



## **THE KENYA SCOUTS ASSOCIATION**

### **PREQUALIFICATION/REGISTRATION OF SUPPLIERS FOR GOODS, WORKS AND SERVICES FOR THE CALENDER YEAR 2015/2016**

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## SECTION 1 - INVITATION FOR PRE-QUALIFICATION

The Kenya Scouts Association invites applications for registration from interested, eligible and competent firms, through pre-qualification, for the categories of goods and services listed below:-

Ref. Number	Item description
KSA/ESC/01/2017	Supply and delivery of fresh milk
KSA/ESC/02/2017	Supply and delivery of chicken eggs
KSA/ESC/03/2017	Supply and delivery of fresh fruits
KSA/ESC/04/2017	Supply and delivery of dry cereals
KSA/ESC/05/2017	Supply and delivery of fresh Vegetables
KSA/ESC/06/2017	Supply and delivery of fresh meat
KSA/ESC/07/2017	Supply and delivery of cleaning materials & Detergents
KSA/ESC/08/2017	Supply and delivery of dry foods

Pre-qualification documents giving full details can be obtained from Embu Scouts Center or downloaded from KSA website, accounts office from 25/11/2016 during working hours.

Duly completed Pre -qualification documents should be submitted in plain sealed envelopes clearly marked with the pre-qualification category/number and should be addressed to;

**The Chair,  
Tender committee,  
Embu Scouts Center  
P.O Box 1859 -60100 Embu.**

to be received on or before 8<sup>th</sup> December 2016.

The submitted pre-qualification will be opened at a later date and all shortlisted applicants will be notified via their contact details.

The management of Kenya Scouts Association reserves the right to accept or reject any application either in part or in whole without assigning reasons thereof.

Being a Scouting Organization and in the spirit of the promotion of Scouting, 30% of the bids will be reserved for Scouting affiliated firms/suppliers.

Late submissions will be rejected.

## **SECTION II - INSTRUCTIONS TO CANDIDATES**

### **2.1 Scope of Pre-qualification**

The Kenya Scouts Association hereinafter referred to as the procuring entity intends to register suppliers for the Supply and delivery of Goods/Services for various categories as advertised. It is expected that registration applications will be submitted to be received by the procuring entity not later than **8<sup>th</sup> December 2016.**

All suppliers currently pre-qualified should note that they too have to re-apply afresh as all other previous pre-qualifications shall stand cancelled. All those who had applied need not to reapply but shall be considered.

### **2.2 Submission of Application**

Applications for registration shall be submitted in sealed envelopes marked with the category name and code number and deposited in the Accounts Office, Embu Scouts Centre or be addressed to The Chair, Tender committee, Embu Scouts Center P.O Box 1859 -60100 Embu, so as to be received on or before **8<sup>th</sup> December 2016.**

**2.2.1** All the information requested for registration shall be provided in the English language. Where information is provided in any other language, it shall be accompanied by a translation of its pertinent parts into English language. The translation will govern and will be used for interpreting the information.

**2.2.2** Failure to provide information that is essential for effective evaluation of the applicant's qualifications or to provide timely clarification or sub substantiation of the information supplied may result in the applicant's disqualification.

## **2.3 Eligible Candidates**

- 2.3.1 This invitation for registration is open to all candidates who are eligible as defined in Kenya's Public Procurement Law and regulations and as indicated in the document.**
- 2.3.2 The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender unless where specially allowed under section 131 of the Act.**
- 2.3.3 All firms found capable of performing the contract satisfactorily in accordance to the set prequalification criteria shall be registered.**

## **2.4 Qualification Criteria**

- 2.4.1 Registration will be based on meeting the minimum requirements to pass in the criteria set as shown below. The declaration will be either pass or fail regarding the applicant's general and particular experience, personnel and response in the forms provided in Section IV and submitted with the letter of application. The procuring entity reserves the right to waive minor deviations if they do not materially affect the capability of an applicant to perform the contract.**
- 2.4.2 KSA requires that applicants observe highest standard of ethics during the selection and execution of such contracts. The following rules will apply:**
  - i. KSA will reject an application to register if it determines that an applicant has engaged in corrupt or fraudulent activities in competing for the contract in question.**
  - ii. KSA will have the right to inspect the business premises of the applicant.**
  - iii. KSA will declare an applicant ineligible for registration if at any time KSA determines that the applicant is related to an employee of the of the Institute or a member of Board or Procurement Committees unless otherwise pre-declared to avoid conflict of interest.**
  - iv. KSA will declare an application ineligible for registration if at any time, it determines that the applicant has committed an offence relating to procurement, has breached procurement before by another public company, has in procurement proceeding given false information about its actions and has been blacklisted before by another public company.**
- 2.4.3 Litigation history, the applicant should provide accurate information on any litigation or arbitration resulting from contracts completed or under its execution over the last five years. A consistent history of awards against the applicant or any partner of a joint venture may result in failure of the application.**

