



— MERU COUNTY —  
**INVESTMENT &  
DEVELOPMENT**  
CORPORATION

**MERU COUNTY INVESTMENT & DEVELOPMENT  
CORPORATION**

**PRE-QUALIFICATION OF BUILDING  
CONTRACTORS FOR THE PROPOSED  
REFURBISHMENT OF MERU COUNTY HOTEL**

**Meru County Investment & Development Corporation**  
P.O. Box 3194-60200  
Meru, Kenya  
Telephone no: 020 2500250  
Email: [info@investmeru.co.ke](mailto:info@investmeru.co.ke)

**TENDER NO: MCIDC/PREQ/062/2015-2016**

**April, 2016**

**CLOSING DATE: 12<sup>th</sup> May 2016 on or before 12:00 PM.**

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**SECTION 1 – LETTER OF INVITATION**  
**TENDER NO. MCIDC/PREQ/062/2015-2016**  
**PRE-QUALIFICATION OF MAIN CONTRACTORS**

Dear Sir/ Madam,

**RE: PRE-QUALIFICATION OF BUILDING CONTRACTORS FOR THE REFURBISHMENT OF MERU COUNTY HOTEL.**

The Meru County Investment & Development Corporation (MCIDC) intends to pre-qualify Building Contractors for the refurbishment of their Hotel located at Meru County.

The Contractors should be registered with National Construction Authority (NCA) Category “3” and above. A complete set of Pre-qualification documents may be obtained by interested contractors from the offices of **Meru County Investment & Development Corporation (MCIDC)**, (using rear gate), Meru General Hospital Road, Meru, or downloaded for free from the **Meru County Government website [www.meru.go.ke](http://www.meru.go.ke)** or from our website **[www.investmeru.co.ke](http://www.investmeru.co.ke)** .

Applications for pre-qualification must be submitted in plain sealed envelopes clearly marked as follows: **TENDER NO: MCIDC/PREQ/062/2015-2016 “PRE-QUALIFICATION OF BUILDING CONTRACTORS FOR THE REFURBISHMENT OF MERU COUNTY HOTEL”** and should be addressed to:

**The Managing Director,  
Meru County Investment & Development Corporation (MCIDC)  
P.O. Box 3194-60200  
MERU**

Or deposited in the tender box at the ground floor reception area, Meru County Investment & Development Corporation Offices, Meru County Hotel Building (rear gate) Meru General Hospital road, So as to reach him **on or before 12<sup>th</sup> May 2016, 12:00 PM.**

The documents shall be opened thereafter in the Boardroom at **Meru County Investment & Development Corporation (MCIDC)**, in the presence of the Bidders or their Representatives who choose to attend.

**Yours Sincerely,**

**The Managing Director,**

**Meru County Investment & Development Corporation (MCIDC)**

## **SECTION 2- INFORMATION TO TENDERERS**

### **1.0 INTRODUCTION**

- 1.1 Meru County Investment & Development Corporation of P.O. Box 3194-60200 Meru, invites Contractors for prequalification to bid as the Main Contractor for the Construction and refurbishment of the Proposed Meru County Hotel.
- 1.2 Meru County Investment & Development Corporation will pre-qualify and enlist prospective Contractors from among those who will have submitted their tenders, in accordance with the tender requirements to undertake the assignments described herein.
- 1.3 Bidders who are registered as Building Contractors with National Construction Authority (NCA) in Category “3” and above are invited to submit a pre-qualification tender.
- 1.4 The Pre-qualification Tender document and the Tenderers response thereof shall be the basis for pre-qualification. Tenderers must familiarize themselves with the requirements described in this document including all attachments and take them into account while preparing the response.
- 1.5 Meru County Investment & Development Corporation does not bind itself to assign Contractors but shall endeavor to ensure that all tenderers will be treated equitably.
- 1.6 Applicants will be informed in writing of the results of the application, without assigning any reason for The Meru County Investment & Development Corporation decision thereof.
- 1.7 Tenderers will meet all costs associated with preparation and submission of their applications.
- 1.8 It is The Meru County Investment & Development Corporation policy to require that Tenderers observe the highest standard of ethics during the selection and execution of such contracts. In Pursuance of this policy, The Meru County Investment & Development Corporation.
  - a) defines, for the purpose of this provision, the terms set forth below as follows:
    - (i) "Corrupt practice" means the offering, giving, receiving or soliciting of anything of value to influence the action of an officer of the Purchaser/Employer in the pre-qualification process; and
    - (ii) “Fraudulent practice” means a misrepresentation of facts in order to influence the pre-qualification process to the detriment of the Purchaser/Employer, and includes collusive practices among Tenderers (prior to or after submission of Tenders) designed to establish prices at artificial, non-competitive levels and to deprive the Purchaser of the benefits of free and open competition.
  - (b) Will reject a Tender for pre-qualification if it determines that a Tenderer has engaged in corrupt or fraudulent activities in competing for the contract in question;

- (c) Will declare a Tender ineligible, for pre-qualification if at any time it determines that Tenderer has engaged in corrupt or fraudulent practices in competing for, or in executing, a similar contract; and
- (d) Will have the right to make enquiries, cross-check or examine financial or any other records relating to the performance of such services to determine capability.
- (e) Will have the right to inspect the business premises or any other site or workshops of the tenderer.

