

CLARIFICATION 001

The following clarifications were sought by a bidders for **RFX 1000001160: TENDER FOR LABOR AND TRANSPORT CONTRACTORS FOR THE YEAR 2024-2026** and clarified as follows

No.		Query	Clarification		
1	i	3.3 Technical Evaluation Part II (Footer Pages 44 & 45 of 153) The Totals marks listed total up to 95 and Not 100.	Total Marks add up to 100 as follows(maximum marks for each requirement)		
			Criteria	Requirement for Maximum Marks	Maximum Marks
			3.3.1	20 Km of power line constructed	20
			3.3.2	10 No. jobs done	20
			3.3.3	Project Manager with relevant Degree certificate	5
			3.3.4	Project Manager with 5 years relevant experience and above	10
			3.3.5	Safety Officer with relevant Degree certificate	5
			3.3.6	Safety Officer with 5 years relevant experience and above	5
			3.3.7	2 No. Key Technical persons with relevant Degree certificate (each 2.5 marks)	5



			3.3.8	2 No.Key technical persons with 5 years relevant experience and above (each 5 marks)	10
			3.3.9	Owned HIAB/10 ton truck and above	10
				Owned Pickup	5
			3.3.10	Owned Tools and equipments evidenced by ownership documents	5
					100
	ii	Part 3.3.7 and 3.3.8 talk of 2 Technical Persons. Top marks awarded on 3.3.7 is 5 Marks while Top marks awarded on 3.3.8 is 10 Marks.	Criteria	Requirement for Maximum Marks	Maximum Marks
			3.3.7	2 No. Key Technical persons with relevant Degree certificate (each 2.5 marks)	5
			3.3.8	2 No.Key technical persons with 5 years relevant experience and above (each 5 marks)	10
	iii	Are the Top Marks on each clause combined for the two Technical persons such that is gets shared between the two or each Top mark is a representative of each Technical staff?	The top marks shall be distributed equally among the two key technical persons. The total marks aggregate to 100 marks if the bidder scores top marks for each criteria		

		Either way my take is that it impacts on the aggregate Total of 100 Marks.	
2	i	<p>3.1.16 Duly filled personnel experience Forms; PER 1 & PER 2, with full contact, certified academic certificates, as well as detailed Curriculum Vitae (CV) for the three main persons:</p> <ul style="list-style-type: none"> • Key Technical person • Project Manager • Safety officer 	<p>Error corrected to correspond to requirements for PER 1 & PER 2 to read as follows:</p> <p>3.1.16 Duly filled personnel experience Forms; PER 1 & PER 2, with full contact, certified academic certificates, as well as detailed Curriculum Vitae (CV) for the FOUR main persons:</p> <ul style="list-style-type: none"> • Key Technical person (2 No.) • Project Manager • Safety officer
3	i	<p>FORM OF TENDER (TD Pages 75-78 i.e Footer Pages 69-72 of 153)</p> <p>On TD Page 75 Part 1: and TD page 76 Part 5: v), what Contract value is to be inserted there? Is it</p> <p>Total for One Lot or Total for all Lots Tendered for?</p> <p>Example: If i Tender for 5 Lots, is the Contract value expected the Grand total of all the 5 Lots or</p> <p>I am expected to fill different forms for different Lots?</p>	Grand total VAT inclusive for lots quoted for should be captured under 5 (v) in the tender form.
	ii	Kindly clarify this. Kindly also clarify that part 5 vi) Option 1: doesn't apply in this Tender as number of Lots can't be less than 3.	Grand total VAT inclusive for lots quoted for should be filled under part 1 and part 5(v) in the tender form. Part 5(vi) doesn't apply to this tender and can be indicated N/A
	iii	<p>Please address yourself to another part of this document as pasted here below as you clarify point 3 above:</p> <p>Footer Page 107 of 153</p> <p>SECTION VII- PRICES ON BILLS OF QUANTITIES Kindly select/tick the lots you desire to work in. Minimum number of lots to be selected is 3 lots and Maximum number of lots to be selected is 7 lots. Note: Each Tenderer is only allowed to pick a maximum of ONE (1) lots per Region. Bidders are advised to use one form if they are quoting same rates for different lots. Tenderers are advised to use separate form if they are to quote a lot with different rate.</p>	Bidders are advised to use one priced bill of quantities form if they are quoting same rates for different lots. Tenderers are advised to use separate priced bill of quantities form if they are to quote for different lots with different rates

