COUNTY GOVERNMENT OF LAIKIPIA

REQUEST FOR PROPOSAL

CONSULTANCY FOR DESIGN REVIEW AND SUPERVISION OF UPGRADE OF ROADS IN TOWNS AND SMALL URBAN CENTERS IN LAIKIPIA COUNTY.

RFP No: LCG/B33/INFRA/03/2021/22/23

PROJECT: UPGRADE OF ROADS IN TOWNS AND SMALL URBAN CENTERS IN LAIKIPIA COUNTY

NYAHURURU JUA KALI ROADS

ESTIMATED PROJECT COST Ksh. 123,880,000.00

ADVERTISEMENT

ISSUED ON: May 2022
CLOSING DATE 20TH May 2022

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SECTION 1. LETTER OF INVITATION

The **County Government of Laikipia** hereby invites you to submit a Proposal to this Request for Proposal (RFP) for the above-referenced subject.

This RFP includes the following documents and the General Terms and Conditions of Contract which is inserted in the Bid Data Sheet (BDS):

Section 1: This Letter of Invitation
Section 2: Instruction to Bidders
Section 3: Bid Data Sheet (BDS)
Section 4: Evaluation Criteria
Section 5: Terms of Reference
Section 6: Returnable Bidding Forms

- Form A: Technical Proposal Submission Form
- Form B: Bidder Information Form
- Form C: Joint Venture/Consortium/Association Information Form
- Form D: Qualification Form
- Form E: Format of Technical Proposal
- Form F: Financial Proposal Submission Form
- Form G: Financial Proposal Form
- Form H: Form of Proposal Security

If you are interested in submitting a Proposal in response to this RFP, please prepare your Proposal in accordance with the requirements and procedure as set out in this RFP and submit it by the Deadline for Submission of Proposals set out in Bid Data Sheet.

Please acknowledge receipt of this RFP by sending an email to josphine.njoki@laikipia.co.ke , indicating whether you intend to submit a Proposal or otherwise. This will enable you to receive amendments or updates to the RFP. Should you require further clarifications, kindly communicate with the contact person/s identified in the attached Bid Data Sheet as the focal point for queries on this RFP.

County Government of Laikipia looks forward to receiving your Proposal and thank you in advance for your interest in the procurement opportunities.

Issued by:

_____

Department of Infrastructure, Roads & Public works

Date: MARCH 2022

Approved by:

_____

Chief Officer,

Department of Infrastructure, Roads & Public works

SECTION 2. INSTRUCTION TO BIDDERS

A. GENERAL PROVISIONS

1. Introduction	**1.1** Bidders shall adhere to all the requirements of this RFP, including any amendments in writing by County Government of Laikipia. This RFP is conducted in accordance with the County Government of Laikipia Programme and Operations Policies and Procedures (POPP) on Contracts and Procurement. 1.2 Any Proposal submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of the Proposal by County Government of Laikipia. County Government of Laikipia is under no obligation to award a contract to any Bidder as a result of this RFP.
2. Fraud & Corruption, Gifts and Hospitality	2.1 County Government of Laikipia strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, collusion, unethical or unprofessional practices, and obstruction of its vendors and requires all bidders/vendors observe the highest standard of ethics during the procurement process and contract implementation. 2.2 Bidders/vendors shall not offer gifts or hospitality of any kind to County Government of Laikipia staff members including recreational trips to sporting or cultural events, theme parks or offers of holidays, transportation, or invitations to extravagant lunches or dinners. 2.3 In pursuance of this policy, County Government of Laikipia; (a) Shall reject a proposal if it determines that the selected bidder has engaged in any corrupt or fraudulent practices in competing for the contract in question; (b) Shall declare a vendor ineligible, either indefinitely or for a stated period of time, to be awarded a contract if at any time it determines that the vendor has engaged in any corrupt or fraudulent practices in competing for, or in executing a County Government of Laikipia contract.
3. Eligibility	3.1 A vendor should not be suspended, debarred, or otherwise identified as ineligible by County Government of Laikipia. Vendors are therefore required to disclose to County Government of Laikipia whether they are subject to any sanction or temporary suspension imposed by County Government of Laikipia. 3.2 It is the Bidder's responsibility to ensure that its employees, joint venture members, sub-contractors, service providers, suppliers and/or their employees meet the eligibility requirements as established by County Government of Laikipia.
4. Conflict of Interests	4.1 Bidders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this solicitation process, if they: a) Are found to be in conflict for any other reason, as may be established by, or at the discretion of County Government of Laikipia.

	4.2	In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to County Government of Laikipia, and seek County's confirmation on whether or not such a conflict exists.
	4.3	Similarly, the Bidders must disclose in their proposal their knowledge of the following: a) If the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of County Government of Laikipia staff involved in the procurement functions and/or any Implementing Partner receiving services under this RFP; and b) All other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices. Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.
	4.4	The eligibility of Bidders that are wholly or partly owned by the Government shall be subject to County's further evaluation and review of various factors such as being registered, operated and managed as an independent business entity, the extent of Government ownership/share, receipt of subsidies, mandate and access to information in relation to this RFP, among others. Conditions that may lead to undue advantage against other Bidders may result in the eventual rejection of the Proposal.
B. PREPARATION OF PROPOSALS		
5. General Considerations	5.1	In preparing the Proposal, the Bidder is expected to examine the RFP in detail. Material deficiencies in providing the information requested in the RFP may result in rejection of the Proposal.
	5.2	The Bidder will not be permitted to take advantage of any errors or omissions in the RFP. Should such errors or omissions be discovered, the Bidder must notify the County Government of Laikipia.
6. Cost of Preparation of Proposal	6.1	The Bidder shall bear any and all costs related to the preparation and/or submission of the Proposal, regardless of whether its Proposal was selected or not. County Government of Laikipia shall not be responsible or liable for those costs, regardless of the conduct or outcome of the procurement process.
7. Language	7.1	The Proposal, as well as any and all related correspondence exchanged by the Bidder and County Government of Laikipia, shall be written in the language (s) specified in the BDS.
8. Documents Comprising the Proposal	8.1	The Proposal shall comprise of the following documents: a) Documents Establishing the Eligibility and Qualifications of the Bidder; b) Technical Proposal; c) Financial Proposal; d) Proposal Security, if required by BDS; e) Any attachments and/or appendices to the Proposal.
9. Documents Establishing the Eligibility and Qualifications of the Bidder	9.1	The Bidder shall furnish documentary evidence of its status as an eligible and qualified vendor, using the Forms provided under Section 6 and providing documents required in those forms. In order to award a contract to a Bidder, its qualifications must be documented to County Government of Laikipia satisfaction.
10. Technical	10.1	The Bidder is required to submit a Technical Proposal using the Standard Forms

