

GEOTHERMAL DEVELOPMENT COMPANY LIMITED

GDC/SC/OT/002/2020-2021

TENDER FOR DISPOSAL OF USED MOTOR VEHICLES "AS IS WHERE IS"

CLOSING DATE AND TIME: 17TH SEPTEMBER, 2020 AT 2.00PM

Geothermal Development Company Ltd P.O. Box 100746-00101 NAIROBI

Website: www.gdc.co.ke

TABLE OF CONTENTS

		PAGE
	INTRODUCTION	3
SECTION I	INVITATION TO TENDER	4
SECTION II :	INSTRUCTIONS TO TENDERERS	7 15
SECTION III:	SCHEDULE OF ITEMS AND PRICE	18
SECTION IV:	CONDITIONS OF TENDER	19 20
SECTION V :	STANDARD FORMS	21
5.1 FORM OF T	TENDER	22
5.2 CONFIDEN	TIAL BUSINESS QUESTIONNAIRE FORM	.23
5.3 TENDER C	OMMITMENT DECLARATION FORM	. 24

INTRODUCTION

- 1.1 This Standard tender document for Sale of disposable Stores and Equipment has been prepared for use by public entities in Kenya in the disposal stores and equipment as provided by part XIV of the Public Procurement and Disposal Act, 20015.
- 1.2 The following general directions should be observed when using the document.
 - (a) Specific details should be furnished in the tender notice. The final document to be provided to the tenderers should not have blank spaces or give options
 - (b) The instructions to the tenderers should remain unchanged. Any necessary amendments to these parts should be made through the Appendix to instructions to tenderers.
- 1.3 Information contained in the invitation to tender shall conform to the data and information in the tender documents to enable tenderers to decide whether or not to participate in the tender and shall indicate any important tender requirements.

SECTION I: INVITATION TO TENDER

TENDER REF NO: GDC/SC/OT/002/2020:2021

TENDER DESCRIPTION: TENDER FOR DISPOSAL OF USED MOTOR VEHICLES "AS IS WHERE IS"

Geothermal Development Company (GDC) invites sealed tenders from eligible candidates for "**Disposal of used motor vehicles**" whose specifications are detailed in the tender document.

Interested eligible candidates may obtain further information and inspect the tender document from the office of Manager, Supply Chain at Kawi House Office, located at South C Bellevue, Off Mombasa Road, Red Cross Road between 9.00am and 4.00pm during weekdays. An electronic copy of the tender document may be obtained by interested firms upon payment of a non-refundable fee of Kshs. 1000 payable to our accounts office in cash or bankers Cheque.

The document can also be viewed and downloaded from the website **www.gdc.co.ke** or **PPIP Portal www.tenders.go.ke** free of charge. Bidders who download the tender document from the website must forward their particulars immediately for records and any further tender clarifications and addenda issued

Any additional information, addendums or clarifications in respect to this tender will be available in GDC website www.gdc.co.ke or PPIP Portal. All bidders are advised to regularly check the website during the bidding period.

The completed tenders in plain sealed envelopes clearly marked with **Tender No. and Tender reference name; shall be addressed to:**

The Managing Director& CEO
Geothermal Development Company Ltd (GDC)
P.O. Box 100746 – 00101
NAIROBI, KENYA

and deposited in the tender box at GDC Kawi House Office Ground Floor, located at South C Bellevue, Off Mombasa Road, Red Cross Road, not later than 17th September, 2020 at 2.00pm (1400Hrs).

VIEWING OF VEHICLES

NB: The vehicles on sale can be viewed at Menengai Geothermal Project-Laydown 1 between 9.00am and 3.00pm during week days. Viewing of vehicles is open for bidders from 1st September 2020 to 16th September 2020.

SECTION II - INSTRUCTIONS TO TENDERERS

Table of Clauses

		Page
2.1	Eligible tenderers	7
2.2	Cost of tendering.	7
2.3	Tender documents	7
2.4	Clarification of documents	8
2.5	Amendments of documents	8
2.6	Tender prices and currencies	9
2.7	Tender deposit	9
2.8	Validity of tenders	10
2.9	Viewing of the tender items	10
2.10	Sealing and marking of tenders	10
2.11	Deadline for submission of tenders	10
2.12	Modification and withdrawal of tenders	11
2.13	Opening of tenders	11
2.14	Clarification of tenders	12
2.15	Evaluation and comparison of tenders	12
2.16	Award of tender criteria	12
2.17	Notification of award	12
2.18	Contacting the procuring entity	13

SECTION II - INSTRUCTION TO TENDERERS

2.1 Eligible Tenderers

- 2.1.1 This Invitation for Tenders is open to all tenderers eligible as described in the Appendix to instructions to tenderers.
- 2.1.2 Tenderers shall not be under a declaration of ineligibility for corrupt or fraudulent practices
- 2.1.3 The procuring entity's employees, committee members, board members and their relatives (spouse and children) are not eligible to participate in the tender unless where specifically allowed under section 131 of the Act.

