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Stima Plaza, Kolobot Road

Our Ref: KP1/6E.3/PT/2/18/A65 – A66

24th May 2018

Dear Sir/ Madam:

**CLARIFICATION No. 2 OF BIDDING DOCUMENT FOR IPC NO:
 KP1/6E.3/PT/2/18/A65 and KP1/6E.3/PT/3/18/A66 - PROCUREMENT OF SINGLE PHASE PRE-PAID METERS AND MINIATURE CIRCUIT BREAKERS FOR THE LAST MILE CONNECTIVITY PROJECT ISSUED ON TUESDAY, 24TH APRIL 2018**

The following responses are made to clarifications sought on various issues in the Bidding Document for Procurement of single phase pre-paid Meters and Miniature Circuit Breakers for the Last Mile Connectivity Project.

No.	Bidder's Query	Client's Response/Clarification/Answer
1	"Page 24, section II - Bid Data sheet, sub-clause ITB 11.1(k), (b) ii) Description: The manufacturer shall provide copies of contract award letters, and purchase orders indicating quantity supplied under the contract and the contract amount. Question 1: Some of our contracts are only for one type of meter, it is too easy to release our commercial unit price if we show the contract quantity, and our clients also not prefer to let us release detailed information to third party. we request to block the quantity or contract amount in our contract and some sensitive information. Will this be accepted?"	Kindly refer to Section II, ITB 11.1(k)(b, ii) and fully comply
2	"Page 95, section IX - Special Conditions of Contract, Sub-clause GCC 28.3 Description: The period of validity of the warranty shall be: 365 days	<u>GCC 28.3 and Sub-Clause 8.1.1 refer to 365 days warranty and 54 months defect liability periods upon commissioning respectively.</u> Both clauses apply

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	<p>Page 127, Technical Specification-Meter, Sub-clause 8.1.1</p> <p>Description: The supplied Meters, UIUs and associated software/hardware shall be guaranteed by warranty against any defects, which may develop due to faulty material, calibration, transportation or workmanship for a period of fifty-four (54) months from the date of successful commissioning certificate for KPLC or sixty (60) months from dispatch, which is later. All defective meters shall be replaced at the supplier's cost within one (1) month of receipt of intimation.</p> <p>Question 2: In the SCC section, the prescribed warranty is 365 days, while in the technical specification section, the prescribed warranty is 54 months from the date of successful commissioning certificate for KPLC or sixty (60) months from dispatch. Please kindly clarify the warranty duration.</p> <p>"</p>	
3	<p>"Page 26, Section II-Bid data sheet, Sub-clause ITB 15.1</p> <p>Description: The prices shall be quoted by the bidder in: Ksh and/or Eur; The bidder is required to quote in the currency of the purchaser's country the portion of the bid price that corresponds to expenditures incurred in that currency.</p> <p>Page 93, Section IX. Special Conditions of Contract, Sub-clause GCC 16.1</p> <p>Description: Payment for goods supplied from abroad- Payment of local currency portion shall be made in Ksh.</p> <p>Question 3: Since for suppliers from abroad usually do not have local currency bank account, it is difficult to be paid in the local currency. We would like to know whether it is acceptable to quote and pay in Eur only for suppliers from abroad."</p>	Local Currency applies to that portion of the bid that has local expenditures only
4	<p>"Page 25, Section II. Bid data sheet, sub-clause ITB 11.1(k)</p> <p>Description: Submission of Meter Samples is not required at bid submission stage</p> <p>Page 127, Technical Specification-Meter, Sub-clause 8.2.1</p> <p>Description: The tenderer shall submit three (3) MCUs and three (3) UIU samples together with the tender documents</p>	<p>Please refer to clarification No 1 item 3 (dated 11th May 2018).</p> <p>Samples will be required to be provided by the winning bidder only.</p>

