



**TENDER NO KP1/9A.1A/OT/009/19-20
FOR
PRE-QUALIFICATION OF SUPPLIERS AND
CONTRACTORS FOR OFF GRID SPARE PARTS,
WORKS AND SERVICES.**

OCTOBER 2019

**ALL CANDIDATES ARE ADVISED TO READ CAREFULLY THIS PRE-QUALIFICATION
DOCUMENT IN ITS ENTIRETY BEFORE MAKING ANY BID**

(DOCUMENT FOR PREQUALIFICATION FOR GOODS)

THE KENYA POWER & LIGHTING COMPANY LIMITED
CENTRAL OFFICE, STIMA PLAZA,
KOLOBOT ROAD, PARKLANDS,
P.O. BOX 30099-00100,
NAIROBI,
KENYA.

Telephones: +254-020-3201000; 3644000 Pilot Lines

Telephones: +254 -720-600070/1-5/; -733-755001/2-3 Cellular

Website: www.kplc.co.ke

Email 1: Hkapsowe@kplc.co.ke

2: Jndinya@kplc.co.ke

3: Ommaina@kplc.co.ke

4: Smbuthia@kplc.co.ke

5: Jimaya@kplc.co.ke

Table of Contents

SECTION I - INVITATION FOR PREQUALIFICATION (IFPQ).....	3
SECTION II - PREQUALIFICATION SUBMISSION CHECKLIST	5
SECTION III - INSTRUCTIONS TO CANDIDATES	8
SECTION IV – DETAILED DESCRIPTION OF ITEMS	20
SECTION V - SUMMARY OF EVALUATION PROCESS.....	26
SECTION VI - LETTER OF APPLICATION	28
SECTION VII– CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM.....	30
SECTION VIII - DECLARATION FORM	33
SECTION IX - MANUFACTURER’S AUTHORIZATION FORM.....	34
X - THE TECHNICAL SPECIFICATIONS.....	35

SECTION I - INVITATION FOR PREQUALIFICATION (IFPO)

DATE: OCTOBER 2019

TENDER NO KP1/9A.1A/OT/009/19-20 PRE-QUALIFICATION OF SUPPLIERS AND CONTRACTORS FOR OFF GRID SPARE PARTS, WORKS AND SERVICES.

1.1 The Kenya Power & Lighting Company Ltd (KPLC) intends to pre-qualify eligible Candidates for Supply of TENDER NO KP1/9A.1A/OT/009/19-20 PRE-QUALIFICATION OF SUPPLIERS AND CONTRACTORS FOR OFF GRID SPARE PARTS, WORKS AND SERVICES. Interested eligible Candidates may obtain further information from the Manager, Procurement Kenya Power & Lighting Company Ltd at Stima Plaza, 3rd Floor, Kolobot Road, P.O. Box 30099 – 00100 Nairobi, Kenya.

DESCRIPTION OF THE KENYA POWER & LIGHTING COMPANY LIMITED AND OUR CORE BUSINESS.

1.1.1 Our Company- “Lighting Up Your World”

1.1.2 The Kenya Power & Lighting Company Limited (KPLC) is a limited liability company registered under the Companies Act, Chapter 486 of the Laws of Kenya. It was incorporated in 1922 as the East African Power & Lighting Company Limited. KPLC was listed on the Nairobi Stock Exchange (NSE) in 1954. The Company changed to its present name in 1983.

1.1.3 Our shareholders include the Government of Kenya (GoK), institutional investors and individual shareholders. KPLC is a public company with GoK holding the largest block of shares. We are subject to the State Corporations Act, Chapter 442 of the laws of Kenya and the laws governing procurement by public bodies, mainly the Public Procurement and Disposal Act, 2005 and the Regulations made thereunder.

1.1.4 Our Vision is “To provide world class power that delights our customers.”

1.1.5 Our Mission is “Powering people for better lives”

1.1.6 Our Core Business is to provide electrical energy and related customer services throughout Kenya.

1.1.7 Our Core Values were developed to support the Company’s purpose of powering the Nation to grow from our efforts. These include: -

- a) Customer First
- b) One Team
- c) Passion
- d) Integrity
- e) Excellence

1.1.8 Description of the Goods for Pre-qualification

A pre-qualification procedure is a basic procedure prior to adopting an alternative procurement method other than open tender for the purpose of identifying the best few qualified firms for the subject procurement.

- 1.19 KPLC intends to pre-qualify Suppliers for goods, equipment and ancillary materials thereto. The details of the description are provided at Section IV Detailed Description of Items.
- 1.20 All Candidates whose applications will have been received before the closing date and time will be advised in due course, of the results of their applications.

1.2 **Submission of Prequalification documents**

Completed Prequalification s are to be submitted in electronic format on the KPLC's E-procurement portal on the due date and time published on the portal. All are required to visit the portal from time to time for revised closing dates and addendums. The Prequalification is to be submitted **ONLINE** on or before the submission date and time indicated on the **KPLC e-procurement portal**.

- 1.3 Prequalification s will be opened thereafter.
- 1.4 Prospective bidders may also download the Prequalification document from KPLC's website (www.kenyapower.co.ke) free of charge.
- 1.5 Prequalification submitted responses will be opened promptly thereafter in the presence of the Candidates or their representatives who choose to attend in KPLC Auditorium at Stima Plaza, Kolobot Road, Parklands, Nairobi.

- *1.6 Pre-bid meeting
There will be no pre-bid meeting for this Tender.

SECTION II - PREQUALIFICATION SUBMISSION CHECKLIST

This order and arrangement shall be considered as the Prequalification Format. Candidates shall tick against each item indicating that they have provided it.

