



KenGen

KENYA ELECTRICITY GENERATING COMPANY PLC

KGN~SALE ~005~2024

RFx: 5000015655

**TENDER FOR DISPOSAL OF SCRAP IN WESTERN REGION
STATIONS~ (MUHORONI, GOGO AND TURKWEL).**

(CITIZEN CONTRACTORS)

Kenya Electricity Generating Company PLC
Stima Plaza Phase III, Kolobot Road, Parklands
P.O. BOX 47936-00100
NAIROBI.

Website: www.kengen.co.ke

July, 2024

INVITATION TO TENDER

PROCURING ENTITY: Kenya Electricity Generating Company PLC (KenGen)

CONTRACT NAME AND DESCRIPTION: Tender for Disposal of Scrap Western Region Stations.

KenGen PLC invites sealed tenders from eligible candidates to purchase Scrap in Western Region Stations.

Interested eligible candidates may obtain further information at the address provided below. Items will be sold as they are, without any encumbrances.

Interested tenderers may inspect the tender document during office hours at the office of:

General Manager, Supply Chain

Tel: (254) (020) 3666000

Email: tenders@kengen.co.ke; akitungu@kengen.co.ke; airegi@kengen.co.ke;

Bidders who are unable to download the tender documents from the website may collect them from any KenGen Supply Chain Office upon payment of a non-refundable fee of **KShs. 1,000.00** paid via **Mpesa, pay bill no. 400200** and account no. **01120069076000**, then share the MPesa message to KenGen Finance office staff for receipt and issuance of official receipt or through a banker's cheque and payable to the address given below or Any KenGen Finance Office.

Tenderers will be required to pay in advance a refundable deposit as indicated in the Appendix to Instructions to tenderers.

There shall be **mandatory site visit** at the site on the date and time as tabulated below;

Station	Date and time
Gogo Power station	9 th July 2024 at 10:00 am to 2:00 p.m.
Muhoroni Power Station	10 th July 2024 at 10:00am to 2:00 p.m.
Turkwel Power Station	12 th July 2024 at 10:00am to 2:00 p.m.

The Tender deposit shall be in the amount as per the table below **Payable at any KenGen Finance office**. The receipt **MUST** attached to the submitted bid. **(Do not attach cheque)**

Description	Amount (Ksh)
Assorted scrap & Obsolete Stock Items in Turkwel.	300,000.00
Assorted Metallic Scrap in Gogo.	3,000.00
Assorted Scrap and Obsolete Stock Items in Muhoroni.	15,000.00

Completed tenders must be submitted **online** on or before **23rd July 2024 at 10.00 a.m.**

Electronic Tenders will be permitted through our e-procurement platform found at www.kengen.co.ke (<https://eprocurement.kengen.co.ke:50001/irj/portal>)

Firefox Mozilla are the preferred web browsers.

[Hard copies of the tender document shall not be permitted]

Prices quoted should be net, must be in Kenya Shillings and shall remain valid for the period to be determined by the Procuring Entity from the closing date of the tender.

Bids will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Tenders will be publicly opened in the presence of the Tenderers' designated representatives who choose to attend at the address below.

Tender for Disposal of Scrap in Western Region Stations- (Muhoroni, Gogo and Turkwel).

Tenders received after the submission date as specified in the Tender will be rejected.

1. The addresses referred to above are:

A. Address for obtaining further information and for purchasing tender documents

General Manager, Supply Chain
Kenya Electricity Generating Company PLC
Stima Plaza Phase III, Kolobot Road, Parklands
P.O. BOX 47936-00100
9th Floor

B. Address for Opening of Tenders.

General Manager Supply Chain
Kenya Electricity Generating Company PLC
Stima Plaza Phase III, Kolobot Road, Parklands
P.O. BOX 47936-00100
6th Floor

KenGen adheres to high standards of integrity in its business operations.

Report any unethical behavior immediately to any of the provided anonymous hotline service.

- 1) Call Toll Free: 0800722626;
- 2) Free-Fax: 00800 007788;
- 3) Email: kengen@tip-offs.com
- 4) Website: www.tip-offs.com

GENERAL MANAGER, SUPPLY CHAIN

SECTION I - INSTRUCTIONS TO TENDERERS

1 Eligible Tenderers

- 1.1 This Invitation for Tenders is open to all tenderers eligible as described in the Appendix to instructions to tenderers.
- 1.2 Tenderers shall be under a declaration of in eligibility for corrupt or fraudulent practices
- 1.3 The Procuring Entity's employees, committee members, board members and their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse are not eligible to participate in the tender unless where specifically allowed under section 131 of the Act.
- 1.4 A Kenyan tenderer shall provide evidence of having fulfilled his/her tax obligations by producing a valid tax compliance certificate or tax exemption certificate issued by the Kenya Revenue Authority.

