



**KIAMBERE-MWINGI WATER & SANITATION COMPANY**

**KIMWASCO**

*Water is Life*

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**THE KIAMBERE-MWINGI WATER & SANITATION COMPANY LTD**

**TENDER No:** KIMWASCO/07/2019 - 2021

**TENDER NAME:** PREQUALIFICATION & REGISTRATION OF SUPPLIERS OF GOODS, WORKS & SERVICES

**CATEGORY No:** KIMWASCO/C1/2019 – 2021

**DESCRIPTION:** IMPLEMENTATION OF SMALL WATER, BUILDING & CIVIL WORKS

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**SECTION I - INVITATION FOR PREQUALIFICATION (IFPQ)**

Tender No. **KIMWASCO/07/2019 – 2021**

Tender Name: **Prequalification of suppliers of goods, works & services**

1. The **Kiambere-Mwingi Water & Sanitation Company Ltd (KIMWASCO)** hereinafter referred as “**Procuring entity**” intends to prequalify candidates for the following:

**Small water, buildings and civil works**

2. Prequalification is open to businesses in Kenya dealing with **small water, building & civil works** as well as after contract services.
3. Interested, eligible & capable candidates can obtain the soft copies of the prequalification documents free of charge from the company’s website ([www.kimwasco.co.ke](http://www.kimwasco.co.ke)) or hard copies upon payment of non-refundable fee of Ksh. 1000(one thousand shillings only) per each set of documents.
4. The minimum requirements for qualification are set out in the evaluation criteria (Section V).
5. Applications for prequalification must be submitted enclosed in plain sealed envelopes marked with the **Tender Number, Tender Name & Category Number** and deposited in the tender box at the Kiambere-Mwingi Water & Sanitation Company, Mwingi town offices, Kenya News Agency building, opposite KCB – Mwing Branch or to be addressed to;

**The Managing Director**  
**Kiambere-Mwingi Water & Sanitation Co.**  
**PO Box 656 – 90400**  
**Mwingi**

so as to be received on or before 22nd May 2020 at 12.00 Noon.

6. All suppliers 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 suppliers prequalified under this prequalification process will be invited to tender.

## **SECTION II - INSTRUCTIONS TO CANDIDATES**

### **2.1 Scope of Tender**

2.1.1 KIMWASCO hereinafter referred to as the procuring entity intends to prequalify contractors for **small water, building & civil works.**

2.1.2 Prequalification is open to eligible & capable businesses.

### **2.2 Submission of Application**

2.2.1 Applications for prequalification shall be submitted in sealed envelopes marked with the **Tender Number, Tender Name & Tender Category** and deposited in the tender box at the KIMWASCO's **offices at Kenya News Agency Building, Mwingi town opposite KCB – Mwingi Branch** or be addressed to;

**The Managing Director  
Kiambere-Mwingi Water & Sanitation Company Ltd.  
PO Box 656 – 90400  
Mwingi**

2.2.2 so as to be received on or before 22nd May 2020 at 12.00 Noon.

2.2.3 The name and mailing address of the applicant should be marked on the other side of the envelope.

2.2.4 All the information requested for pre-qualification shall be provided in English language. Where information is provided in any other language, it shall be accompanied by a translation of its pertinent parts into English language. The translation will be used for interpreting the information.

2.2.5 Failure to provide information that is essential for effective evaluation of the applicant's qualifications or to provide timely clarification or substantiation of the information supplied may result in the applicant's disqualification.

### **2.3 Eligible Candidates**

2.3.1 This invitation for pre-qualification is open to all candidates who are eligible and capable as defined in Kenya's Public Procurement Public Procurement & Asset Disposal Act 2015.

2.3.1 The procuring entity's employees, committee members, board members and their relatives (spouse and children) are not eligible to participate in the tender unless where specifically allowed under the Act.

2.3.2 All firms found capable of performing the contract satisfactorily in accordance to the set prequalification criteria shall be prequalified.

