

# COUNTY GOVERNMENT OF KISUMU



## **GOVERNANCE AND ADMINSTRATIVE DEPARTMENT** *COUNTY GOVERNMENT OF KISUMU*

### **SUPPLY AND DELIVERY OF BUILDING MATERIALS**

**QUOTATION**

**FOR**

**SUPPLY AND DELIVERY OF BUILDING MATERIALS**

**TENDER NO CGK/ADM/RFQ/2020-2021/014**

**NEGOTIATION NUMBER: 825193**

**CLIENT**

**GOVERNANCE AND ADMINSTRATIVE DEPARTMENT  
COUNTY GOVERNMENT OF KISUMU**

**P.O BOX 2738-40100**

**KISUMU**

**PROJECT MANAGER**

**THE DIRECTOR PUBLIC WORKS**

**DEPARTMENT OF ROADS, TRANSPORT AND PUBLIC WORKS**

**P.O. BOX 2738 - 40100**

**KISUMU**

**STANDARD TENDER DOCUMENT**  
**FOR**  
**PROCUREMENT OF SUPPLIES**  
**(SUPPLY AND DELIVERY OF BUILDING MATERIALS)**

Item N°	Item Description	Unit of Issue	Quantity required	TO BE COMPLETED BY CANDIDATE			
				Unit Price (Kshs.)	Total Unit Price (Kshs.)	Days to Deliver	Country of Origin
<b>Please quote for provision for the following Items</b>							
1	Round poles	<u>Pcs</u>	2050				
2	Timber 4`*2`	<u>Ft</u>	28700				
3	Timber 3`*2`	<u>Ft</u>	22550				
4	Timber 8`*1`	<u>Ft</u>	4920				
5	Round poles (fito)	<u>Pcs</u>	9840				
6	Iron sheets 3mtrs	<u>Pcs</u>	1640				
7	Ridge	<u>Pcs</u>	574				
8	Roofing nails	<u>Kgs</u>	492				
9	Nails 6`	<u>Kgs</u>	123				
10	Nails 5`	<u>Kgs</u>	287				
11	Nails 4`	<u>Kgs</u>	328				
12	Nails 3`	<u>Kgs</u>	410				
13	Nails 2`	<u>Kgs</u>	123				
<b>TOTAL(VAT INCLUSIVE)</b>							

Candidates Signature & Stamp.....

**SECTION I**

**INVITATION FOR TENDERS**

**Tender reference No.** (.....)

**Tender Name (SUPPLY AND DELIVERY OF BUILDING MATERIALS)**

1.1 The (**COUNTY GOVERNMENT OF KISUMU**) invites sealed tenders for the construction of (**SUPPLY AND DELIVERY OF BUILDING MATERIALS**)

1.2 Interested eligible candidates may obtain further information and inspect tender documents (*and additional copies*) at, (**GOVERNANCE AND ADMINISTRATIVE DEPARTMENT PROSPERITY HOUSE,**) during normal working hours.

1.3 A complete set of tender documents may be obtained by interested candidates upon payment of a non-refundable fees of ( ) in cash

1.4 Prices quoted should be net inclusive of all taxes, must be in Kenya shillings and shall remain valid for (60) days from the closing date of tender.

1.5 Completed tender documents are to be enclosed in plain sealed envelopes marked with Tender name and reference number and deposited in the Tender Box at (**PROSPERITY HOUSE, FORMER NYANZA HEADQUARTERS,**) so as to be received on or before (.....).

1.6 Tenders will be opened immediately thereafter in the presence of the candidates or their representatives who choose to attend at

\_\_\_\_\_  
For .....  
GOVERNANCE AND ADMINISRATIVE DEPARTMENT  
COUNTY GOVERNMENT OF KISUMU  
P.O BOX 2738-40100  
KISUMU

**FORM OF INVITATION FOR TENDERS**

\_\_\_\_\_ *[date]*

To: \_\_\_\_\_ *[name of Contractor]*  
\_\_\_\_\_ *[address]*  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sirs:

*Reference:* \_\_\_\_\_ *[Contract Name]*

You have been prequalified to tender for the above project.

We hereby invite you and other prequalified tenderers to submit a tender for the execution and completion of the above Contract.

A complete set of tender documents may be purchased by you from \_\_\_\_\_

\_\_\_\_\_ *[Mailing address, cable/telex/facsimile numbers].*

Upon payment of a non-refundable fee of Kshs \_\_\_\_\_

All tenders must be accompanied by \_\_\_\_\_ number of copies of the same and a security in the form and amount specified in the tendering documents, and must be delivered to

\_\_\_\_\_ *[Address and location]*

at or before \_\_\_\_\_ *(time and date)*. Tenders will be opened immediately thereafter, in the presence of tenderers' representatives who choose to attend.

