



## NAKURU RURAL WATER AND SANITATION COMPANY LIMITED

### SUMMARY OF PROCUREMENT PROCEEDINGS.

**Procuring Entity:** Nakuru Rural Water and Sanitation Company.

**Financial Year:** 2022-2023.

**Tender/Quotation No:** NRW/01/2022-2023.

**Description Of the Tender:** Provision of labour for last mile connectivity at Kasarani, Kaloleni and Matuiku areas of Elburgon township.

**Requisition No:** 2745

**Procurement method:** Open Tender

	<b>Procurement Stage</b>	<b>Indicators</b>	<b>Information on Indicators (fill as appropriate)</b>
1	Invitation and Tender opening	Tender Invitation/advertisement date	16 <sup>th</sup> May 2022
Tender closing/opening date		30 <sup>th</sup> May 2022	
Number of bidding document issued.		Nil	
Number of bids received		7	
Names of tender opening committee members		1. John Okioga-Chairperson 2. Roseline Chepkorir-Secretary 3. Peris Odhiambo-Member	

				4. Susan Emonde-Member		
		Number of bidders present				
2	Tender evaluation	Evaluation committee	Names of the tender evaluation committee members	1. Benjamin Maundu-Chairman		
				2. Elizabeth Langwech-Secretary		
				3. Edward Mwangi-Member		
				Specify consultants/external experts involved in evaluation if any	Name	N/A
					Profession	N/A
					Organization	N/A
				Number of bids evaluated.		7
				An extract of the evaluation criteria*		Annexed
				Number of bids passed preliminary evaluation		2
				Number of bids passed technical evaluation stage		2
		Name of the recommended/successful bidder and the price		<b>Heyinz company limited</b>		
		Date evaluation was concluded		6 <sup>th</sup> /06/2022		
		Date evaluation report was forwarded/submitted to the head of procurement function		9 <sup>th</sup> /06/2022		
3	Procurement professional opinion	Date the professional opinion was issued		10 <sup>th</sup> /06/2022		

4	Tender Award	Date of approval/rejection of the award	30 <sup>th</sup> /08/2022
5	Notification of award	Date the notification to award a tender was sent	29 <sup>th</sup> /09/2022
6	Contract execution	Date the contract was signed	18 <sup>th</sup> 10/2022

**Prepared By: Head of Procurement Function**

**Sign:**



**Date: 30/3/2023.**

**EVALUATION:**

**1.0 TENDER NO NRW/1/2022-2023 - PROVISION OF LABOUR WORKS FOR LAST MILE CONNECTIVITY IN KASARANI AREA OF ELBURGON TOWNSHIP.**

There were 7 firms who responded for this category and they are as follows:

1. Heyinz company limited.
2. Intercome Equipments and contractors limited.
3. Gurey Africa limited
4. Rupa civil and construction services limited.
5. Nambatech systems limited
6. Kent investment Agency limited
7. Ciwanji Enterprises.

**STAGE 1- DETERMINATION OF RESPONSIVENESS.**

The table below demonstrates responsiveness of Mandatory requirement by each Bidder.

Sl. No.	Mandatory Requirement	Response
10	Must be the defendant for 10 years in the country	
11	Must have a valid NCA	
12	Must be in Tanzania construction firm	
13	Must have a valid NCA	
14	Registration by relevant regulatory authority (Valid NCA, certification/Registration as Civil Engineering contractor (Water works) member of class NCA 7	
15	Tender validity (Should be 120 days)	
16	Number of copies submitted	