Proposal Format and Content	and templates provided in Section 6 of the RFP. 10.2 The Technical Proposal shall not include any price or financial information. A Technical Proposal containing material financial information may be declared non-responsive. 10.3 Samples of items, when required as per Section 5, shall be provided within the time specified and unless otherwise specified by County Government of Laikipia, and at no expense to the County. 10.4 When applicable and required as per Section 5, the Bidder shall describe the necessary training programme available for the maintenance and operation of the services and/or equipment offered as well as the cost to the County Government of Laikipia. Unless otherwise specified, such training as well as training materials shall be provided in the language of the Bid as specified in the BDS.
11. Financial Proposals	11.1 The Financial Proposal shall be prepared using the Standard Form provided in Section 6 of the RFP. It shall list all major cost components associated with the services, and the detailed breakdown of such costs. 11.2 Any output and activities described in the Technical Proposal but not priced in the Financial Proposal, shall be assumed to be included in the prices of other activities or items, as well as in the final total price. 11.3 Prices and other financial information must not be disclosed in any other place except in the financial proposal.
12. Proposal Security	12.1 A Proposal Security, if required by BDS, shall be provided in the amount and form indicated in the BDS. The Proposal Security shall be valid up to thirty (30) days after the final date of validity of the Proposal. 12.2 The Proposal Security shall be included along with the Technical Proposal. If Proposal Security is required by the RFP but is not found along with the Technical Proposal, the Proposal shall be rejected. 12.3 If the Proposal Security amount or its validity period is found to be less than what is required by County Government of Laikipia, County shall reject the Proposal. 12.4 In the event an electronic submission is allowed in the BDS, Bidders shall include a copy of the Bid Security in their proposal and the original of the Proposal Security must be sent via courier or hand delivery as per the instructions in BDS. 12.5 The Proposal Security may be forfeited by County Government of Laikipia, and the Proposal rejected, in the event of any one or combination, of the following conditions: a) If the Bidder withdraws its offer during the period of the Proposal Validity specified in the BDS, or; b) In the event that the successful Bidder fails to sign the Contract after County Government of Laikipia has issued an award; or c) To furnish the Performance Security, insurances, or other documents that County Government of Laikipia may require as a condition precedent to the effectivity of the contract that may be awarded to the Bidder.
13. Currencies	13.1 All prices shall be quoted in the currency or currencies indicated in the BDS.
14. Joint Venture, Consortium or	14.1 If the Bidder is a group of legal entities that will form or have formed a Joint Venture (JV), Consortium or Association for the Proposal, they shall confirm in their Proposal that : (i) they have designated one party to act as a lead entity,

Association	duly vested with authority to legally bind the members of the JV, Consortium or Association jointly and severally, which shall be evidenced by a duly notarized Agreement among the legal entities, and submitted with the Proposal; and (ii) if they are awarded the contract, the contract shall be entered into, by and between County Government of Laikipia and the designated lead entity, who shall be acting for and on behalf of all the member entities comprising the joint venture. 14.2 After the Deadline for Submission of Proposal, the lead entity identified to represent the JV, Consortium or Association shall not be altered without the prior written consent of County Government of Laikipia. 14.3 The lead entity and the member entities of the JV, Consortium or Association shall abide by the provisions of Clause 9 herein in respect of submitting only one proposal. 14.4 The description of the organization of the JV, Consortium or Association must clearly define the expected role of each of the entity in the joint venture in delivering the requirements of the RFP, both in the Proposal and the JV, Consortium or Association Agreement. All entities that comprise the JV, Consortium or Association shall be subject to the eligibility and qualification assessment by County Government of Laikipia. 14.5 A JV, Consortium or Association in presenting its track record and experience should clearly differentiate between: a) Those that were undertaken together by the JV, Consortium or Association; and b) Those that were undertaken by the individual entities of the JV, Consortium or Association. 14.6 Previous contracts completed by individual experts working privately but who are permanently or were temporarily associated with any of the member firms cannot be claimed as the experience of the JV, Consortium or Association or those of its members, but should only be claimed by the individual experts themselves in their presentation of their individual credentials. 14.7 JV, Consortium or Associations are encouraged for high value, multi-sectoral requirements when the spectrum of expertise and resources required may not be available within one firm.
15. Number of Proposals	Bidders are allowed to bid for more than one job. However, the maximum jobs to be awarded will be 2 (Two). The award criteria will be based on the evaluation criteria outlined by County Government of Laikipia.
16. Proposal Validity Period	16.1 Proposals shall remain valid for the period specified in the BDS, commencing on the Deadline for Submission of Proposals. A Proposal valid for a shorter period may be rejected by County Government of Laikipia and rendered non-responsive. 16.2 During the Proposal validity period, the Bidder shall maintain its original Proposal without any change, including the availability of the Key Personnel, the proposed rates and the total price.
17. Extension of Proposal Validity	17.1 In exceptional circumstances, prior to the expiration of the proposal validity period, County Government of Laikipia may request Bidders to extend the

Period	period of validity of their Proposals. The request and the responses shall be made in writing, and shall be considered integral to the Proposal. 17.2 If the Bidder agrees to extend the validity of its Proposal, it shall be done without any change in the original Proposal. 17.3 The Bidder has the right to refuse to extend the validity of its Proposal, and in which case, such Proposal will not be further evaluated.
18. Clarification of Proposal	**18.1** Bidders may request clarifications on any of the RFP documents no later than the date indicated in the BDS. Any request for clarification must be sent in writing in the manner indicated in the BDS. If inquiries are sent other than specified channel, even if they are sent to a County Government of Laikipia staff member, County shall have no obligation to respond or confirm that the query was officially received. **18.2** County Government of Laikipia will provide the responses to clarifications through the method specified in the BDS. 18.3 County Government of Laikipia shall endeavor to provide responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of County Government of Laikipia to extend the submission date of the Proposals, unless County Government of Laikipia deems that such an extension is justified and necessary.
19. Amendment of Proposals	19.1 At any time prior to the deadline of Proposal submission, COUNTY GOVERNMENT OF LAIKIPIA may for any reason, such as in response to a clarification requested by a Bidder, modify the RFP in the form of an amendment to the RFP. Amendments will be made available to all prospective bidders. 19.2 If the amendment is substantial, COUNTY GOVERNMENT OF LAIKIPIA may extend the Deadline for submission of proposal to give the Bidders reasonable time to incorporate the amendment into their Proposals.
20. Alternative Proposals	20.1 Unless otherwise specified in the BDS, alternative proposals shall not be considered. If submission of alternative proposal is allowed by BDS, a Bidder may submit an alternative proposal, but only if it also submits a proposal conforming to the RFP requirements. COUNTY GOVERNMENT OF LAIKIPIA shall only consider the alternative proposal offered by the Bidder whose conforming proposal ranked the highest as per the specified evaluation method. Where the conditions for its acceptance are met, or justifications are clearly established, COUNTY GOVERNMENT OF LAIKIPIA reserves the right to award a contract based on an alternative proposal. 20.2 If multiple/alternative proposals are being submitted, they must be clearly marked as "Main Proposal" and "Alternative Proposal"
21. Pre-Bid Conference	21.1 When appropriate, a Bidder's conference will be conducted at the date, time and location specified in the BDS. All Bidders are encouraged to attend. Non-attendance, however, shall not result in disqualification of an interested Bidder. Minutes of the Bidder's conference will be disseminated on the procurement website and shared by email or on the e-Tendering platform as specified in the BDS. No verbal statement made during the conference shall modify the terms and conditions of the RFP, unless specifically incorporated in the Minutes of the Bidder's Conference or issued/posted as an amendment to RFP.
C. SUBMISSION AND OPENING OF PROPOSALS	