2.2 Cost of Tendering

- 2.2.1 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.
- 2.2.2 The price to be charged for the tender document shall not exceed Kshs.1,000/=
- 2.2.3 The procuring entity shall allow the tender to review the tender document free of charge before purchase.

2.3 The Tender Document

- 2.3.1 The tender document comprises the documents listed below and any addenda issued in accordance with clause 2.5 of theses instructions to tenderers.
 - (i) Invitation to tender
 - (ii) Instructions to tenderers
 - (iii) Schedule of items and price
 - (iv) Conditions of Tender
 - (v) Form of tender
 - (vi) Confidential Business questionnaire Form
 - (vii) Tender Commitment Declaration Form

2.3.2 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 be at the tenderer's risk and may result in the rejection of its tender.

2.4. Clarification of Documents

- 2.4.1 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 seven (7) 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.
- 2.4.2 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.
- 2.4.3 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.

2.5 Amendment of Documents

- 2.5.1 At any time prior to the deadline for submission of tenders, the Procuring entity, for any reasons, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tender documents by amendment
- 2.5.2 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.
- 2.5.3 In order to allow prospective tenderers reasonable time in which to take the amendment into account in preparing their tenders, the

Procuring entity, at its discretion, may extend the deadline for the submission of tenders.

2.6 Tender Prices and Currencies

- 2.6.1 The tenderer shall indicate on the appropriate Price Schedule the unit prices and total tender price of the items it proposes to purchase under the contract
- 2.6.2 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
- 2.6.3 The Price quoted shall be in Kenya Shillings.

2.7 Tender deposit

- 2.7.1 The tenderer shall put a 20% deposit for in the amount indicated in the schedule of items and prices **OR** as otherwise instructed in the tender document
- 2.7.2 Failure to put the required deposit for the items will lead to disqualification of the bid.
- 2.7.3 Unsuccessful Tenderer's tender deposit will be discharged or returned as promptly as possible as but not later than Seven (7) days after the expiration of the period of tender validity prescribed by the procuring entity.
- 2.7.4 The successful Tenderer's tender deposit will be refunded once the tenderer has collected the materials and cleaned the site to the satisfaction of GDC
- 2.7.5 The tender deposit may 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 full bid price within the stipulated timeframe.

2.8 Validity of Tenders

- 2.8.1 Tenders shall remain valid for 120 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.
- 2.8.2 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 thereto 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.

2.9. Viewing of Tender Items

2.9.1 Prospective bidders are advised to view the items, stores/equipment in liaison with the procuring entity before they bid for each lot. This will enable them to arrive at the most reasonable and competitive bids. Bids are based on "AS IS WHERE IS" and the conditions of the items are not warranted by the seller.

2.10 Sealing and Marking of Tenders

2.10.1 The tenderer shall seal the tender and mark it with the number and name of the tender and "DO NOT OPEN BEFORE (17th September 2020 at 2.00PM)

2.11 **Deadline for Submission of Tenders**

- 2.11.1. Tenders must be received by the Procuring entity at the address specified not later than (17th September 2020 at 2.00PM)
- 2.11.2The 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.

2.12 Modifications And Withdrawals Of Tenders

2.12.1 Modification of tenders

- 2.12.1.1 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.
- 2.12.1.2 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 but followed by a signed confirmation copy, postmarked not later than the deadline for submission of tenders.
- 2.12.1.3 No tender may be modified after the deadline for submission of tenders

2.12.2 Withdrawals and tenders

2.12.2.1 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

2.13 Opening of Tenders

- 2.13.2The Procuring entity will open all tenders in the presence of tenderers' representatives who choose to attend on 17th August 2020, at 2.00 PM and in the location specified in the invitation to tender.
 - The tenderers or representatives who are present shall sign a register evidencing their attendance.
- 2.13.3The 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.
- 2.13.4The Procuring entity will prepare minutes of the tender opening.

2.14 Clarification of tenders

- 2.14.2To 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.
- 2.14.3 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.

2.15 Evaluation and Comparison of Tenders

- 2.15.1The Procuring entity will examine the tenders to determine whether they are complete, 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.
- 2.15.2The Procuring entity will evaluate and compare the tenders, which have been determined to be substantially responsive.
- 2.15.3The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

2.16 Award Criteria

2.16.1The 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 evaluated tender, subject to the reserves price.

2.17 Notification of Award

2.17.2Prior 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.

