

APPENDIX I

SECTION III - EVALUATION AND QUALIFICATION CRITERIA

1. Evaluation and contract award Criteria

Kenya Power shall use the criteria and methodologies listed in this Section to evaluate tenders and arrive at the Lowest Evaluated Tender. The tender that (i) meets the qualification criteria, (ii) has been determined to be substantially responsive to the Tender Documents, and (iii) is determined to have the Lowest Evaluated Tender price shall be selected for award of contract.

2. Preliminary examination for Determination of Responsiveness

Kenya Power will start by examining all tenders to ensure they meet in all respects the eligibility criteria and other requirements in the ITT, and that the tender is complete in all aspects in meeting the requirements of "Part 2 – KPLC's "Works Requirements", including checking for tenders with unacceptable errors, abnormally low tenders, abnormally high tenders and tenders that are front loaded. Tenders that do not pass the Preliminary Examination will be considered irresponsive and will not be considered further.

3.1 Part 1 - Preliminary Examination Criteria. These are mandatory requirements. This shall include confirmation of the following: -

3.1.1 *Submission of Tender Security - Checking its validity, whether it is Original; whether it is sufficient; whether it is authentic; whether it is issued by a local Bank/institution and whether it is strictly in the format required in accordance with the sample Tender Security Form(s).*

3.1.2 *Submission of the following duly completed and signed forms:*

- (a) Form of Tender*
- (b) Certificate of Independent Tender Determination*
- (c) Self Declaration Forms as hereunder:*
 - Form SD1*
 - Form SD2*
- (d) Declaration and Commitment to the Code of Ethics*
- (e) Declaration Form*
- (f) Form EL1 1.1 – Tenderer Information Sheet*
- (g) Form EL1 1.2 (if applicable) – Party to JV Information Sheet*

3.1.3 *Submission and considering the Confidential Business Questionnaire: -*

- a) Is fully filled, signed and stamped.*
- b) That details correspond to the related information in the bid.*
- c) That the Tenderer is not ineligible as per ITT 3.*

3.1.4 *Submission and considering the following:-*

- 3.1.4. a) Company or Firm's Registration Certificate*

- b) *PIN Certificate.*
 - c) *Valid Tax Compliance Certificate.*
 - d) *Valid Business Permit*
- 3.1.5 *That the Tender is valid for the period required.*
- 3.1.6 *The tenderer must be registered with National Construction Authority with a valid Practicing license for NCA 1- NCA 6 (Building Works)*
- 3.1.7 *Submission of a Completed sit visit form signed by authorized KPLC officer*
- 3.1.8 *Submission of a proposed Work Program (Work Method & Schedule)*
- 3.1.9 *Submission of a Price Bill of Quantities, signed and stamped by bidder in its sanctity form.*
- 3.1.10 *Duly filled Form EXP 4.1 and reference letters, names with full contact as well as physical addresses of previous customers of with relevant building and civil works carried out within the last 8 (eight) years or completion certificates for at least four (4) previous customers.*
- 3.1.11 *Submission of a complete and current CR12 Form (dated within 12 months before date of opening) obtained from the Registrar of Companies showing the Directorship and their respective shareholding of the firm, and in case of a corporate shareholder, bidders must separately submit a CR12 Form of the corporate shareholder until all the human Directors and their shareholding are disclosed.*
- 3.1.12 *Submission of the audited financial Statements are those that are reported within eighteen (18) calendar months of the date of the tender document together with a copy of the Auditors/Audit Firm valid ICPAK practicing license.*
- 3.1.13 *Power of Attorney authorizing the signatory of the Tender to commit the Tenderer in accordance with the Tender requirements. Proof of authorization shall be furnished in the form of power of attorney which shall accompany the tender if the signatory to the tender is not a director of the company (provide name and attach proof of citizenship of the signatory to the tender).*
- 3.1.14 *Record of unsatisfactory or default in performance obligations in any contract shall be considered. This shall include any Tenderer with unresolved case(s) in its performance obligations for more than two (2) months in any contract.*
- 3.1.15 *Notwithstanding the above, considering any outstanding orders where applicable and the production capacity indicated by the Tenderer.*

Tenders will proceed to the Technical Stage only if they qualify in compliance with Part 1 above, Preliminary Evaluation.