2. Cost of Tendering

- 2.1 The tenderer shall bear all costs associated with the preparation and submission of its tender, and the Procuring Entity, will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.
- 2.2 The Procuring Entity shall allow the tenderer to review the tender document and the goods to be sold free of charge before tendering.

3. The Tender Document

- 3.1 The tender document comprises the documents listed below and any addenda issued in accordance with clause 2.5 of these instructions to tenderers.
 - i) Invitation to tender,
 - ii) Instructions to tenderers,
 - iii) Schedule of items and prices,
 - iv) Conditions of Tender,
 - v) Form of tender,
 - vi) Confidential Business Questionnaire Form,
 - vii) Tender Commitment Declaration Form.

- 2.1 The tenderer is expected to examine all instructions, forms, terms and specifications in the tender documents. Failure to meet all the requirements of the tender will be at the tenderer's risk and may result in the rejection of its tender.

4 Clarification of Documents

- 4.1 A prospective tenderer requiring any clarification of the tender document may notify the Procuring Entity in writing or by post at the entity's address indicated in the Invitation for tenders. The Procuring Entity will respond in writing to any request for clarification of the tender documents, which it receives not later than thirty (30) days prior to the deadline for the submission of tenders, prescribed by the Procuring Entity. Written copies of the Procuring entities response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers that have received the tender document.
- 4.2 Clarification of tenders shall be requested by the tenderer to be received by the Procuring Entity not later than 7 days prior to the deadline for submission of tenders.
- 4.3 The Procuring Entity shall reply to any clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.

5 Amendment of Documents

- 5.1 At any time prior to the deadline for submission of tenders, the Procuring Entity, may for any reasons, whether at its own initiative or in response to a clarification requested by a prospective tenderer, modify the tender documents by amendment
- 5.2 All prospective candidates that have received the tender documents will be notified of the amendment in writing or by post and will be binding on them.
- 5.3 In order to allow prospective tenderers reasonable time in which to take the amendment in to account in preparing their tenders, the Procuring Entity, at its discretion, may extend the deadline for the submission of tenders.

6 Tender Prices and Currencies

- 6.1 The tenderer shall indicate on the appropriate Price Schedule the unit prices and total tender price of the item it proposes to purchase under the contract.
- 6.2 Prices quoted by the tenderer shall be fixed during the tender validity period and not subject to variation on any account. A tender submitted with an adjustable price quotation will be treated as non-responsive and will be rejected.
- 6.3 The Price quoted shall be in Kenya Shillings.

7 Tender deposit

- 7.1 The tenderer shall put a deposit for every item tendered for in the amount indicated in the schedule of items and prices, to the Bank account indicated in Section III - Schedule of Items and Prices
- 7.2 Failure to put the required deposit for any item tendered for will lead to disqualification of the tender for the item.
- 7.3 Unsuccessful Tenderer's tender deposit will be discharged or returned as promptly as possible but not later than Seven (7) days after the expiration of the period of tender validity prescribed by the Procuring Entity.
- 7.4 The successful Tenderer's tender deposit will be credited to his tender price so that it forms part of the amount of the tender and the tenderer will be required to pay the tender price less the deposit security.
- 7.5 The tender deposit shall be forfeited:
- a) If a tenderer withdraws its tender during the period of tender validity specified by the Procuring Entity.
 - b) In the case of a successful tenderer, if the tenderer fails to pay the balance of the tender price.

8 Validity of Tenders

- 8.1 Tenders shall remain valid for 60 days or as specified in the appendix to instruction to tenderers after date of tender opening prescribed by the Procuring Entity, pursuant to paragraph 2.10. Tender valid for a shorter period shall be rejected by the Procuring Entity as non-responsive.
- 8.2 In exceptional circumstances, the Procuring Entity may solicit the Tenderer's consent to an extension of the period of validity. The request and the responses there to shall be made in writing. The tender deposit provided under paragraph 2.7 shall also be suitably extended. A tenderer may refuse the request without forfeiting its tender deposit. A tenderer granting the request will not be required nor permitted to modify its tender.

9. Viewing of Tender Items

- 9.1 Prospective tenders are advised to view the items to be sold before tendering. This will enable them to arrive at the most reasonable and competitive tenders. Tenders are based on "AS WHERE IT IS AND THE CONDITION IT IS IN" and the conditions of the items are not guaranteed or warranted by the seller.

10. Sealing and Marking of Tenders

10.1 The Tenderer shall deliver the Tender in a single, sealed envelope bearing the name and Reference number of the Tender, addressed to the Procuring Entity and a warning not to open before the time and date for Tender opening date. Within the single outer envelope the Tenderer shall place another sealed envelope containing the list of and prices of the items tendered for and addressed as follows.

