



## COUNTY GOVERNMENT OF KIAMBU

**TENDER NAME: CONSTRUCTION AND REHABILITATION OF  
NGABUBU ACCESS ROAD IN KIHARA WARD KIAMBAA SUB COUNTY**

**TENDER NO : CGK/RTPW&U/RMLF/16/2018-2019**

**NAME OF BIDDER:** \_\_\_\_\_

**DATE :** \_\_\_\_\_

### **CONTRACT DOCUMENT:**

- INVITATION TO TENDER
- CONDITIONS OF CONTRACT AND INSTRUCTIONS TO CONTRACTORS
- THE STANDARD FORMS
- THE SPECIAL SPECIFICATIONS
- THE BILL OF QUANTITIES

**CLOSING DATE: Monday 19<sup>th</sup> November 2018**

**COUNTY SECRETARY  
COUNTY GOVERNMENT OF KIAMBU  
P.O.BOX 2344-00900,  
KIAMBU, KENYA.**

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**FORM OF INVITATION TO TENDER**

To: M/S \_\_\_\_\_

Dear Sir/Madam,

**RE: CONSTRUCTION AND REHABILITATION OF NGABUBU ACCESS ROAD IN KIHARA WARD KIAMBAA SUB COUNTY TENDER NO.: CGK/RTPW&U/RMLF/16/2018-2019**

We hereby invite you to submit a bid for the execution and completion of the above works. Pretender site visit is a **MUST** on **6<sup>th</sup> November 2018**.

Completed bid documents enclosed in sealed envelopes and clearly marked with the respective **Tender Number** and **Tender Name** should be addressed to:

COUNTY SECRETARY,  
COUNTY GOVERNMENT OF KIAMBU,  
P.O.BOX 2344-00900  
KIAMBU, KENYA

**And deposited in the tender box located at the Kiambaa Sub County -Roads,Transport, Public works and Utilities Department, P.O. Box 2344-00900, Kiambu during normal working hours.**

Yours Faithfully,

**COUNTY SECRETARY**  
**KIAMBU COUNTY**

## OPENING AND EVALUATION OF TENDERS

The Procuring entity will evaluate and compare the tenders which have been determined to be substantially responsive.

### EVALUATION CRITERIA

#### 1. MANDATORY REQUIREMENTS

1. Certified copy of the incorporation certificate/Business name registration
2. Copy of VAT Registration Certificate
3. Copy of current and valid Tax Compliance Certificate
4. Copy of Current NCA Registration certificate -NCA 8 and above
5. Proof of similar works and magnitude
6. Proof of adequate equipment/lease agreement
7. Proof of sound financial standing being bank statement / audited financial statement
8. Litigation history of the company
9. Duly filled business questionnaire
10. Current single business permit
11. List of key personnel attached with copies of academic testimonials
12. Pre-tender site visit certificate
13. Current NSSF and NHIF clearance certificate
14. Two copies of the bid document clearly marked **ORIGINAL and COPY**.

#### 2. TECHNICAL EVALUATION (80 MARKS)

- i) Technical personnel - Site Manager with a minimum of 2 years' experience in works of an equivalent nature and volume (Site Engineer, Foremen, Artisans) **(20mks)**
  - a) Site Agent/Director-Degree Civil Engineering (10 mks)
  - b) Foreman-Diploma in Civil Engineering (5 mks)
  - c) Surveyor-Degree/diploma in surveying(5 mks)
- ii) Proof of ownership/hire of equipment (***Equipment to be made available for the Contract***) **(24Mks)**
  - a) Motor grader (4 mks)
  - b) Tipper Lorry (Minimum capacity10 M<sup>3</sup> )(4mks)
  - c) Poker Vibrator (4mks)
  - d) 10 ton Vibratory roller (4 mks)
  - e) Backhoe (4mks)

- ii)* Water bowser minimum 10,000 litres (4mks)
- iii)* Litigation history of the company (3 mks)
- iv)* Proof of similar works of and magnitude (15 mks)
- v)* Work methodology (3 mks)
- vi)* Current N.C.A. Certificate (10 mks)
- vii)* Current valid business permit (5 mks)

**3. FINANCIAL EVALUATION (20 MARKS)**

- a) Proof of sound financial standing (10 Mks)
  - Certified Bank Statements/audited accounts.
- b) Competitiveness of the Bid (10Mks)

## **Award of Contract**

### **Post-qualification**

The determination will take into account the tenderer financial and technical capabilities. It will be based upon an examination of the documentary evidence of the tenderers qualifications submitted by the tenderer, as well as such other information as the Procuring entity deems necessary and appropriate.

