



**NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT**

**TENDER DOCUMENT**

**FOR**

**FOR SALE OF BOARDED MOTOR VEHICLES, TYRES AND SCRAP MATERIAL**

**TENDER REF.NO: NCPD HQT/01/2019/2020**

**CLOSING DATE AND TIME: 17th September, 2019 AT 10.00 am**

**National Council for Population & Development  
4<sup>th</sup> Floor Chancery Building, Valley Road  
P. O. Box 48994-00100  
NAIROBI, Tel. 2711600/271160**

## **SECTION I - INVITATION TO TENDER**

**Date** 30-08-2019

**Tender Ref No. NCPD HQT/01/2019/2020**

\* **Tender Name: SALE OF BOARDED MOTOR VEHICLES, TYRES AND SCRAP MATERIAL**

National Council for Population and Development (NCPD) is a state agency under the National Treasury and Planning whose mandate is to undertake analysis, formulation, development and coordination of the implementation of Population policies and Programmes for Sustainable Development.

NCPD now invites tenders for Sale of Boarded Motor Vehicles, Tyres and Scrap Material

Tender documents may be obtained from Procurement Office NCPD Headquarters, Room No. 440 on 4th Floor Chancery Building Valley Road, Nairobi during normal working hours or they can also be obtained from the Council's website: [www.ncpd-ke.org](http://www.ncpd-ke.org). A non-refundable fee of Ksh. 1, 000/= will be required for those who choose to purchase hard copies of the tender document. Those who download the document will not be required to pay any fee. A refundable deposit of Ksh.5000 will be required to be paid for each Motor vehicle tendered. Failure to pay deposits will lead to disqualification of a tender

Completed Tender Documents should be addressed, marked and submitted accompanied to:

National Council for Population & Development  
4th Floor Chancery Building, Valley Road  
P. O. Box 48994-00100  
NAIROBI, Tel. 2711600/271160

Tenders will be opened immediately after closure on 17th September, 2019 AT 10.00 am at the NCPD Board Room, located on 4th Floor Chancery Building, Valley Road in the presence of Candidates or Representatives who choose to attend the opening.

Late tenders will not be accepted.

Director General

## **SECTION II - INSTRUCTION TO CANDIDATES**

### **2.1 Eligible Candidates**

- 2.1.1 This Invitation for Tenders is open to all candidates eligible as described in the Appendix to instructions to candidates.
- 2.1.2 Candidates shall not be under a declaration of ineligibility for corrupt or fraudulent practices
- 2.1.3 NCPD'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 candidate shall bear all costs associated with the preparation and submission of its tender, and NCPD, 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.5, 000/=
- 2.2.3 NCPD shall allow the candidates 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 these instructions to candidates.
- (i) Invitation to tender
  - (ii) Instructions to candidates
  - (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 candidate 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 candidate's risk and may result in the rejection of its tender.

## **2.4. Clarification of Documents**

- 2.4.1 A prospective candidate requiring any clarification of the tender document may notify NCPD in writing or by post at the entity's address indicated in the Invitation for tenders. NCPD will respond in writing to any request for clarification of the tender documents, which it receives not later than thirty (30) days prior to the deadline for the submission of tenders, prescribed by NCPD. 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 candidates that have received the tender document.
- 2.4.2 Clarification of tenders shall be requested by the candidate to be received by NCPD not later than 7 days prior to the deadline for submission of tenders.
- 2.4.3 NCPD shall reply to any clarifications sought by the candidate within 3 days of receiving the request to enable the candidate 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, NCPD, for any reasons, whether at its own initiative or in response to a clarification requested by a prospective candidate, 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 candidates reasonable time in which to take the amendment into account in preparing their tenders, NCPD, at its discretion, may extend the deadline for the submission of tenders.

## **2.6 Tender Prices and Currencies**

- 2.6.1 The candidate 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 candidate 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 candidate shall put a deposit for every item tendered for in the amount indicated in the schedule of items and prices.

2.7.2 Failure to put the required deposit for any item tendered for will lead to disqualification of the bid for the item.

2.7.3 Unsuccessful Candidate'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 NCPD.

2.7.4 The successful Candidate's tender deposit will be credited to his bid price so that it forms part of the amount of the bid and the tender will be required to pay the bid price less the deposit security.

2.7.5 The tender deposit may be forfeited:

(a) If a candidate withdraws its tender during the period of tender validity specified by NCPD.

