



**JOMO KENYATTA UNIVERSITY
OF
AGRICULTURE AND TECHNOLOGY.**

**REF/NO.JKUAT/84/-2018 – 2019 PRE-QUALIFICATION
FOR SUPPLY AND DELIVERY OF FARM INPUTS
(SEEDS,FERTILIZERS & PESTCIDES)**

**Address to: Vice Chancellor,
P. o. Box 62000-00100,
Nairobi.**

Email Address: tenders@jkuat.ac.ke

Telephone No. (067) 5870000

Closing Date: Wednesday 24th April,2019 at 11:30 a.m.

APRIL 2019

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INTRODUCTION

- 1.1 This standard procurement prequalification document has been prepared for use by the procuring entities in Kenya and is intended for use in prequalifying candidates wishing to tender for buildings, civil Engineering works, Large Plant, heavy Equipment and certain types of supply and delivery and contracts where the procuring entity determines it is necessary for procurement to be made through a prequalification process. It may also be used by a procuring entity for the purpose of registration of candidates.
- 1.2 The standard document includes a form for invitation for prequalification, instructions to candidates and a letter of application with attached forms for candidates to complete.
- 1.3 For purposes of simplifying presentation, the document has been written for construction contracts (commonly used). Care should therefore be taken when preparing prequalification document for specific cases to ensure that the prequalification criteria are clear and explicit, and that they refer to the needs and characteristics of the specific procurement. For this purpose where appropriate, “Works” should be substituted by “Equipment” or “Plant” as the case may be and “Contractor” should be replaced with “Supplier” or “Manufacturer” as the case may be.
- 1.4 The following directions should be observed when using the standard procurement prequalification document.
 - (a) The forms will require adaptation to suit the requirement of each proposed procurement
 - (b) specific details, such as the names of the procuring entity should be furnished in the spaces indicated in the text.
 - (c) Where alternative clauses or texts are shown, the user should select those that best suit the particular contract and should discard the alternative text that will not apply.
 - (d) The instructions to candidates should basically remain unchanged. Any necessary amendments to any clause or additions should be made through Appendix to instructions to candidates.

- 1.5 The notes in the text of the prequalification documents are meant to assist the procuring entity in the preparation of the document. They are not part of the prequalification document and should therefore be deleted as the document is prepared.
- 1.6 The cover of the tender document should be modified to include:
 - i. Tender number.
 - ii. Tender name.
 - iii. Name of procuring entity.

SECTION I - INVITATION FOR PREQUALIFICATION (IFQ)

Tender No. JKUAT/84/2018 – 2019

Tender Name - Pre-qualification for supply and delivery of farm inputs (seeds, fertilizers & pesticides).

- The JKUAT hereinafter referred as “Procuring entity” intended to prequalify candidates for Pre-qualification for supply and delivery of farm inputs (seeds, fertilizers & pesticides).
- 1. Eligible candidates may obtain the prequalification document from JKUAT Main Campus, Department of Procurement Tender Section during normal working hours upon payment of a non-refundable fee of 1,000.00 in cash or bankers cheque.
- 2. A minimum requirement for qualification is to have successfully carried out similar works for maximum of 3 year and above
- 3. Applications for prequalification must be submitted enclosed in plain sealed envelopes marked with the tender name and reference number and deposited in the tender box at JKUAT main Campus Department of Procurement or to be addressed

Vice Chancellor
JKUAT
P.O.Box 62000 – 00200
Nairobi

- 4. so as to be received on or before **Wednesday 24th April 2019 at 11.30 a.m.**
- 5. All candidates whose applications will have been received before the closing date and time will be advised in due course, of the results of their applications. Only candidates prequalified under this prequalification process will be invited to tender.

Note

- 1. The IFPQ shall be advertised as per the procurement law and the regulations
- 2. The IFPQ provides information that enables candidates to decide whether or not to participate
- 3. The IFPQ shall be incorporated into the prequalification document and the information contained in the IFPQ shall conform to it.

SECTION II - INSTRUCTIONS TO CANDIDATES

Notes on Instructions to Candidates

1. The instructions to candidates should provide the candidates with adequate information to facilitate preparation and submission of a good prequalification application.
2. All the blank spaces should be properly completed by the procuring entity before the prequalification document is given to the candidates.
3. The note accompanying the clauses in this part are not part of the text. They are meant to assist the procuring entity when preparing the prequalification document. The notes should not be incorporated in the actual prequalification documents.
4. Where in the text alternative clauses are shown, the procuring entity should select those suitable for the particular contract and discard the alternative text that will not apply. This should also be clarified in the appendix to instructions to candidates.
5. The instructions to candidates may be amended or supplemented by clauses in the appendix to instructions to candidates.