1.8 Tenderers shall furnish information as described in the pre-qualification tender document.

1.9 Tenderers shall be aware of the provisions on fraud and corruption stated in the any statutory regulation.

## **2.0 DOCUMENTS COMPRISING THE REQUEST FOR PRE-QUALIFICATION**

2.1 Tenderers may request a clarification on the Tender Pre-qualification document up to **Seven (7)** days before the Tender submission date. Any request for clarification must be sent in writing by mail or electronic mail to the Employer's address. The Employer will respond in writing by normal postal mail, facsimile, or electronic mail to such requests and will send copies of the response to all Tenderers who intend to submit tenders. The documents comprising this request for prequalification are as listed in the Table of content.

## **3.0 PREPARATION OF TENDER DOCUMENTS**

3.1 Tenderers are requested to submit a Tender written in English language.

3.2 Tenderers are expected to examine the documents comprising this Request for pre-qualification in detail. Material deficiencies in providing the information requested may result in rejection of a Tender.

3.3 Tenderers are required to meet the qualification criteria stipulated in section 5.0 Those who do not meet the requirements need not submit tenders. Only tenders, which fulfill these requirements, will be considered for detailed evaluation.

3.4 The pre-qualification documents shall include all financial information as required in this prequalification.

## **3.5 PRE-QUALIFICATION CRITERIA**

3.5.1 Pre-qualification will be based on the applicants meeting the following minimum pass-fail criteria regarding their general and particular experience, financial position, personnel, equipment capabilities and other relevant information as demonstrated by the Applicant's response in the Information Forms included in this document.

The Applicant shall provide evidence that

- (a) They have been actively engaged in the subject business for at least the last 3 years immediately prior to the date of submission of applications, in the role of Main Contractor;

- (b) They have average annual turnover during the above period that is equal to or greater than the amount stated in this document under the relevant section.
- 3.5.2 The average annual turnover is defined as the total of certified payment certificates for works in progress or completed by the firm or firms comprising the Applicant, divided by the number of years stated in the document.
- 3.5.3 The applicant shall provide evidence that it has successfully completed or substantially completed at least the number of contracts stated in the document of a nature, complexity and requiring technology similar to the proposed contract within the period stated in the document.
- 3.5.4 The Applicant shall demonstrate that they have access to or have available liquid assets, unencumbered real assets, lines of credit and other financial means (independent of any contractual advance payment) sufficient to meet the cash flow requirements for the subject contract(s) of the minimum estimated amount stated in the document, net of the Applicant's commitments under other contracts.
- 3.5.5 In the relevant Information Form, the Applicant shall also demonstrate to the satisfaction of the Employer and consultants, that it has adequate sources of finance to meet the cash flow requirements of their other current projects in progress and for future contract commitments.
- 3.5.6 The audited balance sheets or other financial statements acceptable to the Client, for the last 5 years shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability. If deemed necessary, the Client shall have the authority to make inquiries with the Applicant's bankers.
- 3.5.7 The Applicant shall supply general information on the management structure of the firm and shall make provisions for suitably qualified personnel to fill the key positions listed in the document, as required during contract implementation. The Applicant shall supply information on a prime candidate and on an alternate for each key position both of whom shall meet the experience requirement specified.
- 3.5.8 The Applicant shall own or have assured access (through hire, lease, purchase agreement, other commercial means, or approved subcontracting) to key items of equipment, in full working order as listed in the document and must demonstrate that, based on known commitments, they will be available for timely use in the proposed contract. The Applicant may also list alternative types of equipment that it would propose for use on the contract, together with an explanation of the proposal.
- 3.5.9 The applicant shall provide accurate information on the indicated Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant may result in failure of the application.
- 3.5.10 The joint venture must satisfy collectively the criteria as required from single applicants.

For this purpose the following data of each member of the joint venture may be added together to meet the collective qualifying criteria.

