



## **COUNTY GOVERNMENT OF NYERI**

### **REQUEST FOR PROPOSAL FOR RENTING OUT GAKINDU SLAUGHTER HOUSE IN NYERI COUNTY**

**CGN/RFP/ALF&CD/83/2016-2017**

**MARCH 2017**

The County Government of Nyeri invites sealed tenders from firms for the following tender.

**RFP NO: CGN/RFP/ALF&CD/83/2016-2017**

Interested candidates may obtain further information from the office of the **Director Procurement** and inspect the tender document from the County Website [www.nyeri.go.ke](http://www.nyeri.go.ke)

A complete set of tender documents may be obtained by the candidates from the County Website, [www.nyeri.go.ke](http://www.nyeri.go.ke).

Prices quoted should be net inclusive of all taxes and delivery costs and must be in Kenya Shillings.

Completed tender documents are to be enclosed in plain sealed envelopes clearly bearing only the tender number and the title of the tender should be deposited in the Tender Box, outside **Procurement office ground** Floor, County hall, and if sent by post, be addressed to: -

**COUNTY SECRETARY.**  
**P.O. Box 1112-10100 NYERI.**

So as to reach the addressee on or before **11:00 am, on 12<sup>th</sup> April, 2017**. The tenders will be opened immediately thereafter in the presence of the candidates' representatives who choose to attend at the Governor's boardroom

**COUNTY SECRETARY.**  
**NYERI COUNTY.**

# COUNTY GOVERNMENT OF NYERI

## INTRODUCTION

NYERI COUNTY Government seeks proposals from experienced abattoir operators or with recognized meat hygiene certification capable of managing commercial abattoir facilities currently run by the county government. To receive serious consideration, proposals must incorporate state of the art measure to minimize impacts on environment.

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# SECTION I LETTER OF INVITATION TO BID

COUNTY GOVERNMENT OF NYERI  
P.O BOX 1112  
NYERI

28<sup>th</sup> March 2017

## **RE: To all Bidders for renting Gakindu Slaughter house in Nyeri County Government -CGN/RFP/ALF&CD/83/2016-2017.**

Nyeri County Government invites submission of request for proposal for renting GAKINDU Slaughter House in Nyeri County .

1.1 The request for proposal (RFP) includes the following documents

Section I	-	Letter for invitation to bid
Section II	-	Instruction to Bidders
Section III	-	Appendix to Bidders instruction
Section IV	-	Schedule of particulars
Section V	-	Standard Forms
Section VI	-	Terms of reference

This request for Proposal (RFP) has been addressed to all interested bidders.  
Closing date 12/04/2017 at 11.00 am

1.2 Completed bid documents are to be enclosed in plain sealed envelopes marked with bid name and reference number and deposited in the tender box

1.3 Bids will be opened immediately thereafter in the presence of the candidates or their representatives who choose to attend at Governor's Boardroom.

Yours Faithfully,

**COUNTY SECRETARY.**

NYERI COUNTY GOVERNMENT

## **SECTION II        INSTRUCTIONS TO BIDDERS**

### **2.1            Eligible Bidders / consortium**

2.1.1        This invitation to bidders is intended for all interested firms/individuals. Successful bidders shall be contracted for the stipulated duration from the date of commencement (hereinafter referred to as the term) specified in the schedule of requirements.

2.1.2        The Investors, under renting contract, will hire the abattoirs on as is and as is where basis and pay monthly rent to the county government. Further, the Investors will maintain the abattoirs as required by CAP 356 of the national law or any law enacted by the County Government. The proposal should include the amount of monthly rent to be paid.

Government of Kenya/Nyeri County Government will not provide sovereign guarantees relating to this investment and therefore the investors should seek other alternatives.

### **2.2            Cost of Bidding**

2.2.1        The bidder shall bear all costs associated with the preparation and submission of its RFP, and The procuring entity, will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.

2.2.2        The tender document shall be obtained from the county website [www.nyeri.go.ke](http://www.nyeri.go.ke) at no cost

### **2.3            Contents of Bid Documents**

- 2.3.1
- (i) Instructions to bidders
  - (ii) Form of bid
  - (iii) Price schedule
  - (iv) Bid security form
  - (v) Contract form
  - (vi) Authorization form
  - (vii) Terms of reference

### **2.4            Documents Comprising the Bid**

- 2.4.1        The bid prepared by the bidder shall comprise the following components:
- (a) A bid form and a price schedule
  - (b) Documentary evidence established in accordance with paragraph 2.6 that the bidder is Eligible to bid and is qualified to perform the contract if its bid is accepted;
  - (c) Bid security furnished in accordance with paragraph 2.6

## **2.5 Bidders Eligibility and Qualifications**

2.5.1 Pursuant to paragraph 2.1.1 and 2.1.2 the bidder shall furnish, as part of its bid, documents establishing the bidders eligibility to bid and its qualification to perform the contract if its bid is accepted.

