



KENYA MARITIME AUTHORITY

TENDER NO.KMA/ONT/006/2018-2019

**PROPOSED DEVELOPMENT OF MULTI - STOREY
OFFICE BLOCK IN MOMBASA.**

**PRE-QUALIFICATION OF
WASTE WATER TREATMENT PLANT CONTRACTORS**

EMPLOYER:

**The Director General,
Kenya Maritime Authority,
P.O. Box 95076 - 80104,
Mombasa, Kenya.**

APRIL 2019

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OFFICE BLOCK IN MOMBASA.
FOR
KENYA MARITIME AUTHORITY**

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ADVERTISEMENT NOTICE FOR PREQUALIFICATION OF CONTRACTORS

PROPOSED DEVELOPMENT OF MULTI - STOREY OFFICE BLOCK IN MOMBASA.

The **Kenya Maritime Authority** (KMA) invites sealed bids from eligible qualified firms for the prequalification for the construction to completion of the proposed Multi – Storey Office Block in Mombasa.

Interested **Nominated Waste Water Treatment Plant Contractors**; are invited to tender for the project. The minimum requirements for the above categorized prospective tenderers are as follows:

1. Be a registered company incorporated in Kenya under the Companies Act CAP 486.
2. Must be registered and licensed by Ministry of Water and Sanitation Class E and above in Water works.
3. Must provide evidence of financial, personnel, and equipment capability necessary for carrying out the works.
4. Must enclose a copy of a valid Tax Compliance Certificate
5. **Must fulfill the following Specialized Mandatory Requirements**
 - (i) Must have had a minimum of annual turnover of Kshs.50 million for each year over the last five years (2014 - 2018).
 - (ii) Must have completed a minimum of Five projects of similar in nature and complexity in the last five years, each of which must be of a value of at least Kshs.5 million

Interested Firms of Contractors who meet the above minimum requirements may obtain a set of Prequalification Documents from **The Director General, Kenya Maritime Authority, White House, Moi Avenue, P.O. Box 95076 – 80104, Mombasa, Kenya Tel.+ 254-0-412318398/9, Mobile +254 (0) 724319344, Fax 254-0-412318397** during normal working hours. Alternatively the prequalification document may be downloaded from **Website: www.kma.go.ke**

Bidders who down- load the prequalification document from the website **MUST** forward their particulars immediately for records so as to be used for any further prequalification clarifications and addenda.

Bids marked “**Prequalification of Contractors for the Proposed Development of Multi - Storey Office Block in Mombasa**” clearly indicating the Category of interest must be delivered to the **Tender Box of KMA Headquarters, White House, Moi Avenue, Mombasa** on or before **18th April, 2019 at 10.00AM.**

Bids will be opened publicly immediately thereafter in the presence of bidders or their representatives who choose to attend at the **Kenya Maritime Authority Headquarters, White House, Moi Avenue, Mombasa.** Late bids shall be returned un-opened.

Director General
Kenya Maritime Authority



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PROPOSED DEVELOPMENT OF MULTI - STOREY OFFICE BLOCK IN MOMBASA.

1. BACKGROUND

Kenya Maritime Authority intends to construct a Multi - Storey Office Block in Mombasa, Plot Parcel NO. 128, along Mbaraki Road.

2. SCOPE OF THE WORKS.

- 2.1** The anticipated works comprise Design, fabrication & erection, testing and commissioning of Sewage water treatment works that pertain to Multi - Storey Office Block

This information is given for **guidance only** and without any **warranty** of its accuracy.

TERMS OF REFERENCE FOR DESIGN, FABRICATION & ERECTION, TESTING AND COMMISSIONING OF SEWAGE TREATMENT WORKS.

1. To fabricate, supply, install, test and commission the potable water treatment plant works associated with the Multi - Storey Office Block as specified in the Tender Documents/Bills of Quantities, and in accordance with the Architectural and Engineering Drawings, to the satisfaction of the **Mechanical Engineer, Architect and Employer.**
2. To obtain all appropriate statutory approvals for certain works/services
3. To obtain appropriate Bank/Insurance Guarantees upto Practical Completion and handing over of the works to the Employer.
4. To supply and deliver all materials and Labour necessary for the execution of the works.
5. To hand over the works in an optimally functioning state to the satisfaction of the Mechanical Engineer, Architect and the Employer.
6. To observe due diligence and care in the execution of works.
7. To take appropriate Insurance covers against injury to persons, loss of Life or damage/theft/loss of property during execution of works on the site in accordance with relevant Laws/ Acts/Regulations.
8. To enter into Nominated Subcontract Agreement with the Main Contractor and to be supportive of the Main Contractor to successful completion of the project and on time.