- (a) Average annual turnover
- (b) Similar experience
- (c) Cash flow
- (d) Personnel capabilities and
- (e) Equipment capabilities

Each partner must satisfy the following criteria individually

- (i) General experience for the period of years stated
- (ii) Adequate resources to meet financial commitments on other contracts
- (iii) Financial soundness and
- (iv) Litigation history

3.5.11 One of the Directors, who is responsible for performing a key function in contract management or in executing a major component of the proposed contract, shall be nominated as being in charge during the pre-qualification and tendering periods and in the event of a successful tender, during contract execution. The Director in charge shall be authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture, the authorization shall be evidenced by submitting a power of attorney signed by legally authorized signatories of all the partners.

3.5.12 All Directors of the consortium shall be legally liable, jointly and severally, during the tendering process and for the execution of the contract in accordance with contract terms and, and a statement to this effect shall be included in the authorization mentioned under sub-clause above.

3.5.13 A copy of the consortium Agreement entered into by the partnership shall be submitted with the Application. Alternatively, a letter of Intent to execute a consortium in the event of a successful tender shall be signed by all partners / Directors and submitted with the Application together with a copy of the proposed Agreement. The consortium shall include among other things: the consortium objectives, the proposed management structure, the contribution of each partner to the consortium operations, the commitment of the partners to the consortium and several liability for due performance.

### **3.6 Period of Validity**

The request for pre-qualification must remain valid for not less than **120 days** from the date of submission.

The Meru County Investment & Development Corporation will make the best effort to complete the evaluation and communicate within this period.

### **4.0 SUBMISSION, RECEIPT, AND OPENING OF TENDERS**

The original Tender Document shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the Tenderer. Any such corrections must be initialed by the person or persons who sign(s) the Tender Document.

4.1 An authorized representative of the Tenderer should initial all pages of the tender document.

The Tender should be prepared and submitted in **one original** and **One (1) copy** in a plain sealed envelope clearly marked: **TENDER NO: MCIDC/PREQ/062/2015-2016 “PRE-QUALIFICATION OF BUILDING CONTRACTORS FOR THE MERU COUNTY HOTEL ”** and delivered to Or deposited in the tender box at the ground floor reception area, Meru County Investment & Development Corporation Offices, Meru County Hotel Building, (rear gate) Meru General Hospital road, and addressed to:

**The Managing Director,  
Meru County Investment & Development Corporation (MCIDC)  
P.O. Box 3194- (60-200)  
MERU**

#### **4.2 Deadline for Submission**

The closing time for the Tender shall be **12<sup>th</sup> May 2016 at 12.00 Noon**. And shall be sent to the above address. Tenders shall be marked on top **“DO NOT OPEN BEFORE 12<sup>th</sup> May 2016 AT 12.00 P.M.”**

#### **4.3 Late Tender**

Any Tender received after the deadline pursuant to clause 4.4 shall be rejected as a late tender and shall not be considered.

#### **4.4 Tender Opening And Evaluation**

4.4.1 A committee of officials shall open the Tender immediately after the closing time for submission of the Tender.

4.4.2 The Committee will prepare a record of the Tender opening.

### **5.0 TENDER EVALUATION CRITERIA**

#### **a) PRELIMINARY EVALUATION**

##### **Mandatory Requirements for Pre-Qualification**

Mandatory requirements will determine the satisfactory responsiveness of a Tenderer, failure to meet any of these set requirements as noted hereunder will render a tender non responsive and will automatically be disqualified.

The following documents are mandatory:

- (i) A copy of Certificate of Registration/Incorporation.
- (ii) Valid Tax compliance certificate from KRA.
- (iii) Valid Pin Certificate
- (iv) Valid VAT certificate
- (v) Valid Single Business Permit



- (vi) Audited accounts for the last (5) years (2011, 2012, 2013, 2014 and 2015.)
- (vii) Six (6) months bank statements.
- (viii) Current registration by National Construction Authority (NCA) in the trade of General Building Works as a contractor in Category “3”, (copy of registration certificate to be attached)
- (ix) Duly completed Confidential Business Questionnaire and Declaration Forms
- (x) Duly completed Prequalification Form
- (xi) Duly completed Qualification Information Form