- a) Bear the name and address (including telephone number and email) of the Tenderer;
- b) Bear the name and Reference number of the Tender;
- c) Bear the name and address of the Procuring Entity; and
- d) Attach a payment slip or certified banking details from a bank, warranting the deposit payment made for the items tender for.

10.2 If all envelopes are not sealed and marked as required, the *Procuring Entity* will assume no responsibility for the misplacement or premature opening of the Tender, or failure to contact the tenderer in case of advice on the status of the tender or refund of deposit. Tenders that are misplaced or opened prematurely will not be accepted.

11. Deadline for Submission of Tenders

11.1 Tenders must be received by the Procuring Entity at the address specified not later than **23rd July 2024 at 10.00 a.m.**

11.2 The Procuring Entity may, at its discretion, extend this deadline for the submission of tenders by amending the tender documents in accordance with paragraph 2.5.in which case all rights and obligations of the Procuring Entity and tenderers previously subject to the deadline will thereafter be subject to the deadline as extended.

12. Modification of tenders

12.1 The tenderer may modify or withdraw its tender after the tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by the Procuring Entity prior to the deadline prescribed for submission of tenders.

12.2 The Tenderer's modification or withdrawal notice shall be prepared, sealed, marked, and dispatched in accordance with the provisions of paragraph 2.9.1. A withdrawal notice may also be sent by fax or email but followed by a signed confirmation copy, post marked not later than the deadline for submission of tenders.

12.2 No tender may be modified after the deadline for submission of tenders

13. Withdrawals and tenders

13.1 No tender may be withdrawn in the interval between the deadline for submission of tenders and the expiration of the period of tender validity specified by the tenderer. Withdrawal of a tender during this interval may result in the tenderer's forfeiture of its tender deposit, pursuant to paragraph 2.7.5

14 Opening of Tenders

14.1 The Procuring Entity will open all tenders in the presence of tenderers' representatives who choose to attend at **23rd July 2024 at 10.30 a.m.** and in the location specified in the invitation to tender. The tenderers or representatives who are present shall sign a register evidencing their attendance.

14.2 The tenderers' names, tender modifications or withdrawals, tender prices, and the presence or absence of requisite tender deposit and such other details as the Procuring Entity, at its discretion, may consider appropriate, will be announced at the opening.

14.3 The Procuring Entity will prepare minutes of the tender opening.

15 Clarification of tenders

15.1 To assist in the examination, evaluation and comparison of tenders the Procuring Entity may, at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.

15.3 Any effort by the tenderer to influence the Procuring Entity in the Procuring Entity's tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

16 Evaluation and Comparison of Tenders

16.1 The Procuring Entity will examine the tenders to determine whether they are complete, whether the tenderer has fulfilled the eligibility criteria, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non-responsive, will be rejected by the Procuring Entity.

16.2 Provided that the Tender is substantially responsive, the Procuring Entity shall handle errors on the following basis:

- a) Any error detected if considered a major deviation that affects the substance of the tender, shall lead to disqualification of the tender as non-responsive.
- b) Any errors in the submitted tender arising from a miscalculation of unit price, quantity, subtotal and total bid price shall be considered as a major deviation that affects the substance of the tender and shall lead to disqualification of the tender as non-responsive .and
- c) If there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.

16.3 The Procuring Entity will evaluate and compare the tenders, which have been determined to be substantially responsive.

16.4 The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

17 Award Criteria

17.1 The Procuring Entity will award the contract to the successful tenderer(s) whose tender has been determined to be substantially responsive and has been determined to be the highest tendered price, subject to the reserve price.

18 Notification of Intention to enter into a Contract/Notification of Award

18.3 Prior to the expiration of the period of tender validity, the Procuring Entity will notify the successful tenderer in writing that its tender has been accepted.

18.4 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

18 Canvassing/Contacting the Procuring Entity

18.1 No tenderer shall contact the Procuring Entity on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded.

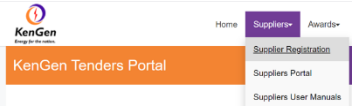

18.2 Any effort by a tenderer to influence the Procuring Entity in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of the tenderer's tender.


TENDER DATA SHEETS

Appendix to Instructions to tenderers.

The following information shall complement, supplement or amend, the provisions of the instructions to tenderers. Whenever there is a conflict between the provisions of the instructions to tenderers and the provisions of the Appendix, the provisions of the appendix herein shall prevail over those of the instructions to tenderers.