## **2.5 Joint Venture**

**2.5.1 (a) The formation of a joint venture after registration and any change in a Prequalified joint venture will be subject to the written approval of the procuring entity prior to the deadline for submission of bids. Such approval may be denied if (i) partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements (ii) the new partners to a joint venture are not qualified, individually or as an another joint venture; or (iii) in the opinion of the procuring entity a substantial reduction in competition may result.**

**(b) Any future bid shall be signed so as to legally bind all partners, jointly and severally, and any bid shall be submitted with a copy of the joint venture agreement providing the joint and several liabilities with respect to the contract.**

**2.5.2 The pre-qualification of a joint venture does not necessarily pre-qualify any of its members individually as a member in any other joint venture or association. In case of dissolution of a joint venture, each one of the constituent firms may prequalify if it meets all the prequalification requirements, subject to a written approval of the procuring entity.**

## **2.6 Public Sector Companies**

**2.6.1 Any public owned enterprise may be eligible to qualify if, in addition to meeting all the above requirements, it is also legally and financially autonomous, it operates under commercial law, and it is not a dependent agency of another public entity.**

## **2.7 Updating Registration Information**

**2.7.1 Registered candidates shall be required to update the financial information used for pre-qualification at the time of submitting their bids and to confirm their continued compliance with the qualification criteria. A bid shall be rejected if the applicant's qualification thresholds are no longer met at the time of bidding.**

**SECTION III - LETTER OF APPLICATION**

**Date**

.....

**To** .....  
.....  
*(Name and address of the  
procuring entity)*

**Ladies and/or Gentlemen**

1. Being duly authorized to represent and act on behalf of ..... *(Name of firm)* (herein after referred to as "the Applicant" ), and having reviewed and fully understood all of the pre-qualification Information provided, the undersigned hereby apply to be registered by yourselves as a Supplier for the following contract(s) under(Category No. and name)

Category number (Code)	Name (Category)

2. Attached to this letter are copies of original documents of:-  
(a) Registration certificate  
(b) PIN Number  
(c) VAT Registration Number
3. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and as requested by yourselves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.
4. Your Agency and its authorized representatives may contact the following persons for further information.

- i) Name : \_\_\_\_\_ Title: \_\_\_\_\_  
Telephone: Office \_\_\_\_\_ Mobile: \_\_\_\_\_
- ii) Name : \_\_\_\_\_ Title: \_\_\_\_\_  
Telephone: Office \_\_\_\_\_ Mobile: \_\_\_\_\_

iii) Name : \_\_\_\_\_ Title: \_\_\_\_\_  
 Telephone: Office \_\_\_\_\_ Mobile: \_\_\_\_\_

**5. This application is made with the full understanding that:**

- a) Bids by prequalified applicants will be subject to verification of all information submitted for prequalification at the time of bidding.
- b) Your Agency reserves the right to:
  - Reject or accept any application, cancel the prequalification process, and reject all applications
- c) Your Agency shall not be liable for any such actions and shall be under no obligation to inform the Applicant of the grounds for them
- d) Bids will only be called from prequalified bidders who meet the requirements

**1. We confirm that if we bid, that bid, as well as any resulting contract, will be:**

- a) Signed so as to legally bind all partners, jointly and severally; and
- b) Submitted with a joint venture agreement providing the joint and several liabilities of all partners in the event the contract is awarded to us.

