



Indigenous Livelihoods Enhancement Partners (ILEPA)

June 10th 2024

**CHAINLINK FENCING FOR 2-ACRE WATER CATCHMENT
AREA IN KAJIADO COUNTY**

ILEPA/AW/01/2024-2025

EMAIL: procurement@ilepa-kenya.org

WEBSITE: <https://ilepa-kenya.org/index>

CLOSING DATE: 24THJUNE 2024 at 17.00pm

INTRODUCTION

- 1.1 This document has been prepared for the CHAINLINK FENCING FOR 2-ACRE WATER CATCHMENT AREA IN KAJIADO COUNTY. The successful bidders will be called upon to offer services as and when the need arises, valid for the period of work scheduled.
- 1.2 The document includes a form for invitation for registration, instructions to candidates, and a letter of application with attached forms for candidates to complete.

NOTE: For a candidate to be registered, the bidder must meet the qualification Criteria in Appendix 1.

SECTION I - INVITATION FOR REGISTRATION

TENDER NO: ILEPA/AW/01/2024-2025

R.F.Q. NAME: CHAINLINK FENCING FOR 2-ACRE WATER CATCHMENT AREA IN KAJIADO COUNTY.

1. **INDIGENOUS LIVELIHOODS ENHANCEMENT PARTNERS (ILEPA)** hereinafter referred to as “Procuring entity” intends to invite candidates for CHAINLINK FENCING FOR 2-ACRE WATER CATCHMENT AREA IN KAJIADO COUNTY. Bidding is open to eligible suppliers and contractors as indicated in Appendix II.

2. Eligible candidates may obtain hard copies of the Tender documents from ILEPA`s Website. Download the document/s for free from the website <https://ilepa-kenya.org/news>

3. Applications for tender must be submitted by email to procurement@ilepa-kenya.org addressed to The Procurement Officer, ILEPA to be received on or before 24th June 2024 at 5.00 pm.

4. The tender will be opened by the Procurement Officer.

The Program Manager,
INDIGENOUS LIVELIHOODS ENHANCEMENT PARTNERS (ILEPA)
P. O. Box 1088-20500
NAROK

SECTION II - INSTRUCTIONS TO CANDIDATES

2.1 Scope of Pre-qualification

INDIGENOUS LIVELIHOODS ENHANCEMENT PARTNERS (ILEPA) hereinafter referred to as the procuring entity intends to pre-qualify eligible Suppliers of Goods and Services for the period of work scheduled.

2.1.1 It is expected that the applications will be submitted to be received by the procuring entity no later than 24th June 2024 at 5.00 pm.

2.1.2 Tender Bidding is open to eligible companies as indicated in the appendix to instructions to candidates.

2.2 Submission of Application

1. Applications for pre-qualification shall be submitted by email to procurement@ilepa-kenya.org addressed to The Procurement Officer, ILEPA to be received on or before 24th June 2024 at 5.00 pm.

2.2.1 Indigenous Livelihoods Enhancement Partners (ILEPA) reserves the right to reject late applications.

2.2.2 The **R.F.Q. Number – Name of Company** SHOULD be **marked** as the **RE: Subject on Mail**

2.2.3 All the information requested shall be provided in the English language.

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

2.3 Eligible Candidates

2.3.1 This invitation for Tender Bidding is open to all eligible suppliers, and contractors who are eligible as defined in Kenya's Public Procurement Law and regulations and as indicated in the appendix to instructions to candidates.

2.3.2 The procuring entity's employees, committee members, board members, and their relatives (spouse and children) are not eligible to participate in the bid unless where specially allowed under section 131 of the Act.

2.3.3 All firms found capable of performing the contract satisfactorily per the set pre-qualification criteria shall be considered.

2.4 Qualification Criteria

2.4.1 Bidding will be based on meeting the minimum requirements to pass the criteria set as shown below. The declaration will be either pass or fail regarding the applicant's general and particular experience and financial position as demonstrated by the applicant's 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 Qualification Criteria. (See Appendix 1)

2.4.3 Litigation History. The applicant should provide accurate information on any litigation or arbitration resulting from contracts completed or under execution over the last five years. A consistent history of awards against the applicant or any partner may result in failure of the application.

2.5 Public Sector Companies

2.5.1 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.

2.6 Conflict of Interest

2.6.1 The applicant shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared these documents. Any such association must be disclosed and may result in the disqualification of the applicant.

