



**KWALE COUNTY ASSEMBLY**

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**REGISTRATION AS SUPPLIERS  
FOR THE FINANCIAL YEARS 2023-2025  
PROVISION OF LEGAL SERVICES**

**Tender No. CAK/1306067/2023-2025**

***JUNE 2023***

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**INVITATION FOR REGISTRATION****05/11/2021**Tender No: **KCA/PREQ/**Tender name: **REGISTRATION OF SUPPLIERS FOR THE FINANCIAL YEARS 2023-2025**

Contract No: \_\_\_\_\_

Prequalification Reference No.: \_\_\_\_\_

The Kwale County Assembly intends to prequalify contractors/Suppliers/Service Providers for REGISTRATION OF SUPPLIERS FOR GOODS, SERVICES AND WORKS FOR FINANCIAL YEAR 2023/ 2024-2024/25. For detailed category registration, tenderers should visit Kwale County Assembly Procurement Offices located at the kwale Assembly Complex adjacent to Kwale water.

KCA invites applications for the registration of interested and qualified Suppliers, Contractors and Consultants in the following categories for the financial years **2023 -2025**.

	<b>TENDER DESCRIPTION</b>	<b>TENDER NO.</b>	<b>TARGET GROUP</b>
<b>CATEGORY A: SUPPLY AND DELIVERY OF GOODS,SERVICES,WORKS AND EQUIPMENT</b>			
1	Supply and delivery of General Office Stationery, Computer consumables and related accessories		Youth
2	Supply and delivery of Office Furniture, Furnishings & Fittings		Open
3	Supply and delivery of computers, printers, ups, laptops, LCD projectors, servers, Fax UPS, photocopiers, airconditioners ,tonners & other ICT equipment & Accessories		Open
4	Supply and delivery of Staff Uniforms and protective clothing		Youth
5	Supply and delivery of Electrical & Electronic Equipment, and other Hardware appliances		PWDS
6	Supply, delivery and installation of software & support services		Open
7	Supply, Maintenance & delivery and installation of fire-fightingequipment		Open
8	Provision for Supply and delivery of branded materials		Youth
9	Provision for cleaning and fumigation services		Women

10	Supply and delivery of cleaning materials, detergents, disinfectants, sanitary items		Women
11	Provision For Supply And Delivery of Fuels Oil & Lubricants		Open
12	Provision of repair works for furniture (desks, chairs, strong room doors, filing safes and cabinets) and other fittings		Open
13	Provision of data communication services, networking & structural cabling installations		Open
14	Provision of electrical installation works including repairs and maintenance		Open
15	Provision of repairs and maintenance of office equipment		Open
16	Provison for repair & maintenance of computers, printers, ups, laptops, LCD projectors, servers, Fax UPS, photocopiers, airconditioners & other ICT equipment & Accessories		Open
17	Supply and delivery of sports items and equipments		Open
18	Provision of internet services		Open
19	Provision of internet and web hosting Services		Open
20	Provision of photography, videography and public address services		Open
21	Provision of event organizing services, hiring of tents and chairs		Youth
22	Provision of security services and supply of other security gadgets/systems		Open
23	Repair ,Maintenance and servicing of Assembly vehicles and car wash services		Open
24	Provision of (property/assets /land) valuation services		Open
25	Provision of legal services		Open
26	Provision of landscaping services		Open
27	Provision of consultancy services /Training and capacity building		Open
28	Provision of legislative drafting services		Open
29	Provision of m o t o r vehicle insurance		Open
30	Provision for Medical Insurance servies		Open

31	Provision for GPA/WIBA Insurance Services		Open
32	Provision for GLA Insurance Services		Open
33	Provision for supply tyres tubes & batteries Office Vehicles		Youth
34	Provision for General insurance Services		Open
35	Provision for repair and maintenance of Hansard equipment's		Open
	<b>CATEGORY B: FRAMEWORK AGREEMENT</b>		
36	Supply and delivery of Bottled Mineral Water		Open
37	Provision of bulk photocopying, printing & binding documents		Women
38	Provision of air travel and ticketing agency services(IATA registered only)		Open
39	Provision of transport & car hire services		Open
40	Provision of Hotel accommodation, conference facilities and outside catering services		Open
	<b>CATEGORY C: CONTRACTORS</b>		
41	Provision of construction & maintenance of building works(Must be registered with National Construction Authority category 7 and above)		Open

