



KENYA INSTITUTE OF CURRICULUM DEVELOPMENT

Nurturing Every Learner's Potential

PREQUALIFICATION OF SUPPLIERS

FOR

FINANCIAL YEARS 2022 – 2023

AREA:

TENDER NUMBER:	TENDER NAME:	TARGET
KICD/044/2022-2023	Suppliers for Provision of First Aid Training Services (Readvertised)	General
KICD/045/2022-2023	Suppliers For Provision Of Motor Vehicle Repair And Garage Services (Readvertised)	General
KICD/046/2022-2023	Suppliers for Provision of Courier and Transportation Services (Readvertised)	General
KICD/052/2022-2023	Suppliers for provision of Insurance Services (Readvertised)	General
KICD/055/2022-2023	Suppliers for Motor Vehicle Valuation Services (Readvertised)	General
KICD/058/2022-2023	Supply for provision of repair and maintenance of heavy-duty printing equipment, machines & related equipments (Readvertised)	General
KICD/059/2022-2023	Suppliers for Provision of Satellite Uplink, Broadcasting, Livestreaming and Related Services (Readvertised)	General
KICD/065/2022-2023	Supply and delivery of General Merchandise	General
KICD/066/2022-2023	Defensive Driver Training & Assessment Services	General
KICD/067/2022-2023	Tender For Leasing Of Multifunctional Printer/Copier Services Companywide	General
KICD/068/2022-2023	Suppliers for provision of Website Development, Hosting and Maintenance Services.	General

CLOSING DATE: FRIDAY 10TH FEBRUARY, 2023 AT 10:00 A.M.

NAME OF THE BIDDER:

TENDER NUMBER APPLIED FOR:

TENDER NAME APPLIED FOR:

THE DIRECTOR/CEO,
KENYA INSTITUTE OF CURRICULUM DEVELOPMENT,
P.O. BOX 30231 – 00100,
NAIROBI.
TELEPHONE: +254 20 3749900-9 or +254 20 3749900-3
E-MAIL: info@kicd.ac.ke

Issuing date: 27th January, 2023

Closing Date: FRIDAY 10TH February, 2023 at 10:00 a.m.

JANUARY 2023

TENDER NOTICE

SECTION A. INVITATION

Kenya Institute of Curriculum Development (KICD) invites applications for prequalification of suppliers from interested, competent and eligible bidders for the following:

AREA:

TENDER NUMBER:	TENDER NAME:	TARGET
KICD/044/2022-2023	Suppliers for Provision of First Aid Training Services (Readvertised)	General
KICD/045/2022-2023	Suppliers For Provision Of Motor Vehicle Repair And Garage Services (Readvertised)	General
KICD/046/2022-2023	Suppliers for Provision of Courier and Transportation Services (Readvertised)	General
KICD/052/2022-2023	Suppliers for provision of Insurance Services (Readvertised)	General
KICD/055/2022-2023	Suppliers for Motor Vehicle Valuation Services (Readvertised)	General
KICD/058/2022-2023	Supply for provision of repair and maintenance of heavy-duty printing equipment, machines & related equipments (Readvertised)	General
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KICD/067/2022-2023	Tender For Leasing Of Multifunctional Printer/Copier Services Companywide	General
KICD/068/2022-2023	Suppliers for provision of Website Development, Hosting and Maintenance Services.	General

Interested applicants may obtain a tender document with details on Prequalification requirements by downloading them from KICD website (www.kicd.ac.ke) free of charge.

Completed Tender document in plain sealed envelope, clearly indicating the tender number and name should be addressed to:

**THE DIRECTOR/CEO
KENYA INSTITUTE OF CURRICULUM DEVELOPMENT
P.O. BOX 30231 - 00100
NAIROBI.**

and deposited in the **TENDER BOX** at the **NACECE RESOURCE CENTRE** (located at the Institute's reception), not later than **10:00 a.m.** on the closing date of **FRIDAY 10TH FEBRUARY, 2023**. The tenders will be opened on the said day and venue at **10:15 a.m.** in the presence of tenderers/representatives who may wish to attend.

Any canvassing in whatever way will render the prospective bidder(s)/applicant(s) ineligible for participation.

Late bids shall not be accepted.

