GOVERNMENT  
P.O. BOX 36-60100  
EMBU

7. Pre-qualification documents should be submitted in **English language**.

8. Tender closing date shall be **Wednesday 8<sup>th</sup> March 2017 at 10.00am**

9. Bidders must submit an original and **one** additional copies of each proposal:

**The pre-qualification submission address is:**

**COUNTY SECRETARY  
EMBU COUNTY GOVERNMENT  
P.O. BOX 36-60100  
EMBU**

10. The pre-qualification submission must be done no later than the date specified in the tender and pre-qualification advertisement.

11. The number of points to be given under each of the evaluation criteria is:

(i) Supplier availability	15 Points
(ii) Supplier relevance & experience	25 Points
(iii) Supplier capability	40 Points
(iv) Legality of Supplier business	<u>20 Points</u>
<b>Total points</b>	<b><u>100 Points</u></b>
<b>Pass mark</b>	<b>80 Points</b>

*(The firm that attains the pass mark of 80 points out of 100 points will be considered for pre - qualification)*

## **12. Criteria for Evaluation of Suppliers**

Embu County Government evaluation committee, as a whole, and each of its members individually, shall evaluate the tenders on the basis of their responsiveness to Terms of Reference, applying the evaluation criteria, sub-criteria and point system as specified in this document.

All bids will be subjected to preliminary evaluation procedure to determine the responsiveness of each tender to the terms of reference before the Selection procedure described below is applied.

## **13. Preliminary Evaluation Criteria**

Firms that are not found to be responsive to the terms of reference will be eliminated at this stage.

The grounds for elimination of applicants at preliminary stage are listed below;

- (i) Failure to submit the tender in the required format and failure to submit all the required documents.
- (ii) Failure to authorize the tender through signing and officially stamping the pre-qualification submission form by the person authorized to do so.
- (iii) Failure to submit the number of copies required for submission of tender.
- (iv) Failure to submit fully authorized and duly signed details of duties, qualifications and experience of key staff.
- (v) Lack of telephone/voice communication facility that is working and reliable.
- (vi) Applying for tender on items/goods or services which you don't deal in, not ever supplied/rendered.
- (vii) If the firm is in a black list or debarment list from participating in Public Procurement.
- (viii) If the firm has not renewed legal and statutory documents that are due for renewal at the time the tender is being submitted.
- (ix) If the applicant is proved to have cheated in the documents that are submitted.

### **13. Evaluation Criteria (Selection Procedure)**

Bidders are requested to read this section carefully before filling in any information.

#### **13.1 Supplier Availability**

**15 Points**

<i>Name</i>	<i>(2 points)</i>
<i>Physical Address</i>	<i>(1 point)</i>
<i>Town/City</i>	<i>(1 point)</i>
<i>Street</i>	<i>(1 point)</i>
<i>Floor</i>	<i>(1 point)</i>
<i>Door No.</i>	<i>(1 point)</i>
<i>Other Land Mark</i>	<i>(1 point)</i>
<i>Drawing/Map etc.</i>	<i>(2 points)</i>
<i>Telephone Address</i>	<i>(1 point)</i>
<i>Email Address</i>	<i>(1 point)</i>
<i>Website Address</i>	<i>(2 points)</i>
<i>Postal Address</i>	<i>(1 point)</i>

**13.2 Supplier Relevance & Experience****25 Points**

Nature of business related to the tender applied for

- *Registration as a dealer/agent/core business (5 points)*
- *Manufacturer/processor/maker, indicate list of all items that you deal in (5 points)*

Usual business transacted for the last 5 years.