Please confirm receipt of this letter immediately in writing by cable/facsimile or telex.

Yours faithfully,

\_\_\_\_\_ Authorised Signature

\_\_\_\_\_ *Name and Title*

**FORM OF TENDER**

TO: \_\_\_\_\_ [Name of Employer] \_\_\_\_\_ [Date]  
\_\_\_\_\_ [Name of Contract]

Dear Sir,

1. In accordance with the Conditions of Contract, Specifications, for the execution of the above named supply, we, the undersigned offer to construct, install and complete such supply and remedy any defects therein for the sum of Kshs. \_\_\_\_\_ [Amount] in \_\_\_\_\_ figures]Kenya Shillings \_\_\_\_\_ [Amount in words]
2. We agree to abide by this tender until \_\_\_\_\_ [Insert date], and it shall remain binding upon us and may be accepted at any time before that date.
3. Unless and until a formal Agreement is prepared and executed this tender together with your written acceptance thereof, shall constitute a binding Contract between us.
4. We understand that you are not bound to accept the lowest or any tender you may receive.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature \_\_\_\_\_ in the capacity of \_\_\_\_\_

duly authorized to sign tenders for and on behalf of \_\_\_\_\_ [Name of Employer]  
of \_\_\_\_\_ [Address of Employer]

Witness; Name \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**LETTER OF ACCEPTANCE**  
**[letterhead paper of the Employer]**

\_\_\_\_\_ [date]

To: \_\_\_\_\_  
[Name of the Contractor]

\_\_\_\_\_  
[Address of the Contractor]

Dear Sir,

This is to notify you that your Tender dated \_\_\_\_\_  
for the execution of \_\_\_\_\_  
*[name of the Contract and identification number, as given in the Tender documents]* for the Contract Price of Kshs.  
\_\_\_\_\_ *[amount in figures]* [Kenya Shillings \_\_\_\_\_ *(amount in words)* ] in accordance  
with the Instructions to Tenderers is hereby accepted.

You are hereby instructed to proceed with the execution of the said Works in accordance with the Contract documents.

Authorized Signature .....

Name and Title of Signatory .....

Attachment : Agreement

## FORM OF AGREEMENT

THIS AGREEMENT, made the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_  
between \_\_\_\_\_ of [or whose registered office is situated  
at] \_\_\_\_\_  
(Hereinafter called “the Employer”) of the one part AND  
\_\_\_\_\_ of [or whose registered office is situated at]  
\_\_\_\_\_  
(Hereinafter called “the Contractor”) of the other part.

WHEREAS THE Employer is desirous that the Contractor executes

\_\_\_\_\_ *(Name and identification number of Contract)* (Hereinafter called “the Works”) located at \_\_\_\_\_ *[Place/location of the Works]* and the Employer has accepted the tender submitted by the Contractor for the execution and completion of such Works and the remedying of any defects therein for the Contract Price of Kshs \_\_\_\_\_ *[Amount in figures]*, Kenya Shillings \_\_\_\_\_ *[Amount in words]*.

NOW THIS AGREEMENT WITNESSETH as follows:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be deemed to form and shall be read and construed as part of this Agreement i.e.
  - (i) Letter of Award
  - (ii) Letter of Acceptance
  - (iii) Specifications
  - (iv) Local Purchase Order
3. In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Supplier hereby covenants with the Employer to execute and complete the supply and remedy any defects therein in conformity in all respects with the provisions of the Contract.



4. The Employer hereby covenants to pay the supplier in consideration of the execution and completion of the supply and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

The common Seal of \_\_\_\_\_

Was hereunto affixed in the presence of \_\_\_\_\_

Signed Sealed, and Delivered by the said \_\_\_\_\_

Binding Signature of Employer \_\_\_\_\_

Binding Signature of Supplier \_\_\_\_\_

In the presence of (i) Name \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_

[ii] Name \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_

**FORM OF TENDER SECURITY**

WHEREAS ..... (hereinafter called “the Tenderer”) has submitted his tender dated .....  
for the construction of .....  
..... (*name of Contract*)

KNOW ALL PEOPLE by these presents that WE ..... having our registered office at ..... (hereinafter called “the Bank”), are bound unto ..... (hereinafter called “the Employer”) in the sum of Kshs..... for which payment well and truly to be made to the said Employer, the Bank binds itself, its successors and assigns by these presents sealed with the Common Seal of the said Bank this ..... Day of .....20.....

