

P.O BOX 30163-00100 NAIROBI

Email:- procurement@kcaa.or.ke

INVITATION TO

TENDER (ITT) NO. KCAA/071/2021-2022

TENDER FOR

SALE OF BOARDED MOTOR VEHICLES.

DATE OF NOTICE: TUESDAY, 21/06/2022

CLOSING DATE: TUESDAY, 28TH JUNE, 2022 AT 11:00 AM.

INVITATION TO TENDER

PROCURING ENTITY: KENYA CIVIL AVIATION AUTHORITY

CONTRACT NAME AND DESCRIPTION: SALE OF BOARDED MOTOR VEHICLES.

- 1. The Kenya Civil Aviation Authority now invites sealed tenders from eligible candidates to purchase **boarded motor vehicles**.
- 2. Interested eligible candidates may obtain further information at the address provided below. Items will be sold as they are, without any encumbrances.
- 3. Interested tenderers may inspect the goods to be sold during office hours *0900 to 1500 hours* at the respective stations indicated in this tender document.
- A complete set of tender documents may be obtained by interested candidates upon payment of non-refundable fees of Kshs.1,000 in cash or banker's cheque payable to Director General, Kenya Civil Aviation Authority. Tenderers may also view and download the bidding document electronically from KCAA website: www.kcaa.or.ke or www.tenders.go.ke at no cost and immediately forward their particulars for records and for the purposes of receiving any further tender clarifications and/or addendums procurement@kcaa.or.ke.
- 4. Tenderers will be required to pay in advance a refundable deposit as indicated in the Appendix to Instructions to tenderers.
- 5. Completed tenders must be delivered to the address below on or before **28th June 2022 at 11:00AM** Electronic Tenders will not be permitted.
- 6. Prices quoted should be net, must be in Kenya Shillings and shall remain valid for the period to be determined by the Procuring Entity from the closing date of the tender.
- 8. Tenders will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Tenders will be publicly opened in the presence of the Tenderers' designated representatives who choose to attend at the address below.
- 9. Late tenders will be rejected.

7.

- 10. The addresses referred to above are:
 - A. Address for obtaining further information, for inspecting the goods to be sold.

No	CONTACTS FOR THE STATIONS
1.	Transport Officer. Aviation House, Jomo Kenyatta International Airport.
	<u>Tel:-</u> 020827470-5, +254 709725000

B. Address for Submission of Tenders.

Kenya Civil Aviation Authority

Ground floor, Aviation House, Jomo Kenyatta International Airport:

Kenya Civil Aviation Authority,

Aviation House, JKIA, Nairobi

P.O. Box 30163-00100 Nairobi

Email: <u>procurement@kcaa.or.ke</u>
Tel:- 020827470-5, +254 709725000

P.O Box 30163-00100, Nairobi

C. Address for Opening of Tenders.

Ground floor, Aviation House, Jomo Kenyatta International Airport

Invitation issued by:- William K. Kitum

Designation: - Manager Procurement (For Director General)

Date: - 28th June 2022.

SECTION I - INSTRUCTIONS TO TENDERERS

1 Eligible Tenderers

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

2. Cost of Tendering

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

3. The Tender Document

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

Failure to meet all the requirements of the tender will beat the tenderer's risk and may result in the rejection of its tender.

4 Clarification of Documents

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

5 Amendment of Documents

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

6 Tender Prices and Currencies

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

7 Tender deposit

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

8 Validity of Tenders

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

9. Viewing of Tender Items

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

10. Sealing and Marking of Tenders

- 10.1 The Tenderer shall deliver the Tender in a single, sealed envelope bearing the name and Reference number of the Tender, addressed to the Procuring Entity and a warning not to open before the time and date for Tender opening date. Within the single outer envelope the Tenderer shall place another sealed envelope containing the list of and prices of the items tendered for and addressed as follows.
 - a) Bear the name and address (including telephone number and email) of the Tenderer;
 - b) Bear the name and Reference number of the Tender;
 - c) Bear the name and address of the Procuring Entity; and
 - d) Attach a payment slip or certified banking details from a bank, warranting the deposit payment made for the items tender for.
- 10.2 If all envelopes are not sealed and marked as required, the *Procuring Entity* will assume no responsibility for the misplacement or premature opening of the Tender, or failure to contact the tenderer in case of advise on the status of the tender or refund of deposit. Tenders that are misplaced or opened prematurely will not be accepted.

Deadline for Submission of Tenders

Tenders must be received by the Procuring Entity at the address specified not later than 28th June 2022 at 11:00Am.

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

12. Modification of tenders

- 12.1 The tenderer may modify or withdraw its tender after the tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by the Procuring Entity prior to the deadline prescribed for submission of tenders.
- 12.2 The Tenderer's modification or withdrawal notice shall be prepared, sealed, marked, and dispatched in accordance with the provisions of paragraph 2.9.1. A withdrawal notice may also be sent by fax or email but followed by a signed confirmation copy, post marked not later than the deadline for submission of tenders.
- 12.2 No tender may be modified after the deadline for submission of tenders

13 Withdrawals and tenders

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

14 Opening of Tenders

14.1 The Procuring Entity will open all tenders in the presence of tenderers' representatives who choose to attend at KCAA HQS on 28th June 2022 at 11:00am and in the location specified in the invitation to tender.