No.	Item	Tick Where Provided
1	Letter of application	
2	Registration Certificate with the national treasury or the respective County treasury within which they operate (NB: Mandatory for Youth, Women and Persons with Disability)	
3	Confidential Business Questionnaire (CBQ)	
4	Declaration Form	
5*	Copy of PIN Certificate	
6*	Copy of Valid Tax Compliance Certificate	
7	Copy of Company or Firm's Registration Certificate	
8	Copy of CR12	
9	Copy of Business Permit	
10	Proof of existence of Office/Premises	
11	Manufacturer's Authorization or Proof of dealership, Sub-dealership or Agents for interested Engine type spare parts	
12	<p>Financial Statements. The audited financial statements required must be those that are reported within eighteen (18) calendar months of the date of the prequalification document.</p> <p><i>(For companies or firms that are registered or incorporated within the last one calendar year of the Date of the Prequalification Document, they should submit certified copies of bank statements covering a period of at least six months prior to the date of the prequalification document. The copies should be certified by the Bank issuing the statements. The certification should be original).</i></p> <p>OR</p> <p>Certified copies of bank statements covering a period of at least six months prior to the date of the prequalification document.</p>	
13	Names with full contact as well as physical addresses of previous customers of similar goods and reference letters from at least four (4) previous customers (The youth, persons with disabilities and women to provide the four referees from their manufacturer)	
14	Any other document or item required by the Prequalification Document. (The Candidate shall specify such other documents or items it has submitted)	

***NOTES TO CANDIDATES**

1. Valid Tax Compliance Certificate shall be one issued by the relevant tax authorities and valid for at least up to the Prequalification closing date. All Kenyan registered Prequalification ers must provide a valid Tax Compliance Certificate.
2. All Kenyan registered Pre-qualifications must provide the Personal Identification Number Certificate (PIN Certificate).
3. Foreign Pre-qualifications must provide equivalent documents from their country of origin as regards Tax Compliance and PIN certificates OR statements certifying that the equivalent documentation is not issued in the Prequalification er's country of origin. The Statement(s) that equivalent documentation is not issued by the Prequalification er's country should be original and issued by the Tax authorities in the Prequalification er's country of origin.

TABLE OF PARAGRAPHS ON INSTRUCTIONS TO CANDIDATES

Paragraph No.	Headings	Page No.
3.1	Definitions.....	8
3.2	Eligibility for Pre-Qualification.....	9
3.3	Post – Qualification.....	9
3.4	Cost of responding to a prequalification invite.....	10
3.5	Contents of the Prequalification Document.....	10
3.6	Clarification of Documents.....	10
3.7	Amendment of Documents.....	11
3.8	Language of Prequalification	11
3.9	Documents Comprising the Prequalification	11
3.10	Prequalification Form.....	12
3.13	Candidate’s Eligibility and Qualifications.....	12
3.17	Validity of Prequalification s	12
3.19	Number of Sets of and Prequalification Format.....	13
3.20	Preparation and Signing of The Prequalification	13
3.21	Sealing and Outer Marking of Prequalifications.....	14
3.22	Deadline for Submission of Prequalification.....	14
3.23	Modification and Withdrawal of Prequalifications.....	14
3.24	Opening of Prequalifications.....	15
3.25	Clarification of Prequalifications.....	15
3.26	Preliminary Prequalification Evaluation.....	15
3.27	Minor Deviations, Errors or Oversights.....	16
3.31	Prequalification Evaluation Period.....	16
3.32	Debarment of a Candidate.....	16
3.34	Confirmation of Qualification for Award.....	16
3.35	Award of Contract.....	17
3.36	Termination of Procurement Proceedings.....	17
3.37	Notification of Award.....	17
3.40	Corrupt or Fraudulent Practices.....	17

SECTION III - INSTRUCTIONS TO CANDIDATES

3.1 Definitions

In this Prequalification , unless the context or express provision otherwise requires: -

- a) *Any reference to any Act shall include any statutory extension, amendment, modification, re-amendment or replacement of such Act and any rule, regulation or order made there-under.*
- b) *“Date of Prequalification Document” shall be **start date** specified on the KPLC Prequalification ing portal.*
- c) *“Day” means calendar day and “month” means calendar month.*
- d) *“KEBS” wherever appearing means the Kenya Bureau of Standards or its successor(s) and assign(s) where the context so admits.*
- e) *“PPRA” wherever appearing means The Public Procurement Regulatory Authority or its successor(s) and assign(s) where the context so admits.*
- f) *Reference to “the Prequalification ” or the “Prequalification Document” or the Prequalification Prequalification document” includes its appendices and documents mentioned hereunder and any reference to this Prequalification or to any other document includes a reference to the other document as varied supplemented and/or replaced in any manner from time to time.*
- g) *“The Procuring Entity” means The Kenya Power and Lighting Company Limited or its successor(s) and assign(s) where the context so admits (hereinafter abbreviated as KPLC).*
- h) *“The Prequalification er” means the person(s) submitting its application for the pre-qualification for the supply, installation and commissioning (where applicable) of the goods, equipment and ancillary services in response to the Invitation for Pre-qualification.*
- i) *Where there are two or more persons included in the expression the “Prequalification er”, any act of default or omission by the Candidate shall be deemed to be an act, default or omission by any one or more of such persons.*
- j) *words importing the masculine gender only, include the feminine gender or (as the case may be) the neutral gender.*
- k) *words importing the singular number only include the plural number and vice-versa and where there are two or more persons included in the expression the “Candidate” the covenants, agreements and obligations expressed to be made or performed by the Candidate shall be deemed to be made or performed by such persons jointly and severally.*
- l) *KPLC’s “authorised person” shall mean its MD & CEO who is designated by the PPAD Act 2015 to exercise such power, authority or discretion as is required under the Prequalification and any contract arising therefrom, or such other KPLC staff delegated with such authority.*

- m) *Citizen contractors-means a person/firm wholly owned and controlled by person(s) who are citizens of Kenya.*
- n) *Local contractors- a firm shall be qualified as a local contractor if it is registered in Kenya.*
- o) *SRM (Supplier Relationship Management means KPLC e- procurement portal.*
- p) *"candidate" means a person who has obtained the tender documents from a public entity pursuant to an invitation notice by a procuring entity;*

