

KENYA BROADCASTING CORPORATION



TENDER NO.17/KBC/2018-2019

SALE (HARVESTING & DISPOSAL) OF GRASS

AT LANGATA AND NGONG TX STATIONS

**KENYA BROADCASTING CORPORATION
P.O. BOX 30456 – 00100
NAIROBI**

(MAY2019)

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INTRODUCTION

This Standard tender document for Sale of disposable Stores and Equipment has been prepared for use by Kenya Broadcasting Corporation in the disposal of Grass as provided by part X of the Public and Disposal Act, 2015.

SECTION I - INVITATION TO TENDER

Date 14th May 2019

TENDER NO. 17/KBC/18-19

The *KBC* invites sealed tenders from eligible candidates for the **SALE (HARVESTING & DISPOSAL) OF GRASS**

- 1.1 Interested eligible candidates may obtain further information from and inspect the tender documents at **KBC Procurement Office** at Broadcasting House Harry Thuku road during normal office working hours (8.00am-1.00pm, 2.00pm-5.00pm). Bidders may also view and download the bidding document from KBC website: www.kbc.co.ke or tenders.go.ke and immediately forward their particulars for records and for the purposes of receiving any further tender clarifications and/or addendums to **KBC Procurement Office** or procurement@kbc.co.ke. Prices quoted should be net inclusive of all taxes and delivery costs, must be expressed in Kenya shillings or one major easily convertible foreign currency and shall remain valid for a period of 140 days from the Closing date of the tender.
- 1.2 A complete set of tender documents may be obtained by interested candidates upon payment of a non-refundable fee of **Ksh. 1,000 (not applicable to youth, women and PWDs)** in cash or bankers cheque payable to Kenya Broadcasting Corporation cashier. Bidders who download the tender document will not be required to pay.
- 1.3 Completed tender documents are to be enclosed in plain sealed envelopes marked with tender reference number and be deposited in the Tender Box at Broadcasting House, Nairobi or be addressed to *Kenya Broadcasting Corporation, P. O. Box 30456 -00100, Nairobi, Kenya* so as to be received on or before **28th May 2019 at 10.00am**
- 1.4 Tenders will be opened immediately thereafter in the presence of the Candidates or their representatives who choose to attend at **KBC VIP-Canteen** Broadcasting House Nairobi.

MANAGING DIRECTOR
KENYA BROADCASTING CORPORATION

SECTION II - INSTRUCTION TO TENDERERS

2.1.0. Eligible Tenderers

2.1.1 This Invitation for Tenders is open to all tenderers eligible as described in the Appendix to instructions to tenderers.

2.1.2. Tenderers shall not be under a declaration of ineligibility for corrupt or fraudulent practices

2.1.3 The Kenya Broadcasting Corporation employees, committee members, board members and their relatives (spouse and children) are not eligible to participate in the tender unless where specifically allowed under section 131 of the Act.

2.2 Cost of Tendering

2.2.1 The tenderer shall bear all costs associated with the preparation and submission of its tender, and the procuring entity, will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.

The price to be charged for the tender document shall not exceed Kshs.1,000/=

The Corporation shall allow the tender to review the tender document free of charge before purchase.

The Tender Document

The tender document comprises the documents listed below and any addenda issued in accordance with clause 2.5 of these instructions to tenderers.

- (i) Invitation to tender
- (ii) Instructions to tenderers
- (iii) Schedule of items and price
- (iv) Conditions of Tender
- (v) Form of tender
- (vi) Confidential Business questionnaire Form
- (vii) Tender deposit commitment Declaration Form

2.3.2 The tenderer is expected to examine all instructions, forms, terms and specifications in the tender documents. Failure to meet all the requirements of the tender will be at the tenderer's risk and may result in the rejection of its tender.

Clarification of Documents

2.4.1 A prospective tenderer requiring any clarification of the tender document may notify the Kenya Broadcasting Corporation in writing, email or by post at the KBC's address indicated in the Invitation for tenders. The Kenya Broadcasting Corporation will respond in writing to any request for clarification of the tender documents, which it receives not later than four (4) days prior to the deadline for the submission of tenders, prescribed by the KBC. Written copies of the KBC response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers that have received the tender document.

Clarification of tenders shall be requested by the tenderer to be received by the procuring entity not later than 4 days prior to the deadline for submission of tenders.

The Corporation shall reply to any clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.

Amendment of Documents

At any time prior to the deadline for submission of tenders, the Corporation, for any reasons, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tender documents by amendment

All prospective candidates that have received the tender documents will be notified of the amendment in writing or by post and will be binding on them.

In order to allow prospective tenderers reasonable time in which to take the amendment into account in preparing their tenders, the Procuring entity, at its discretion, may extend the deadline for the submission of tenders.

Tender Prices and Currencies

The tenderer shall indicate on the appropriate Price Schedule the unit prices and total tender price of the items it proposes to purchase under the contract

Prices quoted by the tenderer shall be fixed during the tender validity period and not subject to variation on any account. A tender submitted with an adjustable price quotation will be treated as non responsive and will be rejected

The Price quoted shall be in Kenya Shillings.