SPECIAL NOTES

SPECIAL NOTES:

The Applicant is required to check the numbers of the pages of these Tender Pre-qualification Documents against the contents stated on Table of Contents, and should he find any missing, in duplicate or indistinct, he must inform The Director General, Kenya Maritime Authority, at once and have the same rectified.

Should the Applicant be in doubt about the precise meaning of any item or figure for any reason whatsoever, he must inform The Director General, Kenya Maritime Authority, in writing in order that the correct meaning may be decided before the date for submission of Pre-qualification documents.

The deadline for receiving inquiries shall be 7 days before date of tender opening.

EVALUATION CRITERIA

The evaluation shall be done in two parts - **Mandatory Requirements** and **Technical Evaluation**. Failure to comply with Mandatory Requirements will lead to **automatic disqualification**. **Such automatically disqualified applicants will not proceed to Technical Evaluation**. The Technical evaluation covers evaluation of technical capacity with a maximum score of 60% and evaluation of financial capacity with a maximum score of 40% totaling 100%. Any firm scoring aggregated **pass mark of 75%** and above will qualify to proceed to the next stage and be invited to submit a tender (a Financial Proposal) for the works. Any applicant who scores less than aggregated 75% will not proceed to Tender (Financial Proposal) stage. Employer reserves the rights to carry out due diligence.

PART 1: MANDATORY REQUIREMENTS (MR).

The following Mandatory Requirement (MR) must be met notwithstanding other requirements before the applicant is prequalified for the works.

NO.	REQUIREMENTS	Remarks
MR1	Submit certified Copy of Company Certificate of Incorporation registration (Legal Structure).	
MR2	Provide certified copy of the company's current Certificate of Tax Compliance issued by Kenya Revenue Authority (KRA); PIN and valid upto or beyond the prequalification closing date.	
MR3	Provide certified copy of the company's Business trading license.	
MR4	Letter from at least Five of the Past Clients (Last 5 years) confirming and demonstrating capability to undertake water treatment plant Works to the tune of Kenya Shillings Seven Million (Kshs.5,000,000.00) and above.	
MR5	Submit a completed Company's Profile using the Qualification Information, Prequalification Questionnaire and Confidential Business Questionnaire provided in this document.	
MR6	Provide signed copies of Audited Accounts for the last five years (2014 - 2018).	
MR7	Provide duly filled, signed, stamped/sealed Confidential Business Questionnaire attached.	
MR8	<i>A Contractor who has been served with a Default Notice on-going projects(s) or who has been terminated in the last Five (5)years will be treated as NON - RESPONSIVE and will therefore be subjected to AUTOMATIC DISQUALIFICATION</i>	

PART 2: TECHNICAL EVALUATION – DESIGN, FABRICATION & ERECTION, TESTING AND COMMISSIONING OF SEWAGE TREATMENT PLANT CONTRACT

Part 2A: Technical Capacity(Maximum 60%).

No.	Evaluation Attribute	Score		Remarks
		Max Score %	Score %	
	Registration/License			
1.	Submit certified Copy of Company Certificate of Incorporation (Legal Structure), PIN, and Tax Compliance Certificate	3		
2	<p>Qualified Technical Staff in the company relevant to the building construction industry who will actively be involved in the proposed project (MUST provide detailed CV accompanied by relevant academic and professional certificates from institutions recognized by the Commission for Higher Education in Kenya. (Telephone contacts of Technical Staff MUST be provided).</p> <p>Site Agent Plumbing & water treatment plant installation Works: (Marks will be awarded for Diploma/HND and above qualifications in Mechanical Engineering/Civil Engineering to a maximum of 3No. persons)</p> <ul style="list-style-type: none"> • Holder of relevant degree with over 5yrs experience-----13 • Holder of relevant degree with 3- 4yrs experience-----10 • Holder of relevant Diploma/HND with over 5yrs experience-----7 • Holder of Diploma/HND in relevant course with under 5yrs experience-----Zero score. • Holder of degree in relevant degree with under 3yrs experience-----Zero score • Project Manager/Site Agent with below Diploma will be given zero score. 	13		
CARRIED FORWARD		19		