3.2 Eligibility for Pre-Qualification

- 3.2.1 This Invitation to Prequalify is open to all Candidates eligible as described in the Appendix to Instructions to Candidates.
- 3.2.2 a pre-qualification procedure as a basic procedure prior to adopting an alternative procurement method other than open Prequalification for the purpose of identifying the best few qualified firms for the subject
- 3.2.2 The Procuring Entity's employees, committee members, board members, and their relative (spouse and children) are not eligible to participate in this tender.
- 3.2.3 Candidates shall provide the qualification information statement that the Candidate (including all members of a joint venture and subcontractors) is not associated, or have been associated in the past, directly or indirectly, with a firm or any of its affiliates which may be or have been engaged by KPLC to provide consulting services for the preparation of the design, specifications, and other documents to be used for the procurement of the goods under the ensuing Prequalification .
- 3.2.4 Candidates shall not be under a declaration of ineligibility for corrupt and fraudulent practices.
- 3.2.5 A candidate shall not be under declarations as prescribed at Section VIII.

3.3 Post – Qualification

- 3.3.1 KPLC will from time to time issue prequalification invitations for the actual supply of the goods, equipment and ancillary services.
- 3.3.2 Only successful identified pre-qualified candidates who are in KPLC's Standing List may be invited to Prequalification for future contracts to supply the goods, equipment and ancillary services.
- 3.3.3 The Prequalification s for future contracts to be issued will be over a period as prescribed in the Appendix to Instructions to Candidates from the date of appointment or as otherwise may be extended. After this period KPLC may conduct another pre-qualification for the goods, works and services.

3.4 Fresh Pre-Qualification

- 3.4.1 At the end of the pre-qualification period, KPLC may conduct another pre-qualification process at which the existing Standing List will automatically expire.

3.4.2 At the fresh pre-qualification, all pre-qualified candidates in the Standing List shall be required to re-apply if they so wish to be in the new Standing List.

3.5 Cost of Prequalification

3.5.1 The Candidate shall bear all costs associated with the preparation and submission of its Prequalification , and KPLC will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the Prequalification ing process.

3.5.2 The Prequalification Document shall be free of charge.

3.6 Contents of the Prequalification Document

3.6.1 The Prequalification Document comprises the documents listed below and Addendum (where applicable) issued in accordance with clause 3.7 of these Instructions to Candidates: -

- a) *Invitation for Prequalification*
- b) *Prequalification Submission Checklist*
- c) *Instructions to Candidates*
- d) *Appendix to Instructions to Candidates*
- e) *Description of goods for pre-qualification.*
- g) *Summary of the Evaluation Process*
- j) *Letter of application.*
- k) *Confidential Business Questionnaire Form*
- m) *Manufacturer's Authorization Form*
- n) *Notification of pre-qualification.*
- q) *Technical Specifications*
 - (i) *General Requirements*
 - (ii.) *Detailed Technical Specifications.*

3.5.2 The Candidate is expected to examine all instructions, forms, provisions, terms and specifications in the Prequalification Document. Failure to furnish all information required by the Prequalification Document or to submit a Prequalification not substantially responsive to the Prequalification Document in every respect will be at the Candidate's risk and shall result in the rejection of its Prequalification .

3.6 Clarification of Documents

3.6.1 A prospective Candidate requiring any clarification of the Prequalification Document may notify the Procurement Manager in writing or by post at KPLC's address indicated in the Invitation for Prequalification. KPLC will respond in writing to any request for clarification of the Prequalification documents, which it receives not later than seven (7) days prior to the deadline for the submission of Prequalification s, prescribed by KPLC. Written copies of

KPLC's response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective Candidates that have duly received the Prequalification Document.

- 3.6.2 KPLC shall reply to any clarifications sought by the Candidate within three (3) days of receiving the request to enable the Candidate make timely submission of its Prequalification .
- 3.6.3 If a prospective Candidate sends an inquiry after the stated days or the inquiry is received by KPLC after the stated days, KPLC shall have the option of responding to the inquiry and extension of the date of submission of Prequalification s or ignoring it.

3.7 Amendment of Documents

- 3.7.1 At any time prior to the deadline for submission of Prequalification s, KPLC, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Candidate, may modify the Prequalification documents by amendment.
- 3.7.2 All prospective Candidates that have received the Prequalification documents will be notified of the amendment(s) (hereinafter referred to or otherwise known as addendum) in writing and will be binding on them.
- 3.7.3 In order to allow prospective Candidates reasonable time in which to take the amendment into account in preparing their Prequalification s, KPLC, at its discretion, may extend the deadline for the submission of Prequalification s.

3.8 Language of Prequalification

The Prequalification prepared by the Candidate, as well as all correspondence and documents relating to the Prequalification , exchanged between the Candidate and KPLC, shall be written in English language, provided that any printed literature furnished by the Candidate may be written in another language provide they are accompanied by an accurate English translation of the relevant passages in which case, for purposes of interpretation of the Prequalification , the English translation shall govern. The English translation shall be on the Candidate's letterhead and shall be signed by the duly authorized signatory signing the Prequalification and stamped with the Candidate's stamp.

3.9 Documents Comprising the Prequalification

The Prequalification prepared and submitted by the Candidates shall include but not be limited to all the following components: -

- a) *Letter of Application completed in accordance with paragraphs 3.10, 3.11 and 3.12 below.*
- b) *Documentary evidence established in accordance with paragraph 3.13 that the Candidate is eligible and qualified to Prequalification .*

3.10 Letter of Application

The Candidate shall complete the Letter of Application and all other documents furnished in the Prequalification Document attaching all documents required noting to include originals where necessary. The Candidate should also indicate the items they can Prequalification for and their country of origin if pre-qualified, amongst other information required.

3.13 Candidate's Eligibility and Qualifications

3.13.1 Pursuant to paragraph 3.2, the Candidate shall furnish, as part of its Prequalification , documents establishing the Candidate's eligibility to Prequalification and its qualifications to be pre-qualified.

3.13.2 The documentary evidence of the Candidate's eligibility to Prequalification shall establish to KPLC's satisfaction that the Candidate, at the time of submission of its Prequalification , is eligible Candidate as defined under paragraph 3.2.