**2. The undersigned declare that the statement made and the information provided in the duly completed application are complete, true, and correct in every detail.**

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead partner of a joint venture)	For and on behalf of (name of partner)



## SECTION IV - APPLICATION FORMS

### Notes on completion of Standard Forms

- Application Form 1 - General and company information**  
This form is to be completed by all applicants. Where there is a joint venture, each partner shall complete the form
- Application Form 2 - Past and current performance experience**  
This form is to be completed by all applicants. Separate sheets should be used for each partner of a joint venture. It should provide adequate information to demonstrate clearly that the applicant has the capability to meet the requirements
- Application Form 3 - Financial Capability**  
This form shall be completed by every applicant. It should contain financial information to demonstrate that they meet the requirements.
- Application Form 4 - Litigation History**  
This form is to be completed by all applicants including each member of a joint venture. It should provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution.

## APPLICATION FORM (1)

### GENERAL AND COMPANY INFORMATION

#### A) MANDATORY REQUIREMENTS

To be eligible, the candidate must prove that they qualify to participate in public procurement by providing copy of the following documents:

- (a) Certificate of Incorporation/Registration
- (b) Copy of Valid KRA Tax Compliance Certificate
- (c) Certificates of affiliated bodies where applicable
- (d) Dealership authorization where applicable
- (e) Letters of recommendation from three (3) of your major clients
- (f) Audited accounts for the last two years
- (g) Certification by relevant regulatory bodies- where applicable (e.g. Ministry of Public Works etc)

#### B) COMPANY INFORMATION

1	Name of firm	
2	Address	
3	Telephone: Office: Mobile:	Name of Contact Person: Tel:
4	Fax	E-mail
5	Physical location	Year of incorporation/registration
6	Legal status (sole proprietor/partnership/Ltd. Company)	
7	Nature of business licensed to operate	

Nationality of owners		
Name	Nationality	
1		
2		
3		
4		
5		

**APPLICATION FORM (2)**

**PAST AND CURRENT PERFORMANCE AND EXPERIENCE**

- a) Is this firm/company or its directors in any way associated with any other firm/company that is currently conducting business with or have applied to be considered for pre-qualification or any or any other tender in KSA? \_\_\_\_\_

If yes, please provide the name(s) of those firm(s)/companies, their address, their nature of business and indicate the relationship with the company making this application. (Attach details)

- b) Is the firm/company making this application currently or in previous periods been contracted to supply goods or services to KSA? Yes-----No---.  
If yes indicate hereunder the financial year, the goods or services that you supplied and their value

Financial year	Goods or service supplied	Total Value

- c) Has your company/firm at any one time been requested to quote for supply of goods and services and failed to submit the quotation without assigning reason for your action? -----
- d) Has your company/firm at any one time been issued with a purchase order by KSA and failed to deliver the goods or services without assigning and reason for your action? -----
- e) If your company/firm is a current or previous period supplier of goods and services to KSA has it at any one time been issued with a letter of cancellation of LPO for failure to supply goods within the agreed time or supplying inferior goods not within specifications?

**DETAILS OF CONTRACTS OF SIMILAR NATURE AND COMPLEXITY**

**Who have been your major corporate clients for the past 3yrs? State Client's name, Product service provided, value of goods, works or service and contact person.**

No.	Name of Organization	Value of Business per month	Contact person	Tel. No.

**CAPABILITY AND COMPETENCE TO DELIVER GOODS OR SERVICES**

1. What products/services to do you want to be considered to supply

\_\_\_\_\_

(indicate relevant category and product code)

2. How many employees do you have? \_\_\_\_\_

How many are permanent? \_\_\_\_\_

How many are temporary? \_\_\_\_\_

3. Which quality standards certification have you attained in the last two years?  
(Attach copies and give details on a separate sheet of paper)

4. Provide details of your key personnel and attach their CV'S IF you are applying for provision of professional services. (Use a separate sheet of paper)

5. What is the country of origin for goods or services? -----

6. Are you a manufacturer/wholesaler/retailer/other (please specify)-----  
-----

If a manufacturer or service organization, are your products certified by Kenya Bureau of standards or are you affiliated to a recognized accrediting body? Yes/No. Attach documentary evidence of certification)

If you are not a manufacture, are you an authorized dealer? - Yes----No----(attach manufactures authorization)

7. To what extent is your firm/company *e-enabled* with your suppliers and clients and how do you intend to carry out business with KSA?

-----  
-----  
i. What is your average response time to a request for quotation/RFP?

