

NAKURU COUNTY GOVERNMENT



DEPARTMENT OF HEALTH

TENDER NO: NCG/MOH/PGH/T/27/2018 -2020

SUPPLY AND DELIVERY OF ORTHOPEDIC IMPLANTS

CLOSING DATE: 17TH OCTOBER 2018

THE COUNTY SECRETARY

NAKURU COUNTY GOVERNMENT - MINISTRY OF HEALTH

P.O. BOX 2860 NAKURU

F/Y 2017-2018

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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 certain types of supply and installation 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.

SECTION I - INVITATION FOR PREQUALIFICATION (IFQ)

Tender No. NCG/MOH/T/27/2018-2020

Tender Name SUPPLY AND DELIVERY OF ORTHOPEDIC IMPLANTS

1. **NAKURU COUNTY GOVERNMENT-DEPARTMENT OF HEALTH** hereinafter referred as “Procuring entity” intended to prequalify candidates for the following (particulars of the procurement).
2. Prequalification is open to all bidders.
3. Eligible candidates may download the prequalification document from the county web site (Nakuru County) www.nakuru.go.ke.
4. A minimum requirement for qualification is to have successfully carried out (Minimum essential experience requirements in accordance with the instructions to candidates)
5. Applications for prequalification must be submitted to the following address;

The Medical Superintendent
Rift Valley General Hospital
P O Box 71-20100
NAKURU

So as to be received on or before **17TH October, 2018 at 10.00a.m.**

6. 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.

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 **NAKURU COUNTY GOVERNMENT-DEPARTMENT OF HEALTH** hereinafter referred to as the procuring entity intends to prequalify contractors for the following (particulars of the procurement). It is expected that prequalification applications will be submitted to be received by the procuring entity not later than **17TH October, 2018 at 10.00.a.m.**

2.1.2 Prequalification is open to eligible firms and voluntarily formed joint ventures as indicated in appendix to instructions to candidates

2.1.3 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 to the following email at the Rift valley Provincial General Hospital Tender Box situated at administration block so as to be received on or before **17TH October 2018** at 10.00am. The procuring entity reserves the right to accept or reject late applications. Note “The time allowed for preparation of prequalification applications should be sufficient for applicants to gather all the information required but in any case not less than 14 days for national tenders and 21 days for international tenders from the date of first advertisement. This period may be long for very large projects, where time should be allowed for the formation of joint ventures.”

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.

Note "The eligibility criteria must comply with the law. It should not deliberately discriminate or inhibit competition

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.

Evaluation Criteria

Evaluation and comparison of Tenders: The following evaluation criteria shall be applied notwithstanding any other requirement in the bid document.

a) **Mandatory requirement (MR)**

The following requirements must be met by the tenderer

NO.	Requirements	Responsive or not responsive
MR1	Must submit a copy of certificate of Registration/incorporation	
MR2	Must submit a copy of valid Tax Compliance certificate	
MR3	Must fill the price schedule in the format provided	

	provided	
MR4	Must fill in the form of tender in the format provided	
MR5	Must submit a dully filled up Confidential Business Questionnaire in format provided	
MR6	Must attach a copy of V.A.T registration certificate	
MR7	Must attach a copy of a single business permit	
	At this stage, the tenderer's submission will either be responsive or no responsive. The non-responsive submissions will be eliminated from the entire evaluation process and will not be considered further.	