## **REQUIREMENTS**

Prospective suppliers shall be required to submit the following **MANDATORY** documents as proof of their eligibility: -

- 1. Certificate of Registration/Incorporation**
- 2. Valid Tax Compliance Certificate**
- 3. The person/firm MUST NOT be debarred by the Public Procurement Regulatory Authority (Provide Statement/Declaration)**
- 4. Copy of Current Trade License.**
- 5. Company profile**
- 6. Valid AGPO Certificate for the reserved groups**
- 7. Duly Completed Confidential Business Questionnaire**
- 8. Certificate from Kenya Bureau of Standards for Registration to Supply Mineral Water**
- 9. For Repair & Maintenance works Firms MUST be registered by NCA**
- 10. For provision of Outside Catering Services- bidders MUST avail a certificate of health for food handling issued by County Government**
- 11. For provision of Ticketing Services prospective service providers MUST be registered with KCAA/IATA**

**Additionally, suppliers shall be expected to provide documentary proof of their capability in the respective areas of application. In this case, documents detailing the necessary qualifications, experience, resources, equipment, facilities and proof of membership to a professional body where relevant should be attached.**

The registration Document may be viewed and downloaded for free from the website [www.kwaleassembly.go.ke](http://www.kwaleassembly.go.ke) or Government of Kenya website at Public Procurement Information Portal (PIIP) [www.tenders.go.ke](http://www.tenders.go.ke).

Late applications a reliable to be rejected.

The Tenderer shall chronologically serialize all pages of the tender documents submitted.

ALL APLICCATION SHOULD BE SUMMITED ONLINE

Duly completed Registration Documents in plain sealed envelopes clearly marked “Category No.....For the Supply/Provision of... ..” should be addressed to:

.

Registration document should be received on or before **Thursday, July 6<sup>th</sup>, 2023** at **1000hourson IFMIS.**

Applications shall be opened immediately thereafter

**Ag. CLERK**

**FATUMA HASSAN MWALUPA**

**KWALE COUNTY ASSEMBLY.**

## **SECTION 2: INSTRUCTIONS TO CANDIDATES**

### **2.1 Introduction**

2.1.1 Kwale County Assembly would like to invite interested candidates who must qualify by meeting the set criteria as provided by KCA to perform the contract of provision of goods, services and works to the KWALE COUNTY ASSEMBLY.

### **2.2. Format and Signing of Applications**

2.2.1 The applicant shall prepare one original document comprising the registration document, as described in Instructions to Candidates, bound with the section containing the Appendix to instructions and clearly marked **ORIGINAL**. In addition, the applicant shall submit one copy of the same registration document clearly marked **COPY**. In the event of discrepancy between them, the original shall prevail.

2.2.2 The original and copy of the registration document shall be typed or written in indelible ink (in the case of copies, photocopies are also acceptable) and shall be signed by a person or persons duly authorized to sign on behalf of the applicant pursuant to Sub- Clause 2.4.2. The person or persons signing the registration document shall initial all pages of the tender where entries or amendments have been made.

The registration document shall be without alterations, omissions or conditions except as necessary to correct errors made by the applicant, in which case such corrections shall be initialed by the person or persons signing the registration document.

### **2.3 Submission of Applications**

2.3.1 Applications for registration shall be submitted ONLINE with the registration category, title and reference number to the respective addresses email([www.kwaleassembly.go.ke](mailto:www.kwaleassembly.go.ke) (PIIP) [www.tenders.go.ke](http://www.tenders.go.ke).) provided in the tender notices so as to be received on or before **Thursday, July 6<sup>th</sup>, 2023 at 1000hours**. Applications received after the closing date and time shall be rejected and returned to the applicant unopened.

2.3.2 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.

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

### **2.4 Eligible Candidates**

2.4.1 Suppliers registered with Registrar of Companies under the Laws of Kenya in respective



merchandise or services are invited to submit their application documents to Kwale County Assembly so that they may be registered for consideration and submission of quotations. The prospective suppliers are required to supply mandatory information for Registration - Form RQ-1.

2.4.2 Candidates shall provide such evidence of their continued eligibility satisfactory to Kwale County Assembly, as the KCA shall reasonably request.