2.7 Corrupt or Fraudulent Practices

2.7.1 The Procuring entity requires that bidders observe the highest standard of ethics during the procurement process and execution of contracts when used in the present regulations, the following terms are defined as follows;

- (i) “corrupt practice” means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or contract execution; and
- (ii) “fraudulent practice” means a misrepresentation of facts to influence a procurement process or the execution of a contract to the detriment of the Procuring entity, and includes collusive practice among tenderers (prior to or after tender submission) designed to establish tender prices at artificial non-competitive levels and to deprive the Procuring entity of the benefits of free and open competition;

2.7.2 The procuring entity will reject a proposal for award if it determines that the tenderer recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question.

2.7.3 Further a tenderer who is found to have indulged in corrupt or fraudulent practices risks being debarred from participating in public procurement in Kenya.

APPENDIX TO INSTRUCTIONS TO BIDDERS: APPENDIX 1

Notes on the Appendix to the Instruction to Bidders

1. The Appendix to instructions to candidates is intended to assist the procuring entity in providing specific information concerning the corresponding clause in the instructions to the candidates included in Section II and has to be prepared for each specific procurement.
2. The procuring entity should specify in the appendix information and requirements specific to the circumstances of the procuring entity, the goods to be procured, and any criteria/s that will apply for pre-qualification.
3. In preparing the Appendix the following aspects should be taken into consideration;
 - (a) The information that specifies and complements provisions of Section II to be incorporated
 - (b) Amendments and/or supplements if any, to provisions of Section II as necessitated by the circumstances of the goods to be procured to be also incorporated
4. Section II should remain unchanged and can only be amended through the Appendix.
5. Clauses to be included in this part must be consistent with the public procurement law and the regulations.

APPENDIX TO INSTRUCTIONS TO BIDDERS: APPENDIX 2

The following information regarding the particulars of the documents shall complement supplement or amend the provisions of the instructions to the bidders. Wherever there is a conflict between the provision of the instructions to the bidders and the provisions of the appendix, the provisions of the appendix herein shall prevail over those of the instructions to the bidders.

INSTRUCTIONS TO BIDDERS REFERENCE	PARTICULARS OF THE APPENDIX TO INSTRUCTIONS TO BIDDERS
2.1	CHAINLINK FENCING FOR 2-ACRE WATER CATCHMENT AREA IN KAJIADO COUNTY. ILEPA/AW/01/2024-2025
2.2.1	The closing date will be 24 th June 2024 at 5.00 pm.

Indigenous Livelihoods Enhancement Partners (ILEPA) invites interested and eligible suppliers, and contractors to apply for pre-qualification indicating the category of goods and services they wish to supply. Existing suppliers who wish to be retained must also re-apply and submit the information requested in the prequalification documents.

SECTION III

LETTER OF APPLICATION

Date

To Chief Executive Officer,
Indigenous Livelihoods Enhancement Partners (ILEPA)
P.O BOX 1088-20500
NAROK

Ladies and/or Gentlemen

1. Being duly authorized to represent and act on behalf _____ (name of firm) (hereinafter referred to as “the Applicant”), and having reviewed and fully understood all of the pre-qualification information provided, the undersigned hereby apply to be prequalified by yourselves as a bidder for the following contract(s) under (R.F.Q Name)

Pre-qualification number	Pre-qualification name
1.	
2.	
3.	

2. Attached to this letter are copies of original documents defining (a) (b) (c)
 - a. the Applicant’s legal status
 - b. the principal place of business and
 - c. the place of incorporation (for applicants who are corporations), or the place of registration and the nationality of the owners (for applicants who are partnerships or individually-owned firms).
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 you 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.

General and managerial inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Personnel inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Technical inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Financial inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

5. This application is made with the full understanding that:
 - a. Bids by P.Q. applicants will be subject to verification of all information submitted for P.Q. at the time of bidding.
 - b. Your Agency reserves the right to:
 - amend the scope and value of any contracts bid under this project; in such event, bids will only be called from bidders who meet the revised requirements; and
 - reject or accept any application, cancel the pre-qualification 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
6. 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.
7. The undersigned declares 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)	For and on behalf of (name of Partner)
Signed	Signed
Name	Name
For and on behalf of (name of Partner)	For and on behalf of (name of Partner)

SECTION IV - STANDARD FORMS

Notes on completion of Standard Forms:

Application Form 1 - General information This form is to be completed by all applicants. Where the applicant proposes to use sub-contractors the information should be supplied in this format.

