



**MASENO UNIVERSITY**

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**TEL: (057) 351622,351008,351011**

**PRIVATE BAG, MASENO**

**FAX: 057) 351221, 351432**

**Website: [www.maseno.ac.ke](http://www.maseno.ac.ke)**

**TENDER NO. MSU/PQ/14/2018-2020**

**FOR**

**PROVISION OF LEGAL SERVICES AT MASENO  
UNIVERSITY**

**APRIL, 2018**

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1. Special Groups **include the Youth, Women and Persons with Disabilities who have been duly registered with the National Treasury (Directorate of Procurement) and they MUST show proof of registration by providing the AGPO and Registration Certificates.**
2. Interested and eligible candidates may obtain further information, as pertains to this Pre-qualification from the Procurement Office, Maseno University (Tel: +254(057) 351622, 351622, 351008, 351011 Fax: +254 (057) 351221, 351432, 0722203411/070351231) Email [po@maseno.ac.ke](mailto:po@maseno.ac.ke) during working hours from Monday to Friday between 9.00am and 5.00pm.
3. Pre-qualification documents containing detailed terms and conditions shall be downloaded from Maseno University website [www.maseno.ac.ke](http://www.maseno.ac.ke) or IFMIS portal <http://supplier.treasury.go.ke> free of charge.
4. Completed prequalification documents in plain sealed envelopes clearly indicating the title of the item and Reference Number and addressed to:

**Vice-Chancellor  
Maseno University,  
Private Bag, MASENO, Kenya**

Should be deposited in the Tender Box situated at the entrance to the Administration Block, College Campus so as to reach on or before **Monday, 7<sup>th</sup> May, 2018 at 10.00 a.m.** Late applications will not be accepted.

5. Applications will be opened on immediately thereafter, in the presence of the candidates or their representatives who choose to attend the opening session at the University Boardroom, Siriba Campus.
6. The prequalification Category applied for MUST be clearly indicated on the envelope.



## **PRE-QUALIFICATION INSTRUCTIONS**

### **1.1 Introduction**

Maseno University would like to invite interested candidates who meet the set criteria as provided, to supply and deliver goods, works or provide services to the University.

### **1.2 Pre-qualification Objective**

The main objective is to supply and deliver assorted items and also provide works and Services under relevant tenders/quotations to the Vice chancellor, Maseno University as and when required during the period 2018/2020.

### **1.3 Invitation of Pre-qualification**

Suppliers registered with Registrar of Companies under the Laws of Kenya in respective merchandise or services are invited to submit their pre-qualification documents to the Vice Chancellor, Maseno University so that they may be pre-qualified/registered. The prospective Suppliers are required to supply mandatory information for prequalification/registration.

### **1.4 Experience**

Prospective suppliers and contractors must have carried out successful supply and delivery of similar items/services to Government institutions of similar size and complexity. Potential suppliers/contractors must demonstrate the willingness and commitment to meet the pre-qualification criteria.

### **1.5 Pre-qualification Document**

This document includes questionnaire forms and documents required from prospective suppliers.

**1.6** In order to be considered for pre-qualification/registration, prospective suppliers must submit all the information herein requested.

### **1.7 Distribution of Pre-qualification Documents**

Two copies of the completed pre-qualification/registration data and other requested information shall be submitted to reach:

**Vice-Chancellor  
Maseno University,  
Private Bag, MASENO, Kenya**



Not later than **Monday 7<sup>th</sup> May, 2018 at 10.00 a.m.**

### **1.8 Questions Arising from Documents**

Questions that may arise from the pre-qualification documents should be directed to the Vice-Chancellor, Maseno University whose address is given in par 1.7

### **1.9 Additional Information**

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

**1.10** Requests for Quotations will be made available only to those bidders whose qualification are accepted by the University after scoring more than 75% points after the completion of the pre-qualification process.

## **2 BRIEF CONTRACT REGULATIONS/GUIDELINES**

### **2.1 Taxes on Imported Materials**

The Supplier will have to pay all taxes payable as applicable for all materials to be supplied unless the item is/are donor funded.

### **2.2 Customs Clearance**

The Supplier 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 on the authority of the client's Accounting Officer or Tender Committee. Prices quoted should be inclusive of all delivery charges.

### **2.4 Payments**

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



### **3 PRE-QUALIFICATION/REGISTRATION DATA INSTRUCTIONS**

#### **3.1 Pre-qualification data forms**

The attached questionnaire forms PQ-1, PQ-2, PQ-3, PQ-4, PQ-5, PQ-6, PQ-7, are to be completed by prospective suppliers/contractors who wish to be prequalified for submission of tender for the specific category.