3.13.3 The documentary evidence of the Candidate's qualifications to be pre-qualified if its Prequalification is accepted shall be established to KPLC's satisfaction –

- a) *where applicable, in the case of a Candidate offering to supply goods, equipment and ancillary services upon pre-qualification which the Candidate does not manufacture or otherwise produce, the Candidate has been duly authorized by the goods' manufacturer or producer to supply the goods. The authorization shall strictly be in the form and content as prescribed in the Manufacturer's Authorization Form in the Prequalification Document*
- b) *that the Candidate observes financial discipline by operating distinct accounts for the business. The Candidate shall be required to provide the documents as specified in the Appendix to Instructions to Candidates.*
- c) *where applicable, that the Candidate has the technical and production capability necessary to produce the items upon pre-qualification.*
- d) *that the Candidate has the capability necessary to supply the items if and when the candidate becomes the successful Prequalification er upon actual award of a subsequent Prequalification .*

3.17 Validity of Prequalification s

3.17.1 Prequalification s shall remain valid for one hundred and twenty (120) days after the date of Prequalification opening as specified in the Invitation for Pre-qualification or as otherwise may be prescribed by KPLC, pursuant to paragraph 3.23. A Prequalification that is valid for a shorter period shall be rejected by KPLC as non-responsive.

3.17.2 In exceptional circumstances, KPLC may extend the Prequalification validity period. The extension shall be made in writing. A Candidate shall not be required nor permitted to modify its Prequalification during the extended period.

3.19 Number of Sets of and Prequalification Format

- 3.19.1 The Candidate shall prepare two complete sets of its Prequalification , identifying and clearly marking the “ORIGINAL PREQUALIFICATION ” and “COPY OF PREQUALIFICATION ” as appropriate. Each set shall be properly bound. The copy shall be a replica of the Original. The copy will be deemed to contain the same information as the Original.
- 3.19.2 Notwithstanding the contents of sub-paragraph 3.19.1, where there is any discrepancy between the Original and the Copy of the Candidate’s documents, the Original shall govern.
- 3.19.3 The Prequalification shall be bound and divided clearly in descending order as listed in the Prequalification Submission Checklist. The divisions are for clear identification and marking of the respective documents or information that are serially numbered in the Checklist.
- 3.19.4 The order and arrangement as indicated in the Prequalification Submission Checklist will be considered as the Prequalification Format.
- 3.19.6 Any Prequalification not prepared and signed in accordance with this paragraph, may be rejected by KPLC as non-responsive, pursuant to paragraph 3.28.

3.21 Preparation and Signing of the Prequalification

- 3.21.1 The Original and the copy of the Prequalification shall be typed or written in indelible ink. They shall be signed by the Candidate or a person or persons duly authorized to bind the Candidate.
- 3.21.2 The authorization shall be indicated by a written Power of Attorney granted by the Prequalification er to the authorized person before any of the following persons:-
- a) *For local Prequalification ers, a Commissioner of Oaths or a Notary Public or a Magistrate of the Kenyan Judiciary.*
 - b) *For foreign Prequalification ers, a Notary Public in the country of the Prequalification er.*

In either case above, the Power of Attorney shall accompany the Prequalification .

- 3.21.3 All pages of the Prequalification , including un-amended printed literature, shall be initialled by the person or persons signing the Prequalification and serially numbered.
- 3.21.4 The Prequalification shall have no interlineations, erasures, or overwriting except as necessary to correct errors made by the Candidate, in which case such corrections shall be initialled by the person or persons signing the Prequalification .
- 3.21.5 KPLC will assume no responsibility whatsoever for the Candidate’s failure to comply with or observe the entire contents of this paragraph 3.21.
- 3.21.6 Any Prequalification not prepared and signed in accordance with this paragraph may be rejected by KPLC as non-responsive, pursuant to paragraph 3.28.

3.22 Sealing and Outer Marking of Prequalifications

- 3.22.1 The Candidate shall seal the Original and the copy of the Prequalification in separate envelopes or packages, duly marking the envelopes or packages as “ORIGINAL” and “COPY OF PREQUALIFICATION”. The envelopes or packages shall then be sealed in outer envelopes or packages.
- 3.22.2 The inner and outer envelopes or packages shall -
- a) *be addressed to KPLC at the address given in the Invitation to Prequalification,*
 - b) *bear the Prequalification number and name as per the Invitation to Prequalification and the words, “DO NOT OPEN BEFORE as specified in the Invitation for Prequalification.*
- 3.22.4 All inner envelopes or packages shall also indicate the name and full physical, telephone, e-mail, facsimile and postal contacts of the Prequalification er to enable the Prequalification to be returned unopened in circumstances necessitating such return including where Prequalification s are received late, procurement proceedings are terminated before Prequalification s are opened or the Prequalification does not qualify for further financial evaluation in accordance with the Summary of Evaluation Process set out in the Prequalification Document.
- 3.22.5 If the envelopes or packages are not sealed and marked as required by this paragraph, KPLC will assume no responsibility whatsoever for the Prequalification ’s misplacement or premature opening. A Prequalification opened prematurely for this cause will be rejected by KPLC and promptly returned to the Prequalification er.

3.22 Deadline for Submission of Prequalification s

- 3.22.1 Prequalification s must be received by KPLC by the time and at the place specified in the Invitation for Prequalification.
- 3.22.2 KPLC may, at its discretion, extend this deadline for submission of Prequalification s by amending the pre-qualification documents in accordance with paragraph 3.7, in which case all rights and obligations of KPLC and the Candidate’s previously subject to the initial deadline, will therefore be subject to the deadline as extended.

3.23 Modification and Withdrawal of Prequalification s

- 3.23.1 The Candidate may modify or withdraw its Prequalification after it has submitted it, provided that written notice of the modification, including substitution or withdrawal of the Prequalification is received by KPLC prior to the deadline prescribed for submission of Prequalification s.
- 3.23.2 The Candidate’s modification or withdrawal notice shall be prepared, sealed, marked, and dispatched in accordance with the provisions of paragraphs 3.19, 3.20 and 3.21. A withdrawal notice may also be sent by facsimile, electronic mail, cable or telex but followed by an original signed confirmation copy, postmarked not later than the deadline for submission of Prequalification s.