(b) In the case of a successful candidate, if the candidate fails to pay the balance of the bid price.

## **2.8 Validity of Tenders**

2.8.1 Tenders shall remain valid for 60 days or as specified in the appendix to instruction to candidates after date of tender opening prescribed by NCPD, pursuant to paragraph 2.10 Tender valid for a shorter period shall be rejected by NCPD as non-responsive.

2.8.2 In exceptional circumstances, NCPD may solicit the Candidate'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 candidate may refuse the request without forfeiting its tender deposit. A candidate 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 NCPD before they bid for each lot. This will enable them to arrive at the most reasonable and competitive bids. Bids are based on AS WHERE IS CONDITION and the conditions of the items are not warranted by the seller.

## **2.10 Sealing and Marking of Tenders**

2.10.1 The candidate shall seal the tender and mark it with the number and name of the tender and "DO NOT OPEN BEFORE **17th September, 2019 at 10.00 am.**

## **2.11 Deadline for Submission of Tenders**

2.11.1. Tenders must be received by NCPD at the address specified not later than **17th September, 2019 at 10.00 am**

2.11.2 NCPD 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 NCPD and candidates 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 candidate 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 NCPD prior to the deadline prescribed for submission of tenders.

2.12.1.2 The Candidate'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 no 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 candidate. Withdrawal of a tender during this interval may result in the candidate's forfeiture of its tender deposit, pursuant to paragraph 2.7.5

## **2.13 Opening of Tenders**

2.13.2 NCPD will open all tenders in the presence of candidates' representatives who choose to attend at **10.00 am 17th September, 2019** and in the location specified in the invitation to tender.

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

2.13.3 The candidates' names, tender modifications or withdrawals, tender prices, and the presence or absence of requisite tender deposit and such other details as NCPD, at its discretion, may consider appropriate, will be announced at the opening.

2.13.4 NCPD will prepare minutes of the tender opening.

## **2.14 Clarification of tenders**

2.14.2 To assist in the examination, evaluation and comparison of tenders NCPD may, at its discretion, ask the candidate 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 candidate to influence NCPD in NCPD's tender evaluation, tender comparison or contract award decisions may result in the rejection of the candidates' tender.

## **2.15 Evaluation and Comparison of Tenders**

2.15.1 NCPD 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 NCPD.

2.15.2 NCPD will evaluate and compare the tenders, which have been determined to be substantially responsive.

2.15.3 The 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**

2.16.1 The Procuring entity will award the contract to the successful candidate(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**

2.17.2 Prior to the expiration of the period of tender validity, NCPD will notify the successful candidate in writing that its tender has been accepted.

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

## **2.18 Contacting NCPD**

2.18.1 No candidate shall contact NCPD on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded.

2.18.2 Any effort by a candidate to influence NCPD in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of the candidate's tender.

## **Appendix to Instructions to candidates.**

### **Notes on the appendix to the Instructions to Candidates.**

1. The Appendix to Instructions to candidates is intended to assist NCPD in providing specific information in relation to the corresponding clauses in the instructions to candidates 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 NCPD, the procuring of the tender, the nature of items being sold and the evaluation criteria that will apply to the tender.
3. 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 candidates.**

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

Instructions to Candidates Reference	Particulars of appendix to Instructions to candidates
2.1.1	<i>All Kenyan citizens are eligible except, staff and members of the Board of the National Council for Population and Development</i>
2.8.1	<i>Tender shall be valid for 90 days from the date of opening</i>
2.2.2	<i>A non-refundable fee of Ksh. 1, 000/= will be required for those who choose to purchase hard copies of the tender document. Those who down load the document will not be required to pay any fee.</i>
2.7	<i>A refundable deposit of khs.5000 will be required to be paid for each Motor vehicle tendered. Failure to pay deposits will lead to disqualification of a tender</i>

### SECTION III - SCHEDULE OF ITEMS AND PRICES

**LOCATION OF BOARDED ITEMS:** NCPD HQ Chancery Building  
Valley Road, Nairobi

1 ITEM NO.	2 ARTICLE	3 QTY	4 BIDDER UNIT PRICE	5 BIDDER TOTAL PRICE	6 TOTAL RESERVE PRICE	7 REMARKS
Lot 1.	Office Tables	3			2,000	Reserved for AGPO
Lot 2	Assorted Office Desks	6			7,000	Reserved for AGPO
Lot 3	Water dispenser	1			1,000	
Lot 4	Used tyres	23			11,500	
5	Nissan Patrol KCP 339K (1992)	1			250,000	Refundable Deposit required (kshs 5,000)
6	Suzuki Vitara KAV 446E (2004)	1			300,000	Refundable Deposit required (kshs 5,000) Duty not paid
7	Assorted Carpets	1			8,000	