	b) Technical Scores (TS)			
	This section (Technical Evaluation) will be marked out of 100 and will determine the technical score(TS)			
	No	Evaluation Attribute	Weighting score	Max score
	T.S. 1	Number of years doing similar business	<ul style="list-style-type: none"> • 10years and above 10 marks • Other prorated at $\frac{\text{Number of years} \times 20}{10}$ 	20
	T.S. 2	Provide a list of client and references to which the company has done similar services in the last ten(10) year	<ul style="list-style-type: none"> • 10 clients with reference letters from the clients –20 marks • Other prorated at $\frac{\text{Number of clients} \times 20}{10}$ 	20
	T.S.3	Financial strength provide audited accounts for the last two years (2015,2016 and 2017	<ul style="list-style-type: none"> • Two years audited accounts 10marks • One year audited accounts – 5marks 	10
	T.S. 4	Organization Structure/Represented in form of an organogram	Provide names of the office holders	10
	T.S.5	Availability of appropriate skills among staff/ Consultants	.Provide profile and cvs	20
	T.S. 6	Equipments and accessories owned by the firm that will be deployed to the hospital	<ul style="list-style-type: none"> • Provide details/list of at least five (5) equipments and accessories and explain what they will be used for (2marks for each) 	10
	T.S.7	Physical facilities <ul style="list-style-type: none"> • Provide details of physical address and contacts Attach evidence	<ul style="list-style-type: none"> • Details of physical address and contacts with copy of either title, lease documents or latest utility bill 	10

BIDDERS WHO ATTAIN 70 MARKS AND ABOVE WILL BE SHORTLISTED

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.

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

Personal 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

(a) 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 applicant or lead partner of a joint venture)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf of (name of Applicant)	For and on behalf of (name of Applicant)

Signed	Signed
Name	Name
For and on behalf of (name of Applicant)	For and on behalf of (name of Applicant)

SECTION IV - STANDARD FORMS

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5.	Personnel capabilities	
5	A Candidate summary	
6.	Equipment capability	
7.	Financial capability	
8.	Litigation History	
9.	Request for Review	

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. Where there is a joint venture, each partners shall complete the form

Application Form 2 - General Experience Record

This form is to be completed by all applicants. Separate sheets should be used for each partner of a joint venture. Applicants are not required to enclose testimonials, certificates or publicity materials with their applications.

Application Form 2A - Joint Venture Summary

This form is to be completed by joint venture applicants only.

Application Form 3 - Particular Experience Record

This form is to be completed by all applicants meeting the requirement set out in the instructions to candidates. Separate sheets shall be used for each member of or joint venture. Complimentary information will be given on application Form 3A.

Application Form 3A - Details of Contracts of similar nature and complexity

This form shall be completed by all applicants and will contain similar works completed by the applicant or a member of a joint venture

Application Form 4 - Summary sheet. Contract commitments/work in progress

This form is to be completed by all applicants including

Each member of a joint venture. It shall contain the current

Commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received,

or for contracts approaching completion, but for which an

Unqualified, full completion certificate has yet to be issued.

Application Form 5 - 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 two candidates qualified to meet the specified requirements stated for each position. The data on their experience shall be supplied on Form 5A

Application Form 5A - Candidate Summary

This form is to be completed by all applicants. The information provided will complement information on Form 5. A separate form shall be used for each personnel

Application Form 6 - Equipment Capability

This form is to be completed by all applicants. It should provide adequate information to demonstrate clearly that the applicant has the capability to meet the requirements for each and all items of equipment listed in the instructions to candidates. A separate form shall be prepared for each item of equipment or for alternative equipment proposed by the applicant.

Application Form 7 - Financial Capability

This form shall be completed by every applicant and each member of a joint venture. It should contained 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 the summary of actual assets and liabilities for the last five years.

Application Form 8 - 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. A separate sheet should be used for each member of a joint venture

Form RB1 - Request for Review

This form is only to be filled by the tenderer when aggrieved by the Procuring Entity and submitted to the Review Board at anytime during the tender process but not later than 14 days after date of notification of award

APPLICATION FORM(1)

GENERAL INFORMATION

1.	Name of firm	
2.	Head office address	
3.	Telephone	contact
4.	Fax	E-mail
5.	Place of incorporation/registration	Year of incorporation/registration

Nationality of owners		
1.	Name	Nationality
2.		
3.		
4.		
5.		