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	Question 4: Please kindly confirm whether the samples are needed"	
5	<p>"Page 143, Technical Specification-MCB, sub-clause 4.2.18 Description: The rated current for the MCB, which it will be able to carry continuously without tripping, shall be one(1) Amp or Seven(7) Amp (or as specified on the schedule of tender requirements). Question 5: We notice that the specification for MCB was released in 2014, so we would like to confirm whether the rated current of one(1) Amp or Seven(7) Amp is still applicable."</p>	<p>Sub-Clause 4.2.18 is hereby corrected as follows with respect to rated current for MCB. "The rated current for the MCB, which it will be able to carry continuously without tripping shall be 63A (or as specified on the schedule of tender requirements)"</p>
6	<p>"Page 144, Technical Specification-MCB, sub-clause 4.2.35 Description: The MCB shall have one protected pole Question 6: By ""Protected pole"", does it mean the MCB needs to be P, P+N, 2P? Does the MCB need to have leakage protection function? If yes, what is the leakage threshold?"</p>	<ul style="list-style-type: none"> • The MCB shall be (1P+N), 63A. • Sub-clause 4.2.35 to be corrected as follows; "The MCB shall have both "Live" and "Neutral" poles protected, and both shall operate simultaneously". <p>The rest of the MCB characteristics shall be as per the technical specifications clause 4.0 (requirements)</p>
7	<p>"2. Qualification-4.2(A)(ii)-Supply Capacity - The bidder shall be required to provide the following information in the format shown below in order to determine the available capacity. This information shall be certified by an auditor that certified the financial statements of the bidder. Question: The financial statements are certified by accounting firm, while the accounting firm does not certify the supply capacity. It is beyond its responsibility and duty. Whereas we have a supplier qualification verification certificate issued by state grid cooperation of China as supporting documents. Is that acceptable?"</p>	<p>Kindly refer to Section III, 2 - Qualification - 4.2, A(ii) and fully comply</p>
8	<p>"2 - Qualification - 4. Experience-4.1-Similar Experience - A minimum number of similar contracts specified below that have been satisfactorily and substantially completed as supplier, or joint venture member, between 1st January 2013 and January 2018. - One (1) Contract of minimum value of Eur.16,000,000 or Two (2) Contracts, each of minimum value of Eur.8,000,000 Question 1: Does that mean only the bidder needs to meet with the requirement? Question 2: If the contracts herein mean that single phase prepaid meters and miniature circuit breakers</p>	<p>Question 1: The bidder must meet requirements as per clause 2-Qualification, 4, sub-clause 4.1. Question 2: Any past experience on similar contracts (either pre-paid meters, MCBs or both) may be included</p>

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	(MCB) must be both included in the contracts, or just one of them is included?"	
9	<p>"While preparing the bidding documents, we found it is difficult to fill some of the documents since they are in scan version, could you please send us the revisable version of following documents?</p> <ol style="list-style-type: none"> 1. GTP 2. Bidding forms, such as Bid submission form, Price Schedule, Forms ELI-1.1 and 1.2, Form CON 2, Form 3.1,3.2,, Form EXP 4.1 etc" 	Kindly use the forms as provided
10	<p>"ITB11.1 - If a bidder is not a manufacturer, they shall demonstrate that they have successfully completed at least four (4) contracts of similar goods in the past five (5) years Question: We are the manufacturer of prepayment meters, if we want to attend this tender, can we provide our MCB manufacturer partner's sales contract and references?"</p>	Provide references and MCB manufacturer's authorization certificate to demonstrate full compliance to ITB 11.1
11	<p>"Section III-Qualification (ITB 36)-4.1 - A minimum number of similar contracts specified below that have been satisfactorily and substantially completed as supplier, or joint venture member, between 1st January 2013 and January 2018. -One (1) Contract of minimum value of Eur.8,000,000 or Two (2) contracts, each of minimum value of Eur. 4,000,000 Question: Considering estimated value of contract, it will be more reasonable to request for similar contract under value of USD 8,000,000 or USD 4,000,000 instead of Euro currency"</p>	Kindly refer to Section III, Sub-clause 4.1 and comply
12	<p>Section III-4.2 - Evidence of the manufacturer having supplied a minimum of 200,000 pieces of the meter type offered to similar utilities in the past two years. While the section III-4.2 Specific Experience © requires the manufacturer shall provide evidence of having supplied at least 100,000 pieces of meters and 200,000 pieces of MCBs within last five years. Question: Which requirement shall we meet?"</p>	Please refer to section III, clause 4.2 (specific experience) for clarity and comply
13	<p>"8.2.4/7.1(j) - Bidders shall furnish the beureau with 4 (four) samples of each meter type to be supplied. Bids submitted without the meter type approval from the bureau will NOT be considered non-responsive. However, the winning bidder must submit this approval before the signing of the supply contract. 7.1(j) Valid copies of ISO 9001:2008 or ISO 9001:2015 certificate for international manufacturers and/or KEBS</p>	<ul style="list-style-type: none"> • Refer to answer on question 4 above on samples • KEBS standardization mark of quality certificate applies for local manufacturers