SECTION II - INSTRUCTIONS TO CANDIDATES

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SECTION II - INSTRUCTIONS TO CANDIDATES

2.1 Scope of Tender

- 2.1.1 The JKUAT hereinafter referred to as the procuring entity intends to prequalify contractors for Pre-qualification for supply and delivery of farm inputs (seeds, fertilizers & pesticides).
- 2.1.2 It is expected that prequalification applications will be submitted to be received by the procuring entity not later than **Wednesday 24th April 2019 at 11.30 a.m.**
- 2.1.3 Prequalification is open to eligible firms and voluntarily formed joint ventures as indicated in appendix to instructions to candidates.
- 2.1.4 General information on the climate, hydrology, topography, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, facilities, services provided by the procuring entity and (other relevant date) are as specified in the appendix to instructions to candidates. The contract will be a unit price/lump sum/turnkey contract. The tender documents will be (*the tender document to be used after prequalification*).

2.2 Submission of Application

- 2.2.1 Applications for prequalification shall be submitted in sealed envelopes marked with the tender name and reference number and deposited in the tender box at JKUAT main Campus Department of procurement Department or be addressed to

Vice Chancellor
JKUAT
P.O.Box 62000 – 00200
Nairobi

so as to be received on or before **Wednesday 24th April 2019 at 11.30 a.m.**

The procuring entity reserves the right to accept or reject late applications.

- 2.2.2 The name and mailing address of the applicant may be marked on the envelope.
- 2.2.3 All the information requested for pre qualification 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.

2.2.4 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 pre-qualification is open to all candidates 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 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 terms found capable of performing the contract satisfactorily in accordance to the set prequalification criteria shall be prequalified.

2.4 Qualification Criteria

2.4.1 **Pre-qualification 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 equipment capabilities 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 **When highly specialized inputs** (especially for execution of the contact) are required by the applicant from specialist sub contractors, such subcontractors and their inputs shall be described in the Standard Form 1 (General Information)

2.4.3 **General Experience.** The applicant shall meet the following minimum criteria
 (a) average annual turnover as main contractor (defined as billing for works in progress and completed) over the last three years of not less than 2¹/₂ times the estimated annual cash flow in the proposed contract or works and
 (b) successful experience as prime contractor in execution of at least three projects of a nature and complexity comparable to the proposed contract within the last three years. Personnel capabilities. The applicant must have suitably qualified personnel to fill the following positions

Position	Total experience (years)	In similar works (years)	As manager of similar works (years)
Project Manager			
Other Position			

Other position			
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2.4.4 **Equipment capabilities.** The applicant should own, or have assured access (through hire, lease, purchase agreement, availability of manufacturing equipment, or other means) the following key items of equipment in full good working order, and must demonstrate that, based on known commitments they will be available for use in the proposed contract. The applicant may also list alternative equipment that it would propose for the contract together with an explanation of the proposal

Equipment type and characteristics	Minimum number required
1)	
2)	
3)	

2.4.5 **Financial position.** The applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit and other financial means sufficient to meet the construction cash flow for a period of _____ months, estimated at Kshs. _____, net of the applicants commitments for other contracts.

2.4.6 **The audited Accounts** for the last three years shall be submitted and must demonstrate the soundness of the applicant’s financial position, showing long-term profitability. Where necessary the procuring entity will make inquiries with the applicant’s bankers.

2.4.7 **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 Tender Evaluation Criteria

After tender opening, the tenders will be evaluated in 1 stages, namely:

1. Preliminary Evaluation;

MANDATORY REQUIREMENT

2.5.1 Preliminary Evaluation for Prequalification

This stage of evaluation shall involve examination of the qualification conditions as set out in the Tender Advertisement Notice and any other conditions stated in the Bid Document. These conditions will include the following: -

To be eligible to prequalify the bidder will attach the mandatory documentation to be submitted which will be used in the preliminary evaluation.

- (1) Company Profile.
- (2) CR 12 Form.
- (3) Copy of Identity Cards(s) or Passport(s) for company Directors.
- (4) Category of Registration with relevant body;
- (5) Three current Audited Account certified by public Accountant.
- (6) Letters of recommendations from 3 referees firms.
- (7) Tax Compliance, PIN Certificate and VAT Registration Certificate.
- (8) Copy of Certificate of incorporation or Registration.
- (9) Suitability of the tenderer, as indicated by the Qualification Information, Tender Questionnaire & the Confidential Business Questionnaire;

The employer may seek further clarification/confirmation if necessary to confirm authenticity/compliance of any condition of the tender.