**b) TECHNICAL EVALUATION PROPOSED MERU COUNTY HOTEL**

**Technical Evaluation Scorecard**

| N0                  | Parameters  | Score breakdown | Max Score | Marks |                      |
|---------------------|---|-----------------|-----------|-------|----------------------|
| <b>Legal Status</b> |   |                 |           |       |                      |
| 1.                  | a) Attachment of a copy of certificate incorporation  | 1 marks         | 4.0       |       |                      |
|                     | b) Attachment of a copy of VAT certificate  | 1 marks         |           |       |                      |
|                     | c) Attachment of PIN certificate  | 1 marks         |           |       |                      |
|                     | d) Attachment of Tax Compliance Certificate   | 1 marks         |           |       |                      |
| 2.                  | <b>Annual Turnover (Construction work only)<br/>(Min. Ksh.200Million – average for the previous five years)</b>                     |                 | 5.0       |       |                      |
|                     | 200-250M and above  | 5 marks         |           |       |                      |
|                     | 150 – 199   | 4 marks         |           |       |                      |
|                     | 100 – 149   | 3 marks         |           |       |                      |
|                     | 50 – 99   | 2 marks         |           |       |                      |
|                     | 0 – 49  | 1 mark          |           |       |                      |
| 3.                  | <b>Previous Works undertaken over the last 3 years</b>  |                 | 19.0      |       |                      |
|                     | a) Similar Hotel refurbishment Projects of at least Kshs.200m contract sum (up to 2 projects)                                       | 10 marks        |           |       |                      |
|                     | b) Other projects of at least Kshs.200m contract sum ( up to 2)   | 3 marks         |           |       |                      |
|                     | c) Clients Reference letters in hotel refurbishment projects of at least Kshs.200m contract sum (Up to 2)                           | 3 marks         |           |       |                      |
|                     | d) Lead consultants Reference of at least Kshs.200M contract sum ( up to 2 projects)  | 3 marks         |           |       |                      |
| 4.                  | <b>Bidders existing workload</b><br>a) A score of 2 if similar hotel refurbishment work load is less than Kshs.200M, otherwise zero | 2 mark          | 2.0       |       |                      |
| 5.                  | <b>Evidence of Equipment ownership/ lease (excavation &amp; earthworks, concreting, transport, road works)</b>                      |                 | 15 marks  | 15    |                      |
|                     | Owned / Leased  | Listing         |           |       | Documentary Evidence |
|                     | Excavation & Earthworks   | 1 Marks         |           |       | 2 Mark               |
|                     | Concreting  | 1 Marks         |           |       | 2 Mark               |
|                     | Transport   | 1 Marks         | 2 Mark    |       |                      |

|    |   |                                 |             |         |  |         |            |
|----|---|---------------------------------|-------------|---------|--|---------|------------|
|    | Hoist   | 1 Marks                         |             | 2 Mark  |  |         |            |
|    | Roads equipment – (road graders, rollers, pavers etc)   | 1 Marks                         |             | 2 Mark  |  |         |            |
| 6. | Human Resources   |                                 |             |         |  |         |            |
|    | Key Personnel   | Listing                         | Certificate | CV's    | Relevant Experience up To 2 yrs 1 per year |         | 12.0       |
|    | Managerial (at least 2)   | 1 mark                          | 1 mark      | 1 mark  | 1 mark                                     | 4 marks |            |
|    | Technical (at least 2)  | 2 marks                         | 2 marks     | 2 marks | 2 marks                                    | 8 marks |            |
| 7. | Contractors Experience: 1 mark for each year up to 10 years   |                                 |             |         |  |         | 10.0       |
| 8  | Financial reports (audited accounts) for previous five years  |                                 |             |         |  |         |            |
|    | a) Year 1   | 2015                            |             |         | 1 mark                                     |         | 5.0        |
|    | b) Year 2   | 2014                            |             |         | 1 mark                                     |         |            |
|    | c) Year 3   | 2013                            |             |         | 1 mark                                     |         |            |
|    | d) Year 4   | 2012                            |             |         | 1 mark                                     |         |            |
|    | e) Year 5   | 2011                            |             |         | 1 mark                                     |         |            |
| 9  | <b>Evidence of access to Financial Resources</b>  |                                 |             |         |  |         |            |
|    | a) Cash in hand (Ksh.15M)   | 1mark for each 5 M up to 15 M   |             |         | 3 marks                                    |         | 8.0        |
|    | b) Lines of credit (Kshs.50M)   | 1 mark for each 10 M up to 50 M |             |         | 5 marks                                    |         |            |
| 10 | Bank references   |                                 |             |         |  | 1 marks | 1.0        |
| 11 | Non association statement   |                                 |             |         |  | 1 marks | 1.0        |
| 12 | Proposed works methodology  |                                 |             |         |  | 2 marks | 2.0        |
| 13 | <b>Bank statements for the previous 6 months. 1 mark per month from October 2015 to March, 2016</b> |                                 |             |         |  |         |            |
|    | a) Month 1  |                                 |             |         | 1 marks                                    |         | 6.0        |
|    | b) Month 2  |                                 |             |         | 1 marks                                    |         |            |
|    | c) Month 3  |                                 |             |         | 1 marks                                    |         |            |
|    | d) Month 4  |                                 |             |         | 1 marks                                    |         |            |
|    | e) Month 5  |                                 |             |         | 1 marks                                    |         |            |
|    | f) Month 6  |                                 |             |         | 1 marks                                    |         |            |
| 14 | <b>Company Profile</b>  |                                 |             |         |  |         |            |
|    | Attachment of a copy of memorandum and articles of Association<br>1 mark each                       |                                 |             |         |  | 2 marks | 7.0        |
|    | Attachment of a copy Directors CVs and certificate ( minimum 2 directors)                           |                                 |             |         |  | 2 marks |            |
|    | Attachment of power of attorney   |                                 |             |         |  | 1 marks |            |
|    | Single Business permit / License from Local Authority   |                                 |             |         |  | 2 marks |            |
|    | Evidence of physical address  |                                 |             |         |  | 1 marks |            |
| 15 | Evidence of successful completed previous contract – 1 mark for each contract up to 3 contracts     |                                 |             |         |  | 3 marks | 3          |
|    | <b>TOTAL SCORE</b>  |                                 |             |         |  |         | <b>100</b> |