APPLICATION FORM (2)

GENERAL EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

Annual turnover data (Construction only)

Year	Turnover	Kshs.
1		
2		
3		
4		
5		

APPLICATION FORM (2A)

JOINT VENTURE SUMMARY

1. Lead partner
2. partner
3. partner
4. partner
5. partner
6. partner

Total value of annual construction turnover, in terms of work billed to clients, in Kshs.

Annual turnover data (construction only: Kshs.
--

Partner	Form 2 Page no.	Year 1	Year 2	Year 3
1. Lead Partner				
2. Partner				
3. Partner				
4. Partner				
5. Partner				
6. Partner				
	Totals			

APPLICATION FORM (3)

PARTICULAR EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

APPLICATION FORM (3A)

DETAILS OF CONTRACTS OF SIMILAR NATURE AND COMPLEXITY

Name of Applicant or partner of a joint venture

Use a separate sheet for each contract.

1.	Number of contract
	Name of Contract
	Country
2.	Name of employer
3.	Employer address
4.	Nature of works and special features relevant to the contract for which the Applicant wishes to prequalify
5.	Contract role (check one) * Sole contract * Management contract * Subcontract * Partner in a joint venture
6.	Value of the total contract/subcontract/partner share (in specified currencies at completion, or at date of award for current contract)
7.	Date of award
8.	Date of completion
9.	Contract/subcontract duration (years and months) - years - months
10.	Specified requirements

APPLICATION FORM (4)

SUMMARY SHEET: CURRENT CONTRACT

COMMITMENTS/WORK IN PROGRESS

Name of Applicant or partner of a joint venture

Name of contract	Value of outstanding work Kshs.	Estimated completion date
1.		
2.		
3.		
4.		
5.		
6.		

APPLICATION FORM (5)

PERSONNEL CAPABILITIES

Name of Applicant

1. Title of position Name of prime candidate Name of alternate candidate	
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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 (5A)

CANDIDATE SUMMARY

Name of Applicant

Position	Candidate * Prime * Alternate	
Candidate information	1. Name of candidate	2. Date of birth
	3. Professional qualifications	

Present employment	4. Name of employer.	
	5. Address of employer	
Telephone	Contact (manager/personnel officer)	
Fax	E mail	
Job title of candidate	Years with present employer	

Summarize professional experience over the last 20 years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the Project.

From	To	Company/Project/Position/Relevant technical and management experience

APPLICATION FORM (6)

EQUIPMENT CAPABILITIES

Name of Applicant

Item of equipment		
Equipment information	1. Name of manufacturer 2. Model and power rating 3. Capacity	4. Year of manufacturer
Current status	5. Current location 6. Details of current commitments	

Source	7. Indicate source of the equipment * Owned * Rented * Leased * Specially manufactured
--------	---

Omit the following information for equipment owned by the Applicant or partner

Owner	8. Name
	9. Address of owner
	Telephone Contact name and title
	Fax Email
Agreements	Details or rental/lease/manufacture agreements specific to the project

APPLICATION FORM (7)

FINANCIAL CAPABILITY

Name of Applicant or partner or a joint venture

Banker	Name of banker
	Address of banker
 Telephone Contact name and title
	Fax E mail

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

Source of finance	Amount Kshs.
1.	
2.	
3.	
4.	

APPLICATION FORM (8)

LITIGATION HISTORY

Name of Applicant or partner or a joint venture

Name of Applicant or partner of a joint venture 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 or AGAINST applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value Kshs.)

Registration Maximum value of business which you can handle at any one time – Kshs. Name of your bankers	Certificate No. Branch
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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 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.

SWORN STATEMENT

Having studied the pre-qualification information for the above project, we/I hereby state:

- a) That information furnished in our application is accurate to the best of our/my knowledge
- b) That in case of being pre-qualified we acknowledge that this grants us the right to participate in de time in the submission of a tender or quotation on the basis of provision in the tender or quotation documents to follows.
- c) We enclose all the required documents and information required for the pre-qualification evaluation

Date.....

Applicant's Name.....

Represented by.....

Signature.....

Official Stamp or Seal.....

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