DIRECTOR/CEO

KENYA INSTITUTE OF CURRICULUM DEVELOPMENT



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SECTION I A- INSTRUCTIONS TO APPLICANTS (ITA)

A. General

1 Scope of Application

1.1 The name of the Procuring Entity inviting for applications Registration/Prequalification is defined in the **PDS**. The particular type of contract (works, goods or Non-Consulting Services required) and its name and description of the contract(s) and its reference number are defined in the **PDS**. If the scope of contract so defined is in multiple contracts, it will be specified in the **PDS** if prequalification will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non-Consulting Services are described in Section V (Scope of Works or goods contract).

2 Source of Funds to be specified in the PDS, if deemed necessary.

3 Fraud and Corruption

3.1 The Government of Kenya requires compliance with its Anti-Corruption laws and its prevailing sanctions policies and procedures.

3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents (where declared or not), subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Procurement Regulatory Authority (PPRA) to inspect all accounts, records and other documents relating to any initial selection process, prequalification process, tender submission (in case prequalified), proposal submission, and contract performance (in the case of award), and to have them audited by auditors appointed by the PPRA.

4 Collusive practices

- 4.1 The Procuring Entity requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination” annexed to the Form of applicant.

5 Eligible Applicants

- 5.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1 and 5.2. An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9 or any combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Members of a joint venture may not also make an individual tender, be a subcontractor in a separate tender or be part of another joint venture for the purposes of the same Tender. The maximum number of JV members shall be specified in the PDS.
- 5.2 Public Officers of the Procuring Entity, their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse, their business associates or agents and firms/organizations in which they have a substantial or controlling interest shall not be eligible to be

prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.

- 5.3 A firm may apply for prequalification both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.
- 5.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.
- 5.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. Sub-contractors or suppliers for any part of the Contract including related Non-Consulting Services.
- 5.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by

the Procuring Entity as Engineer for contract implementation of the contract(s) that are the subject of this prequalification. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Procuring Entity who:

- a are directly or indirectly involved in the preparation of the prequalification Document or Invitation to Tender (ITT), Document or specifications of the Contract, and/or the Tender evaluation process of such Contract; or
- b would be involved in the implementation or supervision of such Contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Procuring Entity throughout the prequalification, ITT process and execution of the Contract.

5.7 An Applicant that has been debarred shall be ineligible to be initially selected for, prequalified for, tender for, propose for, or be awarded a contract during such period of time as the PPRA shall have determined. The list of debarred firms and individuals is available at www.ppra.go.ke

5.8 Applicants that are state-owned enterprise or institutions in Kenya may be eligible to prequalify, compete and be awarded a Contract(s) only if they can establish, in a manner acceptable to the Procuring Entity, that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of any public entity.

5.9 An Applicant shall not be under sanction of debarment from Tendering by the PPRA as the result of the execution of a Tender/Proposal-Securing Declaration.

- 5.10 An Applicant that is a Kenyan firm or citizen shall provide evidence of having fulfilled his/her tax obligations by producing a current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority.
- 5.11 An Applicant shall provide any other such documentary evidence of eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

6 Eligibility

- 6.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated herein. The countries, persons or entities are ineligible if:
- a. As a matter of law or official regulations, Kenya prohibits commercial relations with that country, or
 - b. By an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, Kenya prohibits any import of goods or contracting of works or Non- Consulting Services from that country, or any payments to any country, person, or entity in that country.
- 6.2 When the Works, supply of Goods or provision of non-consulting services are implemented a cross jurisdictional boundary (and more than one country is a Procuring Entity, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1 (a) above by any country may be applied to that procurement a cross other countries involved, if the Procuring Entities involved in the procurement so agree.
- 6.3 Any goods, works and production processes with characteristics that

have been declared by the relevant national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

B. Contents of the Prequalification Documents

7 Sections of Prequalification Document

7.1 This Prequalification Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

PART 1 - Prequalification Procedures

- i) Section I- Instructions to Applicants (ITA)
- ii) Section II - Prequalification Data Sheet (PDS)
- iii) Section III - Qualification Criteria and Requirements
- iv) Section IV- Application Forms

PART 2 - Works, Goods, or Non-Consulting Services Requirements

- i) Section VII- Scope of Works, Goods, or Non-Consulting Services

7.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.

7.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document.

8 Clarification of Prequalification Documents, site visit(s) and Pre-Application Meeting

8.1 An Applicant requiring any clarification of the Prequalification Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated in the **PDS**. The Procuring Entity will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Procuring Entity shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **PDS**. Should the Procuring Entity deem it necessary to amend the Prequalification Document because of a clarification, it shall do so following the procedure under ITA 8. And in accordance with the provisions of ITA 17.2.