## **2.5 Qualification Criteria**

2.5.1 Registration will be based on meeting the minimum requirements to pass in the criteria set as shown below. The attached questionnaire forms RQ-1, RQ-2, RQ-3, RQ4, RQ-5, are to be completed by prospective suppliers who wish to be registered for submission of tenders.

2.5.2 The registration application forms which are not filled out completely and submitted in the prescribed manner will not be considered. All the documents that form part of the proposal must be written in English and in ink.

### **2.5.3 Experience**

Apart from bidders under the Special group's categories, prospective bidders shall have at least one (1) year experience in the supply of goods, services and allied items.

### **2.5.4 Personnel**

The names and any other pertinent information of the key personnel for individuals or groups to execute the contract must be indicated in form RQ-1

### **2.5.5 Financial Condition**

The Suppliers financial condition will be not form part of the evaluation criteria to determine the supplier's eligibility at this stage.

### **2.5.6 Confidential Business Questionnaire**

The general information and details of nature of business and location should be included in Form RQ -2.

### **2.5.7 Past Performance**

Past performance will be given due consideration in pre-qualifying bidders. Letter of reference from past customers should be included in Form RQ-3.

### **2.5.8 Litigation History and Sworn Statement**

Application must include information on any history of litigation or arbitration resulting from contracts executed in the last one year or currently under execution Form RQ-4 and a sworn statement by the Tenderer ensuring the accuracy of the information given - Form RQ-5.

## **2.6 Cost of Application**

The registration document shall be availed online to the applicant at no cost. The applicant shall however bear any other costs associated with the preparation and submission of its application and KCA will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the registration process.

## **2.7 Clarification of Registration Documents**

2.7.1 The prospective applicant requiring any clarification of the registration documents may notify KCA in writing or by email at the KCA's email address indicated in the registration data.

2.7.2 KCA will respond in writing through email to any request for clarification that is received earlier than 7 days prior to the deadline for the submission of applications. Copies of the KCA's response to queries raised by applicants (including an explanation of the query but without identifying the sources of the inquiry) will be sent to all prospective applicants who will have picked the registration documents.

## **2.8 Amendment of Registration Documents**

2.8.1 At any time prior to the deadline for submission of applications, KCA may, for any reason, whether at his own initiative or in response to a clarification requested by a prospective applicant, modify the registration documents by issuing subsequent Addenda.

2.8.2 The Addendum thus issued shall be part of the registration documents pursuant to Sub-Clause 2.7.2 and shall be communicated in writing or email to all who shall have picked the registration documents. Prospective applicants shall promptly acknowledge receipt of each Addendum by email to the KCA.

2.8.3 In order to afford prospective applicants reasonable time in which to take an Addendum into account in preparing their applications, KCA may, at his discretion, extend the deadline for the submission of applications in accordance with Clause 2.8.1.

## **2.9 Deadline for Submission of Registration Documents**

2.9.1 Applications must be received by KCA at the address specified in Sub Clause 2.10.1, no later than the time and date stipulated in the notice for registration.

2.9.2 KCA may, at its discretion, extend the deadline for the submission of applications through the issue of an Addendum in accordance with Clause 2.8 in which case all rights and obligations of KCA and the applicants previously subject to the original deadline shall thereafter be subject to the new deadline as extended.

## **2.10 Opening of Registration Documents**

**2.10.1** KCA will open the applications in the presence of applicants' designated representatives who choose to attend, at the time, date, and location stipulated in the letter of invitation. The applicants' representatives who are present shall sign a register evidencing their attendance.

2.10.2 KCA shall prepare minutes of the opening of the registration documents, including the information disclosed to those present.

2.10.3 Applications not opened and read out at opening shall not be considered further for evaluation, irrespective of the circumstances. Applications sent online shall also be noted down and read out during the opening.

## **2.11 Process to be Confidential**

2.11.1 Information relating to the examination, evaluation of applications, and recommendations for the successful candidate shall not be disclosed to applicants or any other persons not officially concerned with such process until approval to the successful applicant has been announced. Any effort by an applicant to influence KCA's processing of applications or approval decisions may result in the rejection of the applications.

## **2.12 Clarification of Applications and Contacting of KCA**

2.12.1 To assist in the examination, evaluation, and comparison of applications, KCA may, at its discretion, ask any applicant for clarification of his/her application.

2.12.2 Subject to Sub-Clause 2.11.1, no applicant shall contact KCA on any matter relating to its application from the time of the opening to the time the registration list is approved. If the applicant wishes to bring additional information to the notice of KCA, he/she should do so in writing.