2.5.2 The documentary evidence of the bidders qualifications to perform the contract if its bid is Accepted shall establish to the procuring entity's satisfaction that the bidder has the financial and technical capability necessary to perform the contract.

## **2.6 Bid Security**

2.6.1 The bidder shall furnish, as part of its bid, a bid security for the amount and form specified in the appendix to instructions to bidders.

### **2.6.2 The bid security shall be in the amount kshs.50,000**

2.6.3 The bid security is required to protect the procuring entity against the risk of bidders Conduct which would warrant the security forfeiture, pursuant to paragraph 2.6.6

2.6.4 The bid security shall be denominated in Kenya shillings or in another freely Convertible currency, and shall be in the form of

- (a) An authenticated bank guarantee
- (b) Irrevocable and confirmed letter of credit
- (c) Reputable insurance company security.

2.6.5 Unsuccessful bidders bid security will be discharged or returned as promptly as Possible but not later than thirty (30) days after the expiration of the period of bid validity

2.6.6 The successful bidders bid security will be discharged upon the bidders signing the Contract.

### **2.7 The bid security may be forfeited:**

- (a) If a bidder withdraws its bid during the period of bid validity
- (b) In case of a successful bidders, if bidder fails;
  - (i) to sign the contract.

## 2.8 Validity of Bids

- 2.8.1 Bids shall remain valid for 90 days after the date of bid opening pursuant to paragraph 2.13. A bid 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 bidders consent to an extension of the period of validity. The request and the responses thereto shall be made in writing. The bid security provided under paragraph 2.6 shall also be suitably extended. A bidder granting the request will not be required nor permitted to modify its bid.

## 2.9 Format and Signing of Bids

- 2.9.1 The bidders shall prepare original and copy of the bid, clearly marking each "ORIGINAL BID" and "COPY OF BID", as appropriate. In the event Of any discrepancy between them, the original shall govern.
- 2.9.2 The original and all copies of the bid shall be typed or written in indelible ink and shall be signed by the bidder or a person or persons duly authorized to bind the bidder to the contract. All pages of the bid, except for un-amended printed literature, shall be initialed by the person or persons signing the bid
- 2.9.3 The bid shall have no interlineations, erasures, or overwriting except as necessary to Corrections shall be initialed by the person or persons signing the bid.

## 2.9.4 Sealing and Marking of Bids- **Submission, Receipt, and Opening of Proposals**

### 2.9.5 **Submission, Receipt, and Opening of Proposals**

- 2.9.6 The original proposal (Technical Proposal and, if required, Financial Proposal;) shall be prepared in indelible ink. It shall contain no interlineation or overwriting, except as necessary to correct errors made by the firm itself. Any such corrections must be initialed by the persons or person authorised to sign the proposals.
- 2.9.7 For each proposal, the consultants shall prepare the number of copies indicated in Appendix "A". Each Technical Proposal and Financial Proposal shall be marked "**ORIGINAL**" or "**COPY**" as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall govern.
- 2.9.8 The original and all copies of the Technical Proposal shall be placed in a sealed envelope clearly marked "**TECHNICAL PROPOSAL**," and the original and all copies of the Financial Proposal in a sealed envelope clearly marked "**FINANCIAL PROPOSAL**" and warning: "**DO NOT OPEN WITH THE TECHNICAL PROPOSAL**". Both envelopes shall be placed into an outer envelope and sealed. This outer envelope shall bear the submission address and other information indicated in the



Appendix “ITC” and be clearly marked, **“DO NOT OPEN, EXCEPT IN PRESENCE OF THE OPENING COMMITTEE.”**

- 2.9.9 The completed Technical and Financial Proposals must be delivered at the submission address on or before 12/04/2017 at 11.00 am. Any proposal received after the closing time for submission of proposals shall be returned to the respective consultant unopened.
- 2.9.10 After the deadline for submission of proposals, the Technical Proposal shall be opened immediately by the opening committee. The Financial Proposal shall remain sealed and deposited with a responsible officer of the client department up to the time for public opening of financial proposals.

### **2.10.0 Proposal Evaluation General**

- 2.10.1 From the time the bids are opened to the time the Contract is awarded, if any consultant wishes to contact the Client on any matter related to his proposal, he should do so in writing at the address indicated in the Above. Any effort by the firm to influence the Client in the proposal evaluation, proposal comparison or Contract award decisions may result in the rejection of the consultant’s proposal.
- 2.10.2 Evaluators of Technical Proposals shall have no access to the Financial Proposals until the technical evaluation is concluded.
- 2.10.3 Interested bidders **MUST** submit the following mandatory documents:
- I. Should have proven experience in livestock industry field for at least five (5) years. **(20 marks)**
  - II. Should provide audited accounts for the last three years. **( 20 marks)**
  - III. Have a valid Tax compliance certificate **(20 marks)**
  - IV. Attach a copy of the registration certificate **(20 marks)**
  - V. Attach a copy of the Business Permit/license **(20 marks)**

**NB: TO QUALIFY FOR NEXT STAGE BIDDERS MUST OBTAIN 60 MARKS AND ABOVE.**

### **2.11.0 Evaluation of Technical Proposal**

- 2.11.1 The evaluation committee appointed by the Client shall evaluate the proposals on the basis of their responsiveness to the Terms of Reference, applying the evaluation criteria specified in the terms of reference section.