- *Any one rated worth Kshs. 5,000,000 or more (at least 5 assignments) (5 points)*
- *Relevant Government or State Corporations tenders awarded in the last 5 years (5 points)*
- *Authentic recommendation by any two clients served in the last 1 year. (5 points)*

**13.3 Supplier Capability****40 Points**

<b>TECHNICAL CAPABILITY</b>	• Processing Capacity	4 points
	• Quality and Safety Standards	4 points
	• Timely delivery to ECDE Centers	4 points
	• Waste Management	4 points
<b>FINANCIAL CAPABILITY</b>	Audited reports for the last 2 years	(10 points)
<b>CREDIT FACILITY</b>	Ø 30 days credit	(3 points)
	Ø 60 days credit	(5 points)
	Ø 90 days credit	(8 points)
	Ø Over 90 days credit	(10 points)

**13.4 Legality of Supplier Business****20 Points**

## 1. Mandatory registrations

- a) Renewed Certificates/Registrations& Licenses (3 points)
- b) Letters of Introduction & testimonials from Clients (3 points)
- c) VAT Registration Certificate/Exemption (4 points)
- d) Certificate of Tax compliance (3 points)

## 2. Regulatory registrations

- (a) Licensed by Kenya Dairy Board (4 points)
- (b) Authorization as a food processing Entity (3 points)

**13.5 Supplier Performance Profiles (Rating By At Least 3 Clients)**

<b>CLIENT No.</b>	<b>Name and full address.</b>	<b>Category of goods/services rendered</b>	<b>Value in Kshs.</b>	<b>Rating of the Supplier's services (please tick)</b>
<b>1.</b>				Excellent Very good Good Fair Poor
<b>NAME OF THE OFFICER RECOMMENDING ON BEHALF OF THE CLIENT</b>				
<b>DESIGNITION</b>				
<b>SIGNATURE</b>				
<b>OFFICIAL RUBERSTAMP AND DATE</b>				



<b>CLIENT No.</b>	<b>Name and full address.</b>	<b>Category of goods/services rendered</b>	<b>Value in Kshs.</b>	<b>Rating of the Supplier's services (please tick)</b>
2.				Excellent Very good Good Fair Poor
<b>NAME OF THE OFFICER RECOMMENDING ON BEHALF OF THE CLIENT</b>				
<b>DESIGNITION</b>				
<b>SIGNATURE</b>				
<b>OFFICIAL RUBERSTAMP AND DATE</b>				

#### **A1.2.6 SUPPLIER LITIGATION HISTORY**

<b>Case No.</b>	<b>Name of Respondent</b>	<b>Name of Applicant</b>	<b>Arbitrator</b>	<b>Outcome</b>	<b>Remarks</b>
1					
2					
3					

NB: You may attach additional sheet using the above format.

## Schedule of requirements & BILL OF QUANTITIES

### SUPPLY AND DELIVERY OF PROCESSED AND PACKED 200ML MILK TCA / UHT FOR THE PROPOSED SCHOOL MILK PROGRAM IN EMBU COUNTY

*Name of Tenderer:* .....

*Address:* .....

*Tender Number:* **EBU/CNT/T/015/2016/2017**.....

#### **Part - A**

<b>Schedule of Requirements</b>			
NO.	No. of Targeted Pupils	Milk Size (Packets)	Packet Shape and Recommended Colors
1	17,000	200ml TCA	Shall be provided upon qualification

#### **Part – B**

<b>Bill of Quantities</b>				<b>Unit Cost Per Packet</b>	<b>Total Cost</b>
NO.	Weekly Requirement	Delivery for a Day	Total Weekly Delivery		
1	Day 1 (Monday)	17,000 Packets	51,000 Packets		
	Day 2 (Wednesday)	17,000 Packets			
	Day 3 (Friday)	17,000 Packets			
2	Annual Requirement	Total Delivery	Total Delivery		
		X39 weeks	1,989,000 Packets		
<b>TOTAL AMOUNT ANNUAL REQUIREMENT</b>					

*Amount in words*.....

.....

*Signed by Bidder* ..... *Rubber Stamp*.....

## **SECTION III**

### **LETTER OF APPLICATION**

#### **Notes on letter of application**

The letter of application will be prepared by the applicant and will follow the form presented herein.

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, fax number and Email address.

The letter of application will be signed by duly authorized representatives of the applicant.