22. Submission	22.1 The Bidder shall submit a duly signed and complete Proposal comprising the documents and forms in accordance with the requirements in the BDS. The submission shall be in the manner specified in the BDS. 22.2 The Proposal shall be signed by the Bidder or person(s) duly authorized to commit the Bidder. The authorization shall be communicated through a document evidencing such authorization issued by the legal representative of the bidding entity, or a Power of Attorney, accompanying the Proposal. 22.3 Bidders must be aware that the mere act of submission of a Proposal, in and of itself, implies that the Bidder fully accepts the COUNTY GOVERNMENT OF LAIKIPIA General Contract Terms and Conditions.
Hard copy (manual) submission **Email Submission** **E Tendering submission**	22.4 Hard copy (manual) submission by courier or hand delivery allowed or specified in the BDS shall be governed as follows: a) The signed Proposal shall be marked "Original", and its copies marked "Copy" as appropriate. The number of copies is indicated in the BDS. All copies shall be made from the signed original only. If there are discrepancies between the original and the copies, the original shall prevail. b) The Technical Proposal and the Financial Proposal envelopes MUST BE COMPLETELY SEPARATE and each of them must be submitted sealed individually and clearly marked on the outside as either "TECHNICAL PROPOSAL" or "FINANCIAL PROPOSAL", as appropriate. Each envelope SHALL clearly indicate the name of the Bidder. The outer envelopes shall: i. Bear the name and address of the bidder; ii. Be addressed to COUNTY GOVERNMENT OF LAIKIPIA as specified in the BDS iii. Bear a warning that states "*Not to be opened before the time and date for proposal opening*" as specified in the BDS. If the envelopes and packages with the Proposal are not sealed and marked as required, COUNTY GOVERNMENT OF LAIKIPIA shall assume no responsibility for the misplacement, loss, or premature opening of the Proposal. a) Email submission, is not allowed. 22.5 Electronic submission through e Tendering, is not allowed.
23. Deadline for Submission of Proposals and Late Proposals	23.1 Complete Proposals must be received by COUNTY GOVERNMENT OF LAIKIPIA in the manner, and no later than the date and time, specified in the BDS. COUNTY GOVERNMENT OF LAIKIPIA shall only recognize the date and time that the bid was received by COUNTY GOVERNMENT OF LAIKIPIA 23.2 COUNTY GOVERNMENT OF LAIKIPIA shall not consider any Proposal that is submitted after the deadline for the submission of Proposals.

24. Withdrawal, Substitution, and Modification of Proposals	24.1 A Bidder may withdraw, substitute or modify its Proposal after it has been submitted at any time prior to the deadline for submission. 24.2 Manual submissions: A bidder may withdraw, substitute or modify its Proposal by sending a written notice to COUNTY GOVERNMENT OF LAIKIPIA, duly signed by an authorized representative, and shall include a copy of the authorization (or a Power of Attorney). The corresponding substitution or modification of the Proposal, if any, must accompany the respective written notice. All notices must be submitted in the same manner as specified for submission of proposals, by clearly marking them as "WITHDRAWAL" "SUBSTITUTION," or "MODIFICATION" 24.3 Proposals requested to be withdrawn shall be returned unopened to the Bidders (only for manual submissions), except if the bid is withdrawn after the bid has been opened
25. Proposal Opening	25.1 There is no public bid opening for RFPs. COUNTY GOVERNMENT OF LAIKIPIA shall open the Proposals in the presence of an ad-hoc committee formed by COUNTY GOVERNMENT OF LAIKIPIA, consisting of at least two (2) members.
D. EVALUATION OF PROPOSALS	
26. Confidentiality	26.1 Information relating to the examination, evaluation, and comparison of Proposals, and the recommendation of contract award, shall not be disclosed to Bidders or any other persons not officially concerned with such process, even after publication of the contract award. 26.2 Any effort by a Bidder or anyone on behalf of the Bidder to influence COUNTY GOVERNMENT OF LAIKIPIA in the examination, evaluation and comparison of the Proposals or contract award decisions may, at COUNTY GOVERNMENT OF LAIKIPIA's decision, result in the rejection of its Proposal and may be subject to the application of prevailing COUNTY GOVERNMENT OF LAIKIPIA's vendor sanctions procedures.
27. Evaluation of Proposals	27.1 The Bidder is not permitted to alter or modify its Proposal in any way after the proposal submission deadline except as permitted under Clause 24 of this RFP. COUNTY GOVERNMENT OF LAIKIPIA will conduct the evaluation solely on the basis of the submitted Technical and Financial Proposals. 27.2 Evaluation of proposals is made of the following steps: a) Preliminary Examination b) Minimum Eligibility and Qualification (if pre-qualification is not done) c) Evaluation of Technical Proposals d) Evaluation of Financial Proposals
28. Preliminary Examination	28.1 COUNTY GOVERNMENT OF LAIKIPIA shall examine the Proposals to determine whether they are complete with respect to minimum documentary requirements, whether the documents have been properly signed, and whether the Proposals are generally in order, among other indicators that may be used at this stage. COUNTY GOVERNMENT OF LAIKIPIA reserves the right to reject any Proposal at this stage.
29. Evaluation of Eligibility and Qualification	29.1 Eligibility and Qualification of the Bidder will be evaluated against the Minimum Eligibility/Qualification requirements specified in the Section 4 (Evaluation Criteria). 29.2 In general terms, vendors that meet the following criteria may be considered qualified: e) They are not included in COUNTY GOVERNMENT OF LAIKIPIA 's ineligible vendors' list;

	f) They have a good financial standing and have access to adequate financial resources to perform the contract and all existing commercial commitments, g) They have the necessary similar experience, technical expertise, production capacity where applicable, quality certifications, quality assurance procedures and other resources applicable to the provision of the services required; h) They are able to comply fully with COUNTY GOVERNMENT OF LAIKIPIA General Terms and Conditions of Contract; i) They do not have a consistent history of court/arbitral award decisions against the Bidder; and j) They have a record of timely and satisfactory performance with their clients.
30. Evaluation of Technical and Financial Proposals	30.1 The evaluation team shall review and evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and other RFP documents, applying the evaluation criteria, sub-criteria, and point system specified in the Section 4 (Evaluation Criteria). A Proposal shall be rendered non-responsive at the technical evaluation stage if it fails to achieve the minimum technical score indicated in the BDS. When necessary and if stated in the BDS, COUNTY GOVERNMENT OF LAIKIPIA may invite technically responsive bidders for a presentation related to their technical proposals. The conditions for the presentation shall be provided in the bid document where required. 30.2 In the second stage, only the Financial Proposals of those Bidders who achieve the minimum technical score will be opened for evaluation. The Financial Proposals corresponding to Technical Proposals that were rendered non-responsive shall remain unopened, and, in the case of manual submission, be returned to the Bidder unopened. For emailed Proposals and e-tendering submissions, COUNTY GOVERNMENT OF LAIKIPIA will not request for the password of the Financial Proposals of bidders whose Technical Proposal were found not responsive. 30.3 The evaluation method that applies for this RFP shall be as indicated in the BDS, which may be either of two (2) possible methods, as follows: (a) the lowest priced method which selects the lowest evaluated financial proposal of the technically responsive Bidders; or (b) the combined scoring method which will be based on a combination of the technical and financial score. 30.4 When the BDS specifies a combined scoring method, the formula for the rating of the Proposals will be as follows: Rating the Technical Proposal (TP): **TP Rating** = (Total Score Obtained by the Offer / Max. Obtainable Score for TP) x 100 Rating the Financial Proposal (FP): **FP Rating** = (Lowest Priced Offer / Price of the Offer Being Reviewed) x 100 Total Combined Score: **Combined Score =** (TP Rating) x (Weight of TP, e.g. 70%) + (FP Rating) x (Weight of FP, e.g., 30%)