The pass mark for technical evaluation will be **75%** and only those contractors who attained the pass mark would be invited to tender for the proposed works.

## **5.1 Tender Evaluation**

### **5.1.1 General Requirements**

1. Meru County Investment & Development Corporation will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.
2. Tenderers shall not contact Meru County Investment & Development Corporation on the matter relating to their tender from the time of opening to the time the evaluation is finalized and official communication is sent to them. Any effort by the Tenderer to influence Meru County Investment & Development Corporation in the Tender evaluation shall result in the rejection of their tender.
3. Pre-qualification will be based on meeting the minimum criteria regarding the Applicant's legal status, general and particular experience, personnel and financial position as demonstrated by the responses in the attached forms.
4. The applicants should have registered offices and Meru County Investment & Development Corporation reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said goods/services.
5. Tenderers who qualify according to the selection criteria will be invited to submit their tender for the specified work when required.
6. Meru County Investment & Development Corporation reserves the right to accept or reject any or all Tenders without the obligation to assign any reason(s) for its decision thereof.
7. Any form 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 indelible ink.
6. Should a condition arise between the time the firm is pre-qualified to bid and the bid opening date which could substantially change the performance and qualification of the contractor or the ability to perform such as but not limited to bankruptcy, change in ownership or new commitments, the Meru County Investment & Development Corporation reserves the right to reject the tender from such a contractor even though they have been initially pre-qualified.

## **6 CONFIDENTIALITY**

- 6.1 Information relating to evaluation of Tenders and recommendations concerning pre-qualification shall not be disclosed to the Tenderers until the pre-qualified firms have been advised accordingly.

**TENDER SUBMISSION FORM**

To: **The Managing Director**  
**Meru County Investment & Development Corporation (MCIDC)**  
**P.O. Box 3194 (60-200)**  
**MERU**

Dear Madam/Sir,

We, the undersigned, offer to supply the required goods/services in accordance with your Request for Pre-qualification of Contractors for the Proposed Refurbishment of Meru County Hotel and we hereby submit our Tender Document.

Our Tender is binding to us and if found acceptable we shall be pleased to be included in the list of pre-qualified firms.

We understand you are not bound to accept any tender you receive.

We remain

Yours sincerely,

Authorised Signature: (Rubber Stamp).....

Name and Title of Signatory .....

Name of Tenderer .....

Address: .....

Please give your comments/suggestions on the tender if any

1.

2.

3.

4.

5.

6.

**PRE-QUALIFICATION INFORMATION**

**1.0 (TO BE COMPLETED BY THE BIDDER)**

- a) COMPANY'S NAME .....
- b) P. O. BOX .....
- c) PHYSICAL ADDRESS .....
- d) NAME OF STREET .....
- e) TELEPHONE NUMBERS .....
- f) FAX NUMBERS .....
- g) E-MAIL .....

**2.0 Individual Tenderers or Individual Members of Joint Ventures**

- 2.1 Constitution or legal status of tenderer (attach copy or Incorporation Certificate);
- 2.2 Place of registration: \_\_\_\_\_
- 2.3 Principal place of business \_\_\_\_\_
- 2.4 Power of attorney of signatory of tender \_\_\_\_\_
- 2.5 Total annual volume of construction work performed in the last five years

| Year | Volume   |       |
|------|----------|-------|
|      | currency | value |
|      |          |       |
|      |          |       |
|      |          |       |
|      |          |       |
|      |          |       |
|      |          |       |
|      |          |       |



2.8 Qualifications and experience of key personnel proposed for administration and execution of the Contract. Attach biographical data.

| POSITION        | NAME | YEARS OF EXPERIENCE | YEARS OF EXPERIENCE IN PROPOSED POSITION |
|-----------------|------|---------------------|--|
| PROJECT MANAGER |      |                     |  |
|                 |      |                     |  |
|                 |      |                     |  |
|                 |      |                     |  |
|                 |      |                     |  |
| E.T.C.          |      |                     |  |

2.9 Financial reports for the last five years: balance sheets, profit and loss statements, auditor's reports, etc. List below and attach copies.