3.23.3 No Prequalification may be modified after the deadline for submission of Prequalification s.

3.24 Opening of Prequalification s

- 3.24.1 KPLC shall open all Prequalification s promptly after the close of submission at the location specified in the Invitation for Prequalification or as may otherwise be indicated. The Candidates or their representatives may attend the opening and those present shall sign a register evidencing their attendance.
- 3.24.2 The Candidate's names, Prequalification modifications or withdrawals and such other details as KPLC, at its discretion, may consider appropriate, will be announced at the opening.
- 3.24.3 KPLC will prepare Minutes of the Prequalification opening.

3.25 Clarification of Prequalification s

- 3.25.1 To assist in the examination, evaluation and comparison of Prequalification s KPLC may, at its discretion, ask the Candidate for a clarification of its Prequalification. The request for clarification and the response shall be in writing, and no change in the substance of the Prequalification shall be sought, offered, or permitted.
- 3.25.2 Failure to provide timely clarification or substantiation of the information that is essential for effective evaluation of the Candidate's qualifications shall result in the Candidate's disqualification.

3.15 Inspection

- 3.15.1 KPLC or its representative(s) shall have the right to inspect the Candidate's capacity, equipment, premises, and to confirm their conformity to the pre-qualification requirements. This shall include the quality management system. KPLC's representative(s) retained for these purposes shall provide appropriate identification at the time of such inspection.
- 3.16.2 KPLC shall meet its own costs of the inspection. Where conducted on the premises of the Candidate(s), all reasonable facilities and assistance, shall be furnished to the inspectors at no charge to KPLC.
- 3.16.3 Inspection Report shall be completed upon conclusion of the inspection. This Report will be considered at time of evaluation and or approval as pre-qualified.

3.26 Prequalification Evaluation

- 3.26.1 KPLC will determine the responsiveness of each Prequalification . For purposes of this pre-qualification, a responsive Prequalification is one that conforms to all the requirements of the Evaluation. KPLC's determination of a Prequalification 's responsiveness is to be based on the contents of the Prequalification itself without recourse to extrinsic evidence.
- 3.26.3 If a Prequalification is not responsive, it will be rejected at the earliest stage of evaluation by KPLC and can not subsequently be made responsive by the Candidate by correction of any non-conformity.

3.26.4 Pre-qualification will be based on meeting the requirements to pass in the criteria set out in the Summary of Evaluation Process.

3.27 Process to be Confidential

3.27.1 After the opening of Prequalification s, information relating to the examination, clarification, evaluation and comparisons of Prequalification s and recommendations arising there-from shall not be disclosed to a Candidate or other person(s) not officially concerned with such process until conclusion of that process.

3.27.2 Any effort by a Candidate to influence KPLC or any of its staff members in the process of examination, evaluation and comparison of Prequalification s and information or decisions concerning award of Contract may result in the rejection of the Candidate's Prequalification .

3.29 Minor Deviations, Errors or Oversights

3.29.1 KPLC may waive any minor deviation in a Prequalification that does not materially depart from the requirements set out in the Prequalification Document.

3.29.3 KPLC may waive errors and oversights that can be corrected without affecting the substance of the Prequalification .

3.31 Prequalification Evaluation Period

The Prequalification evaluation committee shall evaluate the Prequalification within the validity period of the Prequalification .

3.32 Debarment of a Candidate

A Candidate who gives false information in the Prequalification about its eligibility or qualification shall be considered for debarment from participating in future public procurement.

3.35 Confirmation of Qualification for Appointment on the Standing List

3.35.1 KPLC may confirm to its satisfaction whether the Candidate that is identified is qualified for appointment.

3.35.2 The confirmation will take into account the Candidate's technical, and production capabilities. It will be based upon an examination of the documentary evidence of the Candidate's qualifications submitted by the Candidate, pursuant to paragraph 3.13 as well as confirmation of such other information as KPLC deems necessary and appropriate. This may include factory and other facilities inspection and audits.

3.35.3 An affirmative confirmation will be a prerequisite for appointment to the Standing List. A negative confirmation will result in rejection of the Candidate's Prequalification .

3.36 Approval of Pre-qualification

- 3.36.1 The approval of pre-qualification will be either pass or fail regarding the Candidate's general and particular experience, capabilities and financial position as demonstrated by the Candidate's response to this Prequalification and inspection when conducted.
- 3.36.2 Approval shall be for all Candidates who meet the prequalification requirements as prescribed in the Appendix to Instructions to Candidates .
- 3.36.3 KPLC shall invite Prequalification s as and when it requires from only the Candidates who have been pre-qualified, subject to applicable thresholds.

3.36 Termination of Procurement Proceedings

- 3.36.1 KPLC may at any time terminate prequalification proceedings before approval and shall not be liable to any person for the termination.
- 3.36.2 KPLC shall give prompt notice of the termination to the Candidates and, on request from any Candidate, give its reasons for termination within fourteen (14) days of such request.

3.37 Notification of Appointment

- 3.37.1 Prior to the expiration of the period of Prequalification validity, KPLC shall notify the successful Candidate(s) in writing that its Prequalification has been approved.
- 3.37.2 The notification of appointment shall not constitute the formation of the contract.
- 3.37.3 Simultaneously, on issuance of Notification of Appointment to the successful Candidate(s), KPLC shall notify each unsuccessful Candidate.

3.38 Acceptance of Pre-qualification

- 3.38.1 At the same time as KPLC notifies the approved Candidate that its Prequalification has been approved, KPLC will send the Candidate a copy of the Notification of Appointment together with any other necessary documents incorporating all agreements between the Parties.
- 3.38.2 Within Seven (7) days of the date of notification of appointment, the successful Candidate(s) shall sign and stamp (where applicable) the copy of notification of appointment and all other documents, if any, and return them to KPLC.
- 3.38.4 Failure of the successful Candidate(s) to sign and return the copy of the Notification of Appointment, the Appointment shall stand nullified.