Application Form 2 - Particular Experience Record This form is to be completed by all applicants meeting the requirements set out in the instructions to candidates.

Application Form 3 - Personnel Capabilities This form is to be completed by all applicants. It shall include specific positions essential to contract implementation. The applicants shall provide the names of at least four candidates qualified to meet the specified requirements stated for each position.

Application Form 4 - Financial Capability This form shall be completed by every applicant. It should contain financial information to demonstrate that they meet the requirements stated in the instructions to candidates. If necessary separate sheets should be used to provide complete banker information. A copy of the audited balance sheet if available should be attached. The information should include a summary of actual assets and liabilities for the last five years.

Application Form 5 - Litigation History This form is to be completed by all applicants including each member. It should provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution.

The form of tender must be completed by the bidder and submitted with the pre-qualification documents. It must also be duly signed by duly authorized representatives of the bidder.

Confidential Business Questionnaire Form - This form must be completed by the bidder and submitted with the P.Q. documents.

APPLICATION FORM (1)

GENERAL INFORMATION

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact
4.	Fax	Email
5.	Place of Incorporation/ Registration	Year of Incorporation/ Registration

Nationality of Owners		
	Name	Nationality
1.		
2.		
3.		
4.		

APPLICATION FORM (2)

PARTICULAR EXPERIENCE RECORD

Name of Applicant:

(Attach proof, contact persons, and details of experience record relevant to this tender bid)

APPLICATION FORM (3)

PERSONNEL CAPABILITIES

Name of Applicant:

1.	Title of Position Name of Prime Candidate Name of Alternate Candidate
2.	Title of Position Name of Prime Candidate Name of Alternate Candidate
3.	Title of Position Name of Prime Candidate Name of Alternate Candidate
4.	Title of Position Name of Prime Candidate Name of Alternate Candidate

APPLICATION FORM (4)

FINANCIAL CAPABILITY

Name of Applicant: _____

Banker	Name of Banker _____ Address of Banker: _____ Telephone/ Contact Name: _____ Contact Name Title: _____ Email: _____			
Financial Information in Kshs	Actual: _____ Previous two years		Projected: _____ Next two years	
	1	2	3	4
1. Total Assets				
2. Current Assets				
3. Total Liabilities				
4. Current Liabilities				
5. Profits before Tax				
6. Profits after Tax				

Source of Finance	Amount KSH
1.	
2.	
3.	
4.	

APPLICATION FORM (5)

LITIGATION HISTORY

Name of Applicant:

Applicants should provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution.

Award **FOR** or **AGAINST** Applicant Name of client, cause of litigation, and matter in dispute
Disputed amount (current value

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

FORM OF PRE-QUALIFICATION

Date _____

Registration No. _____

To: _____

[name and address of procuring entity]

Gentlemen and/or Ladies:

1. Having examined the registration documents including Addenda Nos. [insert numbers] the receipt of which is hereby duly acknowledged, we, the undersigned, offer to supply deliver, install, and commission (insert equipment description) in conformity with the said registration documents.
2. We undertake, if our document is accepted, to deliver install, and commission the equipment in accordance with the delivery schedule specified in the Schedule of Requirements.
3. We agree to abide by this registration for a period of 120 **[number]** days from the date fixed for PQ submission as per the Instructions to bidders, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
4. This document, together with your written acceptance thereof and your notification of inclusion in the list of your registered firms, shall constitute a Contract, between us; Subject to signing of the Contract by the parties.
5. We understand that you are not bound to accept the lowest or any tender you may receive.

Dated this _____ day of _____ 20 _____

[Signature]

[in the capacity of]

Duly authorized to sign registration for an on behalf of _____

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 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.....
 Location of business premises.....
 Plot No.....
 Street/Road
 Postal Address Tel No. Fax E mail
 Nature of Business.....
 Registration Certificate No.
 The maximum value of business that 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 the company-
 Nominal Kshs.
 Issued Kshs.
 Given details of all directors as follows

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

Date Signature of Candidate

If a Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or registration.