Instructions to Tenderers Reference	Particulars of appendix to Instructions to tenderers												
Eligibility	This tender is open Citizen Contractors												
Clarification	Clarification to the tender shall be responded to for request received no later than 7 days to the tender closing date. Bidders' queries must be sent through email to tenders@kengen.co.ke ; akitungu@kengen.co.ke ; Airegi@kengen.co.ke ; pwekesa@kengen.co.ke												
Award criteria	The award price shall be the highest evaluated tender price subject to the reserve price.												
Tender Validity	Tender is valid for 126 days.												
Tender closing date	23rd July 2024 at 10.00 a.m.												
Tender Deposit:	<p><i>[Tender deposit shall be required.</i></p> <p>A Tender deposit of an amount stated in the table below shall be paid by the bidder.</p> <table border="1"> <thead> <tr> <th>Lot No.</th> <th>Lot Description</th> <th>Tender Deposit in(Ksh)</th> </tr> </thead> <tbody> <tr> <td>Lot 1</td> <td>Assorted scrap & Obsolete Stock Items in Turkwel</td> <td>300,000.00</td> </tr> <tr> <td>Lot 2</td> <td>Assorted Metallic Scrap in Gogo.</td> <td>3,000.00</td> </tr> <tr> <td>Lot 3</td> <td>Assorted Scrap and Obsolete Stock Items in Muhoroni.</td> <td>15,000.00</td> </tr> </tbody> </table> <p>Payable at any KenGen Finance office. The receipt MUST attached to the submitted bid .(Do not attach cheque)</p>	Lot No.	Lot Description	Tender Deposit in(Ksh)	Lot 1	Assorted scrap & Obsolete Stock Items in Turkwel	300,000.00	Lot 2	Assorted Metallic Scrap in Gogo.	3,000.00	Lot 3	Assorted Scrap and Obsolete Stock Items in Muhoroni.	15,000.00
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Lot 3	Assorted Scrap and Obsolete Stock Items in Muhoroni.	15,000.00											
Tender prices	Prices indicated in the tender price schedule shall include all cost including taxes, insurance												
Tender Currencies	Price shall be in Kenya Shillings (KES)												
Tender eligibility and qualifications	Proof of eligibility, qualification documents of evidence (see evaluation criteria)												
Tender Deposit refund:	<p>Tender Deposit refund: The unsuccessful tenderers' deposit will be refunded After fourteen (14) days after Notification, while the winning tenderers' deposit shall be refunded after collection of the lot(s) awarded and completion certificated issued.</p> <p>Please attach a copy of the bank account card and National Identification Card where the tender deposit refund shall be transferred to</p>												
Site visit/ Pre-Bid Meeting	<p>There shall be mandatory site visit at various site as per the table below</p> <table border="1"> <thead> <tr> <th>Station</th> <th>Date and time</th> </tr> </thead> <tbody> <tr> <td>Gogo Power station in Migori</td> <td>9th July 2024 at 10:00 am to 2:00 p.m.</td> </tr> <tr> <td>Muhoroni Power Station</td> <td>10th July 2024 2024 at 10:00am to 2:00 p.m.</td> </tr> <tr> <td>Turkwel Power Station</td> <td>12th July 2024 at 10:00am to 2:00 p.m.</td> </tr> </tbody> </table>	Station	Date and time	Gogo Power station in Migori	9 th July 2024 at 10:00 am to 2:00 p.m.	Muhoroni Power Station	10 th July 2024 2024 at 10:00am to 2:00 p.m.	Turkwel Power Station	12 th July 2024 at 10:00am to 2:00 p.m.				
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Payments	Payment shall be made by the bidder awarded before collection of the materials.
Sealing and marking of tender	<p><i>Electronic –Procurement System</i></p> <p><i>The Procuring Entity shall use the following electronic-procurement system to manage this Tendering process via</i> /www.kengen.co.ke (https://eprocurement.kengen.co.ke:50001/irj/portal/)</p> <p>Internet Explorer and Firefox Mozilla are the Preferred web browsers.</p> <p>1. For suppliers registering for the first time using the link https://supplierregistration.kengen.co.ke:4302/slc_selfreg(bD1lbiZjPTMwM CZkPW1pbg==)/bspwdapplication.do#VIEW_ANCHOR-ROS_TOP ensure the “Public Tender” checkbox is ticked so that the login details are sent to suppliers automatically.</p>  <p>2. It is a mandatory requirement all Documents MUST be uploaded to the SRM System through the link https://eprocurement.kengen.co.ke:50001/irj/portal found on www.kengen.co.ke.</p>  <p>After clicking on the Event Number, then click on Register (for Open tenders), then click on ‘Create Response’, bidders to click on ‘Technical RFx Response’ tab to access the cfolder page to upload your document.</p> <p><u>Instructions to Bidders: Caution on Uploading Bid Documents</u></p> <p>a. Preferred Submission Method: Bidders are advised to use the C-Folder for submitting their tenders. This platform is specifically designed to handle bulky technical bid documents of up to 99MB per file.</p> <p>b. Exceeding File Size Limit: In the event that the bid response exceeds the 99MB limit: ~</p> <p>i. Bidders should try to compress the pdf file first to file size less than 99MB and if compressing doesn’t reduce the file size consider option (ii) below.</p> <p>ii. Split the documents into two or more separate files before submission. This ensures the integrity of the tendering process and accurate evaluation of all necessary information.</p> <p>c. Bids uploaded on “Notes and Attachments Tab” may have a transmission failure and the bid may not be successfully received through the system and KenGen will not be held accountable for failure to transmit on eProcurement portal.</p> <p>d. Assistance and Inquiries: For any questions or further assistance, bidders are encouraged to reach out to the team at least 24 hours before submission deadline through eprocurement@kengen.co.ke ; or tenders@kengen.co.ke ; or visit our offices through the Karibu Centre.</p> <ul style="list-style-type: none"> Prices MUST be entered under item tab of the RFx and MUST be similar to the prices in the price/BoQ Schedule.