No.	Evaluation Attribute	Score		Remarks
		Max Score %	Score %	
3..	<p style="text-align: center;"><i>B/F</i></p> <p>Plant, Equipment and tools</p> <p>The bidding firm to provide list of equipment, tools and transport facilities, etc, commensurate to the project, enclosing copies of log books/ proof of ownership.</p> <p>100 % Owned 15mks 50% Owned 10 mks 100% leased 5 mks</p>	19		
4.	<p><u>Accomplishments: Firms Experience in Similar Projects and Past Performance</u> (Previous & current project) Details of building projects undertaken successfully within the last 5 years each worth Kshs. 50 Million and above completed or ongoing evidenced by letters of reference from client, certificates of occupation and completion certificates for the respective projects.</p> <ul style="list-style-type: none"> • 27 marks will be awarded for EACH competed or ongoing projects worth Kshs. 50m and above (minimum of 2NO. and upto a maximum 3No. projects). 20marks for one completed project worth Kshs. 20m and above.(minimum of 2NO. and upto a maximum 3No. projects). • Completed or ongoing Projects worth Kshs. 10m to 29m will have - 12 marks • Competed or ongoing projects below Kshs. 10m will have Zero score 	27		
5.	<p><u>Litigation History.</u></p> <p>State any cases, nature of and outcome of cases where your firm has had arbitration proceedings, reference, adjudication with the Kenya Government or any public body. (No litigation 2 Marks)</p>	2		
	SUB-TOTAL 1 for Technical Evaluation Part 1	60		

Part 2 B: Financial Capacity

	FINANCIAL CAPACITY (Maximum 40%).	Max Score %		
6.	<p><i>Annual turnover of Kshs. 50,000,000/= and above for each year for last five (5) years and lines of credit from banks to the tune of Kshs. 10,000,000/= and above is considered a reliable indicator of a respondents financial stability for the purpose of the undertaking such project;</i></p> <ul style="list-style-type: none"> • Attach copies of audited accounts for your organization /firm for the past five (5) years; • Certified Attach Banks statements for the last six months. • Attach proof of line of credit/overdraft facilities <p><i>Evaluations on above:</i></p> <p>a) Annual Turnover.</p> <ul style="list-style-type: none"> • Annual turn over greater or equal to Kshs. 50Million..... 20 • Annual turn over Kshs. 20M to 49M.....15 • Annual turn over below Kshs. 20Million.....0 <p>b) Certified copies of bank statements for the last six months.</p> <p>c) Evidence of Financial Resources (Cash in hand or Lines of Credit or Over Draft facility etc) as evidenced by bank reference letters regarding credit worthness and line of credit / over draft facility.</p> <ul style="list-style-type: none"> • Has financial resources equal to Kshs. 15 Million or above -----18 • Has financial resources between Kshs. 7million- 14 Million --10 • Has financial resources below Kshs. 7million -----5 • Has not given evidence of any of financial resources -----0 	<p>20</p> <p>2</p> <p>18</p>		
	SUB-TOTAL 2 for Financial status	40		
	COMBINED TOTAL FOR TECHNICAL SCORE AND FINANCIAL CAPACITY SCORE	100		

QUALIFICATION INFORMATION

QUALIFICATION INFORMATION

IMPORTANT NOTES

1. 'Certified copies' mean certified by a High Court Advocate or Commissioner for Oaths.
2. Applicants must be registered companies incorporated in Kenya under the Companies Act CAP 486.

1.0 Individual Applicants and Individual Members of Joint Ventures.

- 1.1 Constitution or legal status of tenderer (attach copy of Incorporation Certificate, PIN certificates);

Place of registration: _____

Principal place of business _____

Power of attorney of signatory of tender _____

- 1.2 Total annual volume of associated plumbing, drainage and firefighting works performed in the last five years

Year	Volume	
	Currency	Value

- 1.3 Work performed as Nominated or Domestic Sub Contractor on works of a similar nature and volume over the last five years. Also list details of work under way or committed, including expected completion date.

Project name	Name of client and contact person	Type of work	Value

Note: Tenderer to attach certified copies of completion certificates (completed projects) and award letters (ongoing projects).

1.4 For the projects given in 1.3 above give further information as follows:-

Project Name	Services Consultant	Initial Contract period (weeks)	Actual Completion time (weeks)

1.5 For the projects given in 1.3 above give further information as follows:-

Project Name	Initial Contract Sum (Kshs.)	Final Account Sum (Kshs.)	Variations Value

1.6 Major items of Contractor's Equipment proposed for carrying out the Works. List all information requested below.

Item of Equipment	Description, Make and age (years)	Condition (new, good, poor) and number available	State whether Owned or leased

Note: For owned equipment attach certified copies of proof of ownership e.g. logbooks. For leased, attach copies of lease agreements.

- 1.7 Qualifications and experience of Key personnel proposed for administration and execution of the Contract. Attach Curriculum Vitae (CV's), Academic and Professional Certificates.

Position	Name	Qualifications	Years of experience in proposed position

- 1.8 Proposed sub-contracts and firms involved. These shall be nominated by the Employer and will enter into Sub-contract Agreements with the Main Contractor.
N/A

- 1.9 Financial reports for the last five years: balance sheets, profit and loss statements, auditor's reports, etc. List below and attach copies.

Note: Audited accounts must be signed and stamped by at least 2 company directors and audited by a registered certified accountant.