## 2.4 Qualification Criteria

2.4.1 Pre-qualification will be based on meeting the minimum requirements in the evaluation criteria (Section V). The declaration will be either pass or fail under the mandatory stage of evaluation. 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 subcontractors 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:

2.4.3.1 average annual turnover as contractor for **small water, building & civil works** over the **last 5 years of Ksh. 6,000,000.00**, and

2.4.3.2 Successful experience as main contractor for **small water, building & civil works** to **at least five clients within the last 5 years**.

2.4.4 Personnel capabilities: The applicant must have **at least 3 key personnel suitably qualified to fulfill** the requirements of the contract.

2.4.5 Facility capabilities: The applicant should **own, or have assured access (through hire, lease and purchase agreement), of relevant facilities and assurance they will be available** for use in the proposed contract.

2.4.6 Financial position: The applicant shall demonstrate **access to, or has available, liquid assets, unencumbered real assets, lines of credit and other financial means** sufficient to meet the cash flow requirements of the works for the implementation period.

2.4.7 The audited Accounts for the last 3 years will be submitted and must demonstrate the soundness of the applicant's financial position, showing long-term profitability.

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.

## **2.5 Joint Venture**

### **2.5.1 Joint ventures must comply with the following:-**

2.5.1.1 The following are the minimum qualification requirements:

(i) The lead partner shall meet not less than 50% of all the qualifying criteria in paragraph's 2.4.3 and 2.4.6 above.

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

(iii) The joint venture must satisfy collectively the criteria of section 4, for which proposed relevant figures for each of the partners shall be added together to arrive at the joint ventures total capacity.

2.5.1.2 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 in 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 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 prequalification 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 prequalification and bidding documents for KIMWASCO's projects, or with an entity that was proposed as engineer for KIMWASCO's contracts. 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 candidates 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.

## **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 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 category of goods:

Category number	Item description

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 Your Agency 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.
  - 3.1 Your Agency and its authorized representatives may contact the following persons for further information.

General and managerial inquiries	
Contact 1	Telephone No. Email address:
Contact 2	Telephone No. Email address:

Personnel inquiries	
Contact 1	Telephone No. Email address:
Contact 2	Telephone No. Email address:

Technical inquiries	
Contact 1	Telephone No. Email address:
Contact 2	Telephone No. Email address:

Financial inquiries	
Contact 1	Telephone No. Email address:
Contact 2	Telephone No. Email address:

3.2 This application is made with the full understanding that:

3.2.1 bids by prequalified applicants will be subject to verification of all information submitted for prequalification at the time of bidding.

3.2.2 Your Agency reserves the right to:

3.2.2.1 amend the scope and value of any contract bid under this contract; in such event, bids will only be called from prequalified bidders who meet the revised requirements; and

3.2.2.2 reject or accept any application, cancel the prequalification process, and reject all applications

3.3 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 each contract, and the responsibilities for execution of each contract.

3.4 We confirm that if we bid, that bid, as well as any resulting contract, will be:

- 3.4.1 signed so as to legally bind all partners, jointly and severally; and
- 3.4.2 submitted with a joint venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.

3.5 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)

*Add more partners where applicable*

## **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 - 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 3 - 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 4 - 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 three personnel qualified to meet the requirements of the contract being applied for
- Application Form 5 - Facilities 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 the contract being applied for. A separate form shall be prepared for each item of facility.
- Application Form 6 - Financial Capability  
This form shall be completed by all applicants. It should contain 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 bank information. Copies of the audited financial statements if available should be attached. The information should include the summary of actual assets

and liabilities for the last three years.

Application Form 7 -

**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 (1)

### GENERAL INFORMATION

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact(person)
4.	E-mail	Website
5.	Place of incorporation/registration	Year of incorporation/registration

Nationality of owners		
	Name	Nationality
1.		
2.		
3.		