An affirmative determination will be a prerequisite for award of the contract to the tenderer. A negative determination will result in rejection of the Tenderer's tender, in which event the Procuring entity will proceed to the next lowest evaluated tender to make a similar determination of that Tenderer's capabilities to perform satisfactorily.

### **Award Criteria**

Procuring entity will award the contract to the successful tenderer whose tender has been determined to be substantially responsive and has been determined to be the lowest evaluated tender, provided further that the tenderer is determined to be qualified to perform the contract satisfactorily.

### **Procuring entity's Right to Vary quantities**

The Procuring entity reserves the right at the time of contract award to increase or decrease the quantity of services originally specified in the Schedule of requirements without any change in unit price or other terms and conditions.

### **Notification of Award**

Prior to the expiration of the period of tender validity, the Procuring entity will notify the successful tenderer in writing that its tender has been accepted.

### **INSTRUCTIONS TO BIDDERS**

1. All entries must be typed or written in ink. Mistakes must not be erased but should be crossed out and corrections made and initialled by the persons signing the quotation.
2. Quote for each item separately, and in units as specified.
3. The form of bid **shall** be duly signed and stamped by an **authorised** representative of the bidder.
4. Form of powers of attorney shall be duly filled, signed and stamped.
5. **Each quotation should be submitted in a sealed envelope with the Tender Number and Name endorsed on the outside.**
6. **A copy of National Construction Authority (NCA).**
7. Valid current year single business permit (AGPO group exempted).
8. A valid tax compliance certificate
9. Duly filled and signed confidential business questionnaire by an individual entrusted with the powers of attorney.
10. **Bidders who fall under the AGPO category shall attach their certificates.**
11. **The bidder shall submit original and copy of tender document with each clearly labelled 'ORIGINAL' and 'COPY' respectively.**

### **CONDITIONS OF BID**

1. The General Conditions of the Contract with the Government of Kenya apply to this transaction. This form properly submitted constitutes the agreement to apply or provide the services shown at the prices and within the delivery period stated in the Local Service Order.
2. The offer shall remain firm for 30 days from the closing date unless otherwise stipulated by the COUNTY SECRETARY-KIAMBU COUNTY
3. KIAMBU COUNTY shall not be bound to accept the lowest or any other offer, and reserves the right to accept any offer in part unless the contrary is stipulated by the candidate's expenses, or may be collected by the owner.
4. Test Materials to be used on the works when required will be provided by the contractor free and before execution of works.
5. Time for completion of the contract shall be indicated in the form of tender.
6. The contract shall be signed within 30days but not earlier than 14days from the award of Tender.



## FORM OF POWER OF ATTORNEY

*(All bidders shall complete this form otherwise, their bids shall be considered as non-responsive)*

We \_\_\_\_\_ (Name of Bidder) having our  
offices located in \_\_\_\_\_ (Name of Town and Building)  
duly authorise

\_\_\_\_\_ (Name of person appointed to act  
for and on behalf of the bidder) to act for and on our behalf on all matters pertaining to the  
execution of works as stipulated under **Tender No. CGK/RTPW&U/RMLF/16/2018-2019:  
TENDER FOR CONSTRUCTION AND REHABILITATION OF NGABUBU ACCESS  
ROAD IN KIHARA WARD KIAMBAA SUB COUNTY**  
Duly signed and delivered:

Name of appointed attorney: \_\_\_\_\_

Signature of appointed attorney: \_\_\_\_\_

Witnessed by:

1. Name of First Company Director: \_\_\_\_\_

Signature: \_\_\_\_\_

2. Name of Second Company Director: \_\_\_\_\_

Signature: \_\_\_\_\_

Company Seal:

\_\_\_\_\_

**FORM OF BID**

**To:**  
Office of the County Secretary,  
Kiambu County,  
P.O. Box 2344-00900  
KIAMBU,

Dear Sir,

**RE: CONSTRUCTION AND REHABILITATION OF NGABUBU ACCESS ROAD IN KIHARA WARD KIAMBAA SUB COUNTY**

In accordance with the Instructions to bidders, Conditions of Bid, Specifications and Bills of Quantities for the execution of the above named works, we, the undersigned offer to perform the works and remedy any defects therein for the sum of:

Kshs.....*Amount in figures*

Kenya

Shillings.....