3.40 Corrupt or Fraudulent Practices

- 3.40.1 KPLC requires that Candidates observe the highest standard of ethics during the procurement process and execution of contracts. When used in the present regulations, the following terms are defined as follows: -
 - a) *“Corrupt practice” means the offering, giving, receiving or soliciting of any thing of value to influence the action of public official in the procurement process or in contract execution;*

b) *“Fraudulent practice” means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of KPLC, and includes collusive practice among Candidates (prior to or after Prequalification submission) designed to establish Prequalification prices at artificial non-competitive levels and to deprive KPLC of the benefits of free and open competition.*

3.40.2 KPLC will reject a Prequalification if it determines that the Candidate recommended for approval has engaged in corrupt or fraudulent practices in competing for the pre-qualification.

3.40.3 Further, a Candidate who is found to have indulged in corrupt or fraudulent practices risks being debarred from participating in public procurement in Kenya.

APPENDIX TO INSTRUCTIONS TO CANDIDATES

The following information regarding the particulars of the Pre - qualification shall complement and or amend the provisions of the Instructions to Candidates *hereinafter abbreviated as ITC*. Wherever there is a conflict between the provisions of the ITC and the Appendix, the provisions of the Appendix herein shall prevail over those of the ITC.

ITC Reference Clause	Particulars of Appendix
3.2.1 Eligible Candidates	<i>Each Engine Type manufacturer, Appointed dealer, Sub-dealer or Agent for engine spare parts.</i>
3.9 (b) Documentary evidence of Candidate's eligibility to qualify	<i>Manufacturer's Authorization as a Proof of dealership or Sub-dealership or Agent for engine spares parts.</i>
3.13.3 (b) Documentary evidence of financial capability	<i>* Last Two Financial Years audited financial statements and Last Two Financial Year's Annual Tax Returns.</i>
3.35.2 Mode of Award	<i>The award of the tender will be on each Engine type basis. Tenderer to state his interest on table below by indicating 'YES'</i>
3.21 Preparation and Signing of the Tender	<i>There will be only one document Submitted on the E procurement Portal. Bidders shall ensure that they upload all the required documents into the Portal</i>
3.20.1 Number of Sets of the Tender Format	<i>For the purpose of this Tender ,this is not applicable as the Tender is being submitted electronically</i>
3.22 Sealing and outer Marking of the Tenders	<i>For the purpose of this Tender, this is not applicable as the Tender is being submitted electronically</i>
Duration of Prequalification	<i>2 years</i>

SECTION IV – DETAILED DESCRIPTION OF ITEMS

Part A - Brief Schedule of Details on Proposed Supply and Delivery of spare parts for Cummins, Perkins, Stork Wartsila, Deutz , ABC, Volvo engines, Caterpillar Engines, Consumables spares parts, Renewable energy accessories & spares parts, Provision of various specialized engineering services plus Civil & Mechanical works to Off Grid power stations).

Item No.	*KPLC Code	Brief Description	Unit of Measure	Estimated Quantity	Proposed location of Delivery	*Candidate , please tick where interested
<u>ENGINE SPARES PARTS</u>						
1		<i>Supply and Delivery of Cummins Spare Parts</i>	Lot	Lot	Nairobi South Stores	
2		<i>Supply and Delivery of Perkins Spare Parts</i>	Lot	Lot	Nairobi South Stores	
3		<i>Supply and Delivery of Deutz Spare Parts</i>	Lot	Lot	Nairobi South Stores	
4		<i>Supply and Delivery of Wartsila Spare Parts</i>	Lot	Lot	Nairobi South Stores	
5		<i>Supply and Delivery of ABC Spare Parts</i>	Lot	Lot	Nairobi South Stores	
6		<i>Supply and Delivery of Volvo Spare Parts</i>	Lot	Lot	Nairobi South Stores	
7		<i>Supply and Delivery of caterpillar engines</i>	Lot	Lot	Nairobi South Stores	
<u>OTHER EQUIPMENTS</u>						
8		Alfa Laval Separators	Lot	Lot	Nairobi South Stores	
9		Turbo Chargers	Lot	Lot	Nairobi South Stores	
10		LT 55 Compressors	Lot	Lot	Nairobi South Stores	
<u>CONSUMABLES SPARES PARTS</u>						
11		Filters	Lot	Lot	Nairobi South Stores	
12		Batteries	Lot	Lot	Lot	

SPECIALISED ENGINEERING SERVICES						
<u>Engineering works-</u>						
13		-Manufacturing of gears and shafts. -Crankshaft grinding and polishing, -Cylinder head facing repairs and pressure testing, -Cylinder liner honing, -Engine block services, -Pressure testing, pressing of bearings ,	Lot	Lot	N/A	
14		Hosting equipment's and accessories	Lot	Lot	Nairobi South Stores	
<u>Radiator Services-</u>						
154		Recoring and repairs of radiators	Lot	Lot	N/A	
<u>Hose Pipes-</u>						
16		Supply and manufacturing of specialized high pressure/temperature hose pipes for fuel and hydraulic works	Lot	Lot	Nairobi South Stores (Where Applicable)	
<u>Carbon dioxide/ Industrial gas</u>						
17		Supply Of carbon Dioxide, Industrial gas	Lot	Lot	Nairobi South Stores	