8.2 The Applicant, at the Applicant's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the application. The costs of visiting the Site shall be at the Applicant's own expense. The Procuring Entity shall specify in the **PDS** if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the **PDS** if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre- application meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.

8.3 The Applicant is requested to submit any questions in writing, to reach

the Procuring Entity not later than the period specified in the **PDS** before the submission date of applications.

- 8.4 Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the prequalification documents. Minutes shall not identify the source of the questions asked.
- 8.5 The Procuring Entity shall also promptly publish anonymized (*no names*) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified **in the PDS**. Any modification to the Prequalification Documents that may become necessary as a result of the pre-arranged site visit and those of the pre-application meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to PDS 8 and not through the minutes of the pre-application meeting. Non-attendance at the pre-arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

9 Amendment of Prequalification Document

- 9.1 At any time prior to the deadline for submission of Applications, the Procuring Entity may amend the Prequalification Document by issuing an Addendum.
- 9.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all Applicants who have obtained the Prequalification Document from the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the PDS.

- 9.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Procuring Entity may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

C. Preparation of Applications

10 Cost of Applications

- 10.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Procuring Entity will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

11 Language of Application

- 11.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Procuring Entity, shall be written in English Language. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the English language, in which case, for purposes of interpretation of the Application, the translation shall govern.

12 Documents Comprising the Application

- 12.1 The Application shall comprise the following:
- a. Application Submission Letter, in accordance with ITA 13.1;
 - b. Eligibility: documentary evidence establishing the Applicant's eligibility, in accordance with ITA 14.1;
 - c. Qualifications: documentary evidence establishing the Applicant's qualifications, in accordance with ITA 15; and

d. Any other document required as specified in the PDS.

12.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application.

13 Application Submission Letter

13.1 The Applicant shall complete an Application Submission Letter as provided in Section IV (Application Forms). This Letter must be completed without any alteration to its format.

14 Documents Establishing the Eligibility of the Applicant

14.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV (Application Forms).

15 Documents Establishing the Qualifications of the Applicant

15.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV (Application Forms).

15.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the Kenya Shilling equivalent using the rate of exchange determined as follows:

a For construction turnover or financial data required for each Year-Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted).

b Value of single Contract-Exchange rate prevailing on the date of the contract.

15.3 Exchange rates shall be taken from the publicly available source

identified in the PDS. Any error in determining the exchange rates in the Application may be corrected by the Procuring Entity.

15.4 Applicants shall be asked to provide, as part of the data for qualification, such information, including details of ownership, as shall be required to determine whether, according to the classification established by the Procuring Entity, a particular contractor or group of contractors qualifies for a margin of preference. Further the information will enable the Procuring Entity identify any actual or potential conflict of interest in relation to the procurement and/or contract management processes, or a possibility of collusion between Applicants, and thereby help to prevent any corrupt influence in relation to the procurement processor contract management.

15.5 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which an Applicant may have. There can be no circumstances in which it would be justified for an Applicant to keep information relating to its ownership and control confidential where it is tendering to undertake public sector work and receive public sector funds. Thus, confidentiality will not be accepted by the Procuring Entity as a justification for an Applicant's failure to disclose, or failure to provide required information on its ownership and control.

15.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changes to the information which was provided by the Applicant under ITT 6.3. The obligations to require this information shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or

management of the contract.

- 15.7 All information provided by the Applicant pursuant to these requirements must be complete, current and accurate as at the date of provision to the Procuring Entity. In submitting the information required pursuant to these requirements, the Applicant shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.
- 15.8 If an Applicant fails to submit the information required by these requirements, its application will be rejected. Similarly, if the Procuring Entity is unable, after taking reasonable steps, to verify to a reasonable degree the information submitted by an Applicant pursuant to these requirements, then the application will be rejected.
- 15.9 If information submitted by an Applicant pursuant to these requirements, or obtained by the Procuring Entity (whether through its own enquiries, through notification by the public or otherwise), shows any conflict of interest which could materially and improperly benefit the Applicant in relation to the procurement or contract management process, then:
- a. If the procurement process is still ongoing, the Applicant will be disqualified from the procurement process,
 - b. If the contract has been awarded to that Applicant, the contract award will be set aside,
- 15.10 the Applicant will be referred to the relevant law enforcement authorities for investigation of whether the Applicant or any other persons have committed any criminal offence.
- 15.11 If an Applicant submits information pursuant to these requirements that is incomplete, inaccurate or out-of-date, or attempts to obstruct the verification process, then the consequences ITT 6.7 will ensue

unless the Applicant can show to the reasonable satisfaction of the Procuring Entity that any such act was not material, or was due to genuine error which was not attributable to the intentional act, negligence or recklessness of the Applicant.