THE CONDITIONS of this obligation are:

- 1. If after tender opening the tenderer withdraws his tender during the period of tender validity specified in the instructions to tenderers  
Or
- 2. If the tenderer, having been notified of the acceptance of his tender by the Employer during the period of tender validity:
  - (a) fails or refuses to execute the form of Agreement in accordance with the Instructions to Tenderers, if required; or
  - (b) fails or refuses to furnish the Performance Security, in accordance with the Instructions to Tenderers;

We undertake to pay to the Employer up to the above amount upon receipt of his first written demand, without the Employer having to substantiate his demand, provided that in his demand the Employer will note that the amount claimed by him is due to him, owing to the occurrence of one or both of the two conditions, specifying the occurred condition or conditions.

This guarantee will remain in force up to and including thirty (30) days after the period of tender validity, and any demand in respect thereof should reach the Bank not later than the said date.

_____	_____
<i>[date]</i>	<i>[signature of the Bank]</i>
_____	_____
<i>[witness]</i>	<i>[seal]</i>

**PERFORMANCE BANK GUARANTEE**

To: \_\_\_\_\_(Name of Employer) \_\_\_\_\_(Date)  
\_\_\_\_\_ (Address of Employer)

Dear Sir,

WHEREAS \_\_\_\_\_(hereinafter called “the Contractor”) has undertaken, in pursuance of Contract No. \_\_\_\_\_ dated \_\_\_\_\_ to execute \_\_\_\_\_ (hereinafter called “the Works”);

AND WHEREAS it has been stipulated by you in the said Contract that the Contractor shall furnish you with a Bank Guarantee by a recognised bank for the sum specified therein as security for compliance with his obligations in accordance with the Contract;

AND WHEREAS we have agreed to give the Contractor such a Bank Guarantee:

NOW THEREFORE we hereby affirm that we are the Guarantor and responsible to you, on behalf of the Contractor, up to a total of Kshs. \_\_\_\_\_ (amount of Guarantee in figures) Kenya Shillings \_\_\_\_\_ (amount of Guarantee in words), and we undertake to pay you, upon your first written demand and without cavil or argument, any sum or sums within the limits of Kenya Shillings \_\_\_\_\_ (amount of Guarantee in words) as aforesaid without your needing to prove or to show grounds or reasons for your demand for the sum specified therein.

We hereby waive the necessity of your demanding the said debt from the Contractor before presenting us with the demand.

We further agree that no change, addition or other modification of the terms of the Contract or of the Works to be performed thereunder or of any of the Contract documents which may be made between you and the Contractor shall in any way release us from any liability under this Guarantee, and we hereby waive notice of any change, addition, or modification.

This guarantee shall be valid until the date of issue of the Certificate of Completion.

SIGNATURE AND SEAL OF THE GUARANTOR \_\_\_\_\_

Name of Bank \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

**BANK GUARANTEE FOR ADVANCE PAYMENT**

To: \_\_\_\_\_ [name of Employer] \_\_\_\_\_ (Date)  
\_\_\_\_\_ [address of Employer]

Gentlemen,

Ref: \_\_\_\_\_ [name of Contract]

In accordance with the provisions of the Conditions of Contract of the above-mentioned Contract, We, \_\_\_\_\_ [name and Address of Contractor] (hereinafter called "the Contractor") shall deposit with \_\_\_\_\_ [name of Employer] a bank guarantee to guarantee his proper and faithful performance under the said Contract in an amount of Kshs. \_\_\_\_\_ [amount of Guarantee in figures] Kenya Shillings \_\_\_\_\_ [amount of Guarantee in words].

We, \_\_\_\_\_ [bank or financial institution], as instructed by the Contractor, agree unconditionally and irrevocably to guarantee as primary obligator and not as Surety merely, the payment to \_\_\_\_\_ [name of Employer] on his first demand without whatsoever right of objection on our part and without his first claim to the Contractor, in the amount not exceeding Kshs \_\_\_\_\_ [amount of Guarantee in figures] Kenya Shillings \_\_\_\_\_ [amount of Guarantee in words], such amount to be reduced periodically by the amounts recovered by you from the proceeds of the Contract.

We further agree that no change or addition to or other modification of the terms of the Contract or of the Works to be performed thereunder or of any of the Contract documents which may be made between \_\_\_\_\_ [name of Employer] and the Contractor, shall in any way release us from any liability under this guarantee, and we hereby waive notice of any such change, addition or modification.