The tenderers or representatives who are present shall sign a register evidencing their attendance.

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

15 Clarification of tenders

- 15.1 To assist in the examination, evaluation and comparison of tenders the Procuring Entity may, at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.
- 15.3 Any effort by the tenderer to influence the Procuring Entity in the Procuring Entity's tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

16 Evaluation and Comparison of Tenders

- 16.1 The Procuring Entity will examine the tenders to determine whether they are complete, whether the tenderer has fulfilled the eligibility criteria, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non-responsive, will be rejected by the Procuring Entity.
- 16.2 Provided that the Tender is substantially responsive, the Procuring Entity shall handle errors on the following basis:
 - a) Any error detected if considered a major deviation that affects the substance of the tender, shall lead to disqualification of the tender as non-responsive.
 - b) Any errors in the submitted tender arising from a miscalculation of unit price, quantity, subtotal and total bid price shall be considered as a major deviation that affects the substance of the tender and shall lead to disqualification of the tender as nonresponsive and
 - c) If there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.
- 16.3 The Procuring Entity will evaluate and compare the tenders, which have been determined to be substantially responsive.
- 16.4 The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

17 Award Criteria

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

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

- 18.3 Prior to the expiration of the period of tender validity, the Procuring Entity will notify the successful tenderer in writing that its tender has been accepted.
- 18.4 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

18 Canvassing/Contacting the Procuring Entity

- 18.1 No tenderer shall contact the Procuring Entity on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded.
- 18.2 Any effort by a tenderer to influence the Procuring Entity in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of the tenderer's tender.

SECTION II - SCHEDULE OF ITEMS AND PRICES

TABLE NO.1: ITEMS LOCATED AT KCAA HEADQUARTERS

Item No	Description of item	Unit of issue	Quantity	Reserve price in Kshs	Total Price quoted in Kshs	Required 10% deposit
1.	KBB 183S	1	NO	537,000.00		
	Toyota Hiace					
2.	KBL 511G	1	NO	120,000.00		
	Cherry Tigo					
3.	KBR 657U	1	NO	120,000.00		
	Cherry Tigo					
4.	KBR 659U	1	NO	120,000.00		
	Cherry Tigo					
5.	KBL 579G	1	NO	120,000.00		
	Cherry Tigo					

PLEASE NOTE AND COMPLY WITH THE FOLLOWING:

- 1. Ten percent (10%) deposit for all the items quoted for by the respective interested bidder in form of cash payable to KCAA cashier or a banker's cheque. The bankers Cheque should be submitted together with the tender document and addressed to Director General, Kenya Civil Aviation Authority.
- 2. Interested bidders to make arrangements to view the items before quoting.

AUTHORIZED OFFICIAL, SIGNATURE & DATE

SECTION III - CONDITIONS OF TENDER

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

SECTION IV - STANDARD FORMS

Note on Standard Forms

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

1. Form of Tender

	Date:			
	Tender No. KCAA/071/2021-2022			
To: Kenya Civil Aviation Auth P.O BOX 30163-00100 Nairobi	nority			
Gentlemen and/or Ladies:				
the items on sale, w offered to us in c of	the tender documents including addenda and having examined the undersigned, offer to purchase and collect all the items conformity with the said tender documents for the sum			
	We undertake, if our Tender is accepted, to pay for and collect the items in accordance with the requirements of the tender.			
fixed for tender open	We agree to adhere by the tender price for a period of[number] days from the date fixed for tender opening of the Instructions to tenderers, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.			
4. We understand that y receive.	ou are not bound to accept the highest or any tender that you may			
Dated this	day of_20			
[signature]	[in the capacity of]			
Duly authorized to sign tende	er for and on behalf of			

Confidential Business Questionnaire Form

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

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

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

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

Part 1 – General							
Business Name							
Location of							
Street/Road				Addı	ess		Tel
No							of
business							
No							
Maximum value			•		•		e Kenya
shillings Name of your Bar							
Name of your Dai	IKCIS		• • • • • • • • • • • • • • • • • • • •	L	nancn	• • • • • • • • • • • • • • • • • • • •	
Part 2 (a) – Sole	Proprieto	r or Individ	ual				
37 31 ' C1	1						
Nationality Citizenship detail							
Name	*		,				
signature			•••••	•••••		anu	
signature	••••••						
Part 2 (b) Partne	ership						
Given details of p	artners as	follows:					
-							
Name			Nationality		Citize	enship	Details
1			Shares				
2							
3							
							••••••
[Name, Designati							
Signature	•••••	and		pany		stamp	O1
Seal							0.
Part 2 (c) - Regis	stered Cor	npany (Priv	ate or Public)				
(·) · · g · · ·		F J (=					
State the nominal	and issued	d capital of co	ompany				
Nominal Water							
- Nominal Kshs	•••••		•••••	•••••			
- Issued Kshs		••••					