16 Signing of the Application and Number of Copies

16.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

16.2 The Applicant shall submit copies of the signed original Application, in the number specified in the PDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

17 Sealing and Marking of Applications

17.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:

- a Bear the name and address of the Applicant;
- b Be addressed to the Procuring Entity, in accordance with ITA 17.1; and
- c Bear

the specific identification of this prequalification process indicated in the PDS 1.1

17.2 The Procuring Entity will accept no responsibility for not processing

any envelope that was not identified as required in ITA 16.1 above.

18 Deadline for Submission of Applications

18.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Procuring Entity at the address and no later than the deadline indicated in the PDS. When so specified in the PDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **PDS**.

18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Procuring Entity and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

19 Late Applications

19.1 The Procuring Entity reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS**. If late applications will be accepted, they must be received not later than the date specified in the **TDS** after the deadline for submission of applications.

20. Opening of Applications

20.1 The Procuring Entity shall open all Applications at the date, time and place specified in the **PDS**. Late Applications shall be treated in accordance with ITA 19.1.

20.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in

the **PDS**.

20.2 The Procuring Entity shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

21 Confidentiality

21.1 Information relating to the Applications, their evaluation and results of the prequalification shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28.

21.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Procuring Entity on any matter related to the prequalification process may do so only in writing.

22 Clarification of Applications

22.1 To assist in the evaluation of Applications, the Procuring Entity may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Procuring Entity and all clarifications from the Applicant shall be in writing.

22.1 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Procuring Entity's request for clarification, its Application shall be evaluated based on the

information and documents available at the time of evaluation of the Application.

23 Responsiveness of Applications

23.1 The Procuring Entity may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

24 Margin of Preference

24.1 Unless otherwise specified in the **PDS**, a margin of preference shall not apply in the Tendering process resulting from this prequalification.

25 Nominated Subcontractors

25.1 Unless otherwise stated in the PDS, the Procuring Entity does not intend to execute any specific elements of the works by sub-contractors selected in advance by the Procuring Entity (so-called “Nominated Subcontractors”).

25.2 The Applicant shall not propose to subcontract the whole of the Works or Goods. The maximum limit of subcontracting permitted under the contract may be specified by the Procuring Entity in the Tendering Document. The Procuring Entity, in ITA 25.2, may permit the Applicant to propose subcontractors for

certain specialized parts of the contract as indicated there in as (“Specialized Subcontractors”). Applicants planning to use such Specialized Subcontractors shall specify, in the Application Submission Letter, the activity(ies) or parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

F. Evaluation of Applications and Prequalification of Applicants

26 Evaluation of Applications

26.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Procuring Entity reserves the right to waive min or deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.

26.2 Subcontractors proposed by the Applicant shall be fully qualified and meet the minimum specific experience criteria as specified for their parts of the proposed contract for Works or Goods or non-consulting services. The subcontractor's qualifications shall not be used by the Applicant to qualify for the Works or Goods or non- consulting services unless their parts of the Works or Goods or non-consulting services were previously designated by the Procuring Entity in the PDS as can be met by Specialized Subcontractors, in which case:

- i) The Specialized Subcontractors shall meet the minimum qualification requirements specified in Section III, and

- ii) the qualifications with respect to specific experience of the Specialized Subcontractor proposed by the Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation.

Unless the Applicant has been determined prequalified on its own without taking into account the qualification and experience of the proposed specialized sub-contractor, the tender submitted by the Applicant shall include the same specialized sub-contractor failing which, such tender may be rejected unless a change in the specialized sub-contractor was requested by the Applicant and approved by the Procuring Entity subsequent to prequalification but before the tender submission deadline in accordance with ITA 30.

26.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Procuring Entity shall prequalify each Applicant for each lot and for a combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements the Eligibility and Qualification Criteria.

26.4 Further, in the case of multiple contracts, the Procuring Entity will prepare the Eligibility and Qualification Criteria Form for items 3.1, 3.2, 4.2(a) and 4.2(b) for each Lot, to be completed by applicants.