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	<p>standardization quality mark certificate for local manufacturers.</p> <p>Question: Shall manufacturers outside the purchaser's country mett this requirement? Because in clause 7.1 the KEBS mark is only required for local manufacturers"</p>	
14	<p>"Section III-4.2 - Note: Where the bidder is not from the purchaser's country, then the bidder shall furnish documentary evidence to demonstrate that it has supplied at least equal quantities of the same size, and type of single phase prepaid meters and miniature circuit breaker (As tabulated below) outside the country of the bidder during the last five years.</p> <p>Question: Considering the specification differences between different countries, it will be more reasonable to request for evidence of supplied ""same type"" of single phase prepaid meters and miniature circuit breakers instead of ""same size"" and type of the products."</p>	<p>Section III-4.2 (c) –“Note” is hereby corrected to read as follows;</p> <p>“ Where the Bidder is not from the purchaser’s country, the Bidder shall furnish documentary evidence to demonstrate that it has supplied at least equal quantities and type of Single Phase Pre-paid meters and Miniature Circuit Breakers (as tabulated below) outside the country of the Bidder during the last five years”</p>
15	<p>"Clause 4.2.24, Appendix II-Miniature Circuit Breakers (MCB) Specifications</p> <p>Description: 4.2.24 the impulse withstands voltage of the MCB shall be 8kvp</p> <p>Question: Per our understanding, MCBs of 8KVP are mainly designed for specific applications such as large shopping malls, metros, airplanes, ships, etc. For residential applications, normally the manufactures supply MCBs with 6KVP. In addition, our chinese partners of such MCBs manufacture feedback that the materials for manufacturing such 8KVP MCBs is not available in China. Hence we wish to clarified that,</p> <p>1- As this project as called LAST MILE CONNECTIVITY is for residential purpose to connect the remote and/or rural areas in Kenya, we suggest 6KVP is enough and applicable for this project. Would this be acceptable?"</p>	Kindly comply with the clause
16	<p>"Question: Please confirm that is it acceptable to use the supplying experience of the manufacturer (our supplier)'s experience to satisfy the requirements listed below? Or the experience must be from the bidder itself?</p> <p>On Page 38, Section III –Evaluation and Qualification Criteria</p> <p>“4.2 Specific Experience</p> <p>(B) If Bidder is not manufacturer: In addition, the Bidder shall demonstrate and provide evidence that the Bidder has supplied at least sixty (60) percent</p>	Kindly refer to clause 4.2(B (i) & (ii)) and comply

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	of the quantities required in each item based on the above formula (Available bid capacity) in any one of the last five years. In the event of a Joint Venture all parties combined must meet the requirement""	

Yours faithfully,

For: KENYA POWER & LIGHTING COMPANY LIMITED.



JOHN NJEHIA
CONTRACT PROJECT MANAGER – AFD/EU/EIB