31. Due Diligence	31.1 COUNTY GOVERNMENT OF LAIKIPIA reserves the right to undertake a due diligence exercise, also called post qualification, aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following: a) Verification of accuracy, correctness and authenticity of information provided by the Bidder; b) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team; c) Inquiry and reference checking with Government entities with jurisdiction on the Bidder, or with previous clients, or any other entity that may have done business with the Bidder; d) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary; e) Physical inspection of the Bidder's offices, branches or other places where business transpires, with or without notice to the Bidder; f) Other means that COUNTY GOVERNMENT OF LAIKIPIA may deem appropriate, at any stage within the selection process, prior to awarding the contract.
32. Clarification of Proposals	32.1 To assist in the examination, evaluation and comparison of Proposals, COUNTY GOVERNMENT OF LAIKIPIA may, at its discretion, ask any Bidder for a clarification of its Proposal. 32.2 COUNTY GOVERNMENT OF LAIKIPIA's request for clarification and the response shall be in writing and no change in the prices or substance of the Proposal shall be sought, offered, or permitted, except to provide clarification, and confirm the correction of any arithmetic errors discovered by COUNTY GOVERNMENT OF LAIKIPIA in the evaluation of the Proposals, in accordance with RFP. 32.3 Any unsolicited clarification submitted by a Bidder in respect to its Proposal, which is not a response to a request by COUNTY GOVERNMENT OF LAIKIPIA, shall not be considered during the review and evaluation of the Proposals.
33. Responsiveness of Proposal	33.1 COUNTY GOVERNMENT OF LAIKIPIA's determination of a Proposal's responsiveness will be based on the contents of the Proposal itself. A substantially responsive Proposal is one that conforms to all the terms, conditions, TOR and other requirements of the RFP without material deviation, reservation, or omission. 33.2 If a Proposal is not substantially responsive, it shall be rejected by COUNTY GOVERNMENT OF LAIKIPIA and may not subsequently be made responsive by the Bidder by correction of the material deviation, reservation, or omission.
34. Nonconformities, Reparable Errors and Omissions	34.1 Provided that a Proposal is substantially responsive, COUNTY GOVERNMENT OF LAIKIPIA may waive any non-conformities or omissions in the Proposal that, in the opinion of COUNTY GOVERNMENT OF LAIKIPIA, do not constitute a material deviation. 34.2 COUNTY GOVERNMENT OF LAIKIPIA may request the Bidder to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities or omissions in the Proposal related to documentation requirements. Such omission shall not be related to any aspect of the price of the Proposal. Failure of the Bidder to comply with the request may result in the rejection of its Proposal. 34.3 For Financial Proposal that has been opened, COUNTY GOVERNMENT OF

	LAIKIPIA shall check and correct arithmetical errors as follows: a) if there is a discrepancy between the unit price and the line item total that is obtained by multiplying the unit price by the quantity, the unit price shall prevail and the line item total shall be corrected, unless in the opinion of COUNTY GOVERNMENT OF LAIKIPIA there is an obvious misplacement of the decimal point in the unit price; in which case the line item total as quoted shall govern and the unit price shall be corrected; b) if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected; 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. 34.4 If the Bidder does not accept the correction of errors made by COUNTY GOVERNMENT OF LAIKIPIA, its Proposal shall be rejected.
E. AWARD OF CONTRACT	
35. Right to Accept, Reject, Any or All Proposals	35.1 COUNTY GOVERNMENT OF LAIKIPIA reserves the right to accept or reject any Proposal, to render any or all of the Proposals as non-responsive, and to reject all Proposals at any time prior to award of contract, without incurring any liability, or obligation to inform the affected Bidder(s) of the grounds for COUNTY GOVERNMENT OF LAIKIPIA's action. COUNTY GOVERNMENT OF LAIKIPIA shall not be obliged to award the contract to the lowest priced offer.
36. Award Criteria	36.1 Prior to expiration of the proposal validity, COUNTY GOVERNMENT OF LAIKIPIA shall award the contract to the qualified Bidder based on the award criteria indicated in the BDS.
37. Debriefing	37.1 In the event that a Bidder is unsuccessful, the Bidder may request a debriefing from COUNTY GOVERNMENT OF LAIKIPIA. The purpose of the debriefing is to discuss the strengths and weaknesses of the Bidder's submission, in order to assist the Bidder in improving its future proposals for COUNTY GOVERNMENT OF LAIKIPIA procurement opportunities. The content of other proposals and how they compare to the Bidder's submission shall not be discussed.
38. Right to Vary Requirements at the Time of Award	38.1 At the time of award of Contract, COUNTY GOVERNMENT OF LAIKIPIA reserves the right to vary the quantity of services and/or goods, by up to a maximum twenty-five per cent (20%) of the total offer, without any change in the unit price or other terms and conditions.
39. Contract Signature	39.1 Within fifteen (15) days from the date of receipt of the Contract, the successful Bidder shall sign and date the Contract and return it to COUNTY GOVERNMENT OF LAIKIPIA. Failure to do so may constitute sufficient grounds for the annulment of the award, and forfeiture of the Proposal Security, if any, and on which event, COUNTY GOVERNMENT OF LAIKIPIA may award the Contract to the Second Ranked Bidder or call for new Proposals.
40. Contract Type and General Terms and Conditions	40.1
41. Performance Security	41.1 40.1 A performance security, if required in BDS, shall be provided in the amount specified in BDS within fifteen (15) days of the contract signature by both parties.

		Where a performance security is required, the receipt of the performance security by COUNTY GOVERNMENT OF LAIKIPIA shall be a condition for rendering the contract effective.
42. Bank Guarantee for Advanced Payment	42.1	Except when the interests of COUNTY GOVERNMENT OF LAIKIPIA so require, it is COUNTY GOVERNMENT OF LAIKIPIA's preference to make no advance payment(s) (i.e., payments without having received any outputs). If an advance payment is allowed as per BDS, and exceeds 20% of the total contract price, the Bidder shall submit a Bank Guarantee in the full amount of the advance payment in the form available.
43. Liquidated Damages	43.1	If specified in BDS, COUNTY GOVERNMENT OF LAIKIPIA shall apply Liquidated Damages resulting from the Contractor's delays or breach of its obligations as per the Contract.
44. Payment Provisions	44.1	Payment will be made only upon COUNTY GOVERNMENT OF LAIKIPIA's acceptance of the work performed. The terms of payment shall be within thirty (30) days, after receipt of invoice and certification of acceptance of work issued by the proper authority in COUNTY GOVERNMENT OF LAIKIPIA with direct supervision of the Contractor. Payment will be effected by bank transfer in the currency of contract.
45. Vendor Protest	45.1	COUNTY GOVERNMENT OF LAIKIPIA's vendor protest procedure provides an opportunity for appeal to those persons or firms not awarded a contract through a competitive procurement process.

SECTION 3. BID DATA SHEET

The following data for the services to be procured shall complement, supplement, or amend the provisions in the Request for Proposals. In the case of a conflict between the Instructions to Bidders, the Data Sheet, and other annexes or references attached to the Data Sheet, the provisions in the Data Sheet shall prevail.

BDS No.	Ref. to Section.2	Data	Specific Instructions / Requirements
1	7	Language of the Proposal	English
2		Submitting Proposals for Parts or sub-parts of the TOR (partial bids)	Not allowed
3	20	Alternative Proposals	Not allowed
4	21	Pre-proposal conference	On request
5	10	Proposal Validity Period	60 days
6	14	Bid Security	Kshs. 100,000/=
7	41	Advanced Payment upon signing of contract	Not applicable
8	42	Liquidated Damages	Will be imposed as follows: Percentage of contract price per day of delay: 0.1% Max. Number of days of delay 14, after which COUNTY GOVERNMENT OF LAIKIPIA may terminate the contract.
9	40	Performance Security	N/A
10	18	Currency of Proposal	Kenya Shillings
11	31	Deadline for submitting requests for clarifications/ questions	2 days before the submission deadline
12	31	Contact Details for submitting	josphine.njoki@laikipia.co.ke

		clarifications/questions	
13	18, 19 and 21	Manner of Disseminating Supplemental Information to the RFP and responses/clarifications to queries	Direct communication to prospective Proposers by email and Posting on the website www.laikipia.go.ke
14	23	Deadline for Submission	As per the advert
14	22	Allowable Manner of Submitting Proposals	Manual tendering
15	22	Proposal Submission Address	Head of supply chain management County Government of Laikipia P.O. BOX 1271-10400 Nanyuki
16	22	Electronic submission (email or eTendering) requirements	N/A
17	27 36	Evaluation Method for the Award of Contract	Combined Scoring Method, using the 70%-30% distribution for technical and financial proposals respectively The minimum technical score required to pass is 70%.
18		Expected date for commencement of Contract	After signing of contract
19		Maximum expected duration of contract	8 Months
20	35	COUNTY GOVERNMENT OF LAIKIPIA will award the contract to:	One Proposer Only
21	39	Type of Contract	Purchase Order