26.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (other than Specialized Subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

27 Procuring Entity's Right to Accept or Reject Applications

27.1 The Procuring Entity reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

28 Prequalification of Applicants

28.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.

28.32 Applicants that have not been prequalified may write to the Procuring Entity to request, in writing, the grounds on which they were disqualified.

28 Invitation to Tender

28.1 Promptly after the notification of the results of the prequalification, the Procuring Entity shall invite Tenders from all the Applicants that have been prequalified or conditionally prequalified.

28.2 Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity in the form and an amount to be specified in the tendering document.

28.3 The successful Applicant shall be required to provide a Performance Security as specified in the tendering document.

29 Changes in Qualifications of Applicants

30.1 Any change in the structure or formation of an Applicant after being

prequalified in accordance with ITA 27 and invited to tender (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor whose qualifications were considered to prequalify the Applicant) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III (Qualification Criteria and Requirements); or (iii) in the opinion of the Procuring Entity, the change may result in a substantial reduction in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Invitation to Tender.

31 Procurement Related Complaints and Administrative Review

31.1 The procedures for making a Procurement-related Complaint are as specified in the PDS.

31.2 A request for administrative review shall be made in the form provided.

**SECTION II - PREQUALIFICATION DATA
SHEET (PDS)**

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
ITA 1.1	The Procuring Entity is KENYA INSTITUTE OF CURRICULUM DEVELOPMENT (<i>KICD</i>) The identification of the Invitation for Prequalification is AS PER TENDER NOTICE above. For PREQUALIFICATION of Supplier for Goods and Service as detailed IN THE TENDER NOTICE above.
ITT 1.2(a)	Electronic Procurement System <i>SHALL NOT BE USED</i>
ITT 1.3	Maximum number of members in the Joint Venture (JV) shall be: JOINT VENTURE NOT ALLOWED
ITA 2	The Source of funds shall be: GOK
ITA 5.2	Maximum number of members in the JV shall be: NONE
B. Contents of the Prequalification Document	
ITA 8.1	For clarification purposes, the Procuring Entity's address is: Kenya Institute of Curriculum Development P.O. Box 30231-00100 Nairobi 0729327331 Email: procurement@kicd.ac.ke Requests for clarification should be received by the Procuring Entity no later than Seven (7) days to the tender closing date
ITA 8.2	A pre-application meeting will be held on N/A A pre-arranged Site visit will be held on : N/A
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach the Procuring Entity not later than Seven (7) days to Tender Closing Date
ITA 8.5	Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page: N/A
ITT 9.2	Addendum issued shall be published at the website: www.kicd.ac.ke

ITA 8.2	Pre-Application Meeting will be held: <i>N/A</i>
C. Preparation of Applications	
ITA 12.1 (d)	The Applicant shall submit with its Application, the following additional documents: <i>One Copy Original</i>
ITA 15.2(b)	The source for determining exchange rates is <i>N/A</i>
ITA 16.2	In addition to the original, the number of copies to be submitted with the Application is: <i>N/A</i>
D. Submission of Applications	
ITA 17.1	<p>For Tender submission purposes only, the Procuring Entity's address is</p> <p>Attention: THE DIRECTOR/CEO Physical Address: NAIROBI Postal Address: P.O. BOX 30231 - 00100 TELEPHONE: +254 20 3749900-9 or +254 20 3749900-3</p> <p>Electronic mail address: NOT APPLICABLE</p> <p>THE DEADLINE FOR TENDER SUBMISSION is: Date: FRIDAY 10TH FEBRUARY, 2023 at 10:00 a.m. Time: 10:00 A.M. EAST AFRICA TIME</p> <p>Tenderers SHALL NOT have the option of submitting their Tenders electronically.</p> <p>The electronic Tendering submission procedures shall be: NOT APPLICABLE</p>
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	The Procuring Entity will not accept late applications.
ITA 20.1	<p>The TENDER OPENING shall take place at:</p> <p>Attention: THE DIRECTOR/CEO</p> <p>Postal Address: P.O. BOX 30231 - 00100 Physical Address: NAIROBI</p> <p>Date: FRIDAY, 10TH FEBRUARY, 2023.</p> <p>Time: 10:15 A.M. EAST AFRICA TIME</p> <p>The electronic Tender opening procedures shall be: NOT APPLICABLE In the presence of tenderers/representatives, who may wish to attend.</p>