..... *[Amount in words]*

We undertake, if our tender is accepted, to commence the Works as soon as is reasonably possible after the receipt of the Employer’s Representative’s notice to commence, and to complete the whole of the Works comprised in the Contract within .....[period] days.

We agree to abide by this tender for **a period of 30 days from the date of bid opening** and shall remain binding upon us and may be accepted at any time before that date.

Unless and until a formal Agreement is prepared and executed this bid together with your written acceptance thereof, shall constitute a binding Contract between us.

We understand that you are not bound to accept the lowest or any tender you may receive.

Dated this ..... Day of .....20.....

Signature .....in the capacity of ..... duly authorized to sign tenders for and on behalf of:

..... *[Name of Bidder]*

Of..... [*Address of Bidder*]

**PIN No.** .....

**VAT CERTIFICATE No.** .....

**Witness:** Name .....

Address .....

Signature .....

**REPUBLIC OF KENYA**

**CONFIDENTIAL BUSINESS QUESTIONNAIRE**

You 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.

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. ....

Nature of Business

.....  
.....

Current Trade Licence No. ....Expiring Date

.....

Maximum value of Business which you can handle at any one time:

Kshs. ....

Name of your Bankers .....

.....

Branch.....

.....

Are you an agent of the Kenya National Trading Corporation? YES/NO

Part 2(a) - Sole Proprietor:

Your Name in full .....

Age: .....

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

\*Citizenship details .....

**Part 2(b) - Partnership:**

Give details of partners as follows:

Name	Nationality	Citizenship Details*	Shares
1. ....	.....	.....	.....
2. ....	.....	.....	.....
3. ....	.....	.....	.....

**Part 2(c) - Registered Company:**

Private or Public .....

State the nominal and issued capital of the company-

Nominal: Kshs. ....

Issued: Kshs. ....

Give details of all Directors as follows:

Name	Nationality	Citizenship Details●	Shares
1. ....	.....	.....	.....
2. ....	.....	.....	.....
3. ....	.....	.....	.....
4. ....	.....	.....	.....
5. ....	.....	.....	.....

**Part 2 (d)- Interest in the Firm:**

Is there any person / persons in KIAMBU COUNTY, who has interest in this firm?

Yes /No\*\*

Date: .....Signature of Contractor.....

- Attach proof of citizenship (Compulsory)

## CONTRACT FORM

THIS AGREEMENT made on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ between  
**COUNTY GOVERNMENT OF KIAMBU of P.O BOX 2344-00900 KIAMBU, KENYA**  
(hereinafter called “the Procuring entity) of the one part AND

\_\_\_\_ of [or whose registered office is situated at]

(Hereinafter called “the Contractor”) of the other part.

;

WHEREAS THE Employer is desirous that the Contractor executes **TENDER FOR CONSTRUCTION AND REHABILITATION OF NGABUBU ACCESS ROAD IN KIHARA WARD KIAMBAA SUB COUNTY TENDER NO: CGK/RTPW&U/RMLF/16/2018-2019** (hereinafter called “the Works”) and the Employer has accepted the tender submitted by the Contractor for the execution and completion of such Works and the remedying of any defects therein for the Contract Price of Kshs \_\_\_\_\_ [Amount in figures], Kenya Shillings \_\_\_\_\_ [Amount in words].

NOW THIS AGREEMENT WITNESSETH as follows:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be deemed to form and shall be read and construed as part of this Agreement i.e.
  - (i) Letter of Acceptance
  - (ii) Form of Tender
  - (iii) Conditions of Contract
  - (iv) Specifications
  - (v) Drawings
  - (vi) Priced Bills of Quantities
3. In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to execute and complete the Works and remedy any defects therein in conformity in all respects with the provisions of the Contract.