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2.10 Evidence of access to financial resources to meet the qualification requirements: cash in hand, lines of credit, etc. List below and attach copies of supportive documents.

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2.11 Name, address and telephone, telex and facsimile numbers of banks that may provide reference if contacted by the Employer.

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2.12 Statement of compliance with the requirements of Clause 1.2 of the Instructions to Tenderers.

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2.13 Proposed program (work method and schedule) for the whole of the Works.



### **3.0 Consortiums**

- 3.1 The information listed in 2.1 to 2. 13 above shall be provided for each partner of the Consortium.
- 3.2 Attach the power of attorney of the signatory (ies) of the tender authorizing signature of the tender on behalf of the Consortium.
- 3.3 Attach the Agreement among all partners of the joint venture ( and which is legally binding on all partners), which shows that:
  - a) All partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms;
  - b) One of the partners will be nominated as being in charge, authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture; and
  - c) The execution of the entire Contract, including payment, shall be done exclusively with the partner in charge.

**SECTION 2**

**NOTES ON STANDARD FORMS**

1. ***Prequalification Questionnaire*** - This form must be completed fully and duly signed by the bidder.
2. ***Confidential Business Questionnaire Form*** - This form must be completed by the tenderer and submitted with the tender documents.
3. ***Qualification Information*** - This form must be completed fully and duly signed by the bidder.

**CONFIDENTIAL BUSINESS QUESTIONNAIRE**

***(Must be filled by all applicants or tenderers' who choose to participate in this tender)***

***Name of Applicant (S)***

You are requested to give the particulars in Part 1 and either Part 2 (a), 2 (b) or 2 (c), whichever applies to your type of business. Part 2 (d) to part 2(i) must be filled.

You are advised that giving wrong or false information on this Form will lead to automatic disqualification / termination of your business proposal at your cost.

**Part 1 – General**

Business Name: .....

Certificate of Incorporation / Registration No.: .....

Location of business premises: ..... Country .....

Physical address ..... Town .....

Building..... Floor.....

Plot No. .... Street / Road .....

Postal Address ..... Postal / Country Code.....

Telephone No's ..... Fax No's. ....

E-mail address .....

Website .....

Contact Person (*Full Names*) ..... Direct / Mobile No's. ....

Title ..... Power of Attorney (**Yes / No**) If **Yes**, attach written document.

Nature of Business (*Indicate whether manufacturer, distributor, etc*) .....

**(Applicable to Local suppliers only)**

Single Business Permit License No. .... Expiry Date .....

Value Added Tax No.....

Value of the largest single assignment you have undertaken to date (*Kshs*) .....

Was this successfully undertaken? **Yes / No.** ..... (If **Yes**, attach reference)

Name (s) of your banker (s) .....

Branches ..... Tel No's. ....

**Part 2 (a) – Sole Proprietor**

Full names .....

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

*\*Citizenship details* .....

Company Profile ..... (*Attach brochures or annual reports in case of public companies*)

**Part 2 (b) – Partnership**

Give details of partners as follows:

|    | <b><u>Full Names</u></b> | <b><u>Nationality</u></b> | <b><u>Citizenship Details</u></b> | <b><u>Shares</u></b> |
|----|--------------------------|---------------------------|-----------------------------------|----------------------|
| 1. | .....                    | .....                     | .....                             | .....                |
| 2. | .....                    | .....                     | .....                             | .....                |
| 3. | .....                    | .....                     | .....                             | .....                |
| 4. | .....                    | .....                     | .....                             | .....                |

Company Profile .....(*Attach brochures*)

**Part 2 (c) – Registered Company**

Private or public .....

Company Profile .....(*Attach brochures or annual reports in case of public companies*)

State the nominal and issued capital of the Company

Nominal KShs .....

Issued KShs .....

List of four (4) shareholders and distribution of shareholding in the company.