E. Procedures for Evaluation of Applications	
ITA 24.1	A margin of preference " <i>shall not apply</i> ."
ITA 25.1	At this time the Procuring Entity " <i>does not intend</i> " to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 25.2	The parts of the Works for which the Procuring Entity permits Applicants to propose Specialized Subcontractors are designated as follows: <i>None</i>
ITA 31.1	<p>In case of a Procurement-related Complaint, the Applicant should submit its complaint in writing (by the quickest means available, that is either by hand delivery or email), to:</p> <p style="text-align: center;"> The Director/CEO Kenya Institute of Curriculum Development P.O. Box 30231-00100 Nairobi Email: procurement@kicd.ac.ke </p>

SECTION III - QUALIFICATION CRITERIA

1. This section contains all the methods, criteria, and requirements that the Procuring Entity shall use to evaluate Applications, all in one Form “Eligibility and Qualification Criteria”. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the Form.
2. This form is generic and refers to works and construction. In case of Supply of Goods or Non-Consulting Services, the form shall be amended to read Goods or Non-Consulting Services as appropriate.

SECTION B. ADDITIONAL INFORMATION ON INSTRUCTIONS TO BIDDERS FOR PREQUALIFICATION

1.1 Candidates must qualify by meeting the set criteria to perform the contract of supply delivery and provision of goods, works and services to the Institute. Suppliers who are not prequalified or fail to meet the registration criteria will not be allowed to participate in the Tenders for the said categories.

1.2 The application should be in a sealed envelope to maintain confidentiality and addressed to:

**THE DIRECTOR/CEO,
KENYA INSTITUTE OF CURRICULUM DEVELOPMENT,
P.O. BOX 30231 00100,
NAIROBI.**

1.3 The envelope should be marked with the “Tender prequalification Number, Category Number applied for and the category description” upon submission, and must be dropped in the **TENDER BOX** at the **NACECE RESOURCE CENTRE** (located at the Institute’s reception), not later than **10:00 a.m.** on the closing date of **FRIDAY, 10TH FEBRUARY, 2023.**

1.3 Experience

Prospective suppliers and contractors must have successfully provided the said services to other institutions. Potential candidates must demonstrate the willingness and commitment to meet the registration criteria.

1.4 Prequalification Documents

The document includes questionnaires forms and instructions for prospective suppliers. In order to be considered for prequalification prospective supplier must provide requested proof and all other information requested.

Enquiries that may arise from the prequalification document should be channeled to the Procurement office-KICD, through the above address.

1.5 Invitation

Bidders who fulfil the requirements in the set criteria will be put in the list of prequalification suppliers for the period **2022/2023-2023/24 financial years** and will be invited to quote for the said categories.

1.6 Additional Information from prospective bidders.

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

SECTION C. BRIEF CONTRACT REGULATIONS/GUIDELINES

2.1 Taxes on imported materials

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

2.2 Customs clearance

The contractors shall be responsible for custom clearance of their imported goods and Materials

2.3 Contract price

The contract shall be of unit price type or cumulative of computed unit price and quantities required. Quantities may increase or decrease as determined by demand and on the authority of the client's accounting officer or tender.

2.4 Payments

All local purchase shall be on credit of a minimum of thirty (30) days or as may be stipulated in the agreement

SECTION D. PRE-QUALIFICATION DATA INSTRUCTIONS

3.1 PRE-QUALIFICATION DATA FORMS

The attached Pre-Qualification Data Forms PQ-2, PQ-3, PQ-4, PQ-5, PQ-6, PQ-7 and PQ- 8 are to be completed by prospective suppliers/contractors who wish to be pre-qualified for submission of application for the specific tender.

3.1.1 The Pre-Qualification Data Forms which are NOT filled out completely and submitted in the prescribed manner will not be considered. All the documents that form part of the proposal must be written in English and in ink.

SECTION E. PREQUALIFICATION CRITERIA

KICD will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.