4. The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects therein, the Contract Price or such other sum

as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

The common Seal of \_\_\_\_\_

Was hereunto affixed in the presence of \_\_\_\_\_

Signed Sealed, and Delivered by the said \_\_\_\_\_

Binding Signature of Employer \_\_\_\_\_

Binding Signature of Contractor \_\_\_\_\_

In the presence of [i] Name \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_

[ii] Name \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_

### **PREAMBLE TO BILLS OF QUANTITIES**

1. The bills of quantities form part of the contract documents and are to be read in conjunction with contract drawings and general specifications for materials and works.
2. The prices quoted shall be deemed to include for all the obligations under the contract including but not limited to supply of materials, labour, and delivery to site storage on site, installation, testing and commissioning and all taxes (including 16% VAT)
3. All prices omitted from any item, section or part of the Bills of Quantities shall be deemed to have been included to another item, section or part thereof.
4. The brief description of the items given in the Bills of Quantities is for the purpose of establishing a standard to which the contractor shall adhere. Otherwise alternative brands of equal and approved quality will be accepted.
5. Should the contractor install any materials not specified here-in before receiving written **approval** from the Project Manager, the contractor shall remove the material in question **and** at his own cost, install the proper material.
6. The grand total of prices in the price summary page **must** be carried forward to the **Form of Tender** for the tender to be deemed valid.



<b>COUNTY GOVERNMENT OF KIAMBU</b>					
<b>PROJECT: REHABILITATION OF NGABUBU ACCESS ROAD</b>					
<b>SUB-COUNTY: KIAMBAA</b>					
<b>WARD: KIHARA</b>					
<b>PRELIMINARIES AND GENERAL</b>					
<b>ITEM</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QNTY</b>	<b>RATE</b>	<b>AMOUNT</b>
1.01	Provide and fix in mass concrete 1.2 M x 1.8M high fabricated steel publicity sign to Engineers specifications and maintain the board for 1 year.	No	1		
1.02	Allow for surveying and setting out the road alignment of boundaries on both sides of the road to the required width as directed by the Engineer	l.sum	1		
	<b>Subtotal for Preliminaries and General Items</b>				
<b>SITE CLEARANCE</b>					
4.01	Clear site off bushes, hedges, remove stumps on road reserve to enhance road widening using the necessary equipment e.g a backhoe or an excavator and burn the arising matter	M <sup>2</sup>	7500		
4.03	Heavy Grade to fall and crossfall including camber formation to a slope of 2.5% and formation of a well defined side drain	M <sup>2</sup>	18000		
	<b>Sub total Site clearance</b>				
8.01	Excavate in soft, trenches along and across the carriageway in preparation for laying the culverts, toes and the wingwalls. The invert levels will be provided by the surveyor to ensure free flow of the storm water	M <sup>3</sup>	12		
8.02	Provide class 15/20 concrete at a minimum thickness of 100mm for the bed in readiness for laying the culverts	M <sup>3</sup>	3		

8.03	Supply, lay and joint approved culverts of diameter 600mm to be installed at designated sections guided by the Engineer.	M	12		
8.04	Provide, place and vibrate class 20/25 concrete surround to the culverts.	M <sup>3</sup>	8		
	<b>Sub Total for Drainage works</b>				
<b>SURFACE MATERIAL</b>					
12.01	Supply, spread, water and compact the approved Lateritic gravel to a minimum thickness of 100mm to 95% MDD (AASHTO T18).	M <sup>3</sup>	1700		
	<b>Subtotal for Surfacing Materials</b>				
	<b>SUMMARY OF TOTAL BILL OF QUANTITIES</b>				
	<b>Description</b>				
1	Preliminaries.....				
4	Site clearance and top soil stripping.....				
8	Drainage works				
12	Surfacing material				
	<b>TOTAL</b>				
	<b>ADD VAT(@16%)</b>				
	<b>TOTAL TENDER SUM</b>				
	Signature of bidder.....				
	Rubber stamp.....				