-----  
ii. What is your average response to delivery of goods /services after issuance of LPO? -----

8. What is the maximum value of business, which you can handle at any one time? Ksh-----

9. If your firm is pre-qualified and awarded the tender to supply goods or services, will you abide by the agreed delivery period, quality and price as per specifications by KSA? Yes\_\_\_\_\_ No\_\_\_\_\_

**APPLICATION FORM (3)**

**FINANCIAL CAPABILITY**

<b>Banker</b>	<b>Name of banker</b>
	<b>Address of banker</b>
	..... <b>Telephone</b> <span style="float: right;"><b>Contact name and title</b></span>
	<b>Fax</b> <span style="float: right;"><b>E mail</b></span>

<b>Financial information in Kshs</b>	<b>Actual: Projected:</b>			
	<b>previous next two years</b>	<b>five</b>	<b>years</b>	<b>years</b>
<b>1. Total assets</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>2. Current assets</b>				
<b>3. Total liabilities</b>				
<b>4. Current liabilities</b>				
<b>5. Profits before taxes</b>				
<b>6. Profits after taxes</b>				

## APPLICATION FORM (4)

### LITIGATION HISTORY

1. Applicants, including each of the partners of a joint venture, should provide information of any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution (Instructions to Applicants, para. 4.8). A separate sheet should be used for each partner of a joint venture.

Year	Award FOR AGAINST Applicant	or	Name of client, cause of litigation, and matter in dispute	Disputed amount (Current value Kshs.)

2. Have you or your principals been subject of legal proceedings for insolvency, bankruptcy, receivership or your business activities suspended for related reasons?-Yes-----No-----

If yes, when----- (if yes, you must present legal documentary evidence that you are cleared and your business is now solvent.

3. Are you or your servants or agents subject of legal proceedings for corrupt or unethical business practice or offered any inducement to any procurement entity so that you can be considered for award of a tender? Yes---- No-----
4. Is the firm/company making this application or any of its directors been debarred or suspended from participating in public procurement or have any procurement entity initiated proceedings of that nature against the firm or one of its directors, for any reason whatsoever?-----

## **SECTION V - EVALUATION CRITERIA**

- 1. KSA will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.**
- 2. The applicants should have registered offices and KSA reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said goods/services.**
- 3. Tenderers who qualify according to the selection criteria will be invited to submit their quotations for the supply of goods/services as and when required.**
- 4. There shall be two phases of carrying out the evaluation of prequalification applications.**
  - Preliminary Evaluation Phase**
  - Detailed Evaluation Phase**

### **5. Preliminary Evaluation Phase**

- i. All the applications shall be sorted out according to the various categories and levels contained in application for pre-qualification form.**
- ii. Pre- screening shall be done to determine compliance to mandatory requirements**
- iii. A list shall be compiled for those Tenderers who pass the preliminary phase to be evaluated in details**

### **6 Detailed Evaluation Phase**

**The following criteria will be used in detailed evaluation of the application.**

- i. General company profile**
- ii. Financial standing**
- iii. Annual turnover over last two years**
- iv. Experience in relevant field**
- v. Available resources (Management capability, Technical Staff and Equipment)**
- vi. Reputation**

#### **6.1. Disclosure of Evaluation Results**

**Information relation to preliminary evaluation of all the application, and also those who qualify for prequalification shall not be disclosed to applicants or any other persons not officially concerned with such process until the notification of pre-qualification is made to all applicants**

#### **6.2. Notification of pre- qualification results**

**Once the list of those who succeeded to be pre- qualified has been approved and ratified by the authorizing officials of KSA , The head of procurement will notify in writing of the names of those applicants who have been prequalified and those who failed to be prequalified. The results will also be posted on KSA website.**



**SECTION VI - DECLARATIONS**

**For purpose of transparency and fair dealing, all vendors shall make full disclosure of any past/existing business relationship with any KSA employee.**

**Do you have a relationship with any KSA employee that would cause any real or perceived conflict of interest?**

**Yes/No-----**

**(If yes, specify)**

\_\_\_\_\_

**I .....declare,  
for and on behalf of... .....  
(company/firm) that all the information furnished to KSA in connection with this pre-qualification is true and accurate in all material respect. KSA is hereby authorized to make such inquiries relating to the said information including with the firms/company's clients and bankers as it may deem necessary without prior notice to the firm/company.**

**Information submitted by \_\_\_\_\_**

**Title \_\_\_\_\_**

**Signature \_\_\_\_\_**

**Stamp:**