STAGE I OF EVALUATION

MANDATORY EVALUATION CRITERIA

NO	MANDATORY REQUIREMENTS
1.	<p>Company Details: Attach Company profile which contain details that include:</p> <ul style="list-style-type: none"> i) Organization structure ii) Company history iii) Physical and postal address iv) Telephone v) Email address
2.	<p>Past Experience & Performance: Evidence or proof of undertaking similar assignments in other organizations in the Public Sector; attach Five (5) Contracts or LPO's or LSO for the said similar assignments carried out in other organizations as evidence or proof.</p>
3.	Attach a copy of valid Certificate of business incorporation/registration
4.	Attach a copy of valid tax compliance certificate
5.	Attach a copy of valid PIN certificate
6.	Attach copy of valid Business Permit/License
7.	Must attach a copy of valid CR12 form showing the list of directors /shareholding or National Identity Card for Sole Proprietor
10.	Provide a written self-declaration that you are not debarred from participating in Public Procurement by PPRA
11.	Bid documents must be clearly serialized/paginated
12	Completing following Forms as prescribed in Section D: PQ1-1, PQ-2, PQ-3, PQ-4, PQ-5, PQ-6, PQ-7 and PQ- 8 (See forms in section F to M)

13	<p>FOLLOWING ADDITIONAL REQUIREMENTS ARE ONLY APPLICABLE TO TENDER NO: KICD/066/2022-2023 (Defensive Driver Training & Assessment Services):</p> <p>A) Attach Certificate of Registration with NTSA (National Transport and safety Authority)</p> <p>B) Attach Certificate of Registration with NITA (National Industrial Training Authority)</p>
14	<p>FOLLOWING ADDITIONAL REQUIREMENT IS ONLY APPLICABLE TO TENDER NO: KICD/067/2022-2023 (Tender for Leasing of Multifunctional Printer/Copier Services Companywide):</p> <p>Attach manufacturer's authorization letter</p>

STAGE II OF EVALUATION

GENERAL REQUIREMENTS

Note:All Bidders must meet all the mandatory requirements to qualify for this stage of evaluation.

1	<p>Attach at least Three (3) copies of LPO/LSOs or contracts of previous assignments contracted to undertake by clients on the area/prequalification category applied for.</p> <p>Note: Each Contract or LPO/LSO is 10Mks</p>	30 MKS
2	<p>Attach latest two (2) year audited accounts of the firm. The Audited accounts should be signed and stamped by qualified auditor.</p> <p>Note: Each signed and stamped audited account is 5 marks.</p>	10 MKS
3	<p>State the duration of time to deliver goods from date of receipt of Local Purchase Order (LPO)/ notification by client:</p> <p>Note:</p> <p>a) Delivery of goods within one (1) day from date of receipt of Local Purchase Order (LPO) – 30 Marks</p> <p>b) Delivery of goods within three (3) days from date of receipt of Local Purchase Order (LPO) – 20 Marks</p>	30 MKS

	<p>c) Delivery of goods within seven (7) days from date of receipt of Local Purchase Order (LPO) – 10 Marks</p> <p>d) Delivery of goods below seven (7) days from date of receipt of Local Purchase Order (LPO) – 5 Marks</p>	
4	<p>State the credit period:</p> <p>Note:</p> <p>a) Credit period of 120 days and beyond is 30 marks</p> <p>b) Credit period of 90 days is 20 marks</p> <p>c) Credit period of 60 days is 15 marks</p> <p>d) Credit period of 45 days is 10 marks</p> <p>e) Credit Period of 30 days is 5 marks</p> <p>f) COD is Zero (0) marks</p>	30 MKS
	TOTAL	100%

THE PASS MARK FOR PREQUALIFICATION SHALL BE 60%

(The EVALUATION COMMITTEE will verify the information submitted by applicants and may visit the physical premises of the applicants. This will form part of the evaluation process.)

SCOPE OF GOODS/SERVICES REQUIRED

- i) Firms that pass all the above requirements will be prequalified by KICD and included in the list of prequalified suppliers under the mentioned category for a period of **Two Years**.
- ii) The list will be applied (as a basis) in Request for Quotations (RFQ) or restricted tendering by the Institute as and when need arises.

DECLARATION (BY TENDERER):

(The tenderer is expected to state categorically whether he/she will/will not accept to be evaluated on the above criteria)

Question: Will you accept your bid to be evaluated based on the above criteria and abide by them during the entire period of the tender? (Tick appropriately below)

No

Yes

Official StampSign.....

FOR OFFICIAL USE ONLY

Based on the findings about the tenderer after the evaluation process, **chairperson** of evaluation committee, **on behalf of the committee**, will be required to make comments by ticking one of the following appropriately:

Accept the Firm

Reject the Firm

SignDate

SECTION F. FORM PQ-1: APPLICATION FORM

PREQUALIFICATION OF SUPPLIERS APPLICATION FORM

I/We (**Firm Name**) hereby apply for
prequalification as a supplier
for..... (Category code no.)
.....