2.12.3 Any effort by any applicant to influence KCA in its registration evaluation, or registration approval decisions may result in the rejection of the candidate's application.

## **2.13 Examination of Registration Documents and Determination of Responsiveness**

2.13.1 Prior to the detailed evaluation of applications, KCA will determine whether each application

- (a) has been properly signed and delivered pursuant to clause 2.3;
- (b) is substantially responsive to the requirements of the registration documents; and
- (c) provides any clarification and/or substantiation that KCA may require to determine responsiveness pursuant to Sub-Clause 2.15

2.13.2 A substantially responsive application is one that conforms to all the terms, conditions, and specifications of the registration documents without material deviation or reservation.

A material deviation or reservation is one

- (a) Which limits in any substantial way, inconsistent with the registration documents, the KCA's rights or the applicant obligations under the contract; or
- (b) Whose rectification would affect unfairly the competitive position of other applicants presenting substantially responsive applications.

2.13.3 If an application is not substantially responsive, it will be rejected KCA and may not subsequently be made responsive by correction or withdrawal of the nonconforming deviation or reservation.

2.13.4 KCA, prior to the approval of the registration may confirm the qualification of each applicant who shall have passed the technical stage of the registration process in order to determine whether the applicant possesses all the requirements in the application for the registration document submitted.

## **2.14 Notification of Qualified Applicants**

2.14.1 Applicants whose applications are determined to be successful in accordance with sub-clause 2.15 will be notified by KCA within thirty (30) days from the date of opening of registration documents.

2.14.2 At the same time KCA notifies qualified Applicants that their applications are responsive, KCA shall notify the other Applicants whose applications are not responsive.

## **2.15 Evaluation and Comparison of Applications**

2.15.1 KCA will evaluate and compare only the applications determined to be substantially responsive in accordance with Clause 2.13

2.15.2 Registration will be based on meeting the minimum requirements to pass in the criteria set.

## **2.16 KCA's Right to accept any Application and to reject any or all Applications**

2.16.1 KCA reserves the right to accept or reject any application, and to annul the registration process and reject all applications, at any time prior to approval of contact, without thereby incurring any liability to the affected applicant.

## **2.17 Notification of Approval**

2.17.1 Prior to expiration of the period of registration validity prescribed by KCA, KCA will notify successful applicants through a list to be uploaded on KCA website.

## APPENDIX TO INSTRUCTIONS TO CANDIDATES

The following instructions for the registration of candidates shall supplement, complement or amend the provisions of the instructions to candidates.

Where there is a conflict between the provisions of the instructions to candidates and the provisions of the appendix, the provisions of the appendix herein shall prevail over those of the instructions to the candidates.

- (i) Subject to Clause 2.2.1 and 2.3.2 on Format & signing of applications and Submission of Applications respectively, Bidders are requested to submit **ONLY ONE ORIGINAL** Registration document and **ONE COPY**. (Unless submitting online)
- (ii) Subject to Clause 2.15 on Evaluation and Comparison of Applications, the evaluation criteria shall be as follows: -

### A: PRELIMINARY EVALUATION (MANDATORY REQUIREMENTS)

	<b>Requirements</b>	<b>Score</b>
1.	Certificate of Registration/Incorporation	Mandatory
2.	Certified copy of Valid Tax Compliance Certificate/ Exemption certificate	Mandatory
3.	For works Firms <b>MUST</b> be registered by NCA	Mandatory
4.	Copies of registration with relevant regulatory bodies where applicable e.g., KCAA, IRA, LSK, CMTE, IHRM, etc.	Mandatory
5.	Transport Hire firms must attach evidence of having taken all the Insurance Covers.	Mandatory
6.	Outside Catering Services bidders to avail a certificate of health for food handling from County Government	Mandatory
7.	Current practicing certificates for professionals where applicable	Mandatory
8.	AGPO Certificate <b>where applicable</b>	Mandatory

Any applicant who fails to provide **ALL** the mandatory requirements shall **NOT** proceed to the next stage of the evaluation.

## 2.5 Qualification Criteria

Registration will be based on meeting the minimum requirements to pass in the criteria set as shown below. The attached questionnaire forms RQ-1, RQ-2, RQ-3, RQ-4, RQ-5, are to be completed by prospective suppliers who wish to be registered for submission of tenders.