SECTION 4. EVALUATION CRITERIA

Preliminary Examination Criteria

Proposals will be examined to determine whether they are complete and submitted in accordance with RFP requirements as per below criteria on a Yes/No basis:

- Appropriate signatures
- Power of Attorney
- Minimum documents provided
- Technical and Financial Proposals submitted separately
- Bid Validity
- Bid Security submitted as per RFP requirements with compliant validity period

Minimum Eligibility and Qualification Criteria

Eligibility and Qualification will be evaluated on Pass/Fail basis.
If the Proposal is submitted as a Joint Venture/Consortium/Association, each member should meet minimum criteria, unless otherwise specified in the criterion.

Subject	Criteria	Document Submission requirement
ELIGIBILITY		
Legal Status	Vendor is a legally registered entity. i) Valid Trading License (ii) Certificate of Registration, and (iii) Tax Compliance Certificate	Form B: Bidder Information Form
Eligibility	Vendor is not suspended, nor debarred, nor otherwise identified as ineligible by COUNTY GOVERNMENT OF LAIKIPIA.	Form A: Technical Proposal Submission Form
Conflict of Interest	No conflicts of interest in accordance with ITB clause 4.	Form A: Technical Proposal Submission Form
Bankruptcy	Not declared bankruptcy, not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against the vendor that could impair its operations in the foreseeable future.	Form A: Technical Proposal Submission Form
QUALIFICATION		
History of Non-Performing Contracts[1]	Non-performance of a contract did not occur as a result of contractor default for the last 3 years.	Form D: Qualification Form
Litigation History	No consistent history of court/arbitral award decisions against the Bidder for the last 3 years.	Form D: Qualification Form
Previous Experience	Minimum **10** years of relevant experience.	Form D: Qualification Form
	Minimum **3** contracts of similar value, nature and complexity implemented over the last **5** years. *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).*	Form D: Qualification Form
Financial Standing	Minimum average annual turnover of Kshs.**12,500,000**/= for the last 3 years. *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).*	Form D: Qualification Form
	Bidder must demonstrate the current soundness of its financial	Form D: Qualification Form

	standing and indicate its prospective long-term profitability. *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).*	

Technical Evaluation Criteria

Summary of Technical Proposal Evaluation Forms		Points Obtainable
1.	Bidder's qualification, capacity and experience	30
2.	Proposed Methodology, Approach and Implementation Plan	40
3.	Management Structure and Key Personnel	30
	Total	**100**

Section 1. Bidder's qualification, capacity and experience		Points obtainable
1.1	Reputation of Organization and Staff Credibility / Reliability / Industry Standing	5
1.2	General Organizational Capability which is likely to affect implementation: management structure, financial stability and project financing capacity, project management controls, extent to which any work would be subcontracted	10
1.3	Relevance of specialized knowledge and experience on similar engagements done in the region/country	10
1.4	Quality assurance procedures and risk mitigation measures	5
	Total Section 1	**30**

Section 2. Proposed Methodology, Approach and Implementation Plan		Points obtainable
2.1	Understanding of the requirement: Have the important aspects of the task been addressed in sufficient detail? Are the different components of the project adequately weighted relative to one another?	8
2.2	Description of the Offeror's approach and methodology for meeting or exceeding the requirements of the Terms of Reference	10
2.3	Details on how the different service elements shall be organized, controlled and delivered	5
2.4	Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement	5
2.5	Assessment of the implementation plan proposed including whether the activities are properly sequenced and if these are logical and realistic	7
2.6	Demonstration of ability to plan, integrate and effectively implement sustainability measures in the execution of the contract	5
	Total Section 2	**40**

Section 3. Management Structure and Key Personnel			Points obtainable
3.1	Composition and structure of the team proposed. Are the proposed roles of the management and the team of key personnel suitable for the provision of the necessary services?		6
3.2	Qualifications of key personnel proposed		
3.2 a	Team Leader		12
	- General Experience	3	
	- Specific Experience relevant to the assignment	5	
	- Regional/International experience	3	
	- Language Qualifications	1	
3.2 b	Site Engineer		8
	- General Experience	1	
	- Specific Experience relevant to the assignment	4	
	- Regional/International experience	2	
	- Language Qualifications	1	
3.2 c	Surveyor		4
	- General Experience	0.5	
	- Specific Experience relevant to the assignment	1.5	
	- Regional/International experience	1	
	- Language Qualifications	1	
		Total Section 3	**30**

SECTION 5. TERMS OF REFERENCE

Terms of Reference for Design Review and Supervision Consultant for **UPGRADE OF ROADS IN TOWNS AND SMALL URBAN CENTERS IN LAIKIPIA COUNTY**.

Background

The County Government of Laikipia is expecting funding through the Infrastructure Bond to finance the **UPGRADE OF ROADS IN TOWNS AND SMALL URBAN CENTERS IN LAIKIPIA COUNTY**.
The Project comprises of the following components;

1. Upgrade to Bitumen Standard of Roads in Towns and Small urban centers in Laikipia County.
2. Inclusion of NMT pavements
3. Street lighting of the said town
4. Construction of Drainage structures alongside the target roads
5. Inclusion of Green areas

The County Government of Laikipia intends to use part of the proceeds of the funding for eligible payments for consulting services for which this ToR is issued.
The Projects are expected to be completed by 6 months from Site Handover to Contractors.

Objectives of Consulting Services

The consulting services shall be provided by a qualified consulting firm (hereinafter referred to as "the Consultant") in compliance with County Government of Laikipia procurement manual.
The objective of the consulting services is to achieve the efficient and proper preparation and implementation of the Project through the following works:

(1) Detailed design review
(2) Contract award Assistance
(3) Construction supervision
(4) Facilitation of implementation of NEMA standards
(5) Technology transfer

Scope of Consulting Services

Detailed design Review the Consultant shall:

1. Review and verify all available primary and secondary data collected during the Initial preparatory survey for the Project;
2. Carry out all the required engineering surveys and investigations such as topographical survey, hydrological survey, geotechnical survey, material availability survey, etc., as applicable to the concerned project components.
3. Prepare detailed work plan, progress reports and implementation schedule for the Project to ensure effective monitoring and timely project outputs, and regularly update the same

4. Prepare the final detailed design of the Project in sufficient detail to ensure clarity and understanding by the County Government of Laikipia, contractors and other relevant stakeholders. All the design should be in conformity with the Kenyan Standards, or with the appropriate international standards. The final detailed design will, as a minimum, include
    - construction drawings,
    - detailed cost estimates within the project budget,
    - necessary calculations to determine and justify the engineering details for the Project,
    - Associated contract documentation to include detailed specifications, bill of quantities (BOQ), and implementation schedule for the Project.

Such detailed specifications will contain those in relation to

- quality control of plant materials and workmanship,
- ii) safety, and
- iii) Protection of the environment. The detailed design shall be prepared in close consultation with, and to meet the requirements of County Government of Laikipia and will be incorporated into the detailed design report to be submitted for approval of County Government of Laikipia.

