

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF KISUMU

PREQUALIFICATION DOCUMENT OF SUPPLIERS OF GOODS, SERVICE AND WORKS FOR THE FINANCIAL YEAR 2018-20

CATEGORY NO. CGK/PQ/35/2018-2020

DESCRIPTION: PROVISION OF LEGAL SERVICES

**COUNTY GOVERNMENT OF KISUMU
P.O BOX 2738-40100
KISUMU**

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1. PRE-QUALIFICATION INSTRUCTIONS

1.1 Introduction

The County Government of Kisumu would like to invite interested candidates who must qualify by meeting the set of criteria as provided by the procuring entity to perform the contract of PROVISION OF LEGAL SERVICES.

1.2 Pre-qualification Objective

The main objective is to provide LEGAL SERVICES under relevant tenders, quotations to the County Government of Kisumu as and when required during the period of July 2018 June 2020.

1.3 Invitation of Pre-qualification

Service providers registered with Registrar of Companies under the Law of Kenya in respective merchandise or services are invited to submit their **PRE-QUALIFICATION** documents to the **County Secretary** so that they may be pre-qualified for submission of **Tenders/Quotations**. Bids may be submitted incomplete lots singly or in combination. The prospective service providers are required to supply mandatory information for pre-qualification.

Tender Documents are available from the website link listed in the newspaper. A single application is required per category. Those willing to be considered for pre-qualification in more than one category should submit separate applications per category.

1.4 Experience

Prospective service providers must have carried out successful services of similar services to Government institutions of similar size and complexity.

Potential service providers must demonstrate the willingness and commitment to meet the pre-qualification criteria.

1.5 Pre-qualification Document

This document includes questionnaire forms and documents required for prospective service providers.

In order to be considered for pre-qualification prospective service provider must submit all the information herein requested

All documents from prospective service providers must be properly bound, no loose papers/ documents will be allowed

1.6 Submission and Receipt of Pre-qualification Documents

Applicants shall submit the completed pre-qualification data and other requested information documents in plain sealed envelopes clearly marked with the relevant **category number** and description only and addressed to:

THE COUNTY SECRETARY
COUNTY GOVERNMENT OF KISUMU
P.O.BOX 2738-40100
KISUMU

Completed pre-qualification documents should be deposited in the Tender Box located at the Prosperity House, 2nd Floor, and Reception Area on or before 19th March 2018 at 12.00 noon. Tenders will be opened immediately thereafter in the presence of the Bidders or their representatives who choose to attend at the Conference Hall 1st Floor.

1.7 Questions arising from documents

Questions that may arise from the pre-qualification documents should be directed to the County Secretary whose address is given in paragraph 1.6

1.8 Additional information

The County Government of Kisumu reserves the right to request submission of additional information from prospective bidders.

1.9 Invitation to Tenders/Quotations

Bidding documents (Tender/Quotations) will be made available only to those bidders whose qualifications are accepted by the County Government of Kisumu after scoring 70 points and above soon after the completion of the prequalification process.

2.0 BRIEF CONTRACT REGULATIONS/GUIDELINES

2.1 Taxes on Imported Materials

The service provider will have to pay custom duty and VAT as applicable for all imported materials to be supplied unless the item(s) is /are donor funded.

2.2 Custom Clearance

The service provider shall be responsible for custom clearance of their imported goods and materials.

2.3 Contract Price

The contract shall be of unit price type or cumulative of computed unit price and quantities required. Quantities may increase or decrease as determined by demand and on the authority of the client's Accounting Officer. Prices quoted be inclusive of all delivery charges and taxes

2.4 Payments

All local purchase shall be on credit as it may be stipulated in the contract Agreement.

2.5 Overseas Purchase

All overseas purchase shall be by Irrevocable Letter of Credit (ILC) or as it may be stipulated in the Contract Agreement.

3.0 PRE-QUALIFICATION DATA INSTRUCTIONS

3.1 Pre-qualification data Forms

3.1.1. The attached questionnaire PQ-1, PQ-2, PQ-3, PQ-4, PQ-5, PQ-6, PQ-7 and PQ-8 are to be completed by prospective service providers who wish to be pre-qualified for submission of tender for the **Category of PROVISION OF LEGAL SERVICES**.

3.1.2. The pre-qualification application forms which are not filled out completely and submitted in the prescribed manner may not be considered. All the documents that form part of the proposal must be written in the English language and in ink.

3.2 Qualification

3.2.1. It is understood and agreed that the pre-qualification data on prospective bidders is to be used by the County Government of Kisumu in determining, according to its sole judgment and discretion, the qualifications of prospective bidder to perform in respect to the tender lot as described by the client.

3.2.2 . Prospective bidders will not be considered qualified unless in the judgment of County Government of Kisumu they possess capability, experience, qualified personnel available and

suitability of equipment and net current assets or working capital sufficient to satisfactory execute the contract for services.

3.3 Essential criteria for Pre-qualification

3.3.1. Experience; prospective bidder shall have at least 3 years'

Experience in the provision of services and allied items. In case of potential service provider should show competence, willingness and capacity to service the contract.

3.3.2. Prospective service providers require special experience and capability to organize and deliver the services on short notice.

3.3.3. Personnel

The names and pertinent information and the CV of the key personnel for individual or group to provide the service must be indicated in form PQ3.

3.3.4 Special consideration will be given to the financial resources available as working capital, taking into account the amount of uncompleted orders on contract and now on progress data on form PQ-4. However, potential bidders should provide evidence of financial capacity to provide the service

3.3.5 Past Performance

Past performance will be given due consideration in pre-qualifying bidders. Letters of reference from past customers should be included in form PQ-5 where applicable. Examples are the final completion certificates and copies of delivery notes.