### EVALUATION CRITERIA

	<b>Requirements</b>	<b>Score</b>
1	Duly filled Registration Data	20
2	Duly filled Confidential Business Questionnaire	40
3	Relevant Past Experience	
	Provide names of three clients (organizations)	
	i) First client Organization (Attach documental evidence)	10
	ii) Second client Organization (Attach documental evidence)	10
	iii) Third client Organization (Attach documental evidence)	10
4	Litigation History (Provide current sworn affidavit)	10
	<b>TOTAL</b>	<b>100</b>

**The minimum pass mark to qualify for registration shall be 70. Applicants who will not meet this minimum pass mark shall be disqualified at this stage.**



**FORM RQ-1 - REGISTRATION DATA**

**SUPPLIERS APPLICATION FORM**

I/We .....hereby apply for registration  
(*Name of Company/Firm*)

as suppliers of .....  
(*Item Description*)

Category No.....

Other branches and location .....

**Organization & Business Information**

Management Personnel ..... Job Title.....

1. ....

2. ....

3. ....

**Partnership (if applicable)**

Names of Partners .....  
.....  
.....  
.....

Indicate terms of trade/ sale /Payment.....

**(20 points)**

Enclose copy of profile of the firm indicating the main fields of activities

**RQ-2 CONFIDENTIAL BUSINESS QUESTIONNAIRE**

You are requested to give the particulars indicated in Part I and either Part 2 (a), 2 (b) or 2 (c) whichever applies 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.....  
Plot No.....  
Location of Business Premises.....  
Street/Road.....  
Postal Address.....Tel No.....  
Nature of Business..... Current Trade license.....  
Expiring.....  
Maximum Value of Business which you can Handle at Any Given Time: Ksh.....  
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
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

**(40 Points)**

**FORM RQ-3 PAST EXPERIENCE NAMES OF AT LEAST THREE CLIENTS**

**1. Name of 1<sup>st</sup> Client (organization)**

- i) Name of Client (organization) .....
- ii) Address of Client (organization) .....
- iii) Name of Contact Person at the Client (organization) .....
- iv) Telephone No. of Client .....
- v) Duration of Contract (date) .....
- vi) Signature and Stamp of Organization.....

**2. Name of 2<sup>nd</sup> Client (organization)**

- i) Name of Client (organization) .....
- ii) Address of Client (organization) .....
- iii) Name of Contact Person at the Client (organization) .....
- iv) Telephone No. of Client .....
- v) Duration of Contract (date) .....
- vi) Signature and Stamp of Organization.....

**3. Name of 3<sup>rd</sup> Client (organization)**

- i) Name of Client (organization) .....
- ii) Address of Client (organization) .....
- iii) Name of Contact Person at the Client (organization) .....
- iv) Telephone No. of Client .....
- v) Duration of Contract (date) .....
- vi) Signature and Stamp of Organization.....

(30 points)

**FORM RQ-4 - LITIGATION HISTORY**

Name of Contract Supplier.....

Contractors/Suppliers should provide information on any history of litigation or arbitration resulting from contracts executed in the last one year or currently under execution.

<b>YEAR</b>	<b>AWARD FOR OR AGAINST</b>	<b>NAME OF CLIENT CAUSE OF LITIGATION AND MATTER IN DISPUTE</b>	<b>DISPUTED AMOUNT (CURRENT VALUE, KSHS. EQUIVALENT)</b>

**(10 Points)**

**FORM RQ-5 - SWORN STATEMENT**

Having studied the Registration information for the above project we/I  
hereby state:

- a. That the information furnished in our/my application is accurate to the best of my/our knowledge.
- b. That in case of being registered, we/I acknowledge that this grants us the right to participate in due time in the submission of a tenders or quotations on the basis of provisions in the tender or quotation documents to follow.
- c. When the legal status, financial conditions, technical or contractual capacity of the firm changes such that it affects our/my ability to respond to participate in quotations /tenders, we commit ourselves to inform you and acknowledge your right to review the Registration made.
- d. We/I enclose all the required documents and information required for the Registration evaluation.

**Applicant's Name/Company**

**Name**.....

**Represented**

**By**.....

.....

.....

**Date**.....

.....

.....

**Signature &**

**Stamp**.....

.....

.....

**(Full name and designation of the person signing and stamp or seal)**