4	i	<p>INVITATION TO TENDER (Footer page 7 of 153)</p> <p>Part 6: Tenders shall be quoted in Kenya Shillings and shall include all taxes. Tenders shall remain valid for 196 days from the date of opening of tenders.</p> <p>Please confirm if Unit Prices and Contract prices to be quoted by Bidders are VAT exclusive as has been the case before as Part 6 above contradicts what has been the norm.</p>	All prices quoted shall be VAT inclusive		
5	i	<p>I have sampled the schedule of services list on pages 91-97 of 153 and it is almost certain item numbers 74 -102 on the list relate to islands.</p> <p>It may be necessary to clarify that this may not necessarily apply to all Lots and will be applicable to specific Lots only. In that case, only bidders interested in such Lots should quote prices for those Lots and not all bidders.</p>	<p>Only items number 74 - 90 in the BQ apply to Islands and river crossings and not all bidders should quote for these services.</p> <p>All bidders should quote for items number 91 -102 as they apply to Islands and other areas with challenging terrain like hilly areas</p>		
6	i	<p>Page 7 of 153 Item No 6. Tenders shall be quoted in Kenya shillings and shall include all Taxes. we know that Kenya Government can change taxation methods and percentage how will tenderers be safeguarded for this? (e.g. VAT from 16% to 22%).</p>	<p>The relevant government authorities shall advise on how to handle such cases of change in VAT rate as and when need be. For now all prices quoted should be VAT inclusive using a rate of 16%.</p>		
7	i	<p>Page 44 Technical Evaluation Part 2 marks are adding up to 95% not 100%.</p>	<p>Refer to query no 1 (i). The total marks add up to 100</p>		
8	i	<p>Page 44 Item No. 3.3.7 Qualification of Two (2) Key Technical Person who will actively be involved in the proposed project. Marks given Degree and Above 5Marks. How is the distribution if one has a degree and other a diploma? What will be the maximum marks earned?</p>	<p>In a scenario where one Technical person has a degree and the other has a diploma the marks shall be distributed as follows:</p>		
			3.3.7	1 No. Key Technical persons with relevant Degree certificate	2.5
			3.3.7	1 No.Key Technical persons with relevant	1.5

				Diploma certificate	
			Total Marks earned		4
9	i	Page 44 Item No. 3.3.8 Experience of the Two (2) Key Technical Person who will be actively be involved in the proposed project. Marks given 5 Marks. How about if one has over 5 years experience and the other has 1 year? What will be the maximum marks earned?	In a scenarion where one Technical person has a degree an the other has a diploma the marks shall be distributed as follows:		
			3.3.8	1 No. Key Technical persons with more than 5 years experience	5
			3.3.8	1 No. Key Technical persons with more than 1 years experience	2.5
			Total Marks earned		7.5
10	i	Page 69 of 153 Form of Tender item no 1. Which figure are we going to fill here is for the preferred Lot or the total for the lots quoted?	Grand total VAT inclusive for lots quoted for should be filled under part 1 and part 5(v) in the tender form. Part 5(vi) doesn't apply to this tender and can be indicated N/A		
11	i	We are expected to quote for rates inclusive of pole erection while pole erections are different items separately in the table depending on whether Lv or HT. Kindly clarify if indeed we should include rates for poles erection on item numbers 14 and 42	Yes, the rate captured should include stay making and the flying stay pole erection		
12	i	While the tender is very clear that as an AGPO Tenderer i can select Lots under All Bidders category, the same falls short of clarifying if i am allowed to pick from the same region under the two categories e.g If i select Coast region under AGPO, can i select a Lot in Coast Region under All Bidders category? Please clarify this.	You are only allowed to pick one lot from each region irregardless of whether AGPO bidder or an all bidder. For instance, as an AGPO bidder, if you choose a lot under coast region in AGPO category, you cannot choose another lot in coast region in the all bidder category.		
13	i	We Would Like To Know What We Will Write On The Tender Form Because The Rates Form Doesn't Have The Final Total. Is That Tender Form Necessary?	The tender form is a mandatory bidding form to be filled. The final total has now been included in the BQ form.		