**LOCATION OF BOARDED ITEMS:** NCPD Offices in Garissa

1 ITEM NO.	2 ARTICLE	3 QTY	4 BIDDER UNIT PRICE	5 BIDDER TOTAL PRICE	6 TOTAL RESERVE PRICE	7 REMARKS
Lot 8	Metallic Cabinet	1			1,800	
	Mecol Metallic Office Seats	3				
	Executive seats	3				
9	Car Tyres	10			3,000	

**Authorized official** (Bidding Candidate)

Name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

**LOCATION OF BOARDED ITEMS: NCPD Offices in Kisumu**

<b>1 ITEM NO.</b>	<b>2 ARTICLE</b>	<b>3 QTY</b>	<b>4 BIDDER UNIT PRICE</b>	<b>5 BIDDER TOTAL PRICE</b>	<b>6 TOTAL RESERVE PRICE</b>	<b>7 REMARKS</b>
Lot 10	Assorted Office Chairs	18			5,400	
Lot 11	Used Car Tyres	5			1,500	

**LOCATION OF BOARDED ITEMS: NCPD Offices in Mombasa**

<b>1 ITEM NO.</b>	<b>2 ARTICLE</b>	<b>3 QTY</b>	<b>4 BIDDER UNIT PRICE</b>	<b>5 BIDDER TOTAL PRICE</b>	<b>6 TOTAL RESERVE PRICE</b>	<b>7 REMARKS</b>
Lot 12	Assorted Office Furniture				2,100	

**LOCATION OF BOARDED ITEMS: NCPD Offices in Eldoret**

<b>1 ITEM NO.</b>	<b>2 ARTICLE</b>	<b>3 QTY</b>	<b>4 BIDDER UNIT PRICE</b>	<b>5 BIDDER TOTAL PRICE</b>	<b>6 TOTAL RESERVE PRICE</b>	<b>7 REMARKS</b>
Lot 13	Assorted Office Furniture	5			1,500	
Lot 14	Assorted Vehicle tyres	8			2,100	
15	Water Dispenser	1			500	

**Authorized official** (Bidding Candidate)

Name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

**SECTION IV - CONDITIONS OF TENDER**

- 4.1 A candidate may tender for each item or each lot and may tender for as many items or lots as he/she wishes.
- 4.2 A candidate will pay a deposit in advance (where applicable) 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 Candidates 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 Candidates who will not be awarded contracts will be refunded the deposits fourteen (14) days after notification of the communication of the contract awards.
- NB:** NCPD will do **direct transfer** of the refundable deposits to the candidates' bank accounts. All candidates who pay deposits must provide signed (and stamped) **bank details** for purposes of direct transfer of deposits.
- 4.5 Candidates 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 NCPD.

## **Appendix to Conditions of Tender**

### **Notes on appendix to Conditions of tender**

1. The clauses in the appendix to conditions of tender are intended to assist NCPD in procuring specific information in relation to corresponding clauses in the conditions of tender.
2. The Provisions of the appendix complement the conditions of tender included in Section IV. In preparing the appendix, the following aspects should be taken into consideration;
  - (a) information that complement provisions of Section IV to be incorporated
  - (b) Amendments and or supplements to provisions of Section IV, as necessitated by the circumstances of the specific items of sale must also be incorporated.
  - (c) Section IV should remain unchanged and can only be amended through the appendix.

**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.

Conditions of tender reference	<i>Particulars of the appendix to Conditions of tender</i>
4.5	<i>storage charge shall be kshs 200 per day</i>

**SECTION V - STANDARD FORMS**

**Notes on Standard Forms**

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

**5.1 Form of Tender**

Date: \_\_\_\_\_

Tender No. \_\_\_\_\_

To: The Director General  
National Council for Population & Development  
4<sup>th</sup> Floor Chancery Building, Valley Road  
P. O. Box 48994-00100

Gentlemen and/or Ladies:

Having examined the tender documents including Addenda Nos. .... [Insert numbers]. The receipt of which is hereby duly acknowledged, we the undersigned, offer to purchase and collect all the items offered to us in conformity with the said tender documents for the sum of ..... [total tender amount in words and figures] or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Tender.