[Ivaiiic	, Designation and Signature of		the Company]
Name			
Design	nation		
Signat	ure and Company stamp or Sea	al	
Date			
6. Ten	der deposit commitment Dec	claration Form	
Tender	· No	(as per tend	der documents)
	icated in the schedule of items endered for as supported by th		that we have put deposits for the as as follows:-
EMNo.oror tNo.	Item Description	Deposit Kshs.	Receipt No. and Date
1		IX3II3.	
2			
3			
4			
5			
	rizing Official		
	rizing Official		(Name)
Autho	rizing Official		

Nationality

Citizenship Details

Shares

Given details of all directors as follows:

Name

SELF-DECLARATION FORMS

FORM SD1

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

	I,, of Po in the Remake a statement as follows:-		_	lent of
1.	1. THAT I am the Company Secretary/Cl Tender No.		•	
	for (insert name o competent to make this statement.	,	•	
2.	2. THAT the aforesaid Bidder, its Director participating in procurement proceeding			
3.	3. THAT what is deponed to here in above	e is true to the best of n	ny knowledge, information and b	elief.
(Ti	(Title) (S	ignature)	(Date)	

Bidder Official Stamp

FORM SD2

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

of	
1.	THAT I am the Chief Executive/Managing Director/Principal Officer/Director of
2.	THAT the aforesaid Bidder, its servants and/or agents/subcontractors will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agents of(insert name of the Procuring entity) which is the procuring entity.
3.	THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of(name of the procuring entity).
4.	THAT the aforesaid Bidder will not engage/has not engaged in any corrosive practice with other bidders participating in the subject tender
	THAT what is deponed to here in above is true to the best of my knowledge information and belief.
	itle) (Signature) (Date)

Bidder's Official Stamp

DECLARATION AND COMMITMENT TO THE CODE OF ETHICS

I
(Name of the Business/ Company/Firm)
declare that I have read and fully understood the contents of the Public Procurement & Asset
Disposal Act, 2015, Regulations and the Code of Ethics for persons participating in Public
Procurement and Asset Disposal Activities in Kenya and my responsibilities under the Code.
I do here by commit to abide by the provisions of the Code of Ethics for persons participating in
Public Procurement and Asset Disposal.
Name of Authorized signatory
Sign
Position
Office address
Telephone
E-mail
Name of the Firm/Company
Date
(Company Seal/ Rubber Stamp where applicable)
Witness
Name
Sign.
Date

LETTER OF NOTIFICATION OF AWARD

[letter head paper of the Procuring Entity] [date]

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

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

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

OFFERED ITEMS AND PRICES

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

Authorized Signature:		
Name and Title of Signatory:		
Name of Procuring		

COPY OF THE LETTER OF NOTIFICATION OF AWARD

(to signed by the Purchaser) [letterhead paper of the Procuring Entity] [date]

To: [name and address of the Purchaser]

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

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

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

OFFERED ITEMS AND PRICES

1	2	4	5	6
ItemNo.	DescriptionofItem	TotalQuantity	Unitprice	OfferedPrice
1				
2				
3				
4				
TOTAL PRICE OF ALL ITEMS xxxxx			XXXXX	

Authorized Signature:
Name and Title of Signatory:
- · · · · · · · · · · · · · · · · · · ·
Name of Procuring Entity:

Officer(s) to be contacted

Name of Officer				
Postal Address				
Telephone Number				
Email Address				
Physical Address (City, Street, Building,	Floor	number	and	room
number)				
SIGNED BY THE PURCHASER I/we, the undersigned accept the award and will execute the state award. We understand that the award will remain cancelled if we do not:				
a) Return this letter signed within 14 days; or				
b) Pay the balance of the tender amount within fourteen	n (14) days	after notific	ation of t	he award.
We further understand that if we do not collect the items we days after making the payment, you charge storage charges a yourselves.				4)
Name of Purchaser				
Authorized Signature:	Date			

Name and Title of Signatory

EVALUATION CRITERIA

Kenya Civil Aviation Authority will consider the following two categories of criteria to evaluate the tenders.

- a) Mandatory tender requirements
- b) Financial Evaluation

a) Mandatory tender requirements

The submission of the following mandatory items will be required in the determination of the completeness of the bid and responsiveness of bidders. Bids that do not contain all the information required will be declared non responsive and shall not be evaluated further.

No.	Documents to be submitted
1.	Ten percent (10%) deposit for all the items quoted for by the respective interested bidder in form of cash
	payable to KCAA cahier or a banker's cheque. The bankers Cheque should be submitted together with
	the tender document and addressed to Director General, Kenya Civil Aviation Authority.
2.	Duly filled and signed Form of Tender
3.	Copy of identification card if the bidder is an individual or copy of Certificate of
	Incorporation/Registration if the bidder is a company
4.	Attach a copy of CR12 certificate from registrar of companies (in case of registered company only)
5.	Attach valid Tax Compliance Certificate from KRA
1	

b) Financial Evaluation

The winning bidder will be the **highest bidder above the reserve price** among those who will have passed the mandatory evaluation as outlined above except where other conditions are not met as specified in the tender document.