Any clause which does not apply to the applicant in the letter of application herein shall be deleted by the applicant.

**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.	

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. The Embu County Government 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. The Embu County Government and its authorized representatives may contact the following persons for further information.

General and managerial inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

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 pre-qualified applicants will be subject to verification of all information submitted for pre - qualification at the time of bidding.
- (b) The Embu County Government 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 pre-qualified bidders who meet the revised requirements; and
  - Reject or accept any application, cancel the pre-qualification process, and reject all applications
- (c) The Embu County Government shall not be liable for any such actions and shall be under no obligation to inform the Applicant of the grounds for them

6. 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 contract, and the responsibilities for execution of the contract.
7. 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 liabilities of all partners in the event the contract is awarded to us.
8. 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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5.	Personnel capabilities	
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6.	Equipment capability	
7.	Financial capability	
8.	Litigation History	
9.	Request for Review	





**SECTION IV -  
STANDARD FORMS**

**Notes on completion of Standard Forms**

- Application Form 1* - General information**  
This form is to be completed by all applicants. Where the applicant proposes to use sub-contractors the information should be supplied in this format. Where there is a joint venture, each partners shall complete the form
- Application Form 2* - General Experience Record**  
This form is to be completed by all applicants. Separate sheets should be used for each partner of a joint venture. Applicants are not required to enclose testimonials, certificates or publicity materials with their applications.
- Application Form 2A* - Joint Venture Summary**  
This form is to be completed by joint venture applicants only.
- Application Form 3* - Particular Experience Record**  
This form is to be completed by all applicants meeting the requirement set out in the instructions to bidders. Separate sheets shall be used for each member of or joint venture. Complimentary information will be given on application Form 3A.
- Application Form 3A* - Details of Contracts of similar nature and complexity**  
This form shall be completed by all applicants and will contain similar works completed by the applicant or a member of a joint venture
- Application Form 4* - Summary sheet. Contract commitments/work in progress**  
This form is to be completed by all applicants including each member of a joint venture. It shall contain the current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

- Application Form 5*** - **Personnel Capabilities**  
This form is to be completed by all applicants. It shall include specific positions essential to contract implementation. The Applicants shall provide the names of at least two bidders qualified to meet the specified requirements stated for each position. The data on their experience shall be supplied on Form 5A
- Application Form 5A*** - **Bidder Summary**  
This form is to be completed by all applicants. The information provided will complement information on Form 5. A separate form shall be used for each personnel
- Application Form 6*** - **Equipment Capability**  
This form is to be completed by all applicants. It should provide adequate information to demonstrate clearly that the applicant has the capability to meet the requirements for each and all items of equipment listed in the instructions to bidders. A separate form shall be prepared for each item of equipment or for alternative equipment proposed by the applicant.
- Application Form 7*** - **Financial Capability**  
This form shall be completed by every applicant and each member of a joint venture. It should contained financial information to demonstrate that they meet the requirements stated in the instructions to bidders. If necessary separate sheets should be used to provide complete banker information. A copy of the audited balance sheet if available should be attached. The information should include the summary of actual assets and liabilities for the last five years.
- Application Form 8*** - **Litigation History**  
This form is to be completed by all applicants including each member of a joint venture. It should provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution. A separate sheet should be used for each member of a joint venture
- Form RB1*** - **Request for Review**  
This form is only to be filled by the tenderer when aggrieved by the Procuring Entity and submitted to the Review

Board at any time during the tender process but not later than 14 days after date of notification of award

**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.		

**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.		

**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			

**FORM (3) PARTICULAR EXPERIENCE RECORD**

Name of Applicant or partner of a joint venture



**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

**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

**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



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				
5. Profits before taxes				
6. Profits after taxes				

## 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.



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

**FORM R B1**

**REQUEST FOR REVIEW FORM**

**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 of .....20.....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...

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**FOR OFFICIAL USE ONLY**

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

**SIGNED**  
**Company Director**