Postal Address
.....

Telephone Number (fixed line) Mobile.....

E-mail Address Fax... ..

Town Street

Building Floor..... Room/office.....

Other Branches/locations
.....
.....

Full name of authorized signatory

Designation

Official Rubber Stamp and Signature

SECTION G. FORM PQ-2: PRE-QUALIFICATION DATA

All firms **MUST** fill and stamp the following form;

PRE-QUALIFICATION DATA

- 1. Types of Businesses.....
- Legal name of firm.....
- Post office address.....
- Street and Address.....
- City.....
- Country
- Telephone No.....
- Person to contact.....
- Title.....
- 2. Organization & Business Information.....
- General Manager.....
- Directors.....
- Others.....
- Partnership (if applicable).....
- Names of Partners.....
- 3. Year of Business Registration.....
- 4. Under present management since.....
- 5. Net worth equivalent Kshs.....
- 6. Bank reference and address.....

SECTION H. FORM PQ-3: SUPERVISORY PERSONNEL

All firms **MUST** give the following details;

Name of director/manager

Academic qualification.....

Professional qualification.....

Length of service with contractor or supplier position held

.....

.....

Construction/or service experience

a) Name of project.....

b) Character and nature of project

c) Contract value.....

d) Location of project.....

e) Period of project.....

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

g) Other.....

Proposed Technical Personnel

(a)

(b)

(c)

(d)

(e)

Proposed position in this project if contract is awarded

.....

SECTION I. FORM PQ-4: FINANCIAL POSITION

All bidders **MUST** attach bank reference letters from the bank/s where they maintain
Account

SECTION J. FORM PQ-5: CONFIDENTIAL BUSINESS QUESTIONNAIRE

All bidders MUST complete and stamp the confidential business questionnaire;

CONFIDENTIAL BUSINESS QUESTIONNAIRE

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

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

Part 1 – General:

Business Name.....
Location of Business premises.....
Plot No..... Street/Road.....
Postal Address..... Tel No.....
Nature of Business.....
Current Trade License No..... Expiry date.....
Maximum value of business which you handle at any one time KES.....
Name of your bankers..... Branch.....
Are you an agent of the Kenya National Trading Corporation? YES/NO.....

Part 2 (a) – Sole Partnerships:

Your name in full.....
Age..... Nationality.....
Country of origin
Citizenship details.....

Part 2 (b) – Partnership:

Name	Nationality	Citizenship	Details	Shares
1.
2.
3.
4.

5

Part 2 (c) – Registered Company Private or Public

State the nominal and issued capita of the company

Nominal K£.....

Issued K£.....

Give details of all directors as follows: - Name Nationality Citizenship Details

Shares

1.

2.

3.

4.

5.

SignatureDate & Stamp of Tenderer..... If

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

Registration

SECTION K. FORM PQ-6: PAST EXPERIENCE

List Names Of At Least Three (3) Clients (Give the contacts of the organization).

1.Organization Name
Address
Tel. No
Contact Person
Position in the Organization
E –Mail Address.....

2. Organization Name
Address
Tel. No
Contact Person
Position in the Organization
E –Mail Address.....

3. Organization Name
Address
Tel. No
Contact Person
Position in the Organization
E –Mail Address.....

SECTION L. FORM PQ-7: LITIGATION HISTORY

Applicants, including each of the partners of a joint venture, should provide information of any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution. A separate sheet should be used for **each partner of a joint venture.**

Please indicate if no litigation history to qualify in this section

	Award FOR or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value Kshs.)

SECTION M. FORM PQ-8: SWORN STATEMENT

Having studied the pre-qualification information for the above tender category We/I hereby state:

- a. That the information furnished in our/my application is accurate to the best of our/my knowledge.
- b. That in case of being pre-qualified we /I acknowledge that this grants us the right to participate in due time in the submission of a tender or quotation on the basis of provision in the tender or quotation documents to follow.
- c. That pre-qualification bidders will be invited randomly to participate in the tender/quotations asand when there is a requirement.
- d. We/I enclose all the required documents and information required for the pre-qualification/registration evaluation.

Date.....

Applicant’s Name.....

Represented by.....

Signature.....

Stamp/Seal.....

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