5. Perform the followings based on the survey of the existing drainage systems:
    i) identify, design and quantify any necessary additional, replacement, or amendments to existing structures;
    ii) check streambeds and cross-drainage channels above and below the roads for possible erosion effects;
    iii) design and quantify any necessary protective works;
    iv) examine the existing side drainage; and
    v) Specify, design, and quantify new side drainage and line drains where necessary to eliminate scour and erosion or to provide support for narrow road cross sections.
6. Prepare practical and cost-effective pavement and retaining structure designs on the basis of condition surveys, projected traffic levels, pavement structure studies, and axle load considerations, as determined from the above activities and previous studies.
7. Assess the requirement for slope protection measures adjacent to the road, and design the most cost-effective remedial works.
8. Verify and refine climate change adaptation options selected in the feasibility study.

9. Investigate, test, and define sources and estimated quantities of construction materials and prepare the material sources map with indicative properties, its applicability (i.e. for sub-grade, for sub-base, etc.) and estimated quantities.
10. Assess the air pollution and noise impact to be caused by the Project based on the measured baseline data (background noise) and define appropriate mitigation measures.

Construction supervision

Prepare and submit reports to the County Government of Laikipia, which are detailed below in relation to the implementation of the Project.

Facilitation of implementation of NEMA standards

The Consultant shall:

a. Update (Environment Management Plan) EMP as appropriate; incorporate necessary technical specifications with design and contract documentation;
b. Assist County Government of Laikipia in preparation of NEMA Report in accordance with EIA and the conditions stated in environmental permit certifications (EPC) for the Project;
c. Assist County Government of Laikipia in dissemination and explanation of additionally confirmed and identified environmental issues to public including holding public consultations;
d. Assist County Government of Laikipia to review the Construction Contractor's Environmental Program to be prepared by the contractor in accordance with EMP, relevant plans and make recommendations to County Government of Laikipia regarding any necessary amendments for its approval

Technology transfer

The Consultant shall carry out the technology transfer as an important aspect in design and supervision works. The Consultant shall provide the opportunity to County Government of Laikipia officers and staffs to be involved in the working team of the Consultant during the design, contract administration and supervision works for their capacity building wherever possible. If requested by County Government of Laikipia, the Consultant shall brief and demonstrate the survey and design procedure, the construction supervision and contract management process and procedures. The consultant shall assist County Government of Laikipia and its staff to build their capacity as a part of on the job training under the Project.

Expected Time Schedule

The total duration of consulting services will be 6 months followed by 3 months of defects liability period.

Staffing (Expertise required)

The qualification of key Team Members is shown in Table

Designation	Qualification
Team Leader (Civil Engineer)	Education: • Graduate in Civil Engineering/Highway . Holder of MSc in Engineering . Practicing as an Professional Engineer Experience: • Experience in Road Related Field: 15 years or more • Experience of construction supervision for two highway projects in ICB contract, of which each contract amount is more than Kshs 100 Million • at least one experience of leading a consultants' team as the Team Leader or the Deputy Team Leader
Design/ Site Engineer	Education: • Graduate in Civil Engineering Possess EBK registration Experience: • 5 years' experience in design of civil works in Road Related Field • Experience as a design specialist with at least 2 highway projects of size > Kshs 30M Experience in ICB contract is desirable.
Environmental Specialist	Education: Graduate in Environmental Management Experience: • Experience in environmental management of road and/or bridge projects – 3 years
Site Surveyor	Education: • Graduate in Geospatial Engineering or equivalent Experience: • Experience in Road Related Field - 3 years
Others	

(No personnel is to be allocated more than 1 site except the Team Leader)

Scope of works for the respective personnel

Detailed information on the major tasks and duties each member of the detailed engineering design team and the construction supervision team shall perform is provided as follows:

1. Team Leader

- Lead the detailed design task team. Ensure all deliverables are prepared in accordance with quality and time constraints.
- Administer and supervise site investigation and design and documentation activities for civil works contracts.
- Identify appropriate rehabilitation design codes and standards
- Assess road sections for detailed engineering, including geometric features, pavement, and include in the design the improvement of sides or intersecting roads, its development plan interface with the main road to a certain extent as agreed upon. Review available data relating to traffic, axle loads and pavement strength. Assess load carrying capacity of pavements.
- Review the need for road safety measures based on the findings of the feasibility study and road safety review of the road environment. Identify, design and cost road accident mitigation measures based on this review.
- Prepare a final report, which will be a compilation and condensation of the data presented in regular monthly progress reports, together with copies of as-built drawings within two months from the issuance of the defects liability certificate.
- Prepare a final report for each and all contracts.

2. Site Engineer

- Lead the construction supervision task teams.
- Ensure all deliverables are prepared in accordance with quality and time constraints.
- Ensure full and detailed permanent site records, which will include site correspondence, survey data, quality acceptance data, site diaries, measurement and certification, minutes of meetings, and records of all other contractually relevant matters.
- Certify advance payments in accordance with the contracts when necessary.
- Certify interim and final payment certificates for submission to the employer
- Provide training to local road maintenance contractors in accordance with approved training plans.
- Ensure that all supervision team members undertake comprehensive day-to-day field contract supervision, quality assurance, measurements and administration services at the site.

- Instruct and advise all supervision team members to maintain full and detailed permanent site records, which will include site correspondence, survey data, quality acceptance data, site diaries, measurement and certification, minutes of meetings, and records of all other contractually relevant matters.
- Provide the contractors with all necessary survey data and reference for setting out the works.
- Receive, assess and approve the contractors' implementation work plans and programs.
- Ensure that the rehabilitation works are executed in accordance with all the provisions of the contract, including those concerning standards of workmanship, and other safety provisions and protection of the environment.
- Maintain regular estimates of the cost to completion and time to completion for each contract.
- Assess time and cost claims submitted by contractors and advise the PMU for actions to be taken.
- Ensure that as-built drawings are prepared for rehabilitation works.
- Attend the periodical site inspection during the defects liability period and order the contractors' actions to be taken and payment methods.

The site engineer shall be fully based on the site

Reporting

Within the scope of consulting services, the Consultant shall prepare and submit reports and documents to (Division/Department in charge in the Executing Agency) as shown in Table below.
The Consultant shall provide also electronic copy of each of these reports.

CATEGORY	TYPE OF REPORT	TIMINELINE	No OF COPIES
Consultancy Services	Inception Report	Within 1 week after Commencement	3
	Monthly Progress Report	Monthly	
	Project Completion Report	Within 1 week after Completion certificate	
Construction Supervision	Quality Control Report	Monthly	
	Completion Report (and As-built Drawings, if any)	Within 1 week after Completion certificate	

Training	Training Plan	To be detailed in Inception Report	
	Training Execution and Evaluation Report	1 week after Training	
Environmental and Social Issues	Environmental Monitoring Report Land	Quarterly	
	Environmental and Social Safeguard Evaluation Report	Alongside Project completion report	

Obligations of the Executing Agency

A certain range of arrangements and services will be provided by the Executing Agency to the Consultant for smooth implementation of the Consulting Services. In this context, the Executing Agency will:

- Make available to the Consultant existing reports and data related to the Project
- Make available preliminary design and project cost
- Appoint counterpart officials, agent and representative as may be necessary for effective implementation of the Consulting Services;

SECTION 6: RETURNABLE BIDDING FORMS / CHECKLIST

This form serves as a checklist for preparation of your Proposal. Please complete the Returnable Bidding Forms in accordance with the instructions in the forms and return them as part of your Proposal submission. No alteration to format of forms shall be permitted and no substitution shall be accepted.
Before submitting your Proposal, please ensure compliance with the Proposal Submission instructions of the BDS 22.

