

The Kenya Power & Lighting Co. Ltd.
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 Stima Plaza, Kolobot Road

Our Ref: **KP1/9A.2/OT/56/PJT/18-19**

25th June 2019

M/s

Dear Sir/Madam,

ADDENDUM NO. III TO THE TENDER NO. KP1/9A.2/OT/56/PJT/18-19 FOR PROVISION OF LABOUR AND TRANSPORT CONSTRUCTION SERVICES

The following clarifications are made to the specified provisions of the Tender document.

1. RELATIONSHIP WITH THE PRINCIPAL TENDER DOCUMENT

Save where expressly amended by the terms of this Addendum, the Principal Tender Document shall continue to be in full force and effect. The provisions of this Addendum shall be deemed to have been incorporated in and shall be read as part of the Principal Tender Document.

2. CLARIFICATIONS

The following responses are made to clarification sought on various issues in the tender document and shall be deemed to form the addendum;

No	Query	RESPONSE
1.	With reference to clauses 3.8 [Clarification of Documents] and 6.3.3 [Bank Account details] of the above tender, can a company with 1 director participate in the tender?	A company with one Director can participate in the tender
2.	Is this tender for central, coast or which region for participation?	Refer to section V(a) and section V(b) of the tender document for regions/nature of works available under Central office and FBBUs. Bidders are required to tick their category of choice in the region where the preferred category is available as indicated in this section.

No	Query	RESPONSE
3.	What happens if the ERC certificate for key personnel has expired in June 2019, but the renewal fees is paid but renewal certificate not yet out	Bidders whose ERC Certificate expired after the tender advertisement date but have commenced the renewal process shall be required to submit copies of the expired certificate and the payment receipt for renewal of the certificate
4.	As regards NCA, you have only indicated registration certificate yet they go hand in hand with practicing certificate. Will one be disqualified if the practicing certificate is not enclosed? -	Refer to section II of the tender document on the items to be submitted
5.	In the checklist it is indicated an Advocate or commissioner of oath. Please clarify if an advocate who is not a commissioner of oath can certify	Refer to section II (no. 14) of the tender document. Copies of the certificates should be (certified by Advocate or commissioner of oath.)
6.	What if the tenderer scans original documents? Do they require certification?	All copies of documents must be certified.
7.	As regards tax compliance, there are instances where the application is rejected for the main reason of unpaid taxes, penalties and interests accrued. How will you handle such notification as there may be disputes.	Refer to section II of the tender document, part 3. Bidders must submit valid Tax compliance
8.	The audited accounts are for 3 years and sometimes the tenderer may have changed auditors. What if in one of the years the auditors who did the accounts is currently not licenced by ICPAK?	Bidders must submit Audited Accounts (certified by a registered Public Accountant) as required in section II, part 11.
9.	IN regard to 66KVA, what happens if the FBBU's does not have one and we have quoted, and another tenderer don't quote hence affecting the total price.	Refer to addendum I, part b. a list of Regions where bidders shall submit 66kV rates is provided.
10.	There are some provisions which talk of law firms hence wondering their roles e.g. 33:28.3 and 3:29.4-c while in respect of 3:23,3:24 are missing but are quoted in the next provisions.	<p>The omitted clauses in Section II under 3.2 (Eligible tenderers) shall be as detailed below;</p> <p>3.2.3 Collusion or Agreements between eligible tenderers to directly or indirectly fix prices or any other trading conditions is prohibited. Where this is discovered, the tenderers involved will not be eligible for award and shall be disqualified.</p> <p>3.2.4 Notwithstanding any other provisions of this tender, the following are not eligible to participate in the tender: -</p> <ul style="list-style-type: none"> a) KPLC's employees, its Board or any of its committee members. b) Any Public/State Officer of the Government of the Republic of Kenya (GoK). c) Any member of a Board or Committee

No	Query	RESPONSE
		<p>or any department of GoK.</p> <p>d) Any person appointed to any position by the President of Kenya.</p> <p>e) Any person appointed to any position by any Cabinet Secretary of GoK.</p> <p>f) Any tenderer submitting false, inaccurate or incomplete information about their qualifications.</p>
11.	The letter of application form is missing in the tender document we have downloaded. Please clarify if it is not necessary to fill it this time round or it was left out by mistake	<p>Bidders are required to fill the forms in the tender document only.</p> <p>The application form is not applicable for this tender.</p>
12.	<p>Referring to page 24 on eligible candidates it states key technical person registered with erc.</p> <p>Is it in order to have the safety officer with erc (as in page 71) it has Evidence of registration with relevant professional bodies</p>	<p>Refer to section III (Appendix to Instructions to Candidates/Tenderers No.1) and Section VI of the tender document Part 6.2 items 6.2.5 and 6.2.6 regarding the required qualification of the safety officer.</p>
13.	<p>Am a prospective contractor requesting clarification on the above-mentioned clause for Tender No. KP1/9A.2/OT/56/PJT/18-19. Part of this clause demands that signatures/signatories to the account should be for "at Least TWO (2) of the directors as per the CR12 submitted". I feel that the clause contradicts the legislation that allows a limited company to have one director and consequently implies that a company that has only one director is ineligible to tender.</p>	<p>Refer to Answer in Query 1</p>
14.	Page 71 of detailed evaluation table (part 11) refer to clause 6.2.1 and 6.2.2. for new company in powerline but is able to do the work.	<p>Refer to section VI of the tender document for all requirements for all stages of evaluation.</p> <p>Bidders shall be required to meet all the requirements in the tender document. Clause 3.40 of the tender document allows participation by joint ventures.</p>
15.	If the tenderer is alone on an applied FBBU and has met the all the preliminary that company should be automatically considered refer to 3.29- minor deviation	<p>Refer to section VI of the tender document for all requirements for all stages of evaluation.</p> <p>Bidders shall be required to meet the requirements stipulated in the tender document.</p>
16.	page 71- safety officer qualification. diploma level to be ranked the same as kplc training school certificate.	<p>Refer to answer in Query 14</p>

No	Query	RESPONSE
17.	<p>Section VI of the tender documents evaluation criteria under 6.2 Detailed Technical Evaluation (Part II) states that detailed evaluation shall be carried according to items 4.2.1 -4.2.8 of detailed evaluation Table part II</p> <p>Whereas in the Detailed Evaluation Table (Part II) the referenced clauses are missing</p>	<p>Bidders are required to note the error under part 6.2 on page 70.</p> <p>The detailed evaluation shall be carried out according to items 6.2.1 -6.2.7</p>

3. TENDER CLOSING DATE

The tender closing date has been extended from 26th June 2019 to **10th July 2019** at 10.00 am.

All other terms and conditions remain as per the Principal Tender Document (PTD).

Yours faithfully,

For: **THE KENYA POWER & LIGHTING CO. LTD.**



BERNARD NGUGI
GENERAL MANAGER, SUPPLY CHAIN