NO	Evaluation criteria	YES/ NO	Bidder No/Marks Awarded						
			1	2	3	4	5	6	7
1	Must submit a copy of valid Certificate of Incorporation		✓	✓	✓	✓	✓	✓	✓
2	Certificate of Confirmation of Directors and shareholding (CR12)		✓	✓	✓	✓	✓	✓	*
3	Must submit a duly signed and stamped/sealed Tender Securing Declaration Form in the format provided		✓	✓	✓	*	✓	✓	*
4	Must submit a copy of valid Tax Compliance Certificate from KRA		✓	✓	✓	✓	✓	✓	✓
5	Sequential Pagination of the entire document		✓	*	✓	*	✓	✓	*
6	Must fill the price schedule/BOQ in the format provided where applicable		✓	✓	✓	✓	✓	✓	*
7	Must fill the form of tender in the format provided and instructions provided		✓	✓	✓	*	✓	✓	*
8	Must submit a duly filled up confidential business questionnaire in the format provided		✓	✓	✓	✓	✓	✓	*
9	Must fill the anti-corruption in the format provided		✓	✓	✓	✓	✓	✓	*
10	Must fill the debarment form in the format provided		✓	✓	✓	✓	✓	✓	*
11	Must fill the code of ethics form		✓	✓	✓	✓	✓	✓	*
12	Must fill the Tenderers information form		✓	✓	✓	✓	✓	✓	*
13	Notarized power of Attorney		✓	✓	✓	✓	✓	*	*
14	Registration by relevant regulatory authority(Valid NCA certificate),Registration as Civil Engineering contractors (Water works) minimum of class NCA 7		✓	✓	✓	✓	✓	✓	*
15	Tender validity (Should be 120 days)		✓	✓	✓	✓	✓	✓	*
16	Number of copies submitted		✓	✓	✓	✓	✓	✓	*
17	Pre-tender site visit forms		✓	✓	✓	✓	✓	✓	*
18	Business permit		✓	✓	*	✓	✓	✓	*

46. 



Basing on the above Mandatory responsiveness, **Heyinz company limited. And Nambatech systems limited** proceeded to the next level of technical evaluation. The table below demonstrated performance of each Bidder.

STAGE 2: TECHNICAL EVALUATION

*[Handwritten signature]*

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Item	Description			BIDDER 1.:Heyinz Company Limited. DETERMINATIONS: YES/NO.	Bidder 5: Nambatech systems limited. Determination: YES/NO
1.	<b>Key Personnel (Attach evidence)</b>	<b>Compliance requirement</b>	<b>Documentation required</b>		
	<b>(i) Site Agent;1No</b> At least diploma in a civil/water engineering or equivalent. with 5 years relevant experience	<b>Must meet requirements</b>	<b>Appointment letter Qualification Cert Resume with Practical experience</b>	<b>YES</b>	<b>YES</b>
	<b>(ii) Foreman;1No</b> At least Certificate in building, masonry or equivalent. with 5 years relevant experience	<b>Must meet requirements</b>	<b>Appointment letter Qualification Cert Resume with Practical experience</b>	<b>YES</b>	<b>YES</b>
	<b>(iii) Pipeline technician</b> At least Diploma in Water Engineering/Hydrogeology/Geology/Gr ound Water or equivalent with 3 years drilling experience in different formation	<b>Must meet requirements</b>	<b>Appointment letter Qualification Cert Resume with Practical experience</b>	<b>YES</b>	<b>YES</b>

*[Handwritten signatures and initials in blue ink on the right margin of the table]*



	<b>(iv) Draughtman</b> At least Diploma in Civil Engineering with 3 years relevant experience in AUTOCAD	Must meet requirements	Appointment letter Qualification Cert Resume with Practical experience	YES	YES	Yes
	<b>(v) Mason; 1 No</b> At least trade test grade III in Mason or equivalent with 3 years' experience	Must meet requirements	Appointment letter Qualification Cert Resume with Practical experience	YES	YES	
2	<b>Equipment detail</b>	Compliance requirement	Documentation required			
	Backhoe tractors complete with accessories (1 No.)	Must meet requirements	(Logbook or lease/hire agreements must be attached specifying the registration or serial numbers)	YES	YES	
	Pickup unit (1 No.)	Must meet requirements	• (Logbook or lease/hire agreements must be attached specifying the registration or serial numbers)	YES	YES	



	1 m <sup>3</sup> Concrete mixer and poker vibrator (1 No. each)	<b>Must meet requirements</b>	<ul style="list-style-type: none"> <li>• (Logbook or lease/hire agreements must be attached specifying the registration or serial numbers</li> </ul>	YES	YES
	Lorry/Truck (1 No.)	<b>Must meet requirements</b>	<ul style="list-style-type: none"> <li>• (Logbook or lease/hire agreements must be attached specifying the registration or serial numbers</li> </ul>	YES	YES
3.	<p><b><u>Contracts completed in the last Three (3) years</u></b></p> <p>At least 1 No Project of similar nature, complexity and Magnitude completed in the last Three (3) years where firm was prime contractor</p>	<b>Must meet requirements</b>	<ul style="list-style-type: none"> <li>• Notification of award with corresponding certificate of practical completion</li> <li>• Copies of LSOs with corresponding certificate of practical completion</li> </ul>	YES	YES