Technical Proposal Envelope:

Have you duly completed all the Returnable Bidding Forms?	
▪ Form A: Technical Proposal Submission Form	☐
▪ Form B: Bidder Information Form	☐
▪ Form C: Joint Venture/Consortium/ Association Information Form	☐
▪ Form D: Qualification Form	☐
▪ Form E: Format of Technical Proposal	☐
▪ Form H: Proposal Security Form	☐
Have you provided the required documents to establish compliance with the evaluation criteria in Section 4?	☐

Financial Proposal Envelope

(Must be submitted in a separate sealed envelope)

▪ Form F: Financial Proposal Submission Form	☐
▪ Form G: Financial Proposal Form	☐

Form A: Technical Proposal Submission Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

We, the undersigned, offer to provide the services for [Insert Title of services] in accordance with your Request for Proposal No. [Insert RFP Reference Number] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

We hereby declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium /Association members or subcontractors or suppliers for any part of the contract:

a) is not under procurement prohibition by the COUNTY GOVERNMENT OF LAIKIPIA;

b) have not been suspended, debarred, sanctioned or otherwise identified as ineligible by COUNTY GOVERNMENT OF LAIKIPIA;

c) have no conflict of interest in accordance with Instruction to Bidders Clause 4;

d) do not employ, or anticipate employing, any person(s) who is, or has been a COUNTY GOVERNMENT OF LAIKIPIA staff member within the last year;

e) have not declared bankruptcy, are not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;

f) Undertake not to engage in proscribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the COUNTY GOVERNMENT OF LAIKIPIA or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the COUNTY GOVERNMENT OF LAIKIPIA.

We declare that all the information and statements made in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this Proposal may lead to our disqualification and/or sanctioning by the COUNTY GOVERNMENT OF LAIKIPIA.

We offer to provide services in conformity with the Bidding documents, including the COUNTY GOVERNMENT OF LAIKIPIA General Conditions of Contract and in accordance with the Terms of Reference

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet.

We understand and recognize that you are not bound to accept any Proposal you receive.

I, the undersigned, certify that I am duly authorized by [Insert Name of Bidder] *to sign this Proposal and bind it should COUNTY GOVERNMENT OF LAIKIPIA accept this Proposal.*

Name: _____

Title: _____

Date: _____

Signature: _____

[*Stamp with official stamp of the Bidder*]

Form B: Bidder Information Form

Legal name of Bidder	[Complete]
Legal address	[Complete]
Year of registration	[Complete]
Bidder's Authorized Representative Information	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]
Are you a COUNTY GOVERNMENT OF LAIKIPIA vendor?	☐ Yes ☐ No If yes, [insert COUNTY GOVERNMENT OF LAIKIPIA vendor number]
Countries of operation	[Complete]
No. of full-time employees	[Complete]
Does your Company have a written Statement of its Environmental Policy? *(If yes, provide a Copy)*	[Complete]
Contact person COUNTY GOVERNMENT OF LAIKIPIA may contact for requests for clarification during Proposal evaluation	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]
Please attach the following documents:	▪ Company Profile, which should not exceed fifteen (15) pages, including printed brochures and product catalogues relevant to the goods/services being procured ▪ Certificate of Incorporation/ Business Registration ▪ Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder ▪ Trade name registration papers, if applicable ▪ Local Government permit to locate and operate in assignment location, if applicable ▪ Official Letter of Appointment as local representative, if Bidder is submitting a Bid in behalf of an entity located outside the country ▪ Power of Attorney

Form C: Joint Venture/Consortium/Association Information Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

To be completed and returned with your Proposal if the Proposal is submitted as a Joint Venture/Consortium/Association.

No	Name of Partner and contact information *(address, telephone numbers, fax numbers, e-mail address)*	Proposed proportion of responsibilities (in %) and type of services to be performed
1	[Complete]	[Complete]
2	[Complete]	[Complete]
3	[Complete]	[Complete]

Name of leading partner (with authority to bind the JV, Consortium, Association during the RFP process and, in the event a Contract is awarded, during contract execution)	[Complete]

We have attached a copy of the below document signed by every partner, which details the likely legal structure of and the confirmation of joint and severable liability of the members of the said joint venture:

☐ Letter of intent to form a joint venture ***OR*** ☐ JV/Consortium/Association agreement

We hereby confirm that if the contract is awarded, all parties of the Joint Venture/Consortium/Association shall be jointly and severally liable to COUNTY GOVERNMENT OF LAIKIPIA for the fulfillment of the provisions of the Contract.

Name of partner: _____ Name of partner: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Name of partner: _____ Name of partner: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Form D: Qualification Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

If JV/Consortium/Association, to be completed by each partner.

Historical Contract Non-Performance

☐ Contract non-performance did not occur for the last 3 years

☐ Contract(s) not performed for the last 3 years

Year	**Non- performed portion of contract**	**Contract Identification**	**Total Contract Amount** (current value in Kshs)
		Name of Client: Address of Client: Reason(s) for non-performance:	

Litigation History (including pending litigation)

☐ No litigation history for the last 3 years

☐ Litigation History as indicated below

Year of dispute	**Amount in dispute** (in Kshs)	**Contract Identification**	**Total Contract Amount** (current value in Kshs)
		Name of Client: Address of Client: Matter in dispute: Party who initiated the dispute: Status of dispute: Party awarded if resolved:	

Previous Relevant Experience

Please list only previous similar assignments successfully completed in the last 5 years.
List only those assignments for which the Bidder was legally contracted or sub-contracted by the Client as a company or was one of the Consortium/JV partners. Assignments completed by the Bidder's individual experts working privately or through other firms cannot be claimed as the relevant experience of the Bidder, or that of the Bidder's partners or sub-consultants, but can be claimed by the Experts themselves in their CVs. The Bidder should be prepared to substantiate the claimed experience by **presenting copies of relevant documents and references** if so requested by COUNTY GOVERNMENT OF LAIKIPIA.

Project name & Country of Assignment	Client & Reference Contact Details	Contract Value	Period of activity and status	Types of activities undertaken

Bidders may also attach their own Project Data Sheets with more details for assignments above.

☐ Attached are the Statements of Satisfactory Performance from the Top 3 (three) Clients or more.

Financial Standing

Annual Turnover for the last 3 years	Year Year Year	Kshs Kshs Kshs
Latest Credit Rating (if any), indicate the source		

Financial information (in Kshs. equivalent)	**Historic information for the last 3 years**		
	Year 1	Year 2	Year 3
	Information from Balance Sheet		
Total Assets (TA)			
Total Liabilities (TL)			
Current Assets (CA)			
Current Liabilities (CL)			
	Information from Income Statement		
Total / Gross Revenue (TR)			
Profits Before Taxes (PBT)			
Net Profit			
Current Ratio			

☐ Attached are copies of the audited financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following condition:

a) Must reflect the financial situation of the Bidder or party to a JV, and not sister or parent companies;
b) Historic financial statements must be audited by a certified public accountant;

c) Historic financial statements must correspond to accounting periods already completed and audited. No statements for partial periods shall be accepted.

Form E: Format of Technical Proposal

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

The Bidder's proposal should be organized to follow this format of Technical Proposal. Where the bidder is presented with a requirement or asked to use a specific approach, the bidder must not only state its acceptance, but also describe how it intends to comply with the requirements. Where a descriptive response is requested, failure to provide the same will be viewed as non-responsive.

SECTION 1: Bidder's qualification, capacity and expertise

1.1 Brief description of the organization, including the year and country of incorporation, and types of activities undertaken.

1.2 General organizational capability which is likely to affect implementation: management structure, financial stability and project financing capacity, project management controls, extent to which any work would be subcontracted (if so, provide details).