1. We undertake, if our Tender is accepted, to pay for and collect the items in accordance with the requirements of the tender.
2. We agree to abide by the tender for a period of ....[number] days from the date fixed for tender opening of the Instructions to candidates, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
3. We understand that you are not bound to accept the highest or any tender that you may receive.

Dated this ..... Day of..... 20.....

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[In the capacity of]

Duly authorized to sign tender for and on behalf 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

<p>Part 1 – General</p> <p>Business Name .....</p> <p>Location of business Premises .....</p> <p>Plot No. .... Street/Road .....</p> <p>Postal Address ..... Tel No. .... Nature of business ..... Current Trade License No. .... Expiring date .....</p> <p>Maximum value of business which you can handle at any one time Kshs .....</p> <p>Name of your bankers ..... Branch .....</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>Part 2 (a) – Sole Proprietor</p> <p>Your Name in full ..... Age ..... Nationality ..... Country of origin .....</p> <p>* Citizenship details .....</p>																				
	<p style="text-align: center;">Part 2 (b) Partnership</p> <p>Given details of partners as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 35%;">Name</th> <th style="width: 20%;">Nationality</th> <th style="width: 20%;">Citizenship Details</th> <th style="width: 20%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td></td> </tr> <tr> <td>2</td> <td>.....</td> <td>.....</td> <td>.....</td> <td style="text-align: center;">3</td> </tr> <tr> <td>4</td> <td>.....</td> <td>.....</td> <td>.....</td> <td></td> </tr> </tbody> </table>		Name	Nationality	Citizenship Details	Shares	1.	.....	.....	.....		2	.....	.....	.....	3	4	.....	.....	.....	
	Name	Nationality	Citizenship Details	Shares																	
1.	.....	.....	.....																		
2	.....	.....	.....	3																	
4	.....	.....	.....																		



Part 2 (c) – Registered Company				
	Private or Public .....			
	State the nominal and issued capital of company –			
	Nominal Kshs.			
	Issued Kshs.			
	Given details of all directors as follows			
	Name	Nationality	Citizenship Details	Shares
	1. ....			
	2. ....			
	3. ....			
	4. .... 5.			
	.....			
Date .....				
Seal/Signature of Candidate .....				

**5.3 Tender deposit commitment Declaration Form**

\*Tender No. (\_\_\_\_\_)

\*As indicated in the schedule of items and prices, we do confirm that we have put deposits for the items tendered for as supported by the attached copies of receipts as follows:-

ITEM No. or Lot No.	Item Description	Deposit Kshs.	Receipt No. and Date

Our **Bank details** for purposes of refundable deposits is as below:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Authorizing Official \_\_\_\_\_

(Name) \_\_\_\_\_ (Signature) \_\_\_\_\_

(Date) \_\_\_\_\_ Stamp \_\_\_\_\_

**5.4. LETTER OF NOTIFICATION OF AWARD**

Address of Procuring Entity

\_\_\_\_\_  
\_\_\_\_\_

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: Tender No. \_\_\_\_\_

Tender Name \_\_\_\_\_

This is to notify that the contract/s stated below under the above mentioned tender have been 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

## 5.5 REQUEST FOR REVIEW FORM

**FORM RB 1**

**REPUBLIC OF KENYA**

**PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

APPLICATION NO.....OF.....20.....

BETWEEN

.....APPLICANT

AND

.....RESPONDENT (*Procuring Entity*)

Request for review of the decision of the..... (*Name of NCPD*) of  
.....dated the...day of .....20.....in the matter of Tender No.....of  
.....20...

### **REQUEST FOR REVIEW**

I/We.....,the above named Applicant(s), of address:  
Physical address.....Fax No.....Tel. No.....Email ....., hereby request the Public  
Procurement Administrative Review Board to review the whole/part of the above mentioned  
decision on the following grounds , namely:-

- 1.
2. etc.

By this memorandum, the Applicant requests the Board for an order/orders that: -

- 1.
2. etc

SIGNED ..... (Applicant)

Dated on.....day of ...../...20...

---

### **FOR OFFICIAL USE ONLY**

Lodged with the Secretary Public Procurement Administrative Review Board on ..... day of  
.....20.....

**SIGNED**  
Board Secretary