



KENYA ELECTRICITY GENERATING COMPANY LIMITED PLC

RFX: 5000013188

KGN-PROC-03-2023

**TENDER FOR PROVISION OF CONTAINER FREIGHT STATION
SERVICES IN NAIROBI AND MOMBASA FOR KENYA ELECTRICITY
GENERATING COMPANY PLC**

Open National Tender

29th June 2023

Clarification No.2

In accordance with the **Tender for Provision of Container Freight Station Services in Nairobi and Mombasa for Kenya Electricity Generating Company Plc**, KenGen issues an **Clarification No.2** as follows:

| No. | Bidder's Request for Clarification | KenGen's Response |
|-----|--|---|
| 1 | Tender Security- Should it be sealed together with the tender documents or separately? | The tender MUST be submitted through our e-procurement platform found at www.kengen.co.ke (https://eprocurement.kengen.co.ke:50001/irj/portal The tender documents should be uploaded in the system above. The Original Tender Security sealed and clearly labeled should be dropped at the tender box located on Ground Floor at KenGen RBS building located along Kolobot Road in Parklands by the tender submission deadline. Please refer to tender submission instructions in the tender document and Addendum 1. |
| 2 | Eligible Tenderers (page 6-7) Company A and Company B both have the same legal | Not Eligible. Submit one tender |

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| | representative and under common control. Are both eligible for the tender?) | |
| 3 | <p>Tender Prices and Discounts (Page 12)- Pricing of special handling & transport. Contradiction between 2 clauses 16.7 If provided for in the TDS, the rates and prices quoted by the Tenderer shall be subject to adjustment during the performance of the Contract in accordance with and the provisions of Clause 6.6 of the General Conditions of Contract and / or Special Conditions of Contract. The Tenderer shall submit with the Tender all the information required under the Special Conditions of Contract and of the General Conditions of Contract.</p> <p>Or</p> <p>SECTION II - TENDER DATA SHEET (TDS) (page 26)- ITT 13.5 The prices quoted by the Tenderer shall not be subject to adjustment during the performance of the Contract.</p> | <p>The Provisions of the Tender Data Sheet (TDS) prevail:</p> <p>The prices quoted by the Tenderer shall not be subject to adjustment during the performance of the Contract.</p> |
| 4 | <p>CFS Scope of Work- Is the CFS responsible for ALL the below services?</p> <ul style="list-style-type: none"> • CFS operators shall deliver containers to the end receivers upon fulfilment of the statutory including customs requirements and proper authorization by the shipping line in the form of duly signed delivery orders. • The CFS operator will be responsible for the authentication of release instructions at all times prior to handing over the container to the cargo receivers. • CFS shall issue interchange reports indicating the condition of containers at the time of exit from the premises. | <p>Yes and it includes but not limited to all services listed under Specific Technical specifications – Description of services page 80 to 81</p> |
| 5 | <p>Power of Attorney & Tenderers Director - ITT 19.3 The written confirmation of authorization to sign on behalf of the Tenderer shall consist of: Power of Attorney. Please elaborate.</p> | <p>Authorization given to an individual to commit an organization in any business transaction. The person signing the tender must be given authorization to do so through a filled power of attorney.</p> <p>Please refer to the format given below:</p> |

FORMAT OF POWER OF ATTORNEY

We..... (name and address of the registered office) do hereby constitute, appoint and authorize Mr. / Mrs. / Ms (name and residential address) who is presently employed with us and holding the position of as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our proposal for the project/goods/works/services“.....”, including signing and submission of all documents and providing information / responses to the Kenya Electricity Generating Company PLC, ("KenGen"), representing us in all matters before KenGen, and generally dealing with KenGen in all matters in connection with our Proposal for the said project/goods/works/services.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us

..... (Signature)(Name, Title and Address)

Accepted

..... (Signature)(Name, Title and Address of the Attorney)

ACKNOWLEDGEMENT OF CLARIFICATION NO.2

We, the undersigned hereby certify that the clarification is an integral part of the document and the alterations set out in the clarification has been incorporated in the tender proposal.

Signed

Tenderer

Date.....