1.3 Relevance of specialized knowledge and experience on similar engagements done in the region/country.

1.4 Quality assurance procedures and risk mitigation measures.

1.5 Organization's commitment to sustainability.

SECTION 2: Proposed Methodology, Approach and Implementation Plan

This section should demonstrate the bidder's responsiveness to the TOR by identifying the specific components proposed, addressing the requirements, providing a detailed description of the essential performance characteristics proposed and demonstrating how the proposed approach and methodology meets or exceeds the requirements. All important aspects should be addressed in sufficient detail and different components of the project should be adequately weighted relative to one another.

2.1 A detailed description of the approach and methodology for how the Bidder will achieve the Terms of Reference of the project, keeping in mind the appropriateness to local conditions and project environment. Details how the different service elements shall be organized, controlled and delivered.

2.2 The methodology shall also include details of the Bidder's internal technical and quality assurance review mechanisms.

2.3 Explain whether any work would be subcontracted, to whom, how much percentage of the work, the rationale for such, and the roles of the proposed sub-contractors and how everyone will function as a team.

2.4 Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement.

2.5 Demonstrate how you plan to integrate sustainability measures in the execution of the contract.

2.6 Any other comments or information regarding the project approach and methodology that will be adopted.

SECTION 2A: Bidder's Comments and Suggestions on the Terms of Reference

Provide comments and suggestions on the Terms of Reference, or additional services that will be rendered beyond the requirements of the TOR, if any.

SECTION 3: Management Structure and Key Personnel

3.1 Describe the overall management approach toward planning and implementing the project. Include an organization chart for the management of the project describing the relationship of key positions and designations. Provide a spreadsheet to show the activities of each personnel and the time allocated for his/her involvement.

3.2 Provide CVs for key personnel that will be provided to support the implementation of this project using the format below. CVs should demonstrate qualifications in areas relevant to the Scope of Services.

Format for CV of Proposed Key Personnel

NAME OF PERSONNEL	[INSERT]
POSITION FOR THIS ASSIGNMENT	[INSERT]
NATIONALITY	[INSERT]
LANGUAGE PROFICIENCY	[INSERT]
EDUCATION/ QUALIFICATIONS	*[SUMMARIZE COLLEGE/UNIVERSITY AND OTHER SPECIALIZED EDUCATION OF PERSONNEL MEMBER, GIVING NAMES OF SCHOOLS, DATES ATTENDED, AND DEGREES/QUALIFICATIONS OBTAINED.]*

	[INSERT]
PROFESSIONAL CERTIFICATIONS	*[PROVIDE DETAILS OF PROFESSIONAL CERTIFICATIONS RELEVANT TO THE SCOPE OF SERVICES]*
	▪ NAME OF INSTITUTION: [INSERT] ▪ DATE OF CERTIFICATION: [INSERT]
EMPLOYMENT RECORD/ EXPERIENCE	*[LIST ALL POSITIONS HELD BY PERSONNEL (STARTING WITH PRESENT POSITION, LIST IN REVERSE ORDER), GIVING DATES, NAMES OF EMPLOYING ORGANIZATION, TITLE OF POSITION HELD AND LOCATION OF EMPLOYMENT. FOR EXPERIENCE IN LAST FIVE YEARS, DETAIL THE TYPE OF ACTIVITIES PERFORMED, DEGREE OF RESPONSIBILITIES, LOCATION OF ASSIGNMENTS AND ANY OTHER INFORMATION OR PROFESSIONAL EXPERIENCE CONSIDERED PERTINENT FOR THIS ASSIGNMENT.]*
	[INSERT]

	[PROVIDE NAMES, ADDRESSES, PHONE AND EMAIL CONTACT INFORMATION FOR TWO (2) REFERENCES]
REFERENCES	REFERENCE 1: [INSERT] REFERENCE 2: [INSERT]

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe my qualifications, my experiences, and other relevant information about myself.

_____	_____
Signature of Personnel	Date (Day/Month/Year)

Form F: Financial Proposal Submission Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

We, the undersigned, offer to provide the services for [Insert Title of services] in accordance with your Request for Proposal No. [Insert RFP Reference Number] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

Our attached Financial Proposal is for the sum of [Insert amount in words and figures].

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet.

We understand you are not bound to accept any Proposal you receive.

Name: _____

Title: _____

Date: _____

Signature: _____

[*Stamp with official stamp of the Bidder*]

Form G: Financial Proposal Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

The Bidder is required to prepare the Financial Proposal following the below format and submit it in an envelope separate from the Technical Proposal as indicated in the Instruction to Bidders. Any Financial information provided in the Technical Proposal shall lead to Bidder's disqualification.
The Financial Proposal should align with the requirements in the Terms of Reference and the Bidder's Technical Proposal.

Currency of the proposal: Kshs

Table 1: Summary of Overall Prices

	Amount(s)
Professional Fees (from Table 2)	
Other Costs (from Table 3)	
Total Amount of Financial Proposal	

Table 2: Breakdown of Professional Fees

Name	**Position**	**Fee Rate**	**No. of Days/months/ hours**	**Total Amount**
		A	*B*	*C=A+B*
In-site				
Others				
			Subtotal Professional Fees:	

Table 3: Breakdown of Other Costs

Description	**UOM**	**Quantity**	**Unit Price**	**Total Amount**
Accommodation	Hotel rate			
Subsistence allowance	Day			
Miscellaneous travel expenses	Trip			

Local transportation costs	Lump Sum			
Out-of-Pocket Expenses				
Other Costs: (please specify)				
			Subtotal Other Costs:	

Table 4: Breakdown of Price per Deliverable/Activity

Deliverable/ Activity description	**Time** (person days)	**Professional Fees**	**Other Costs**	**Total**
Inception Report				
Site Handover				
IPC 1				
…..				

Form H: Form of Proposal Security

Proposal Security must be issued using the official letterhead of the Issuing Bank.
Except for indicated fields, no changes may be made on this template.

To: COUNTY GOVERNMENT OF LAIKIPIA

[Insert contact information as provided in Data Sheet]

WHEREAS [Name and address of Bidder] (hereinafter called "the Bidder") has submitted a Proposal to COUNTY GOVERNMENT OF LAIKIPIA dated Click here to enter a date. to execute Services [Insert Title of Services] (hereinafter called "the Proposal"):

AND WHEREAS it has been stipulated by you that the Bidder shall furnish you with a Bank Guarantee by a recognized bank for the sum specified therein as security in the event that the Bidder:

a) Fails to sign the Contract after COUNTY GOVERNMENT OF LAIKIPIA has awarded it;
b) Withdraws its Proposal after the date of the opening of the Proposals;
c) Fails to comply with COUNTY GOVERNMENT OF LAIKIPIA's variation of requirement, as per RFP instructions; or
d) Fails to furnish Performance Security, insurances, or other documents that COUNTY GOVERNMENT OF LAIKIPIA may require as a condition to rendering the contract effective.

AND WHEREAS we have agreed to give the Bidder such this Bank Guarantee:

NOW THEREFORE we hereby affirm that we are the Guarantor and responsible to you, on behalf of the Bidder, up to a total of [*amount of guarantee*] [*in words and numbers*], such sum being payable in the types and proportions of currencies in which the Price Proposal is payable, and we undertake to pay you, upon your first written demand and without cavil or argument, any sum or sums within the limits of *[amount of guarantee as aforesaid*] without your needing to prove or to show grounds or reasons for your demand for the sum specified therein.

This guarantee shall be valid up to 30 days after the final date of validity of bids.

SIGNATURE AND SEAL OF THE GUARANTOR BANK

Signature: _____

Name: _____

Title: _____

Date: _____

Name of Bank _____

Address _____

[Stamp with official stamp of the Bank]