	<div style="text-align: right; border: 1px solid black; padding: 2px; margin-bottom: 10px;"> RFX Number 5000000... Status Saved Submission Deadline 20.07.2024 RFX Owner ... Total Value 6,000,000 KES </div> <ul style="list-style-type: none"> Bidders should confirm on the supplier portal that the status of their RFX response shows “Submitted” and not “Saved” to ensure their RFX response is submitted. <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th>Event Number</th> <th>Event Description</th> <th>Event Type</th> <th>Event Status</th> <th>Start Date</th> <th>End Date</th> <th>Response Number</th> <th>Response Status</th> </tr> </thead> <tbody> <tr> <td>5000000000</td> <td>Test Bid Invite Submitted to Bidders</td> <td>Open Tendering</td> <td>Published</td> <td></td> <td>22.09.2023</td> <td>6000000000</td> <td>Saved</td> </tr> <tr> <td>5000000000</td> <td>Test 4 Bid Invite in sus portal</td> <td>Open Tendering</td> <td>Published</td> <td></td> <td>15.02.2024</td> <td>6000000000</td> <td>Submitted</td> </tr> </tbody> </table> <ul style="list-style-type: none"> Bidders who have submitted their bids should not click on WITHDRAW but click on EDIT to amend their bid response with appropriate changes if they desire to do so. Manuals to guide on the bidding process are accessible via the KenGen Tenders Portal. <div style="text-align: right; margin-bottom: 10px;">  </div> <p>Bidders to note that system challenges/support related to bid submission issues shall be addressed to eprocurement@kengen.co.ke tender closing date and time.</p>	Event Number	Event Description	Event Type	Event Status	Start Date	End Date	Response Number	Response Status	5000000000	Test Bid Invite Submitted to Bidders	Open Tendering	Published		22.09.2023	6000000000	Saved	5000000000	Test 4 Bid Invite in sus portal	Open Tendering	Published		15.02.2024	6000000000	Submitted
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Deadline and Submission of Bids	<p>The Bid documents should be submitted online through KenGen e-procurement portal: https://eprocurement.kengen.co.ke:50001/irj/portal as per instructions above before submission deadline.</p> <p>Tender Closing Date and Time: 23rd July 2024 at 10.00 a.m.</p> <p>Tender Opening Date at Time: 23rd July 2024 at 10.30 a.m.</p>																								
Preliminary Examination	<p>The bid sum as submitted and read out during bid opening is absolute and shall not be subject to correction, adjustment or amendment on any way Sec.82 of PPADA 2015, Subject to section 79(2)(b) of the Act.</p> <p>Any error in the submitted tender arising from a miscalculation of unit price, quantity, subtotal, and total bid price shall be considered as a major deviation that affects substances of the tender.</p>																								
Due Diligence	<p>KenGen may at its own discretion conduct due diligence on the eligible bidders to establish their ability to perform the contract before award of the contract.</p>																								
Transport	<p>Bidders are expected to arrange for their own transport. This area is not served by reliable public transport.</p>																								

Bidder is free to bid for any or all the lots.