- 1.10 Evidence of access to financial resources to meet the qualification requirements: cash in hand, lines of credit, etc. List below and attach copies of supportive documents. All documents must be signed and stamped by the directors of the institutions providing the financial facilities.

1.11 Name, address and telephone, telex and facsimile numbers of banks that may provide reference if contacted by the Employer.

NOTE: The applicant gives authority to Employer to contact their banks for verifications if need be.

1.12 Bank Statements. Provide certified copies of bank statements from your official bankers for the last six months.

1.13 Tax compliance certificate. Provide certified copy of your upto to date valid tax compliance certificate from Kenya Revenue Authority.

1.14 NHIF & NSSF compliance certificates. Provide certified copies of your upto date valid remittance receipts, or compliance certificates from NHIF and NSSF.

1.15 Litigation: List of disputes

Name of Contract	Type of resolution method	Date of dispute	Date of settlement	Amount in dispute

1.16 Details of company ownership; provide copies of the following:-

- Memorandum of Association
- Articles of Association
- List of Directors and their Curriculum Vitae (CVs).
- Attach Form CR12.

1.17 Attach copy of current business permit

1.18 Attach copies of National Construction Authority registration certificate and any other from different registration authorities and government ministries and institutions.

2.0 Joint Ventures

2.1 The information listed in 1.1-1.10 above shall be provided for each partner of the joint venture.

2.2 The information required in 1.11 above shall be provided for the joint venture.

2.3 Attach the power of attorney of the signatory(ies) of the tender authorizing signature of the tender on behalf of the joint venture.

2.4 Attach the Agreement among all partners of the joint venture (and which is legally binding on all partners), which shows that:

- a) All partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms;
- b) One of the partners will be nominated being in charge, authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture; and
- c) The execution of the entire Contract, including payment, shall be done exclusively with the partner in charge.

PREQUALIFICATION QUESTIONNAIRE

PREQUALIFICATION QUESTIONNAIRE

Please fill in block letters

1. Full names of tenderer
.....
2. Full address of tenderer which tender correspondence is to be sent (unless an agent has been appointed below)
.....
3. Telephone number (s) of tenderer
.....
4. Telex address of tenderer
.....
5. Name of tenderer's representative to be contacted on matters of the tender during the tender period.
.....
6. Details of tenderer's nominated agent (if any) to receive tender notices. This is essential if the tenderer does not have his registered address in Kenya (name, address, telephone, telex)
.....
.....

Signature of Tenderer and Official stamp

Make copy and deliver to:

**The Director General,
Kenya Maritime Authority,
P.O. Box 95076 - 80104,
Mombasa, Kenya.**

CONFIDENTIAL BUSINESS QUESTIONNAIRE

CONFIDENTIAL BUSINESS QUESTIONNAIRE

Note: Tenderers must be registered companies incorporated in Kenya under the Companies Act CAP 486.

- Failure to fill **CONFIDENTIAL BUSINESS QUESTIONNAIRE OR WITHHOLD OR SUBMIT MISLEADING INFORMATION** shall lead to **AUTOMATIC DISQUALIFICATION OF THE APPLICANT.**

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

You are advised that it is serious offence to give false information on this Form

Part 1 - General

Business Name.....

Location of business premises; Country/Town.....

Plot No.Street/Road.....

Postal AddressTel. No.....

Nature of Business

Current Trade Licence No.Expiring date.....

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 fullAge.....

NationalityCountry of Origin

Citizenship details

Part 2 (b) - Partnership

Give details of partners as follows:

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

Part 2(c) - Registered Company

Private or Public.....

State the nominal and issued capital of the company:-

Nominal Kshs.....
Issued Kshs.....

Give details of all directors as follows:

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

Attach proof of Company Registration

Part 2 (d) - Interest in the Firm

Is there any person/persons in Kenya Maritime Authority or the Government of Kenya in general who has interest in this firm? Yes/No.....(Delete as necessary).

I certify that the above information is correct.

.....
(Name of the Signatory) (Title) (Signature) (Date)

DATE, TIME AND PLACE OF DELIVERY OF PRE-QUALIFICATION DOCUMENTS

Date, Time and Place for the delivery of the Pre-qualification Documents (One original Copy only) shall be as per **the Pre-qualification of Contractors Advertisement Notice.**

SIGNATURE PAGE

1. NAME OF THE PROJECT:
.....
.....

2. TENDERER'S NAME AND ADDRESS:
.....
.....
.....
.....

3. TENDERER'S SIGNATURE AND STAMP:.....
.....
.....

4. DATE:.....

5. TENDERER'S WITNESS AND ADDRESS:.....
.....
.....

6. SIGNATURE:.....

7. DATE:.....

SIGNATURE PAGE