2.17.3 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

2.18 Contacting the Procuring entity

- 2.18.1 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.
- 2.18.2Any 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.

Appendix to Instructions to tenderers.

Notes on the appendix to the Instructions to Tenderers.

- 1. The Appendix to Instructions to tenderers is intended to assist the procuring entity in providing specific information in relation to the corresponding clauses in the instructions to tenderers included in Section II and the appendix has to be prepared for each specific tender.
- 2. The procuring entity should specify in the appendix, information and requirements specific to the circumstances of the procuring entity, the procuring of the tender, the nature of items being sold and the evaluation criteria that will apply to the tender.
- In preparing the appendix, the following aspects should be taken into consideration:
 - (a) the information that specifies and complements provisions of Section II to be incorporated
 - (b) amendments and or supplements if any, to provisions of Section II as necessitated by the circumstances of specific items to be also incorporated.
- 4 Section II should remain unchanged and can only be amended through the appendix.

Appendix to Instructions to tenderers.

The following information for sale of boarded stores and equipment shall complement, supplement or amend, the provisions of the instructions to tenderers. Whenever there is a conflict between the provisions of the instructions to tenderers and the provisions of the Appendix, the provisions of the appendix herein shall prevail over those of the instructions to tenderers.

INSTRUCTIONS	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO	
TO TENDERERS	TENDERS	
REFERENCE		
Eligibility	The tender is eligible to all bidders	
Accessibility	An electronic copy of the tender document may be obtained be interested firms upon payment of a non-refundable fee of Kshs 1000 payable to our accounts office in cash or bankers cheque.	
	The document can also be viewed and downloaded from the website www.gdc.co.ke or www.tenders.co.ke free of charge or at no cost. Bidders who download the tender document from the website MUST forward their particulars immediately to procurement@gdc.co.ke for records and any further tender clarifications and addenda	
Clarification	A prospective tenderer requiring any clarification of the tender document may notify GDC in writing (email in PDF format or by facsimile) at the following address: One copy to: - Manager, Supply Chain Geothermal Development Company Limited, Kawi House, South C P.O. Box 100746 – 00101 NAIROBI, KENYA E-mail:dkyaka@gdc.co.ke; pkapto@gdc.co.ke cc: pouma@gdc.co.ke NB: Any request for clarification must be in the firm's letterhead and signed, and must be in reference to the specific parts of the tender document properly numbered. GDC will respond in writing (e-mail in PDF format) to any request for clarification received at least seven (7) days prior to the deadline for the submission of tenders.	

Taxes	The prices should include all taxes			
Validity	The tender validity period is 120 days from the date of tender			
	opening. A tender valid for a shorter period shall be considered			
	as non-responsive and shall be rejected.			
Currency	Prices quoted shall be in Kenya Shillings			
Tender deposit	Bidders must pay through cash OR Bankers' cheque at any			
	GDC pay office and obtain a receipt. A copy of the receipt			
	must be attached in the bid document (personal cheques not			
	accepted)			
Submission	The tenderer should submit an Original and two (2) copies of			
	the tender. All pages of the tender, except for unamended			
	printed literature, shall be paginated, serialized, well bound			
	with table of content and initialed by the person or persons			
	signing the tender.			
Tender	The tender closing date is; Thursday, 17th September 2020.			
closing/opening				
date				
Evaluation criteria	At the preliminary evaluation stage, the following mandatory			
	requirements that determines a bidder's responsiveness will be			
	assessed:-			
	a) Duly filled and Signed Tender Form			
	b) Duly filled and signed bidding summary			
	c) A copy of National ID			
	d) Attach a copy of PIN Certificate			
	e) Duly filled "Mandatory Confidential Business			
	Questionnaire";			
	f) Method statement including activity and Duration in			
	days.			
	g) Correct amount of Tender deposits effected(attach GDC			
	payment receipt(s) obtained from any GDC pay office			
	NB: Bidders who will not meet the above requirements will be			
	declared non-responsive			
Storage Charges	This will be at the rate of Kshs. 1,000.00 per day effective from			
	the last date allowed for collection			
Tender deposit	The unsuccessful tenderers' deposit will be refunded within			
refund	seven (7) days after the expiration of the period of tender			
	validity period prescribed in the tender document, while the			
	winning tenderers' deposit shall be refunded after collection of			
	the materials and clean-up of the yard.			
Viewing of	The vehicles on sale can be viewed at Menengai Geothermal			

Vehicles	Project - Laydown 1 between 9.00am and 3.00pm during		
	week days. Viewing of vehicles is open for bidders from 1st		
	September 2020 to 16th September 2020.		
Transport	Bidders are requested to arrange their own transport.		
Notification	The unsuccessful tenderers will be notified on the outcome of		
	the tender at the same time the successful tenderer is notified.		
Payment and collection	Sum total of the bid price must be made before collection of the materials.		
	Collection period begins seven (7) days after the date of the letter of award.		
Reserve price	Sale is subject to reserve price indicated in the tender document		