EVALUATION CRITERIA

STAGE 1: MANDATORY PRELIMINARY REQUIREMENTS

The following mandatory preliminary requirements must be met notwithstanding other requirements in the tender document:

No	Preliminary Mandatory Evaluation Requirements
MR 1	Bidder Must attend site visit and sign the site visit attendance register
MR 2	Bidder must duly fill, sign and stamp the Form of Tender
MR 3	Bidder must duly fill, sign and stamp the Confidential Business Questionnaire
MR 4	The Tender MUST be submitted be in the required format and serialized on each page of the bid submitted, Sec.74.1.i. of the PPADA, 2015.
MR 5	The Tender deposit shall be in the amount of as illustrated in the tender Data sheet. (TDS). Bidders must pay at any KenGen Pay Office and obtain a receipt. A KenGen receipt obtained from KenGen Finance office MUST be attached in the submitted bid. Note: Do not attach a cheque on the Tender Document. For avoidance of doubt (Personal Cheques are not acceptable).
MR 6	Duly filled and signed and stamped Addendum(s) and clarification(s) issued MUST be attached (where Applicable)
MR 7	Must be submitted through our e-procurement platform found at https://eprocurement.kengen.co.ke:50001/irj/portal
MR 8	The bidder must attach a Dully filled, signed and stamp the Self Declaration form that the tenderer is not debarred in the matter of the Public Procurement And Asset Disposal Act 2015.
MR 9	The bidder must attach a Dully filled, signed and stamp self-declaration that the person/tenderer will not engage in any corrupt or fraudulent practice.
MR 10	The bidder must attach a Dully filled, signed and stamp the Declaration and Commitment to the Code of Ethics.
MR 11	The bidder must attach a Dully filled, signed and stamp the tender deposit commitment declaration form
MR 12	The bidder must attach a Dully filled, signed and stamp tender bank details form
MR 13	The bidder must attach a Copy of registration certificate /Certificate of Incorporation OR National Identity Card for sole proprietors
MR 14	The Bidder must attach a Copy of Valid Tax Compliance Certificate
MR 15	The Bidder must attach a Copy of Valid Scrap Metal Council License
MR 16	The Bidder must attach a Copy of VALID NEMA license for collection and handling of scrap.

Bidder must comply with all the above requirements to proceed to the second stage of financial evaluation on capacity to deliver the contract.

STAGE 2: FINANCIAL EVALUATION

- i. Comparison to price quoted.
- ii. The **highest evaluated bidder for the Complete lot** will be awarded subject to having met reserve price.
- iii. Tender sum as submitted and read out during tender opening is absolute and final and shall not be subject to correction, adjustment or amendment in any way or by any person or entity

SECTION II – SCHEDULE OF ITEMS AND PRICES

Lot No	Description	Tender Deposit in(Ksh)	Reserve Price in (Ksh)	Bidders Price (Ksh)
Lot 1	Assorted scrap and Obsolete Stock Items in Turkwel.	300,000.00	2,550,000.00	
Lot 2	Assorted Metallic Scrap in Gogo.	3,000.00	15,000.00	
Lot 3	Assorted Scrap and Obsolete Stock Items in Muhoroni.	15,000.00	150,000.00	

TENDERER'S NAME:

TENDERER'S SIGNATURE --

DATE --

COMPANY'S RUBBER STAMP

Tender Deposit Commitment Declaration Form

As indicated in the schedule of items and prices, we do confirm that we have put deposits for the items tendered for as supported by the attached copies of receipts as follows: -

Lot No	Description	Tender Deposit in(Ksh)	Receipt No. and Date
Lot 1	Assorted scrap & Obsolete Stock Items in Turkwel.	300,000.00	
Lot 2	Assorted Metallic Scrap in Gogo.	3,000.00	
Lot 3	Assorted Scrap and Obsolete Stock Items in Muhoroni.	15,000.00	

TENDERER'S NAME: _____

TENDERER'S SIGNATURE-- _____

DATE : _____

COMPANY'S RUBBER STAMP _____

The Deposit(s) have been made to the Account as detailed below (details to be completed by the Procuring Entity).

Name of Account Holder:

Name of the Bank :

Branch Name and City:.....

Account Number_:.....

SECTION III ~ CONDITIONS OF TENDER

- 1.1 A tenderer will pay a deposit in advance before the closing date of the tender for each item or lot tendered for as indicated in the schedule of items and prices.
- 1.2 Tenderers who will be awarded contracts will be required to pay for the items, 14 days after contract award and not later than 21 days. Failure to which the contract award will be cancelled, and the Tender deposit forfeited. If there is an administrative review, the review procedures shall be followed.
- 1.3 Tenderers who will not be awarded contracts will be refunded the deposits after fourteen (14) Days after notification of the communication of the contract awards.
- 1.4 Tenderers will be required to collect the items they have paid for within thirty (30)days after making the payment, failure to which storage charges will be charged as indicated in the appendix to Conditions of Tender.
- 1.5 The Procuring Entity will retain confidential reserve prices for all the items. Items tendered for below the reserve price will be retained by the Procuring Entity.

