



## Kenya Power

### MINUTES OF PRE-BID MEETING FOR ICB NO: KP1/6E.3/PT/1/19/A70 AND KP1/6E.3/PT/1/19/A71 FOR PROCUREMENT OF DESIGN, SUPPLY, INSTALLATION AND COMMISSIONING OF EXTENSIONS OF MV LINES, LV SINGLE PHASE LINES AND SERVICE CABLES FOR THE LAST MILE CONNECTIVITY PROJECT - AFD/EU/EIB HELD ON 17<sup>TH</sup> DECEMBER, 2019 AT STIMA PLAZA AUDITORIUM

#### **1.0 INTRODUCTION**

Ag. Contract Project Manager, AFD/EU/EIB Last Mile Connectivity Project called the meeting to order at 10.30 a.m. and the meeting was opened by a word of prayer. He provided a brief description of scope of the project and reiterated the importance of conserving the environment while implementing the project as the donor has a key interest on it.

#### **1.1 IN ATTENDANCE FROM KENYA POWER**

1. John Kyalo (Ag. Contract Project Manager, AFD/EU/EIB Last Mile Connectivity Project)
2. Stella Mucheke (Ag. Chief Supply Chain Officer, Donor Funded Projects)
3. Eric Abila (Accountant, Donor Funded Projects)
4. Alex Kiptoo (3rd Assistant Engineer)
5. Ali Hussein (Procurement Officer)

#### **1.2 PRESENT BIDDERS**

The pre-bid meeting was attended by representatives of various prospective bidders.

#### **1.3 PROCUREMENT MATTERS**

The following procurement issues were highlighted based on the provisions of the issued bidding document;

- The invitation to tender was floated on 3<sup>rd</sup> December 2019 and the bid closing/ opening date is 11<sup>th</sup> February, 2020. There is no anticipated extension of bid opening/ closing date.
- Submission of bids shall be hard copies with one original, 2 copies and a soft copy in a flash disk.

- Bidders can bid for all lots but the maximum that can be awarded to a bidder is two (2) lots for AFD/EU, while the maximum that can be awarded to a bidder for EIB is one (1) lot as per the bid document.
- Bid Security and the Performance guarantee submitted shall be from a locally registered bank i.e. a bank operating in Kenya.
- The implementation period of the project is 24 months
- The language of the bid is English and recognized attorney or authorities shall translate documents in other languages.
- Domestic preference shall not apply for this procurement process.
- Bidders were reminded to read the issued bidding document keenly.
- Bidders were notified that the bid security amount in the issued bidding document and that of the advert were different. To rectify this error KPLC is working to pull down the issued bidding document in the website and the DgMarket and replace it with a revised bidding document.

#### **1.4 FINANCE MATTERS**

The following financial issues were highlighted based on the provisions of the issued bidding document;

- The currencies for bidding are Euro and/or Kenya Shillings only.
- Bid security (Bank Guarantee) must be in the format provided in the bidding document without any alteration.
- Genuine Audited accounts must be for the last 5 years as per the requirements of the issued bidding document.
- There will be no Letter of Credit (LC) for AFD/EU project. There will be LC for EIB project for specified materials.
- Bidders were advised to read through payments terms keenly
- Indirect taxes are exempted in this projects

## 1.5 QUESTION AND ANSWER

NO.	QUESTION	KPLC RESPONSE
1.	Please elaborate on ERC certificate and the wayleaves	<p>Contractor will issue wiring certificates for instances where ready boards will be installed.</p> <p>In cases where customers does electrical installation, the customers will submit wiring certificates issued by the technician who did the electrical installation.</p> <p>The contractor is responsible for Power line way leaves acquisition complete with signing way leaves consents with landowners (in liaison with KPLC wayleaves staff) or other statutory bodies authorized to sign such consents. KPLC will however handle way leave issues that come up during implementation of the project.</p>
2.	Bidding document states that custom duties are exempt whereas another section says bidders will give	The contract is tax exempt but contractors can issue custom duty bonds to avoid demurrages and unnecessary delays to the project.
3.	Are ISO certificate for poles and other materials mandatory?	ISO or National accreditation (KEBS, diamond mark of quality) for major items within the client's country and ISO for materials outside the employers country
4.	Are we going to use coated conductor to avoid cutting down trees?	Yes, the phase conductor is PVC coated as per the issued bidding document.
5.	Should we attach the bid security copy to the bid?	Yes in the copy sets of the document but the original has to be delivered at the tender box
6.	What is the latest date for payment of advance?	60 days after submission of the advance payment request and fulfilment of all the precedent conditions.
7.	Site visits time and day?	Today and the coordinates shared
8.	Will experience in other countries be considered?	Yes, experience from eligible countries will be considered.
9.	Is KPLC providing hard copies of the bidding documents?	KPLC issues soft copies in compact disks upon request and payment of the stated fee as per

