



COUNTY ASSEMBLY OF MARSABIT

P.O.BOX 29-60500

MARSABIT

**PREQUALIFICATION OF BIDDERS
FOR PROVISION OF LEGAL SERVICES FOR THE FINANCIAL
YEAR 2019-2020 - 2020/2021**

BIDER'S NAME:

CATEGORY NO:**MBT/COU/ASS/20/2019-2020**.....

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1. PREQUALIFICATION NOTICE

Date 07/08/2019

REFERENCE:.....MBT/COU/ASS/20/2019-2020.....

PREQUALIFICATION NAME: **PREQUALIFICATIONS OF BIDDERS FOR PROVISION OF OFFICE LEGAL SERVICES.**

The County Assembly of Marsabit invites applications for pre- qualification/registration of Suppliers from interested and eligible bidders for Office **Legal Services**. The services shall include provision of quality legal drafting services. Potential bidders shall demonstrate capacity to handle the County Assembly office legal drafting services requirements.

Interested eligible candidates may obtain further information from and inspect the Prequalification documents at the office of:

Procurement Office, Located at Marsabit County Assembly Marsabit Town, during normal working hours.

1.1 A complete set of Prequalification documents may be obtained by interested candidates from the **county assembly website or Procurement Office, Located at Marsabit County Assembly, Marsabit Town.**

1.2 Duly completed prequalification documents in plain sealed envelopes clearly marked "Category No..... For the supply of" and be deposited in the Prequalification/Tender Box at **THE COUNTY ASSEMBLY OF MARSABIT LOUNGE, located in MARSABIT town**, and or to be addressed and posted to:

THE PRINCIPAL PROCUREMENT OFFICER

COUNTY ASSEMBLY OF MARSABIT,

P.O. BOX 29-60500

MARSABIT

So as to be received on or before **27TH AUGUST 2019 at 10.00AM**

1.3 Prequalification documents will be opened immediately thereafter in the presence of the Candidates or their representatives who choose to attend at:

MARSABIT COUNTY ASSEMBLY LOUNGE, MARSABIT TOWN,

Yours faithfully,

Principal Procurement Officer

2. PREQUALIFICATIONS INSTRUCTIONS

2.1 INTRODUCTION

The County Assembly of Marsabit would like to invite interested candidates who must qualify by meeting the set criteria as provided by the procuring entity to perform the contract of supply and delivery or provision of goods, works and services to the Assembly.

2.2 PREQUALIFICATIONS OBJECTIVE

The main objective is to provide legal services under relevant Prequalification's/quotations to the County Assembly of Marsabit as and when required during the period ending **30TH June 2021**.

2.3 INVITATION OF PREQUALIFICATIONS

Legal services providers registered with Registrar of Companies under the Law of Kenya in respective services are invited to submit their prequalification documents to THE PRINCIPAL PROCUREMENT OFFICER, so that they may be pre-qualified for submission of quotations. Bids will be submitted in complete lots singly or in combination. The prospective Suppliers are required to supply mandatory information for prequalification.

2.4 EXPERIENCE

Prospective legal services providers must have carried out successful supply and delivery of similar services to Private/Public institutions of similar size and complexity. Potential service providers must demonstrate the willingness and commitment to meet the prequalification criteria.

2.5 PREQUALIFICATIONS DOCUMENT

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

2.6 In order to be considered for prequalification, prospective suppliers must submit all the information herein requested.

2.7 DISTRIBUTION OF PREQUALIFICATIONS DOCUMENTS

Two copies of the completed prequalification data and other requested information shall be submitted to reach:

THE PRINCIPAL PROCUREMENT OFFICER,
COUNTY ASSEMBLY OF MARSABIT,
P.O BOX 29,
MARSABIT

2.8 QUESTIONS ARISING FROM DOCUMENTS

Questions that may arise from the prequalification documents should be directed to the Principal Procurement Officer, Marsabit County Assembly whose address is given in par 1.2.

2.9 ADDITIONAL INFORMATION

The County Assembly of Marsabit reserves the right to request submission of additional information from prospective bidders.

2.10 Request for quotations will be made available only to those bidders whose qualifications are accepted by County Assembly of Marsabit after scoring more than 75% points after the completion of the prequalification process.

3. BRIEF CONTRACT REGULATIONS/GUIDELINES

3.1 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.

3.2 Customs Clearance

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

3.3 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 Prequalification Committee. Prices quoted should be inclusive of all delivery charges.

3.4 Payments

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

4. PREQUALIFICATIONS DATA INSTRUCTIONS

4.1 prequalification data forms

4.1.1 The attached questionnaire forms PQ-1, PQ-2, PQ-3, PQ-4, PQ-5, PQ-6, PQ-7, PQ-8, are to be completed by prospective suppliers/contractors who wish to be pre-qualified for submission of Prequalification for the specific Prequalification.

4.1.2 The pre-qualified 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.

4.2 Qualification

4.2.1 It is understood and agreed that the prequalification data on prospective bidders is to be used by Assembly in determining, according to its sole judgment and discretion, the qualifications of prospective bidders to perform in respect to the Prequalification Category as described by the client.

4.2.2 Prospective bidders will not be considered qualified unless in the judgment of County Assembly of Marsabit that 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, works or services.