*Handwritten signatures and initials in blue ink, including a large signature and the initials 'LB'.*

			<ul style="list-style-type: none"> <li>• Copies of Dully signed, stamped Contract of works with corresponding certificate of practical completion</li> </ul>	YES	YES
4.	<p><b>Average Annual Construction Turnover</b> Minimum average annual construction turnover of Kenya Shillings 20,000,000.00 equivalent calculated as total certified payments received for contracts in progress and/or completed within the last three years, divided by 3 years</p>	Must meet requirements	Audited financial statements for the last 3 years	YES	YES
5.	<p><b>General Construction Experience</b> Experience under construction contracts in the role of prime contractor, JV member, sub-contractor, or management contractor for at least the last Three [3] years prior to the applications submission deadline, and with activity in at least (6) months in each year</p>	Must meet requirements	<ul style="list-style-type: none"> <li>• Notification of award with corresponding certificate of practical completion</li> <li>• Copies of LSOs with corresponding certificate of practical completion</li> <li>• Copies of Dully signed, stamped Contract of works with corresponding certificate of practical completion</li> </ul>	YES	YES

*[Handwritten signatures and initials in blue ink]*





6.	<p><b><u>Specific Construction &amp; Contract Management Experience</u></b></p> <p>A minimum number of <i>one</i> similar contract specified below that have been satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or sub- contractor between 1<sup>st</sup> January 2018 and tender submission deadline i.e. 1st February, 2022 .... (number) contracts, each of minimum value Kenya shillings <b>15,000,000.00</b> equivalent.</p> <p><i>[In case the Works are to be tender as individual contracts under multiple contract procedure, the minimum number of contracts required for purposes of evaluating qualification shall be selected from the options mentioned in ITT 35.4]</i></p> <p>The similarity of the contracts shall be based on the following: <i>[Based on Section VII, Scope of Works, specify the minimum key requirements in terms of physical size, complexity, construction method, technology and/or other characteristics including part of the requirements that may be met by specialized subcontractors, if permitted in accordance with ITT 34.3]</i></p>	Must meet requirements	<ul style="list-style-type: none"> <li>• Notification of award with corresponding certificate of practical completion</li> <li>• Copies of LSOs with corresponding certificate of practical completion</li> <li>• Copies of Dully signed, stamped Contract of works with corresponding certificate of practical completion</li> </ul>	YES	YES
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7.	<b>Financial Capability</b> i) The minimum required annual volume of construction work for the successful Tenderer in the last 3 years shall be: <b>KShs. 15 million Kenya Shillings.</b> ii) Bidder to submit audited accounts for the last 3 years iii) Demonstrate access to, or availability of, financial resources such as liquid assets, lines of credit, and other financial means, other than any contractual advance payments to meet cash flow of <b>KShs 5,000,000</b> or equivalent in a freely convertible currency, and the overall cash requirements for this contract and its concurrent commitments	<b>Must meet requirements</b>	<b>Audited financial statements for the last 3 years</b>  <b>Letters from banks affirming availability of credit facilities should be duly signed and stamped by the authorized officers.</b>	<b>YES</b>	<b>YES</b>
8.	<b>History of Non-Performing Contracts</b> Non-performance of a contract did not occur as a result of contractor default	<b>Must meet requirements</b>	Form CON-2	<b>YES</b>	<b>YES</b>

9.	<b>Pending Litigation</b> Tender's financial position and prospective long-term profitability still sound according to criteria established in 3.1 and assuming that all pending litigation will NOT be resolved against the Tenderer.	<b>Must meet requirements</b>	Form CON - 2	YES	YES
10.	<b>Litigation History</b> No consistent history of court/arbitral award decisions against the Tenderer	<b>Must meet requirements</b>	Form CON - 2	YES	YES

Only bidders who qualify at this stage will be subjected to the award criteria. Financial comparison which will be in accordance to Section 82, PPADA 2015

