

REPUBLIC OF KENYA



THE COUNTY GOVERNMENT OF NAKURU

TENDER NO. NCG/PRE/20/2017/2018-2018/2019

PRE-QUALIFICATION FOR PROVISION OF LEGAL SERVICE

M/S.....

THE COUNTY SECRETARY & HEAD OF PUBLIC SERVICE. P.O. BOX 2870 NAKURU JUNE, 2016	DIRECTOR SUPPLY CHAIN MANAGEMENT GOVERNOR'S OFFICE NAKURU COUNTY GROUND FLOOR
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PRE-QUALIFICATION INSTRUCTIONS:

01. INTRODUCTION

The Nakuru County (NC) would like to invite interested candidates who must qualify by meeting the set criteria as provided by the procuring of goods and services to the government.

02. PRE-QUALIFICATION OBJECTIVE

The main objectives is to supply and deliver assorted items and also provide services under relevant tenders/quotations to the Nakuru County (NC), as and when required for a period of one year.

03. INVITATION OF PREQUALIFICATION

Suppliers registered with registrar of companies under the laws of Kenya in respect to merchandise or services are invited to submit their **PRE- QUALIFICATION DOCUMENTS** to the **COUNTY SECRETARY OF NAKURU COUNTY** So that they may be pre- qualified for submission of tenders/quotations. Bids will be submitted in complete lots, singly or in combination. The prospective suppliers are required to supply mandatory information for pre-qualification.

04. EXPERIENCE

Prospective Service Provider must have carried out successful supply and delivery of similar items/services to government institutions of similar size and complexity. Potential Service Provider must demonstrate the willingness and commitment to meet the pre-qualification criteria.

Mandatory documents:

Bidders are required to **submit copies** of the following:-

- (a) Practicing Certificate/Registration Certificate from Law Society of Kenya.
- (b) PIN /VAT Certificate of the firm bidding,
- (c) Certificate of incorporation/Business Registration Certificate of the firm bidding,
- (d) TAX Compliance Certificate.
- (e) Provide Professional Indemnity Cover

Any bidder who does not submit the above mandatory documents shall be considered non-responsive and will not proceed to the next level of evaluation.

- (f) Audited annual Turnover of over 2 million for a period of 2 years.(i.e. 2014-2015 and 2015-2016)
- (g) Certified bank statement for at least two year. .(i.e2014-2015 and 2015-2016)

EVALUATION CRITERIA FOR PROVISION OF LEGAL SERVICE

1	Supervisory Personnel	
	• Form 5 & 5A	5
	• Organization chart	10
	• Company Profile/CV	10
	Total Score	25marks
2.	Past Experience	
	• Recommendation Letters(at least 3)	12
	• LPOs/LSOs(at least 3)	12
	• Other testimonials	6
	Total Score	30marks
3.	Sworn statement	10
4	Litigation History	5
5	Filled Confidential Business Questionnaire	10
	Total score	25 marks
	• Audited accounts for at least 2 years(2014-2015)	8
	• Certified Bank Statement for 2years (2014-2015)	6
	• Form 7	6
	Total Score	20 marks
	NET SCORE	100

NOTE Tenderers are informed that minimum score for pre-qualification is 60 marks.

-The County will authenticate the validity of documents provided.

05. PRE-QUALIFICATION DOCUMENT

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

In order to be considered for pre-qualification, prospective **Service Provider** must provide all the information herein requested.

06. QUESTIONS ARISING FROM DOCUMENTS

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

**COUNTY SECRETARY
NAKURU COUNTY
PO BOX 2870 - 20100
NAKURU.**

07. ADDITIONAL INFORMATION

The **NAKURU COUNTY** reserves the right to request submission of additional information from prospective bidders.

Request for quotations will be made available only to those bidders whose Pre-qualifications are accepted by Nakuru County after scoring **60%** and above points after the pre- qualification process.

B.BRIEF CONTRACT REGULATIONS/GUIDELINES

08. TAXES ON IMPORTED MATERIALS

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

09. CUSTOM CLEARANCE

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

10. 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 on the authority of the client's accounting officer or tender committee. Prices quoted should be inclusive of all delivery charges.

All local purchase orders shall be on credit.

PRE-QUALIFICATION DATA INSTRUCTIONS.

11. PRE-QUALIFICATION DATA FORMS.

The attached questionnaire forms 1, 2, 2A, 3, 3A, 4, 5, 5A, 6, 7, 8 and 9 are to be pre-qualified for submission of tender for specific tender.

12. The pre-qualified 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 and in Ink.

QUALIFICATION

13. It is understood and agreed that the prequalification data on prospective bidders is to be used by the Nakuru County in determining according to its sole judgment and discretion, the qualification of prospective bidders to perform in respect to the tender category as described by the client.