SECTION V - PRE-QUALIFICATION CRITERIA

The applicant shall meet the following criteria:

SELF - EVALUATION STAGES

STAGE 1:

1.	MANDATORY REQUIREMENTS	YES	NO	REMARKS
	Submission of valid documents under listed: -			
	i) Copy of valid Certificate of Incorporation / Registration certificate			
	ii) Copy of the latest CR12(for the Incorporated companies)			
	iii) Copy Valid Tax Compliance Certificate			
	iv) Copy of a valid Business Permit			
	v) Copy of Good Conduct of Directors/ Key Personnel			
	vi) The bid document/s is to be systematically paginated.			
	vii) Submit a duly `filled up` form of registration` in the format provided in this pre-qualification document, addressed to Indigenous Livelihoods Enhancement Partners (ILEPA). The terms under the form of registration shall be valid for 120 days.			
	viii) Registration with NCA -provide the NCA Certificate and License			
	viv) Attach the picture of Chain link fence to be sourced			

STAGE 2: ILEPA EVALUATION

2.	TECHNICAL AND OTHER REQUIREMENTS			
		REQ MARK	AWARDED MARK	REMARKS
	i)Volume of business the firm can handle per month (at least 1,000,000.00)	9		
	ii) Similar jobs carried out in the past (attach proof in the form of transaction documents, letter of award, contracts...etc.)	12		

	iii) Business Experience/Number of years in business	10		
	iv) Previous dealings with ILEPA - will address issues such as:- <ul style="list-style-type: none"> • Late delivery (Less 3) • Partial delivery (less 3) • Poor quality goods/returns e.g. Counterfeit Goods (less 3) NB: Those who haven't been engaged by ILEPA in the past will be exempted/score all.	10		
	v) Provide information on Tel-landlines/mobiles, E-mail address, and contact person(s)	3		
	vi) Provide certified bank statements for the last one year	6		
	vii. Attached audited Accounts for limited companies and financial statements for non-limited business entities for the last two (2) years.	3		
	viii) Annual turnover of at least 5M	3		
	xi). Three recommendation letters from reputable firms, at least two from public Institutions	7		
	xii.) Relevant company profile/business profile	12		
	xiii) Personnel capability and competence	7		
	xiv) Complete the Confidential Business Questionnaire attached	9		
	xv) Litigation history: Indicate if there are any pending court cases on public procurement matters (Evidenced by a written stamped affidavit by the commissioner of oaths)	9		
TOTAL MARKS		100		

NB: A bidder who will not meet the entire mandatory requirement will not proceed for Technical Evaluation.

A bidder shall be prequalified upon attaining at least **75 % marks**.

**BILL OF QUANTITIES FOR CHAINLINK FENCING FOR 2 ACRE WATER CATCHMENT
AREA - TREATED TIMBER POLES**

BILL NO 1: PRELIMINARIES AND GENERAL ITEMS

ITEM	DESCRIPTION	UNIT	QTY	RATE (Kshs)	AMOUNT (Kshs)
1.1	Mobilization of plant and equipment				
1.1.1	Allow a sum for mobilization of plant, equipment, personnel and materials to the project site. Rate shall also be inclusive of demobilization after completion of works.	Item	L.S		
	Total Bill No.1 Carried to Summary Page				

BILL NO. 2: FENCE AND ACCESSORIES

ITEM	DESCRIPTION	UNIT	QTY	RATE (Kshs)	AMOUNT (Kshs)
2.1	Excavate circular holes measuring 300mm diameter and 600mm depth spaced at 3m c/c covering the site perimeter.	Nr.	240		
2.2	Supply and erect 4" x5" x9ft treated round timber fencing posts spacing of 2.5m c-c, anchoring them securely using concrete class 20 (C20) 1:2:4 at footing surround.	Nr.	240		
2.3	Ditto for corner, end and straining poles	Nr.	20		
2.4	Supply and fix 16-gauge 6ft high chain link wire	Rolls	28		
2.5	Supply and fix 16-gauge galvanised plain wire, fix 6 strands of the wire, one strand at the top and bottom of chain-link and 4 strands spacing equally in the middle using galvanized wire to secure them to the poles and chain-link	Rolls	2		
2.6	Supply and fix a double leaf gate size 6000mm x2000mm high metallic gate anchored on reinforced concrete pillars-300mm by 300mm, including a padlock. Design to include a lockable foot entrance size 0.8 m x 2m high to the Engineer's approval. Painting works.	Nr	1		
	Total Bill No.2 Carried to Summary Page				
	TOTAL BILL				
	16% VAT				
	TOTAL COST (incl VAT)				