Give details of all directors as follows:-

|    | <u>Full Names</u> | <u>Nationality</u> | <u>Citizenship Details</u> | <u>Shares</u> |
|----|-------------------|--------------------|----------------------------|---------------|
| 1. | .....             | .....              | .....                      | .....         |
| 2. | .....             | .....              | .....                      | .....         |
| 3. | .....             | .....              | .....                      | .....         |
| 4. | .....             | .....              | .....                      | .....         |

**Part 2 (d) – Debarment**

I/We declare that I/We have not been debarred from any procurement process and shall not engage in any fraudulent or corrupt acts with regard to this or any other tender by Meru County Investment & Development Corporation and any other public or private institutions.

Full Names .....  
Signature .....  
Dated this ..... day of ..... 2016.  
In the capacity of .....  
Duly authorized to sign Tender for and on behalf of .....

**Part 2 (e) – Criminal Offence**

I/We, (Name (s) of Director (s):

- a) .....
- b) .....
- c) .....
- d) .....

Have not been convicted of any criminal offence relating to professional conduct or the making of false statements or misrepresentations as to its qualifications to enter into a procurement contract within a period of three (3) years preceding the commencement of procurement proceedings.

Signed .....  
For and on behalf of M/s .....  
In the capacity of .....  
Dated this ..... day of ..... 2016.  
Suppliers' / Company's Official Rubber Stamp .....

**Part 2 (f) – Conflict of Interest**

I/We, the undersigned state that I / We have no conflict of interest in relation to this procurement:

- a) .....
- b) .....
- c) .....
- d) .....

For and on behalf of M/s .....  
 In the capacity of .....  
 Dated this ..... day of .....2016  
 Suppliers' / Company's Official Rubber Stamp .....

**Part 2 (g) – Interest in the Firm:**

Is there any person / persons in Meru County Investment & Development Corporation or any other public institution who has interest in the Firm? Yes / No? ..... (Delete as necessary) Institution .....

.....  
 (Title) (Signature) (Date)

**Part 2(h) – Experience**

Please list here below similar projects accomplished or companies / clients you have supplied with similar items equipments, or services in the last two (2) years.

| <u>Company Name</u> | <u>Country</u> | <u>Contract/ Order No.</u> | <u>Value</u> |
|---------------------|----------------|----------------------------|--------------|
| 1. ....             | .....          | .....                      | .....        |
| 2. ....             | .....          | .....                      | .....        |
| 3. ....             | .....          | .....                      | .....        |

Contact person (Full Names) ..... E-mail address.....

Cell phone no ..... (Note: The person should be at the level of director)

\*Attach proof of citizenship

\* Attach certified copies of the following documents:

- a) Previous orders from companies supplied before
- b) Certificate of Incorporation / Registration
- c) Tax Compliance Certificate (for local suppliers)
- d) VAT Certificate (for local suppliers)
- e) Audited Financial Statements / Accounts for the last three (3) years
- f) Valid Local Authority / Trade License (for local suppliers)
- g) The Power of Attorney

Consider these documents as mandatory a submission to be considered for preliminary evaluation which must be 100% fulfilled.

## **QUALIFICATION INFORMATION**

### **IMPORTANT NOTES**

1. Tenderers are advised to refer to the Information to Tenderers section before preparing the qualification Information.
2. The tables appearing below are samples. Tenderer should prepare their own table using a word processor (computer) and fill in all the required information.
3. "Certified copies" means certified by a High Court Advocate and Commissioner for Oaths
4. Tenderers must be registered companies incorporated in Kenya under the companies act CAP 486.

### **2 Individual Tenderers or Individual Members of Joint Ventures**

2.8 Constitution or legal status of Tenderer (attach copy or Incorporation Certificate), PIN and VAT Certificates):

Place of registration: \_\_\_\_\_

Principal place of business \_\_\_\_\_

Power of attorney of signatory of tender \_\_\_\_\_

2.9 Total annual volume of construction work performed in the last five years

| Year   | Volume   |       |
|--------|----------|-------|
|        | Currency | Value |
| Year 1 |          |       |
| Year 2 |          |       |
| Year 3 |          |       |
| Year 4 |          |       |
| Year 5 |          |       |

2.3 Work performed as Main Contractor on works of a similar nature and volume over the last five years. Also list details of work under way or committed, including expected completion date.

| Project Name | Name of client and contact person | Type of work performed and year of completion | Value of contract |
|--------------|-----------------------------------|---|-------------------|
|              |                                   |   |                   |
|              |                                   |   |                   |
|              |                                   |   |                   |
|              |                                   |   |                   |

**Note:** Tenderer to attach certified copies of completion certificates) completed project) and award letters (ongoing projects). Refer to Clause 5 of information to Tenderers.