4.3 Essential Criteria for prequalification

4.3.1

a) Experience: Prospective bidders shall have relevant experience in the supply of goods, services and allied items in case of potential supplier/contractor should show competence, willingness and capacity to service the contract.

b) Prospective supplier requires special experience and capability to organize supply and delivery of items, or services at short notice.

4.3.2 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.

4.3.3 Financial Condition

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.

4.3.4 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.

4.3.5 Past Performance

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

4.4 Statement

Application must include a sworn statement Form PQ-8 by the Prequalification ensuring the accuracy of the information given.

4.5 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/Assembly 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 Assembly reserves the right to reject the Prequalification from such a bidder even though he was initially pre-qualified.

4.6 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.

4.6.1 The firm must show proof that it has paid all its statutory obligations and have current Tax compliance certificate

;

5. Prequalification Criteria

Required Information	Form Type	Points Score
1. Registration Documentation	PQ-1	20
2. Prequalification 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
7. Litigation History	PQ-7	10
	TOTAL	100

4.8 The qualification is 75 points and over

6. FORM PQ-1 PREQUALIFICATIONS

All firms must provide:-

1. Copies of Certificate of Registration. **(5marks)**
2. Tax Compliance Certificate from Kenya Revenue Authority (failure to produce this certificate to approve compliance, will lead to automatic disqualification thus no further evaluation of your application). **(10 marks)**
3. Copy of valid local authorities' business permit**(5marks)**

(20points)

7. FORM PQ-2 - PREQUALIFICATIONS DATA

REGISTRATION OF SUPPLIERS APPLICATION FORM

1/We hereby apply for registration as supplier(s)

(Name of Company/Firm)

of

(Item Description)

.....

(Category No.)

Post Office Address

Town

Street

Name of building

Room/Office No. Floor No.

Telephone Nos.

Full Name of applicant

Other branches location

2. Organization & Business Information

Management Personnel

President (Assistant/ Director / Executive)

.....

Secretary

General Manager

Treasurer

Others

..... \

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)

7. PQ-3 SUPERVISORY PERSONNEL

Name

Age

Academic Qualification

.....

Professional Qualification

Length of service with Contractor or Supplier position held

.....

(Attach copies of certificates of key personnel in the organization)

(10 Points)

8. 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. **(10marks)**

(2) Attach letters of reference from the bankers regarding supplier's credit position. **(10marks)**

(20 Points)

9. FORM PQ-5 - CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

REPUBLIC OF KENYA

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 applied to 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. Fax E mail

.....

Nature of Business

Registration Certificate No.

Maximum value of business which you can handle at any one time –

Kshs.

Name of your bankers

Branch

Part 2 (a) – Sole Proprietor

Your name in full Age

Nationality.....Country of origin

- Citizenship details

	<p>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: 25%;">Name</th> <th style="width: 25%;">Nationality</th> <th style="width: 25%;">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>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</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.					
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1.																											
2.																											
3.																											
4.																											
	<p>Part 2 (c) - Registered Company</p> <p>Private or Public</p> <p>State the nominal and issued capital of company-</p> <p style="padding-left: 20px;">Nominal Kshs.</p> <p style="padding-left: 20px;">Issued Kshs.</p> <p>Given details of all directors as follows</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 25%;">Name</th> <th style="width: 25%;">Nationality</th> <th style="width: 25%;">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>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>5.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>		Name	Nationality	Citizenship Details	Shares	1.	2.	3.	4.	5.
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1.																											
2.																											
3.																											
4.																											
5.																											
<p>Date Signature of Candidate</p>																															

✓ If a Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or registration.

(10marks)

10.FORM PQ-6 - PAST EXPERIENCE

Names of the Applicants Clients and Values of Contract/Orders in the Last Two Years

1. 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 2nd Client (organization)

i) Name of Client (organization)

.....

ii) Address of Client (organization)

.....

vii) Name of Contact Person at the client (organization)

viii) Telephone No. of Client

ix) Value of Contract

x) Duration of Contract (date)

(Attach documental evidence of existence of contract)

3. Name of 3rd Client (organization)

i) Name of Client (organization)

.....

ii) Address of Client (organization)

.....

xi) Name of Contact Person at the client (organization)

xii) Telephone No. of Client

xiii) Value of Contract

xiv) Duration of Contract (date)

(Attach documental evidence of existence of contract)

4. Others

(20 Points)

11. 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.

YEAR	AWARD FOR OR AGAINST	NAME OF CLIENT CAUSE OF LITIGATION AND MATTER IN DISPUTE	DISPUTED AMOUNT (CURRENT VALUE, KSHS. EQUIVALENT)

(10 Points)

12.FORM PQ-8 - SWORN STATEMENT

Having studied the prequalification 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 we acknowledge that this grants us the right to participate in due time in the submission of a Prequalification or quotation on the basis of provisions in the prequalification or quotation documents to follow.

- c. When the call for Quotations is issued the legal technical or financial conditions or the contractual capacity of the firm changes we come ourselves to inform you and acknowledge your right to review the prequalification made.

- d. We enclose all the required documents and information required for the prequalification evaluation.

Date

Applicant's Name

Represented by

Signature

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