No drawing may be made by you under this guarantee until we have received notice in writing from you that an advance payment of the amount listed above has been paid to the Contractor pursuant to the Contract.

This guarantee shall remain valid and in full effect from the date of the advance payment under the Contract until \_\_\_\_\_ (name of Employer) receives full payment of the same amount from the Contract.

Yours faithfully,  
Signature and Seal \_\_\_\_\_  
Name of the Bank or financial institution \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Witness: Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**TENDER QUESTIONNAIRE**

Please fill in block letters.

1. Full names of tenderer

.....

2. Full address of tenderer to which tender correspondence is to be sent (unless an agent has been appointed below)

.....

3. Telephone number (s) of tenderer

.....

4. Telex address of tenderer

.....

5. Name of tenderer's representative to be contacted on matters of the tender during the tender period

.....

6. Details of tenderer's nominated agent (if any) to receive tender notices. This is essential if the tenderer does not have his registered address in Kenya (name, address, telephone, telex)

.....

.....

\_\_\_\_\_  
Signature of Tenderer

Make copy and deliver to: \_\_\_\_\_ (Name of Employer)

**CONFIDENTIAL BUSINESS QUESTIONNAIRE**

You are requested to give the particulars indicated in Part 1 and either Part 2 (a), 2 (b) or 2 (c) and 2 (d) 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;      Country/Town.....

Plot No..... Street/Road .....

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

Nature of Business.....

Current Trade Licence No..... Expiring date.....

Maximum value of business which you can handle at any time: K. pound.....

Name of your bankers.....

Branch.....

*Part 2 (a) – Sole Proprietor*

Your name in full..... Age.....

Nationality..... Country of Origin.....

\*Citizenship details .....

*Part 2 (b) – Partnership*

*Give details of partners as follows:*

	<i>Name in full</i>	<i>Nationality</i>	<i>Citizenship Details</i>	<i>Shares</i>
1.	.....	.....	.....	.....
2.	.....	.....	.....	.....
3.	.....	.....	.....	.....

***Part 2(c) – Registered Company:***

Private or public.....

State the nominal and issued capital of the Company-

Nominal Kshs.....

Issued Kshs.....

Give details of all directors as follows:

Name in full . Nationality. Citizenship Details\*. Shares.

1.  
.....

2.  
.....

3.  
.....

4.  
.....



**Part 2(d) – Interest in the Firm:**

Is there any person / persons in ..... (*Name of Employer*) who has interest in this firm? Yes/No.....  
(Delete as necessary)

I certify that the information given above is correct.

.....                      .....                      .....  
(Title)                      (Signature)                      (Date)

- Attach proof of citizenship

**STATEMENT OF FOREIGN CURRENCY REQUIREMENTS**

(See Clause 23] of the Conditions of Contract)

In the event of our Tender for the execution of \_\_\_\_\_  
\_\_\_\_\_ (*name of Contract*) being accepted, we would require in accordance with Clause 21 of the Conditions of Contract, which is attached hereto, the following percentage:

(Figures)..... (Words).....

of the Contract Sum, (Less Fluctuations) to be paid in foreign currency.

Currency in which foreign exchange element is required:

.....

Date: The ..... Day of ..... 20.....

Enter 0% (zero percent) if no payment will be made in foreign currency.

Maximum foreign currency requirement shall be \_\_\_\_\_ (percent) of the Contract Sum, less Fluctuations.

\_\_\_\_\_  
(Signature of Tenderer)

**LETTER OF NOTIFICATION OF AWARD**

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: Tender No

Tender Name \_\_\_\_\_

This is to notify that the contract/s stated below under the above mentioned tender have been awarded to you.

\_\_\_\_\_  
\_\_\_\_\_

1. Please acknowledge receipt of this letter of notification signifying your acceptance.
2. The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
3. You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

(FULL PARTICULARS) \_\_\_\_\_  
\_\_\_\_\_

For Chief Officer

**REPUBLIC OF KENYA**  
**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*) of .....dated the...day of .....20.....in  
the matter of Tender No.....of .....20...

**REQUEST FOR REVIEW**

I/We....., the above-named Applicant(s), of address: Physical address..... Fax 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.
- etc.

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

- 1.
- 2.
- etc

SIGNED ..... (Applicant)

Dated on..... day of ...../...20...

---

**FOR OFFICIAL USE ONLY**

Lodged with the Secretary Public Procurement Administrative Review Board on ..... day of .....20.....

SIGNED  
Board Secretary