SECTION III - SCHEDULE OF TERMS AND PRICES

S/no	Vehicle Registration Number	Model	Qty	Reserves price (Kshs)
1	KBL 283G	Isuzu Bus- NQR66R	1	1,000,000.00
2	KBL 290G	Nissan Diesel Bus-NU41H	1	1,300,000.00
3	KBJ 204U	Toyota Land Cruiser- HZJ79R	1	1,400,000.00

TENDERERS' BIDDING SUMMARY

Tender for disposal of used motor vehicles

Tenderers **MUST** fill this bidding summary

SUMMARY TABLE

Reg. No.	Location of the	Tender deposit	No. of days	Bid
	Vehicle	(Kshs)	required for	Amount(Kshs)
			collection	
KBL 283G	Menengai Geothermal			
	Project – Laydown 1			
KBL 290G	Menengai Geothermal			
	Project – Laydown 1			
KBJ 204U	Menengai Geothermal			
	Project – Laydown 1			

Authorized official			
	Name	Signature	Date

SECTION IV - CONDITIONS OF TENDER

- 4.1 A tenderer may tender for each item or each lot and may tender for as many items or lots as he/she wishes.
- 4.2 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.
- 4.3 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.
- 4.4 Tenderers who will not be awarded contracts will be refunded the deposits **fourteen** (14) days after notification of the communication of the contract awards.
- 4.5 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.
- 4.6 Items tendered for below the reserve price will be retained by the procuring entity.

Appendix to conditions of tender

The following information for sale of boarded stores and equipment shall complement, supplement, or amend, the provisions of the conditions of the tender. Whenever there is a conflict between the provisions of the conditions of tender and the provisions of the appendix, the provisions of the appendix herein shall prevail over those of the conditions of tender.

Reserve price	Items tendered for below the reserve price will be retained by the
	procuring entity
Tender deposit	As stipulated in the tender document a deposit of 20% of the purchase price must be enclosed in the tender document in the form of a copy of a GDC cash receipt
Bid price comparison	The highest evaluated bidder for each Vehicle will be awarded.

SECTION V - **STANDARD FORMS**

Notes on Standard Forms

5.1 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.

5.1	Form of Tender				
			Dat	te:	
та.			Ter	nder No.	
10:					
	[name and address of pr		<i>v]</i>		
Gent	tlemen and/or Ladies:				
	Having examined the ter			_	
The offer the	receipt of which is here r to purchase and collect a said tender	by duly acknall the items of documents	owledged offered to for	we the us in conthe	undersigned, nformity with sum of
[tota	al tender amount in word rtained in accordance with part of this Tender.	s and figures	or such	other sur	ns as may be
	We undertake, if our T s in accordance with the re		-	•	nd collect the
days and i	We agree to abide by a from the date fixed for to it shall remain binding up expiration of that period.	ender opening	of the Ins	structions	s to tenderers,
	We understand that you er that you may receive.	ı are not bou	nd to acce	ept the h	ighest or any
Date	ed this day	of		20	
[sign	nature]	_	[in the ca	pacity of	7
Duly	authorized to sign tender	for and on be	half of		

5.2 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

Part 1 – General			
Plot No	Ses	Tel NoExpiring dance time Kshs	ate
	Part 2 (a) – S	ole Proprietor	
Nationality	ull	y of origin	
	Part 2 (b)	Partnership	
Name	partners as follows: Nationality	Citizenship Details	
1			
		istered Company	
State the noming Noming Issued	e		
Name 1	Nationality		Shares

*Tende	er Noents)	(a	s per tender
*As incharacter have pu	dicated in the schedule of item ut deposits for the items tender of receipts as follows:-		
Sale of	used motor vehicles		
No.	Vehicle Reg. Number	Deposit Kshs.	Receipt No. and Date
Author	izing Official		
	(name)	(5	signature) (Date)
	Method Statement		
No	Activity		Duration in days

Failure to include a method statement will lead to disqualification

Tender deposit commitment Declaration Form

Tender for disposal of used motor vehicles

5.3

5.5. LETTER OF NOTIFICATION OF AWARD

	Address of Procuring Entity
	ender No
Т	ender Name
	s to notify that the contract/s stated below under the above mentioned tender have awarded to you.
1.	Please acknowledge receipt of this letter of notification signifying your acceptance.
2.	The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
3.	You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.
	(FULL PARTICULARS)

SIGNED FOR ACCOUNTING OFFICER