*Add more owners where applicable*

## APPLICATION FORM (2)

### DETAILS OF CONTRACTS OF SIMILAR NATURE AND COMPLEXITY

Name of Applicant or partner of a joint venture
---

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	

***NB: Fill separate sheet for each major contract.***

**APPLICATION FORM (3)**

**SUMMARY SHEET: CURRENT CONTRACT  
COMMITMENTS/WORK INPROGRES**

Name of Applicant:
--------------------

Name of contract	Value of outstanding work Kshs.	Estimated completion date
1.		
2.		
3.		



**APPLICATION FORM (4)**

**PERSONNEL CAPABILITIES**

Name of Applicant
-------------------

1.	Title of position: Name of occupant: Main qualifications: Relevant experience:
2.	Title of position: Name of occupant: Main qualifications: Relevant experience:
3.	Title of position: Name of occupant: Main qualifications: Relevant experience:

***NB: Attach copies of relevant certificates & CVs***

**APPLICATION FORM (5)**

**FACILITIES CAPABILITIES**

Name of Applicant
-------------------

<b>Item of facility</b>		
Facility information (eg, office premises, workshop, godown, machinery, vehicle, etc)	1. Plot No  3. Title No.	2. Size  4. Year acquired
Current status	5. Location  6. Details of current use  .....	
Source	7. Indicate source of the facility  * 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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***NB: Fill separate form for each facility***

**APPLICATION FORM (6)**

**FINANCIAL CAPABILITY**

Name of Applicant or partner of a joint venture
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Banker	Name of banker
	Address of banker
	Telephone <span style="float: right;">Contact name and title</span>
	E mail

Financial information in (Ksh)	Year 1	Year 2	Year 3
1. Total assets			
2. Current Assets			
3. Total Liabilities			
4. Current Liabilities			

5. Profits before Taxes			
6. Profits after taxes			

***Attach copies of audited financial statements***

Source of finances	Amount Kshs.
1.	
2.	

3.	
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**APPLICATION FORM (7)**

**LITIGATION HISTORY**

Name of Applicant or partner of a joint venture
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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. A separate sheet should be used for each partner of a joint venture.

Year	Award FOR or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value Kshs.)

# B1. ELIGIBILITY DECLARATION FORM

Date-----

To-----[Name & address of employer]

-----  
-----

M/s-----

-----[Name & address of the tenderer].

declare the following:

- a) Has not been debarred from participating in public procurement.
- b) Has not been involved and will not be involved in corrupt and fraudulent practices regarding public procurement.

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(To be signed by authorized representative and stamped)

**B2. ANTI-CORRUPTION DECLARATION COMITMENT/ PLEDGE**

I/We/Messrs.....

P O Box.....

.....

Contact/Phone/E mail.....

declare that Public Procurement is based on a free and fair competitive Tendering process which should not be open to abuse.

I/We .....

declare that I/We will not offer or facilitate, directly or indirectly, any inducement or reward to any public officer, their relations or business associates, in connection with

Tender No .....Tender Name-----  
-----

for or in the subsequent performance of the contract if I/We am/are successful.

Authorized  
Signature & stamp.....

Name and Title of Signatory.....

**SECTION V: EVALUATION CRITERIA**

**1. Mandatory Requirements (MR)**

Evaluation of prequalification documents:

The following evaluation criteria shall be applied not withstanding any other requirement in the prequalification documents.

**LEGEND:** Indicate with **Y/N** (Yes/No) if MR was or was not submitted to full satisfaction of Evaluation Committee.

Indicate **P/F** (Pass or Fail) in last row if the tender submission is responsive or not.