## **QUALIFICATION INFORMATION C'TD**

2.4 For the projects given in 1.3 above give further information as follows:-

| Project Name | Lead Consultant | Initial Contract Period (weeks) | Actual Completion time (weeks) |
|--------------|-----------------|---------------------------------|--------------------------------|
|              |                 |                                 |                                |
|              |                 |                                 |                                |

2.5 For the Project given in 1.3 above further information as follows:-

| Project Name | Initial Contract Sum (Kshs.) | Final Account Sum (Kshs.) | Variations Value |
|--------------|------------------------------|---------------------------|------------------|
|              |                              |                           |                  |
|              |                              |                           |                  |

2.6 Major items of Contractor's Equipment proposed for carrying out the Works. List all information requested below. Refer also to Clause 5 of the Information to Tenderers.

| Item of Equipment | Description, Make and age (years) | Condition(new, good, poor) and number available | Owned, leased (from whom?), or to be purchased (from whom?) |
|-------------------|-----------------------------------|---|---|
|                   |                                   |   |   |
|                   |                                   |   |   |
|                   |                                   |   |   |
|                   |                                   |   |   |
|                   |                                   |   |   |

**Note:** for owned equipment attach certified copies of proof of ownership e.g. logbooks. For leased, attach copies of lease agreements.

2.7 Qualifications and experience of key personnel proposed for administration and execution of the Contract. Attach Curriculum Vitae (CV's). Refer also to Clause 5 of the Information to Tenderers.

| Position | Name | Qualification | Experience |
|----------|------|---------------|------------|
|          |      |               |            |
|          |      |               |            |
|          |      |               |            |
|          |      |               |            |

**QUALIFICATION INFORMATION C'TD**

2.8 Proposed subcontracts and firms involved.

| Sections of the Works | Subcontractor (name and address) | Experience in similar work |
|-----------------------|----------------------------------|----------------------------|
|                       |                                  |                            |
|                       |                                  |                            |
|                       |                                  |                            |

**Note:** Subcontractors must be class 4 or above (National Construction Authority) and registered with other relevant Government ministries and public authorities. Attach certified copies of certificate

2.9 Financial reports for the last five years: balance sheets, profit and loss statements, auditor’s reports, etc. List below and attach copies.

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**Note:** Audited accounts must be signed and stamped by at least 2 company directors and audited by a registered certified accountant.

2.10 Evidence of access to financial resources to meet the qualification requirements: cash in hand, lines of credit, etc. List below and attach copies of supportive documents. All documents must be signed and stamped by the directors of the institutions providing the financial facilities

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2.11 Name, address and telephone, telex and facsimile numbers of banks that may provide reference if contacted by the Employer.

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2.12 Statement of compliance with the requirements of Clause 1.2 of the Instructions to Tenderers.



## **QUALIFICATION INFORMATION CONT'D**

- 2.13 Bank Statements. Provide certified copies of bank statements from your official bankers for the last 6 months
- 2.14 Tax compliance certificate. Provide certified copy of your up to date valid tax compliance certificate from Kenya Revenue Authority
- 2.15 Litigation list of disputes.

| Name of Contract | Type of resolution method | Date of dispute | Date of settlement | Amount in dispute |
|------------------|---------------------------|-----------------|--------------------|-------------------|
|                  |                           |                 |                    |                   |
|                  |                           |                 |                    |                   |
|                  |                           |                 |                    |                   |

- 2.16 Details of company ownership: provide copies of the following:-
- Memorandum of Association
  - Articles of Association
  - List of Directors and their Curriculum Vitae (CVs))
- 2.17 Attach copies of current business permit
- 2.18 Attach copies of National Construction Authority registration certificate and any others from different registration authorities and government ministries and institutions.

### **3.0 Joint Ventures**

- 3.1 The information listed in 2.1 – 2.19 above shall be provided for each partner of the joint venture.
- 3.2 The information required in 2.11 above shall be provided for the joint venture.
- 3.3 Attach the power of attorney of the signatory (ies) of the tender authorizing signature of the tender on behalf of the joint venture
- 3.4 Attach the Agreement among all partners of the joint venture (and which is legally binding on all partners), which shows that:
- All partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms;
  - one of the partners will be nominated as being in charge, authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture; and
  - The execution of the entire Contract, including payment, shall be done exclusively with the partner in charge.

**DECLARATION**

I/We the undersigned state that the above information is correct and that I/We give Meru County Investment & Development Corporation on behalf of our client, authority to seek any other references concerning my/our company from whatever sources deemed relevant e.g. Company Registrar's office, Bankers etc

Signed .....

For and on behalf of M/s .....

In the capacity of .....

Dated this ..... day of .....2016

Suppliers/Company's rubber Stamp .....