SPECIAL CONDITION OF CONTRACT

- 4.1 Collection- Collection period begins after the 14th day after the date of the notification of the intension to award upon payment of amount awarded.
- 4.2 Storage charges - This will be at the rate of **Kshs 500.00 per day**/lot effective from the last date allowed for collection.
- 4.3 Transport- Bidders are expected to arrange for their own transport as these areas are not served by reliable public transport.
- 4.4 Payment - Sum total of the bid price must be made before collection of the materials. KenGen shall be indemnified from any liability incidental usage after collection.
- 4.5 Reserve price - Sale is subject to reserve price indicated in the tender document where applicable
- 4.6 Tender Deposit - As stipulated in the TDS.

SECTION IV - STANDARD FORMS

Note on Standard Forms

The form of tender, the confidential business questionnaire form and the tender deposit commitment declaration form must be completed by the tenderers and returned with the tender. Failure to complete any of these forms will lead to the disqualification of the tenderer.

1. FORM OF TENDER

Date:

Tender No.KGN-SALE-005-2024

To: Kenya Electricity Generating Company PLC
Ground Floor, KenGen Pension Plaza 2,
Kolobot Road, Parklands
P O Box 47936 - 00100
NAIROBI, KENYA

Gentlemen and/or Ladies:

1. Having examined the tender documents including addenda and having examined the items on sale, we the undersigned, offer to purchase and collect all the items offered to us in conformity with the said tender documents for the sum

of.....

..... [total tender amount in words and figures] or such other sums as may be ascertained in accordance with the Schedule of Items and Prices attached here with and made part of this Tender.

2. We undertake, if our Tender is accepted, to pay for and collect the items in accordance with the requirements of the tender.

3. We agree to adhere by the tender price for a period of[126] days from the date fixed for tender opening of the Instructions to tenderers, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

4. We understand that you are not bound to accept the highest or any tender that you may receive.

SCHEDULE OF ITEMS AND PRICES

Table with 5 columns: Lot No, Description, Tender Deposit in (Ksh), Reserve Price In (Ksh), Bid price (Ksh). Rows include Lot 1-Turkwel, Lot 2-Gogo In Migori, and Lot 3-Muhoroni.

Dates thisday of2024

Signature..... In capacity of

Duly authorized to sign the tender for and on behalf of

2. CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

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

You are advised that it is a serious offence to give false information on this form.

You are requested to give the particulars indicated in Part 1 and either Part 2(a), 2(b) or 2(c) 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..... Plot No.....

Street/Road.....

Postal Address..... Tel No.....

Nature of business.....

Current Trade License No.....

Expiring date.....

Maximum value of business which you can handle at any one time

KSH..... (In words)

.....

Name of your Bankers

Branch

Part 2 (a) – Sole Proprietor or Individual

Your Name in full

Age

Nationality

Country of origin

Citizenship details (ID and or Passport Number).....

Name.....

Signature.....

Part 2 (b) Partnership

Given details of partners as follows:

Name Nationality Citizenship Details Shares

1.
2.
3.

[Name, Designation and Signature of Tenders Representative in the Company]

Name:

Designation:

Signature and Company stamp or Seal:

Part 2 (c) - Registered Company (Private or Public) State the nominal and issued capital of company – Nominal KSH.....

Issued KSH..... Given details of all directors as follows:

Name Nationality Citizenship Details Shares

1.
2.
3.
4.
5.

ETC.

Part 2 (d) Tenders Representative in the Company

[Name, Designation and Signature of Tenders Representative in the Company]

Name.....

Designation.....

Signature and Company stamp or seal

.....

Date

SELF-DECLARATION FORMS

FORM SD1

SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015.

I,....., of Post Office Box
being a resident of.....in the Republic of
..... do hereby make a statement as follows:-

1. THAT I am the Company Secretary/Chief Executive/Managing Director/Principal Officer/Director of..... (Insert name of the Company) who is a Bidder in respect of Tender No.....for..... (Insert tender title/description) for..... (Insert name of the Procuring entity) and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its Directors and subcontractors have not been debarred from participating in procurement proceeding under Part IV of the Act.
3. THAT what is deponed to here in above is true to the best of my knowledge, information and belief.

Name..... Title.....

Signature.....

Date.....

Bidder's Official Stamp.....

FORM SD2

SELF-DECLARATION THAT THE PERSON/TENDERER WILL NOT ENGAGE IN ANY CORRUPT OR FRAUDULENT PRACTICE.