3.4 Statement

Application must include a sworn statement form PQ-6 by the tenderer ensuring the accuracy of the information given.

3.5 Withdrawal of pre-qualification

Should condition arise between the time one is pre-qualified to bid and the bid opening date which in the opinion of the client/County Government of Kisumu could substantially change the performance and qualification of the bidder or his ability to perform such as but not limited to bankruptcy, change in ownership or new commitments the County Government of Kisumu reserves the right to reject the tender from such a bidder even though he was initially pre-qualified.

3.6 Outlined supply and delivery procedures

The pre-qualified applicant should also submit a brief statement of supply and services delivery methods and procedures he plans to use to execute the contract from **PQ-2**.

3.7 Pre-qualification Criteria

Required information

Score Form Type Point

1. Registration Documentation	PQ- 1 (8mks)
2. Pre-qualification Data	PQ-2 (5mks)
3. Supervisory Personnel	PQ-3 (5Mks)
4. Financial Position	PQ-4 (20Mks)
5. Past experience	PQ-5 (15Mks)
6. Sworn Statement	PQ-6 (10Mks)
7. Confidential Questionnaire	PQ-7 (18 Mks)
8. Litigation History	PQ-8 (9Mks)
9. KRA Tax Compliance Certificate	(10Mks)

TOTAL 100

3.7 Qualification Mark

The Qualification Mark is **70 points** and above.

Form PQ 1 – Pre-qualification documentation

MANDATORY REQUIREMENTS FOR THE TENDERER

All firms must provide:

1. Copies of Certificate of Registration
2. Copy of V.A.T Registration Certificate (Valid)
3. Copies of Pin Certificate of Firm/Company/Individual
4. Bank references
5. Registration certificates with relevant institutions
6. Current Single Business Permit
7. Copy of CR 12 to be attached

Form PQ 2 Pre-qualification data

1. Category No.....

Item Identification.....
Legal Name of Firm.....
Post Office Address.....
Street and Address.....
City/Town
Country.....Telephone No.....
Person to contact.....
Title.....

2. Organization & Business Information.....

Management Personnel.....
Director.....
Secretary.....
General Manager.....
Finance Manager.....
Others.....
Partnership (if applicable).....
Business founded or incorporated.....
Under present management since.....
Net worth Equivalent Kshs.....
Bank reference and address.....
Bonding Company reference and address.....
Enclose copy of the organization chart of the firm indicating the main fields of activities.

Form PQ-3 Supervisory personnel

Name.....

Age.....

Academic Qualification.....

Length of service with contractor or supplier position held.....

Construction Supplying or services experience

a) Name of project.....

b) Character and nature of project.....

c) Contract value.....

d) Location of project.....

e) Period of project.....

f) Title and responsibility in project.....

g) Other.....

Proposal Technical Personnel

a).....

b).....

c).....

d).....

e).....

f).....

Form PQ-4 Financial position

Attach a copy of firm's two recent certified financial statements giving summary of quick assets and current liabilities/or any other financial support.

Form PQ-5 Past experience

Names of at three (3) applicant's clients in the last two years.

1. (i) Name of client (Organization).....

(ii) Address of Client (Organization).....

(iii) Name of contact person at the client (Organization).....

(iv) Telephone No. of Client.....

(v) Value of contract.....

2. Name of 2nd client (Organization)

- (i) Name of client (Organization).....
- (ii) Address of Client (Organization).....
- (iii) Name of contact person at the client (Organization).....
-
- (iv) Telephone No. of Client.....
- (v) Value of contract.....
- (vi) Duration of contract (Date).....

3. Name of 3rd client (Organization)

- (i) Name of client
(Organization).....
- (ii) Address of Client (Organization).....
- (iii) Name of contact person at the client (Organization).....
- (iv) Telephone No. of Client.....
- (v) Value of contract.....
- (vi) Duration of contract (Date).....

Form PQ-6 Sworn statement

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

1. The information furnished in our application is accurate to the best of our knowledge.
2. That in case of being pre-qualified we acknowledge that this grants us the right to participate in due time in the submission of a tender or quotation on the basis of provision in the tender or quotation documents to follow.
3. When the call for Tender/Quotations is issued the legal technical or financial conditions or the contractual capacity of the firm changes, we come ourselves to inform you and acknowledge your right to review the pre-qualification made.
4. We enclose all the required documents and information required for the pre-qualification evaluation.

Date.....

Applicant's Name.....

Represented by.....

Signature.....

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

Form PQ-7 Confidential business questionnaire

You are requested to give the particulars indicated in part 1 and either part 2(a) 2(b) or 2(c) whichever applies in 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 handle at any one time

Name of your bankers.....Branch.....

Are you an agent of the Kenya National Trading Corporation? YES/NO.....

Email Address (compulsory).....

PART 2(A) – Sole Proprietor:

Your name in full.....

Nationality.....Country of origin.....

Citizenship details.....

Part 2(b) – Partnership: -

Name Nationality Citizenship Details Shares

1.....

2.....

3.....

4.....

Part 2 (c) - Registered Company

Private or Public

State the nominal and issued capital of the company

Nominal K.....

Issued K.....

Give details of all directors as follows:

Name Nationality Citizenship Details Shares

1.....

2.....

3.....

4.....

5.....

Date.....Signature & Stamp of Tender.....

If Kenyan Citizen indicate under Citizenship Details whether by Birth, Naturalization or Registration.

Form PQ-8 Litigation history

Name of Contractor/Supplier.....

Contractors/ Supplier should provide information on any history litigation or arbitration resulting from contracts executed in the last five years or currently under execution. Year	Award for or against	Name of client cause of litigation and matter in dispute	Disputed Amount (current value Kshs. Equivalent)
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