**3.1.1** The pre-qualified/registered application 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.

#### **3.2 Qualification**

**3.2.1** It is understood and agreed that the pre-qualification/registration data on prospective bidders is to be used by University in determining, according to its sole judgment and discretion, the qualifications of prospective bidders to perform in respect to the Tender Category as described by the client.

**3.2.2** Prospective bidders will not be considered qualified unless in the judgment of University they possess capability, experience, qualified personnel available and suitability of equipment and net current assets or working capital sufficient to satisfactorily execute the contract for goods/services.

#### **3.3 Essential Criteria For Pre-Qualification/Registered**

**3.3.1** Experience: Prospective bidders shall have experience in the supply of goods, services and allied items. The potential supplier/contractor should show competence, willingness and capacity to service the contract at short notice.

#### **3.3.2 Personnel**

The names and pertinent information and CV of the key personnel for individual or group to execute the contract must be indicated in form PQ-3

#### **3.3.3 Financial Position**

The Supplier's financial condition will be determined by latest financial statement submitted with the prequalification documents as well as letters of reference from their bankers regarding suppliers/contractors credit position.



Potential suppliers/contractors will be pre-qualified on the satisfactory information given.

**3.3.4** Special consideration will be given to the financial resources available as working capital, taking into account the amount of uncompleted orders on contract and now in progress data on Form PQ-4. However, potential bidders should provide evidence of financial capability to execute the contract.

### **3.3.5 Past Performance**

Past performance will be given due consideration in pre-qualifying bidders. Letter of reference and or copies of order/contracts from past customers should be included in Form PQ-6.

### **3.4 Statement**

Application must include a sworn statement Form PQ-7 by the Tenderer ensuring the accuracy of the information given.

### **3.5 Withdrawal of Prequalification**

Should a condition arise between the time the firm is pre-qualified to bid and the bid opening date which in the opinion of the client/University could substantially change the performance and qualification of the bidder or his ability to perform such as but not limited to bankruptcy, change in ownership or new commitments, the University reserves the right to reject the tender from such a bidder even though he was initially pre-qualified.

**3.6** The firm must have a fixed Business Premise and must be registered in Kenya, with Certificate of Registration Incorporation/Memorandum and Article of Association, copies of which must be attached.

**3.6.1** The firm must show proof that it has paid all its statutory obligations and have current Tax Compliance Certificate which is mandatory.

### **3.7 Prequalification Criteria**

<b>Required Information</b>	<b>Form Type</b>	<b>Points Score</b>
1 Registration Documentation	PQ-1	30
2 Pre-qualification Data	PQ-2	10



3	Supervisory Personnel	PQ-3	10
4	Financial Position	PQ-4	20
5	Confidential Report	PQ-5	10
6	Past Experience	PQ-6	20
		<b>TOTAL</b>	<b>100</b>

**3.8 The qualification is 75 points and above.**





## **FORM PQ-1 PRE-QUALIFICATION DOCUMENTS**

All firms must provide:-

1. Copies of Certificate of Registration.
2. Copy of valid VAT Registration Certificate.
3. Valid Tax Compliance Certificate from Kenya Revenue Authority (failure to produce this certificate to prove compliance, will lead to automatic disqualification thus no further evaluation of the application).
4. Copies of Pin Certificate of firm/company/individual.
5. Copy/evidence of indemnity cover

**(30 points)**

**NB** firms who have already registered at the National treasury under the public procurement and Disposal act (Preference and Reservations) must attach their certificates of Registration to qualify for Automatic registration.



**FORM PQ-2 - PRE-QUALIFICATION DATA**

**REGISTRATION OF SUPPLIERS APPLICATION FORM**

I/We ..... hereby apply for registration as supplier(s)  
(Name of Company/Firm)

of.....Category No.).....  
(Item Description)

Post Office Address.....Town .....

Street .....Name of building.....

Floor No. ....Room/Office No.....

Telephone No's.....

Full Name of applicant  
.....

Other branches location  
.....

**2. Organization & Business Information**

Number of Management Personnel.....

President/Chief Executive – (full name).....

Secretary .....

General Manager .....

Treasurer.....

Other  
.....



Partnership (if applicable)

Names of Partners.....

3. Business founded or incorporated.....

4. Under present management since .....

5. Net worth equivalent Kshs.....

6. Bank reference and address .....

.....

7. Bonding company reference and address.....

8. Enclose copy of organization chart of the firm indicating the main fields of activities

9. State any technological innovations or specific attributes which distinguish you from your competitors .....

.....

.....