					(Where Applicable)	
18		Specialised gas and Arc Welding ,Mig welding and tag welding.	Lot	Lot	Nairobi South Stores (Where Applicable)	
<u>Generator and Motor rewinding/testing.</u>						
19		Generator and Motor rewinding/testing	Lot	Lot	Nairobi South Stores (Where Applicable)	
<u>Specialized gas and Arc Welding, Mig and tag</u>						
20		Specialized gas and Arc Welding,Mig and tag	Lot	Lot	N/A	
<u>Engine Overhaul services</u>						
21		Hiring of Engine Overhauling services	Lot	Lot	N/A	
<u>Generator Canopy</u>						
22		Supply and installation of Generator Canopy	Lot	Lot	Nairobi South Stores (Where Applicable)	
<u>ELECTRICAL SPARES,POWER CABLES & FITTINGS AND MECHANICAL PARTS CABLES SWITCHES</u>						
23		Electrical Spares,power cables & Fittings and mechanical parts cables switches	Lot	Lot	Nairobi South Stores	

<u>SOLAR PV PANELS & SOLAR SYSTEM ACCESSORIES</u>						
24		Solar PV panels & solar system accessories	Lot	Lot	Nairobi South Stores	
25		Hire of maintenances and repair services of solar system/plant	Lot	Lot	N/A	
<u>WIND TURBINE SYSTEM AND ITS ACCESSORIES</u>						
26		Electrical Spares, power cables & Fittings and mechanical parts cables switches	Lot	Lot	Nairobi South Stores	
27		Hire of maintenances and repair services wind turbine system/Plant	Lot	Lot	N/A	
<u>HIRE OF SERVICES</u>						
28		Hiring of Transportation of containerized gensets from Power station to Power station or Nairobi south	Lot	Lot	N/A	
29		Lifting services	Lot	Lot	N/A	
30		Load bank	Lot	Lot	Nairobi South Stores (Where Applicable)	
31		Generators	Lot	Lot	N/A	
<u>FUEL MONITORING EQUIPMENT</u>						

32		Supply, install and commission of fuel level monitoring systems	Lot	Lot	N/A	
<u>CALIBRATION OF FUEL TANKS</u>						
33		Calibration of fuel Tanks	Lot	Lot	N/A	
FUEL EQUIPMENT						
34		<ol style="list-style-type: none"> 1. Water finding paste 2. Fuel paste 3. Dipping tape 4. Hand pump 5. Fuel Transfer pumps 6. Electro valves 7. Float Valves 	Lot	Lot	Nairobi South Stores (Where Applicable)	
CIVIL WORKS RELATED TO GENERATORS (CIVIL AND MECHANICAL WORKS)						
35		<ol style="list-style-type: none"> 1. Building construction. 2. Road construction. 3. Tanks supply & Installation. 4. Borehole drilling. 5. Service and Submersible 	Lot	Lot	N/A	

		<p>Pumps supply & installation works.</p> <p>6. Pipe supply works and related works.</p> <p>7. Any other civil works related to power stations.</p>				
--	--	--	--	--	--	--

***NOTES:**

1. All Candidates must indicate their interest by saying “Yes” or “√” Ticking or “Not Applicable (N/A) or “X” Crossing against each item.
2. Please note that where a Candidate leaves a blank space it will be deemed and evaluated on the basis that the Candidate is not interested in that item i.e. N/A.
3. Candidate, please note that KPLC intends to Prequalification and procure the above items from time to time over the period prescribed in the Appendix to Instructions to Candidates.

SECTION V - SUMMARY OF EVALUATION PROCESS

Evaluation of duly submitted prequalification tenders will be conducted along the following lines and scores given against each criterion: -

Evaluation of duly submitted prequalification tenders will be based on submission of below **MANDATORY** items,

No.	Item	To be Uploaded (Mandatory requirement)
1	Letter of Application.	
2	Confidential Business Questionnaire (CBQ)	
3	Declaration Form	
4*	Copy of PIN Certificate	
5*	Copy of Valid Tax Compliance Certificate	
6	Copy of Company or Firm's Registration Certificate	
7	Copy of CR12	
8	Copy of a Valid trade license	
9	Office/Premises Availability <ul style="list-style-type: none"> a) Copy of Lease or Tenancy Agreement or title deed or electricity or water or telephone bill b) All documents must be in the name of the tenderer or Agreement between the tenderer and Landlord or lessor c) The bills should not be more than three months old from the date of the tender document 	
10	Manufacturer's Authorization or Proof of dealership or Sub-dealership or Agent for interested Engine type spare parts	
11	Confirmation of Non-performance on delivery for an issued official purchase order or any contract did not occur within the last Three years (3) years prior to the deadline for tender bid submission. Any Tenderer with such a record or unresolved case will not be considered for further evaluation.	
12	KPLC Representative shall conduct due diligence to ascertain the supplier or contractor capability including visiting their premises being part of evaluation.	
13	Financial Statements. The audited financial statements required must be those that are reported within eighteen (18) calendar months of the date of the prequalification document. <i>(For companies or firms that are registered or incorporated within the last one calendar year of the Date of the Prequalification Document, they should submit certified copies of bank statements covering a period of at least six months prior to the date of the prequalification document. The copies should be certified by the Bank issuing the statements. The certification should be original).</i> OR	

	Certified copies of bank statements covering a period of at least six months prior to the date of the prequalification document.	
--	--	--

***NOTES ON EVALUATION PROCESS:-**

1. For Foreign Candidates please give the VAT Registration Certificate or its equivalent in the country of Candidate or a statement from the tax authorities in the Candidate's country of origin indicating that such certificate or its equivalent is not issued.
2. The approved Candidates shall be the one with the ones who comply with **ALL THE MANDATORY REQUIREMENTS** as outlined in the tender document.

SECTION VI- LETTER OF APPLICATION

Date:

Prequalification No.

To:

The Kenya Power & Lighting Company Limited,
Stima Plaza,
Kolobot Road, Parklands,
P.O Box 30099 – 00100,
Nairobi, Kenya.

Ladies and Gentlemen,

1. Having read, examined and understood all of the pre-qualification information provided in the Prequalification Document, the receipt of which is hereby duly acknowledged, we, the undersigned Candidate, hereby apply to be prequalified by yourselves as a potential bidder for the item(s) as indicated by us in Section IV Detailed Description of Items.
2. We agree to abide by this Prequalification for a **period of.....days (Candidate please indicate validity of your Prequalification)** from the date fixed for Prequalification opening as per the Prequalification Document, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
3. This application, together with your written appointment thereof, shall not constitute a contract between us nor commit KPLC to any actual Prequalification or amount of contract.
4. We understand that you are not bound to accept any application you may receive.
5. We declare that the statements made and the information provided in our prequalification Prequalification document are complete, true, and correct in every detail.