MR- No.	REQUIREMENT	SPECIFIC REQUIREMENTS	TENDERER NUMBER				
			B1	B2	B3	B4	
<b>1</b>	Submit copy of registration certificate	Valid copy of registration certificate	<b>Y/N</b>				
<b>2</b>	Submit copy of PIN Certificate	Valid copy of PIN certificate	<b>Y/N</b>				
<b>3</b>	Submit copy of Tax Compliant certificate	Valid copy of tax compliant certificate	<b>Y/N</b>				
<b>4</b>	Submit operating certificate from National Construction Authority (NCA)	Valid operating certificate	<b>Y/N</b>				
<b>5</b>	Submit copy of business permit issued by respective County government	Valid copy of business permit	<b>Y/N</b>				
<b>6</b>	Fill forms (1) to (7) fully and accurately where applicable	Forms (1) to (7) fully & accurately filled	<b>Y/N</b>				
<b>7</b>	Eligibility declaration form B1	Dully filled and signed form B1	<b>Y/N</b>				
<b>8</b>	Anti-corruption declaration /Commitment form B2	Duly filled form B2	<b>Y/N</b>				
<b>TENDERER'S SUBMISSION STATUS (indicate P or F)</b>							

**NB:** A candidate **not** meeting all the mandatory requirements will be disqualified at this stage.



## 2. Technical Evaluation Scores

The Technical Evaluation will be marked out of 100 and will determine the technical score (TS)

TS No	EVALUATION ATTRIBUTE	WEIGHING	MAX SCORE	B1	B2	B3	B4
1	Physical address: provide details of physical address and contacts (Attach evidence, eg. Proof of ownership, Rent/lease agreement with reference to Form 1)	Proof of existence of physical address and contacts.	10				
2	Number of years in business of supplying the required goods, works or services	❖ 5 years and above= 10 marks ❖ Others prorated at: (No. of yrs x10)/5	10				
3	Number of references to which candidate has supplied similar goods, works or services (Attach evidence, eg. LPO /LSO with reference to Form 2)	❖ 5 or more references of relevant major clients=10 marks ❖ Others prorated at: (No. of refs x 10)/5	10				
4	Staff strength: Submit certified copies of CVs & relevant qualification certificates of key personnel [Form 4]	❖ Three key staff or more with relevant qualification & experience = 10 marks ❖ Others prorated at (No of staff x 10/3	10				
5	Physical facilities relevant for the supply of required goods, works or services, eg, workshop, vehicles, machinery, etc. [Form 5]	Proof of ownership or lease arrangement for use of at least 5 different types of key facilities = 10 marks  others Prorated at No. of facilities x10)/5	10				
6	Financial Strength of the company. 3-year average Current Ratio = Current Assets/Current liabilities [Form 6]	❖ 2:1 ratio or more = 10mks ❖ Others prorated at: (the ratio x10)/2	10				

7	Average annual turnover for the last 5 years	Average annual turnover of Ksh. 6000,000 or more = 10mks Others prorated at the ratio of turnover x10/6000,000	10				
8	Credit period of at least 30 days	Credit period of 30 days or more = 10 mks Others prorated at credit period x 10/30	10				
9	Average delivery timeline after receipt of LPO/LSO	Delivery timeline of 90 days or less = 10 mks Others prorated at No. of days x 10/90	10				

**NB:** Candidates not required to submit price schedule at the prequalification stage will be evaluated only up to the technical stage and the pass mark is 70%. The candidates required to submit price schedule will be evaluated up to financial stage but will have to attain 70% and above at the technical stage in order to proceed to the financial stage.

### 3. Financial Evaluation Scores

The formulae for determining the Financial Score (FS) shall be as follows: -  $FS = (LP/QP) \times 100$  where FS is the financial score; LP is the lowest quoted price; QP is the quoted price under consideration. Tenders will be ranked according to their combined technical (TS) and financial (FS) scores using the weights (TW=the weight given to the Technical score: FW = the weight given to the Financial score. The combined technical and financial score, S, is calculated as follows: -  $S = TS \times TW + FS \times FW$ .

**Note:** TW + FW = 1, TW = 0.6, FW = 0.4

The firm achieving the highest combined technical and financial score will be awarded the contract.

The Evaluation Committee will check the arithmetic errors and confirm the changed prices before determining the financial score.

Bidder No.	Quoted price	Financial score = (lowest quoted price/quoted price under consideration)x100