14. Prospective bidders will not be considered qualified unless in the judgment of The Nakuru County that 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, works /services.

ESSENTIAL POINTS

(a) Prospective bidders shall have **at least 2 years' experience** in supply of goods, services and allied items and in which case the potential supplier/contractor should show competence, willingness and capability to service the contract.

(b) Prospective supplier requires special experience and capability to organize the supply and delivery of items, or services at short notice.

REGISTRATION OF SUPPLIERS APPLICATION FORM

I/We.....hereby apply for registration

As Contractors/ supplier(s) of

Item description.....

Category

Post office address.....

Town.....

Name and building.....

Room/office.....floor no.....

Telephone No s.....

Full name of applicant.....

Other branches location.....

BUSINESS & ORGANIZATION INFORMATION

MANAGEMENT PERSONNEL.....

PRESIDENT (CHIEF Executive).....

Treasurer.....

Other.....

PARTNERSHIP (IF APPLICABLE)

Names of partners.....

Business founded or incorporated.....

Under present management since.....

Net worth equivalent Kshs.....

Bank reference and address.....

.....

Bonding company reference and address.....

.....

Enclose copy of organization chart of the firm indicating the main fields of activities.

State any technological innovations or specific attributes which distinguish you from your competitors.....

.....

Indicate terms of Trade/sale.....

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 partner 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 candidates. 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 candidates qualified to meet the specified requirements stated for each position. The data on their experience shall be supplied on Form 5A
- Application Form 5A - Candidate 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 candidates. 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 candidates. 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
- Application Form 9 - Questionnaire

This form is to be completed by all applicant

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.		

APPLICATION 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.		

APPLICATION 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			

APPLICATION FORM (3)

PARTICULAR EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

APPLICATION FORM (3A)

DETAILS OF CONTRACTS OF SIMILAR NATURE AND COMPLEXITY

Name of Applicant or partner of a joint venture

Use a separate sheet for each contract.

1.	Number of contract	
	Name of Contract	
	Country	
2.	Name of employer	
3.	Employer address	
4.	Nature of works and special features relevant to the contract for which the Applicant wishes to prequalify	
5.	Contract role (check one) * Sole contract * Management contract * Subcontract * Partner in a joint venture	
6.	Value of the total contract/subcontract/partner share (in specified currencies at completion, or at date of award for current contract)	
7.	Date of award	
8.	Date of completion	
9.	Contract/subcontract duration (years and months)	

	- years	- months
10	Specified requirements	

APPLICATION 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

APPLICATION 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

APPLICATION 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

Owner	8. Name	
	9. Address of owner	
	Telephone	Contact name and title
	Fax	Email
Agreements	Details or rental/lease/manufacture agreements specific to the project	

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APPLICATION FORM (7)

FINANCIAL CAPABILITY

Name of Applicant or partner of a joint venture

Banker	Name of banker		
	Address of banker		
		Contact name and
	Telephone title		
	Fax	E mail	

Financial information in Kshs.	Actual: Projected:			
	previous five years		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				

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

APPLICATION FORM (8)

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 type of business.

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

Part- General:

- Business name.....
- Location of business
- Premises.....
- Plot No.....Street/Road.....
- Postal addressTel No.....
- Nature of business
- Current trade license No.....Expiring date.....
- Maximum value of business which you can handle at any one time KShs.....
- Name of bankers.....Branch.....

Part 2(a) – Sole proprietor

- Your name in full.....Age.....
- NationalityCountry of origin.....
- Citizenship details.....

Part 2(b)- Partnership

Give details of partners as follows:

<i>Name</i>	<i>Nationality</i>	<i>Citizenship details</i>	<i>share</i>
1...../...../...../.....			
2...../...../...../.....			
3...../...../...../.....			
4...../...../...../.....			

Part 2© - Registered Company

- Private / Public.....
- State the nominal and issued capital of the company-
- Nominal KShs.....
- Issued KShs.....
- Give details of all directors as follows:

<i>Name</i>	<i>Nationality</i>	<i>Citizenship details</i>	<i>Shares</i>
1...../...../...../.....			
2...../...../...../.....			
3...../...../...../.....			

4...../...../...../.....

Date.....Signature of applicant.....

- If Kenyan Citizen, indicate under “Citizenship Details” whether by birth,
- Naturalisation or Registration.
- GPK (L)

SWORN STATEMENT.

Having studied the pre-qualification information for the above project, we/I hereby state:

(a)That information furnished in our application is accurate to the best of our /my knowledge.

(b) 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.

(c)We enclose all the required documents and information required for the pre-qualification evaluation.

Date.....

Applicant’s Name.....

Represented by.....

Signature.....

Official Stamp or seal.....

(Full name and designation of the person signing and stamp or seal)