Tenderers who do not satisfy any of the above requirements shall be considered NON-RESPONSIVE and their tenders will not be evaluated further.

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. Conflict of Interest

- 2.7.1 The applicant (including all members of a joint venture) shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other prequalification and bidding documents for the project, or with an entity that was proposed as engineer for the contract. Any such association must be disclosed and may result in the disqualification of the applicant.

2.8. Updating Pre-Qualification Information

- 2.8.1 Pre qualified 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.

APPENDIX TO INSTRUCTIONS TO CANDIDATES

Notes on the appendix to instructions to Candidates

1. The appendix to candidates to tenderers is intended to assist the procuring entity in providing specific information which may not be adequately covered by the clauses in the instructions to candidates.
2. The appendix may amend any information in the instructions to candidates.
3. The procuring entity should use the appendix to ensure that all relevant information to the candidates relating to a particular pre qualification is included.

APPENDIX TO INSTRUCTIONS TO CANDIDATES

The following instructions for the pre qualification 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.

Note

To be completed appropriately by the procuring entity. Reference will be made to the relevant clause of the Instructions to Candidates.

SECTION III - LETTER OF APPLICATION

Notes on letter of application

The letter of application will be prepared by the applicant and will follow the form presented herein.

The letter of application will be prepared on the letterhead paper of the applicant or partner responsible for a joint venture and will include full postal address, telephone numbers, fax number and Email address.

The letter of application will be signed by duly authorized representatives of the applicant.

Any clause which does not apply to the applicant in the letter of application herein shall be deleted by the applicant.

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) (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 (Tender No. and Tender name)

Tender number	Tender name
1.	
2.	
3.	
4.	
5.	

2. Attached to this letter are copies of original documents defining
 (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 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.

General and managerial inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

Personnel inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

Technical inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

Financial inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

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:
 - amend the scope and value of any contracts bid under this project; in such event, bids will only be called from prequalified bidders who meet the revised requirements; and
 - 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

6. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the <each> contract, and the responsibilities for execution of the <each> contract.

7. 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 liability of all partners in the event the contract is awarded to us.

8. 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)

Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)

CONFIDENTIAL BUSINESS QUESTIONNAIRE

You are requested to give the 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 a 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 Address..... Tel No.....

Nature of Business.....

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

Maximum value of business which you can handle at any time: K.
pound.....

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

Give details of partners as follows:

	<i>Name in full</i>	<i>Nationality</i>	<i>Citizenship Details</i>	<i>Shares</i>
1.			
2.			
3.			

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:

	<i>Name in full</i>	<i>Nationality</i>	<i>Citizenship Details*</i>	<i>Shares</i>
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1.....

2.....

3.....

4.....

Part 2(d) – Interest in the Firm:

Is there any person / persons in(Name of Employer) who has interest in this firm? Yes/No.....(Delete as necessary)

I certify that the information given above is correct.

.....

(Title)

(Signature)

(Date)

- Attach proof of citizenship

LETTER OF NOTIFICATION OF AWARD

Address of Procuring Entity

To: _____

RE: Tender No. _____

Tender Name _____

This is to notify that the contract/s stated below under the above mentioned tender have been awarded to you.

1. Please acknowledge receipt of this letter of notification signifying your acceptance.
2. The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
3. You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

(FULL PARTICULARS) _____

SIGNED FOR ACCOUNTING OFFICER

REQUEST FOR REVIEW FORM

FORM RB 1

**REPUBLIC OF KENYA
PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

APPLICATION NO.....OF.....20.....

BETWEEN

.....APPLICANT

AND

.....RESPONDENT (*Procuring Entity*)

Request for review of the decision of the..... (*Name of the Procuring Entity*) of
.....dated the...day of20.....in the matter of Tender No.....of
.....20...

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical
address.....Fax No.....Tel. No.....Email, hereby request the Public
Procurement Administrative Review Board to review the whole/part of the above mentioned
decision on the following grounds , namely:-

- 1.
- 2.
- etc.

By this memorandum, the Applicant requests the Board for an order/orders that: -

- 1.
- 2.
- etc

SIGNED(Applicant)

Dated on.....day of/...20...



FOR OFFICIAL USE ONLY

Lodged with the Secretary Public Procurement Administrative Review Board on day of
.....20.....

SIGNED
Board Secretary