**QUALIFICATION FORM SUMMARY.**

1 Item No.	2 Qualification Subject	3 Qualification Requirement	4 Document To be Completed/Provided by Tenderer/	5 For Procuring Entity's Use (Qualification met or Not Met)
1.	Nationality	Nationality in accordance with ITT 3.6	Forms ELI - 1.1 and 1.2, with attachments	Met
2.	Tax Obligations for Kenyan Tenderers	Has produced a current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority in accordance with ITT 3.14.	Form of Tender	Met
3.	Conflict of Interest	No conflicts of interest in accordance with ITT 3.3	Form of Tender	Met
4.	PPRA Eligibility	Not having been declared ineligible by the PPRA as described in ITT 3.8	Form of Tender	Met



5.	State- owned Enterprise	Meets conditions of ITT 3.7	Forms ELI – 1.1 and 1.2, with attachments	Met
6.	Goods, equipment and services to be supplied under the contract	To have their origin in any country that is not determined ineligible under ITT 4.1	Forms ELI – 1.1 and 1.2, with attachments	Met
7.	History of Non-Performing Contracts	Non-performance of a contract did not occur as a result of contractor default	Form CON-2	Met
8.	Suspension Based on Execution of Tender/Proposal Securing Declaration by the Procuring Entity	Not under suspension based on-execution of a Tender/Proposal Securing Declaration pursuant to ITT 19.9	Form of Tender	Met
9.	Registration Certificate for Access to Government Procurement Opportunities (AGPO)	Registration Certificate for Access to Government Procurement Opportunities (AGPO) in <i>YOUTH, WOMEN OR PWD</i> category.	Copy of Valid AGPO Certificate in respective category ( <i>validity will be confirmed</i> )	Not Applicable
10.	Pending Litigation	Tender's financial position and prospective long-term profitability still sound according to criteria established in 3.1 and assuming that all pending litigation will NOT be resolved against the Tenderer.	Form CON – 2	Met
11.	Litigation History	No consistent history of court/arbitral award decisions against the Tenderer	Form CON – 2	Met
				Met
12.	Financial Capabilities	(i) The Tenderer shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as Kenya Shillings 5,000,000/= equivalent for the subject contract(s) net of the Tenderer's other commitments. (ii) The Tenderers shall also demonstrate, to the satisfaction of the Procuring Entity, that it has adequate sources of finance to meet the cash flow requirements on works currently in	Form FIN – 3.1, with attachments	Met



		progress and for future contract commitments.  (iii) The audited balance sheets or, if not required by the laws of the Tenderer's country, other financial statements acceptable to the Procuring Entity, for the last three years shall be submitted and must demonstrate the current soundness of the Tenderer's financial position and indicate its prospective long-term profitability.		
13.	Average Annual Construction Turnover	Minimum average annual construction turnover of Kenya Shillings 15,000,000.00 equivalent calculated as total certified payments received for contracts in progress and/or completed within the last three years, divided by [insert number of years] years	Form FIN – 3.2	Met
14.	General Construction Experience	Experience under construction contracts in the role of prime contractor, JV member, sub-contractor, or management contractor for at least the last three years	Form EXP – 4.1	Met
15.	Specific Construction & Contract Management Experience	A minimum number of one similar contract specified below that have been satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or sub-contractor between 1st January 2018 and tender submission deadline i.e. 1st February, 2022 .... (number) contracts, each of minimum value Kenya shillings 15,000,000.00 equivalent. [In case the Works are to be tender as individual contracts under multiple contract procedure, the minimum number of contracts required for purposes of evaluating qualification shall be selected from the options mentioned in ITT 35.4]  The similarity of the contracts shall be based on the following: [Based on Section VII, Scope of Works, specify the minimum key requirements in terms of physical size, complexity, construction method, technology and/or other characteristics including part of the requirements that may be met by specialized subcontractors, if permitted in accordance with ITT 34.3]	Form EXP 4.2(a)	Met

1.8 TENDER NO. ARW/2012-2013 FOR SUPPLY OF CONCRETE METERS, PIPES AND FITTINGS FOR LAST MILE CONNECTIVITY IN KASARANI AREA OF ELBURGON TOWNSHIP.

**STAGE 3-FINANCIAL EVALUATION AND RECOMENTATIONS.**

S/NO	BIDDERS NAME	BID AMOUNT
1	Heyins Company Ltd	4,898,680
2	Nambatech Technologies Ltd	6,598,080

The Ad-Hoc committee basing on the price comparison, recommended and award **Heyinz company limited** for the provision of labour works for last mile connectivity in Kasarani area of Elburgon township.