10. Indicate terms of trade/sale

.....

.....

.....

.....

.....

**(10 Points)**



**PQ-3**

**SUPERVISORY PERSONNEL**

Name.....

Age.....

Academic Qualification .....

Professional Qualification.....

Length of service with Contractor or Supplier position held .....

.....

(Attach copies of certificates of at least two (2) key personnel in the organization)

**(10 Points)**



**PQ-4 - FINANCIAL POSITION AND TERMS OF TRADE**

(1) Attach a copy of firm's two certified financial statements giving summary of assets and current liabilities/or any other financial support.

(2) Attach letters of reference from the bankers regarding supplier's credit position.

**(20 Points)**



**FORM PQ-5 CONFIDENTIAL BUSINESS QUESTIONNAIRE**

**NB: Failure to fill this Confidential Business Questionnaire will lead to automatic disqualification.**

You are requested to give the particulars indicated in Part I 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

<p><i>Part I- General :</i>                  Business Name .....                  Location of business premises.....                  Plot No. .... Street/Road.....                  Postal Address.....Tel. No.....                  Nature of business.....                  Current Trade License No.....Expiring date.....                  Maximum value of business which you can handle at any one time: K£.....                  Name of your bankers.....Branch .....</p>	
<input type="checkbox"/>	<p><b><i>Part 2 (a) – Sole Proprietor</i></b>                  Your name in full.....Age.....                  Nationality.....Country of origin.....                  *Citizenship details.....</p>
<input type="checkbox"/>	<p><b><i>Part 2 (b) Partnership</i></b>                  Given details of partners as follows:  <i>Name Nationality Citizenship Details Shares</i>                  .....                  .....</p>
<input type="checkbox"/>	<p><b><i>Part 2 (c) – Registered Company:</i></b>                  Private or                  Public.....                  State the nominal and issued capital of company-                  Nominal K£.....                  Issued K£.....                  Given details of all directors as follows:-  <b><i>Name Nationality Citizenship Details Shares</i></b>                  1. ....                  2. ....                  3. ....                  4. ....</p>



	5. ....
Date .....	Signature of Candidate.....

\*if Kenyan Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration.



**NAMES OF THE APPLICANTS CLIENTS IN THE LAST TWO YEARS**

**NAMES OF OTHER CLIENTS AND VALUES OF CONTRACT/ORDERS**

i) Name of Client (organization) .....

ii) Address of Client (organization) .....

iii) Name of Contact Person at the client (organization) .....

iv) Telephone No. of Client .....

v) Value of Contract .....

vi) Duration of Contract (date) .....

(Attach documental evidence of existence of contract)

**2. Name of 2<sup>nd</sup> Client (organization)**

i) Name of Client (organization) .....

ii) Address of Client (organization) .....

iii) Name of Contact Person at the client (organization) .....

iv) Telephone No. of Client .....

v) Value of Contract .....

vi) Duration of Contract (date) .....

(Attach documental evidence of existence of contract)

**3. Name of 3<sup>rd</sup> Client (organization)**

i) Name of Client (organization) .....

ii) Address of Client (organization) .....

iii) Name of Contact Person at the client (organization) .....

iv) Telephone No. of Client .....

v) Value of Contract .....

vi) Duration of Contract (date) .....

(Attach documental evidence of existence of contract)

4. Others .....

**(10 Points)**





**FORM PQ-7**

**LITIGATION HISTORY.**

Name of Contract Supplier

Contractors/Suppliers should provide information on any history litigation or arbitration resulting from contracts executed in the last five years or currently under execution.

<b>YEAR</b>	<b>AWARD FOR OR AGAINST</b>	<b>NAME OF CLIENT CAUSE OF LITIGATION AND MATTER IN DISPUTE.</b>	<b>DISPUTED AMOUNT (CURRENT VALUE, KSH. EQUIVALENT)</b>

**(10 points)**



Having studied the pre-qualification/registered information for the above project we/I hereby state:

- a. The information furnished in our application is accurate to the best of our knowledge.
- b. That in case of being pre-qualified/registered we acknowledge that this grants us the right to participate in due time in the submission of a tender or quotation when invited/requested to do so by the Ministry.
- c. When the call for Quotations is issued the legal technical or financial conditions or the contractual capacity of the firm changes we shall notify the Department and acknowledge your right to review the prequalification made.
- d. We enclose all the required documents and information required for the pre-qualification evaluation.
- e. We confirm that we have not been debarred from participation in Public Procurement and have no litigation procedure in process.

**Date**.....

**Applicant's Name** .....

**Represented by** .....

**Signature** .....

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