Tender deposit

2.7.1 The tenderer shall put a deposit for every item tendered for in the amount indicated in the schedule of items and prices.

Failure to put the required deposit for any item tendered for will lead to disqualification of the bid for the item.

Unsuccessful Tenderer's tender deposit will be discharged or returned as promptly as possible as but not later than Seven (7) days after the expiration of the period of tender validity prescribed by the Corporation.

The successful Tenderer's tender deposit will be credited to his bid price so that it forms part of the amount of the bid and the tender will be required to pay the bid price less the deposit security.

The tender deposit may be forfeited:

- (a) if a tenderer withdraws its tender during the period of tender validity specified by the Corporation.
- (b) in the case of a successful tenderer, if the tenderer fails to pay the balance of the bid price.

Validity of Tenders

Tenders shall remain valid for 90 days or as specified in the appendix to instruction to tenderers after date of tender opening prescribed by the Corporation, pursuant to paragraph 2.10 Tender valid for a shorter period shall be rejected by the Procuring entity as non responsive.

In exceptional circumstances, the Corporation may solicit the Tenderer's consent to an extension of the period of validity. The request and the responses thereto shall be made in writing. The tender deposit provided under paragraph 2.7 shall also be suitably extended. A tenderer may refuse the request without forfeiting its

tender deposit. A tenderer granting the request will not be required nor permitted to modify its tender.

2.9. Viewing of Tender Items

2.9.1 Prospective bidders are advised to view the items, stores/equipment in liaison with the Corporation before they bid for each lot. This will enable them to arrive at the most reasonable and competitive bids. Bids are based on AS WHERE IS CONDITION and the conditions of the items are not warranted by the seller.

2.10 Sealing and Marking of Tenders

2.10.1 The tenderer shall seal the tender and mark it with the number and name of the tender and “DO NOT OPEN BEFORE **28th May 2019 at 10.00am.**”

Deadline for Submission of Tenders

Tenders must be received by the Corporation at the address specified not later than **28st May 2019 at 10.00am.**

The Corporation may, at its discretion, extend this deadline for the submission of tenders by amending the tender documents in accordance with paragraph 2.5. In which case all rights and obligations of the procuring entity and tenderers previously subject to the deadline will thereafter be subject to the deadline as extended.

Modifications And Withdrawals Of Tenders

2.12.1 Modification of tenders

The tenderer may modify or withdraw its tender after the tender’s submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by the Corporation prior to the deadline prescribed for submission of tenders.

The Tenderer’s modification or withdrawal notice shall be prepared, sealed, marked, and dispatched in accordance with the provisions of paragraph 2.9.1. A withdrawal notice may also be sent by fax but followed by a signed confirmation copy, postmarked not later than the deadline for submission of tenders.

No tender may be modified after the deadline for submission of Tenders

Withdrawals and tenders

No tender may be withdrawn in the interval between the dead line for submission of tenders and the expiration of the period of tender validity specified by the tenderer. Withdrawal of a tender during this interval may result in the tenderer's forfeiture of its tender deposit, pursuant to paragraph 2.7.5

Opening of Tenders

The Corporation will open all tenders in the presence of tenderers representatives who choose to attend at **28th May 2019 at 10.00am.**at the **KBC VIP Canteen**. The tenderers or representatives who are present shall sign a register evidencing their attendance.

The tenderers' names, tender modifications or withdrawals, tender prices, and the presence or absence of requisite tender deposit and such other details as the Corporation, at its discretion, may consider appropriate, will be announced at the opening.

The Corporation will prepare minutes of the tender opening.

Clarification of tenders

To assist in the examination, evaluation and comparison of tenders the Corporation may, at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.

Any effort by the tenderer to influence the Corporation in the Corporation's tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

Evaluation and Comparison of Tenders

2.15.1 The Corporation will examine the tenders to determine whether they are complete, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non responsive, will be rejected by the Corporation.

The Corporation will evaluate and compare the tenders, which have been determined to be substantially responsive.

The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

Award Criteria

The Corporation will award the contract to the successful tenderer(s) whose tender has been determined to be substantially responsive and has been determined to be the highest evaluated tender, subject to the reserves price.

Notification of Award

Prior to the expiration of the period of tender validity, the Corporation will notify the successful tenderer in writing that its tender has been accepted.

Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

Contacting the Procuring entity

No tenderer shall contact the Corporation on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded.

Any effort by a tenderer to influence the Corporation in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of the tenderer's tender.

SECTION III - SCHEDULE OF ITEMS FOR DISPOSAL

LANGATA TRANSMITTING STATION

Lot No.1. Grass Harvest of about 80 Acres

Bid price in Kshs.....

NGONG TRANSMITTING STATION

Lot No.2. Grass Harvest of about 135 Acres

Bid price in Kshs.....