I,of P. O. Box being a resident of.....in the Republic ofdo hereby make a statement as follows:-

1. THAT I am the Chief Executive/Managing Director/Principal Officer/Director of..... (Insert name of the Company) who is a Bidder in respect of Tender No..... for..... (Insert tender title/description) for.....(Insert name of the Procuring entity) and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its servants and/or agents/subcontractors will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agents of.....(insert name of the Procuring entity) which is the procuring entity.
3. THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of(name of the procuring entity).
4. THAT the aforesaid Bidder will not engage/has not engaged in any corrosive practice with other bidders participating in the subject tender
5. THAT what is deponed to here in above is true to the best of my knowledge information and belief.

Title..... Signature.....

Date..... Bidder's Official Stamp

5. DECLARATION AND COMMITMENT TO THE CODE OF ETHICS

I (person) on behalf of (Name of the Business/ Company/Firm).....declare that I have read and fully understood the contents of the Public Procurement & Asset Disposal Act, 2015, Regulations and the Code of Ethics for persons participating in Public Procurement and Asset Disposal Activities in Kenya and my responsibilities under the Code.

I do here by commit to abide by the provisions of the Code of Ethics for persons participating in Public Procurement and Asset Disposal.

Name of Authorized signatory.....

Sign.....

Position.....

Office address.....

Telephone.....

E-mail.....

Name of the Firm/Company.....

Date.....

(Company Seal/ Rubber Stamp where applicable)

Witness

Name.....

Sign.....

Date.....

6. LETTER OF NOTIFICATION OF AWARD

[Letter head paper of the

Procuring Entity] [Date]

To: [name and address of the Contractor] This is to notify you that your Tender dated [date] for the purchase of the items and at prices listed on the table below is here by accepted by..... (Name of Procuring Entity).

Please acknowledge receipt of this letter of notification by signing the attached copy and returning it to us within 14 days of the issue of the notification to signify your acceptance of this award. Your signing the attached copy will constitute a contract between us and yourselves for sale of the said items.

On signature of the copy of the letter of notification, you are required to pay the balance of the tender price within 14 days and collect the items.

In connection with this award, you may contact the Officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

OFFERED ITEMS AND PRICES

1	2	4	5	6
Item No.	Description of Item	Total Quantity	Unit price	Offered Price
1				
2				
3				
4				
TOTAL PRICE OF ALL ITEMS				

Authorized Signature:.....

Name and Title of Signatory:.....

Name of Procuring Entity.....

7. COPY OF THE LETTER OF NOTIFICATION OF AWARD

(To be signed by the Purchaser) [Letterhead paper of the Procuring Entity] [Date]

To: [name and address of the Purchaser]

This is to notify you that your Tender dated [date] for the purchase of the items and at prices listed on the table below is hereby accepted by..... (name of Procuring Entity).

Please acknowledge receipt of this letter of notification by signing the attached copy and returning it to us within 14 days of the issue of the notification to signify your acceptance of this award. Your signing the attached copy will constitute a contract between us and yourselves for sale of the said items.

On signature of the copy of the letter of notification, you are required to pay the balance of the tender price within 14 days and collect the items.

In connection with this award, you may contact the Officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

OFFERED ITEMS AND PRICES

1	2	4	5	6
Item No.	Description of Item	Total Quantity	Unit price	Offered Price
1				
TOTAL PRICE OF ALL ITEMS				

Authorized

Signature:.....

Name and Title of Signatory:.....

Name of Procuring Entity:.....

Officer(s) to be contacted

Name of Officer

Postal Address _____

Telephone Number _____

Email Address _____

Physical Address (City, Street, Building, Floor number and room number)

SIGNED BY THE PURCHASER

I/we, the undersigned accept the award and will execute the sale of the items as per conditions of the award. We understand that the award will remain cancelled and no deposits will be refunded if we do not:

- a) Return this letter signed within 14 days; or

b) Pay the balance of the tender amount within fourteen (14) days after notification of the award.

We further understand that if we do not collect the items we have paid for within fourteen (14) days after making the payment, you charge storage charges at rates to be determined by yourselves.

Name of Purchaser

Authorized Signature:

Date

Name and Title of Signatory

8.0 REQUEST FOR REVIEW

FORM FOR REVIEW (r.203(1))

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 ofdated the...day of20.....in the matter of Tender No.....of20..... for(Tender description).

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical address.....P. O. Box 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.

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

- 1.
- 2.

SIGNED (Applicant) Dated on.....day of/ ...20.....

FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on.....day of20.....

SIGNED

Board Secretary

9. BANK DETAILS DECLARATION FORM

Tender No. (As per tender documents)

I/ we do confirm that our company bank details are as follows and tender deposit can be transferred to the provided account:-

Account Name:.....

Account Number:.....

Bank Name and Branch:.....

Name Title.....

Signature..... Date.....

Bidder's Official Stamp.....