Yours sincerely,

Name of Candidate

Name and Capacity of authorised person signing the Application

Signature of authorised person signing the Prequalification

Stamp or Seal of Candidate

NOTES:-

1. KPLC requires a validity period of at least one hundred and twenty (120) days.
2. This form must be duly signed, stamped and/or sealed.

SECTION VII- CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

All Candidates are requested to give the particulars indicated in Part 1 and either Part 2 (a), 2 (b) or 2 (c) whichever applies to your type of business. Candidates are advised that it is a serious offence to give false information on this form.

Part 1 – General

Business Name.....

Location of business premises.....

Plot No.Street/ Road

Postal Address Postal Code

Tel No.....

Facsimile.....

Mobile and CDMA No.....

E-mail:.....

Nature of your business

Registration Certificate No.....

Maximum value of business which you can handle at any time KSh.....

Name of your BankersBranch... ..

*Names of Candidate's contact person(s)

Designation/ capacity of the Candidate's contact person(s)

Address, Tel, Fax and E-mail of the Candidate's contact person(s)

.....

.....

Part 2 (a) Sole Proprietor

Your name in full

NationalityCountry of origin

Part 2 (b) Partnership

Give details of partners as follows: -

Names	Nationality	Shares (%)
-------	-------------	------------

1.....

2.....

3.....

4.....

5.....

Part 2 (c) Registered Company

Private or Public

State the nominal and issued capital of company-

Nominal KSh.

Total Issued KSh.

Give details of all directors as follows

Name	Nationality	Shares (%)
------	-------------	------------

1.....

2.....

3.....

4.....

5.....

Name of duly authorized person to sign for and on behalf of the Prequalification
er.....

Capacity of the duly authorized person.....

Signature of the duly authorized person.....

***NOTES TO THE PREQUALIFICATION FORMS ON THE QUESTIONNAIRE**

1. *The address and contact person of the Candidate provided above shall at all times be used for purposes of this pre-qualification Pre- qualification .*
2. *The details on this Form are essential and compulsory for all Candidates. **Failure to provide all the information requested shall lead to the Candidate's disqualification.***
3. *For foreign Candidates please give the details of nominal and issued share capital in the currency of the country of origin of the Candidate.*

SECTION VIII - DECLARATION FORM

Date _____

To:

The Kenya Power & Lighting Company Limited,
 P.O Box 30099 – 00100,
 Stima Plaza, Kolobot Road, Parklands,
 Nairobi,
KENYA.

Ladies and Gentlemen,

The Prequalification er i.e. (full name and complete physical and postal address) _____
 _____ declare the following: -

- a) That I/ We have not been debarred from participating in public procurement by anybody, institution or person.
- b) That I/ We have not been involved in and will not be involved in corrupt and fraudulent practices regarding public procurement anywhere.
- c) That I/We or any director of the firm or company is not a person within the meaning of paragraph 3.2 of ITT (Eligible Prequalification ers) of the Instruction to Prequalification ers.
- d) That I/ We are not insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings relating to the foregoing.
- e) That I/ We are **not** associated with any other Prequalification er participating in this Prequalification .
- f) That I/We do hereby confirm that all the information given in this Prequalification is accurate, factual and true to the best of our knowledge.

Yours sincerely,

Name of Prequalification er_____
Signature of duly authorised person signing the Prequalification_____
Name and Capacity of duly authorised person signing the Prequalification_____
Stamp or Seal of Prequalification er

SECTION IX - MANUFACTURER’S AUTHORIZATION FORM

(To Be Submitted On Manufacturer’s Letterhead)

To:

The Kenya Power & Lighting Company Limited,
Stima Plaza, Kolobot Road, Parklands,
P.O Box 30099 – 00100,
Nairobi, Kenya.

WHEREAS WE(*name of the manufacturer*) who are established and reputable manufacturers of
(*name and description of the goods*) having factories at(*full address and physical location of factory(ies) where goods to be supplied are manufactured*) do hereby confirm that
(*name and address of Supplier*) is authorized by us to transact in the goods required against your Prequalification (*insert reference number and name of the Prequalification*) in respect of the above goods manufactured by us.

DATED THIS..... DAY OF.....20.....

Signature of duly authorised person for and on behalf of the Manufacturer.

Name and Capacity of duly authorised person signing on behalf of the Manufacturer

NOTES TO PREQUALIFICATION ERS AND MANUFACTURERS

Only a competent person in the service of the Manufacturer should sign this letter of authority.

X - THE TECHNICAL SPECIFICATIONS

Technical specifications describe the basic requirements for goods. In addition to the information and documentation in the Prequalification document regarding the technical aspects of this Prequalification , all Candidates shall comply with the following -

PART A - GENERAL REQUIREMENTS

1. Technical documentation shall be in English language. The specific items of interest shall be marked clearly for the goods under prequalification.
2. Candidates should note that the Detailed Technical Specifications are a guide on KPLC's requirements for the goods under prequalification.
3. Detailed contact information including title, e-mail, facsimile, telephone or any other form of acceptable communication of the testing and standards body used shall be provided.
4. Where Type Test Certificates and their Reports and or Test certificates and their Reports are translated into English, all pages of the translations must be signed and stamped by the testing authority.
5. A Copy of the manufacturer's valid quality management system certification i.e. ISO 9001 shall be submitted for evaluation. For locally manufactured goods this requirement is not mandatory but all Test Reports and Certificates shall be certified by the Kenya Bureau of Standard (KEBS) or its appointed agent(s), in which case a letter of Accreditation will be submitted.
6. In all cases where the level of galvanizing and painting is not specifically stated in the detailed Technical Specifications, the general requirement shall be for a uniform coating of thickness not less than 80 microns.