Tender deposit commitment Declaration Form

Tender No.17/KBC/2018-19 SALE (HARVETING & DISPOSAL) OF GRASS

AT LANGATA & NGONG TRANSMITTING STATIONS

Lot No	Item description	Deposit in Kshs	Receipt No
1	Langata (Grass) 80Acres		
2	Ngong (Grass) 135 Acres		

“As indicated in the schedule of Lots & prices, we do confirm that, we have deposited for lot(s) tendered for as supported by the attached copies of receipts as follows”

Signature.....Date.....

SECTION IV - CONDITIONS OF TENDER

A tenderer may tender for Lot 1, 2 or both as he/she may wish.

A tenderer will pay a deposit of Kshs. **5,000.00** in advance before the closing date of the tender for each item or lot tendered for as indicated in the schedule of items and prices.

Tenderers who will be awarded contracts will be required to pay for the items after 14 days and not later than 21 days failure to which the contract award will be cancelled and the deposit forfeited. If there is an administrative review, the review procedures shall be followed.

Tenderers who will not be awarded contracts will be refunded the deposits fourteen (14) days after notification of the communication of the contract awards.

Tenderers will be required to be on site (s) within fourteen (14) days after making payment to harvest Grass.

The Corporation will retain confidential reserve prices for all the items. Items tendered for below the reserve price will be retained by the Corporation.

TECHNICAL SPECIFICATION

Tenderers must have and attach proof of Grass Harvesting Tractors.

Extreme care should be observed when working along the feeder lines and around the support guy wires. The grass cutting machines/tractors will be driven at least three (3) metres away from feeder lines or guy wires. The grass along feeder lines and around guy wires to be cut by hand.

Grass harvesting will be undertaken during official working days between 8.00am and 5 pm unless prior arrangements are made.

Clearing of the bushes on the periphery must be done during harvesting period.

Harvesting of grass must be done at least twice a year.

Tenderers must show proof of similar undertaking in recent times

Site survey certificate signed by respective Engineers-in-Charge must accompany the tender Document submitted

4.15. Tenderers must attach a sketch/ map of the creation of fire breakers in respective lot(s)

SECTION V. EVALUATION

Evaluation shall be divided into three stages as follows

		SCORE
Stage 1	Preliminary	Mandatory requirements
Stage 2	Technical	80
Stage 3	Financial	20

STAGE 1 - PRELIMINARY EVALUATION.

Mandatory Requirements

- Bid security or Tender security declaration Form
- KRA Valid Tax compliance Certificate
- Certificate of Incorporation

Only the tenders that MEET all the Mandatory Requirements shall proceed to the Technical Evaluation

STAGE 2 - TECHNICAL EVALUATION

	Score
COMPLIANCE WITH TECHNICAL SPECIFICATIONS	70
EXPERIENCE (RECENT) IN SIMILAR UNDERTAKING	10

Only the Bids that get over 70 % in the Technical evaluation shall proceed to the Financial Evaluation stage.

STAGE 3 – FINANCIAL EVALUATION

FINANCIAL ($P_c = L_p / P \times 20$ Where, P_c = percentage allocated to price P and L_p = lowest stage 2 price)	20
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SECTION.VI. FORM OF TENDER

Date _____

Tender No. _____

To: _____
[name and address of KBC]

Gentlemen and/or Ladies:

1. Having examined the tender documents including Addenda Nos. [insert numbers].the receipt of which is hereby duly acknowledged, we, the undersigned, offer to harvest & dispose Grass at Langata/Ngong or both in conformity with the said tender documents for the sum of (total tender amount in words..... and figures) or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Tender.

2. We undertake, if our Tender is accepted, to harvest & dispose Grass at Langata/Ngong or both as specified in the Schedule of Requirements.

3. If our Tender is accepted, we will obtain the guarantee of a bank in a sum of equivalent to percent of the Contract Price for the due performance of the Contract , in the form prescribed by(KBC).

4. We agree to abide by this Tender for a period of 60 days from the date fixed for tender opening of the Instructions to tenderers, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

5. This Tender, together with your written acceptance thereof and your notification of award, shall constitute a Contract, between us. Subject to signing of the Contract by the parties.

6. We understand that you are not bound to accept the lowest or any tender that you may receive.

Dated this _____ day of _____ 20 _____

[signature]

[in the capacity of]

Duly authorized to sign tender for an on behalf of _____

6.2 **CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM**

You are requested to give the particulars indicated in Part 1 and either Part 2(a), 2(b) or 2 (c) whichever applied to your type of business

You 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 Tel No. Fax E mail
 Nature of Business ,.....
 Registration Certificate No.
 Maximum value of business which you can handle at any one time – Kshs.
 Name of your bankers Branch

Part 2 (a) – Sole Proprietor

Your name in full Age
 Nationality Country of origin

 • Citizenship details

Part 2 (b) Partnership

Given details of partners as follows:

Name	Nationality	Citizenship Details	Shares
1.
2.
3.
4.

Part 2 (c) – Registered Company

Private or Public

State the nominal and issued capital of company-

Nominal Kshs.

..... Issued

Kshs.

Given details of all directors as follows

Name	Nationality	Citizenship Details	Shares
1.....
2.....
3.....
4.....
5.....

Date

Seal/Signature of Candidate