NO.	QUESTION	KPLC RESPONSE
		the bidding document.
10.	Are we using end boards or ready boards?	Ready boards will be used. The specifications for ready boards will be uploaded in the website.
11.	Will the successful bidder handover the project vehicles to KPLC at the end of the project?	No. This is basically a provision of transport services to the project. Therefore there are no vehicles to be handed over to KPLC after completion of the project.
12.	Can a bidder be considered if it has experience in transmission projects?	The experience required is for distribution voltages between 240V and 33000V. Transmission experience will not be considered.
13.	What is the corresponding bank in case of PG and Bid security?	It is a conforming Bank in the Employer's Country that acts as an agent of a foreign Bank.
14.	By contractor issuing wiring certificates, it is a declaration that in case of incident(s) contractor is responsible for electrical installation. Is the contractor supposed to be responsible?	Contractor is responsible for installation of ready boards, earthing and testing hence shall issue wiring certificate.  Where a customer has done their own electrical installation, they shall provide wiring certificates issued by the technician who did the electrical installation.
15.	Are bidders submitting different set of documents if bidding for more than one lot?	Bidders should submit separate sets of documents for different lots i.e one set for each lot.
16.	The quantities in schedule 4 and 3 of A71 are erroneous.	KPLC to check and revert
17.	Do KPLC require ISO or diamond mark for poles?	Its ISO certificate or equivalent hence diamond mark qualifies.
18.	What is the applicable percentage of withholding Tax	Currently it is at 3% but bidders need to check with KRA to confirm the applicable rates.
19.	Lot/KM might mislead since span length varies	Terrain are different and bidders should familiarize with the area of interest and do analysis before quoting
20.	Are these projects on existing distribution transformers or are we developing new MV lines?	For A70 there are cases where we are establishing new MV lines and new distribution transformers while in A71 we are only

NO.	QUESTION	KPLC RESPONSE
		maximizing existing transformers. Kindly refer to the bidding documents.
21.	Any measures to protect the Kenyan companies?	The donor procurement guidelines dictates that ICB shall be used.
22.	In Pg 45, JV partners are treated as different entities.	kindly refer to Section III – Evaluation Criteria, the requirements are very clear on the qualification requirements for JVs
23.	Why is Lot/KM quantities for conductor different.in each Lot?	The scope of works is different for every lot. Kindly refer to the bidding document.
24.	The Guaranteed Technical Particulars forms are not provided	Kindly refer to the technical specifications provided that contains all the Guaranteed Technical Particulars (GTPs)
25.	Are we supposed to include taxes in the price schedule?	No Indirect taxes on the price schedule.
26.	Can bidders quote two manufactures for one material	Yes, but KPLC will evaluate the manufactures differently. KPLC will choose which manufacturer to supply.
27.	FAT cost is indicated as lump sum?	Yes
28.	How long is the defect liability period?	365 Days
29.	No Manufacture authorization form in A71	Templates shall be the same and KPLC will check and provide if missing.
30.	Can a bidder change a manufacturer?	Not accepted unless in extreme circumstances for example bankruptcy and in cases of compromised in quality
31.	Other countries stipulate that if no domestic preference, contractor shall engage locals for subcontractors. What is the structure in future?	Procurement models are agreed between GoK and donors during drafting of Financing agreements.  KPLC is currently working with GoK and donors so that a favorable procurement structure is developed to encourage domestic participation.
32.	Is there an Approved list of vendors?	No. This is a turnkey project and it is the responsibility of contractors to liaise with vendors who will supply the materials of the stated specifications.

NO.	QUESTION	KPLC RESPONSE
33.	From previous experience, consultants are sometimes absent. What is KPLC doing to make sure that consultants deliver?	KPLC is currently working to recruit a consultant to be in place on or before the works contracts are signed. The consultant will be engaged strictly as per the terms of reference. Bidders are however encouraged to play their roles to avoid many snags during site handovers.
34.	Is registration in pre-bid mandatory?	No. Pre-bid is not mandatory

### **1.6 CLOSING REMARKS**

The Ag. Contract Project Manager, AFD/EU/EIB LMCP thanked all the bidders for showing interest in the tender and for attending the pre-bid meeting.

There being no other business the meeting ended at 12:30p.m and proceeded to Ruai for a site visit.

Yours faithfully,

**For: KENYA POWER & LIGHTING COMPANY LIMITED.**



**STELLA MUCHEKE**

**Ag. CHIEF SUPPLY CHAIN OFFICER, DONOR FUNDED ROJECTS**