Each responsive proposal will be given a technical score (St).

A proposal shall be rejected at this stage if it does not respond to important aspects of the Terms of Reference or if it fails to achieve the minimum technical score indicated in the instruction to binders.

## **2.12.0 Public Opening and Evaluation of Financial Proposal**

2.12.1 After Technical Proposal evaluation, the Client shall notify those consultants whose proposals did not meet the minimum qualifying mark or were considered Non-responsive to the RFP and Terms of Reference, indicating that their Financial Proposals will be returned after completing the selection process. The Client shall simultaneously notify the consultants who have secured the minimum qualifying mark, indicating the date and time set for opening the Financial Proposals and stating that the opening ceremony is open to those consultants who choose to attend. The opening date shall not be sooner than seven (7) days after the notification date. The notification may be sent by registered letter, cable, telex, facsimile or electronic mail.

2.12.2 The Financial Proposals shall be opened publicly in the presence of the consultants' representatives who choose to attend. The name of the consultant, the technical. Scores and the proposed prices shall be read aloud and recorded when the Financial Proposals are opened. The Client shall prepare minutes of the public opening.

2.12.3 The evaluation committee will determine whether the financial proposals are complete (i.e. whether the consultant has cost all the items of the corresponding Technical Proposal and correct any computational errors. The cost of any unpriced items shall be assumed to be included in other costs in the proposal. In all cases, the total price of the Financial Proposal as submitted shall prevail.

2.12.4 While comparing proposal prices between local and foreign firms participating in a selection process in financial evaluation of Proposals, firms incorporated in Kenya where indigenous Kenyans own 51% or more of the share capital shall be allowed a 10% preferential bias in proposal prices. However, there shall be no such preference in the technical evaluation of the tenders. Proof of local incorporation and citizenship shall be required before the provisions of this sub-clause are applied. Details of such proof shall be attached by the Consultant in the financial proposal.

2.12.5 The formulae for determining the Financial Score (Sf) shall, unless an alternative formulae is indicated in the Appendix "ITC", be as follows:-  
$$Sf = 100 \times \frac{F_m}{F}$$
 where Sf is the financial score; F<sub>m</sub> is the lowest priced financial proposal and F is the price of the proposal under consideration. Proposals will be ranked according to their combined technical (St) and financial (Sf) scores using the weights (T=the weight given to the Technical Proposal; P = the weight given to the Financial Proposal; T + p = 1) indicated in the Appendix. The combined technical and financial score, S, is calculated as follows: -  $S = St \times T\% + Sf \times P\%$ . The firm achieving the highest combined technical and financial score will be invited for negotiations.

2.12.6 The tender evaluation committee shall evaluate the tender within 30 days of from the date of opening the tender.

- 2.12.7 Contract price variations shall not be allowed for contracts not exceeding one year (12 months).
- 2.12.8 Where contract price variation is allowed, the variation shall not exceed 10% of the original contract price
- 2.12.9 Price variation requests shall be processed by the procuring entity within 30 days of receiving the request.

### **2.13.0 Modification and Withdrawal of Bids**

- 2.13.1 The bidder may modify or withdraw its bid after the bid's submission, provided that written notice of the modification, including substitution or withdrawal of the bids, is received by the procuring entity prior to the deadline prescribed for Submission of bids.
- 2.13.2 No bid may be modified after the deadline for submission of bids.
- 2.13.3 No bid may be withdrawn in the interval between the deadline for submission bids and the expiration of the period of bid validity. Withdrawal of a bid during this interval may result in the bidder's forfeiture of its bid security.

### **2.14.0 Opening of Bids**

- 2.14.1 The procuring entity will open all bids in the presence of bidder's representatives Who choose to attend on...**11.00am on 12/04/2017**.....at Governors' boardroom and in the location specified in the invitation of bid. The bidder's representatives who are present shall sign a register evidencing their attendance
- 2.14.2 The bid's name bid modifications or withdrawals, bid prices, discounts, and the presence or absence of requisite bid security and such other details as the procuring entity, at its discretion, may consider appropriate, will be announced at the opening
- 2.14.3 The procuring entity will prepare minutes of the bid opening, which will be submitted to bidders that signed the bid opening register and will have made request

### **2.15 Clarification of Bids**

- 2.15.1 To assist in the examination, evaluation and comparison of bids the procuring entity may, at its discretion, ask the bidder for a clarification of its bid. The request for clarification and the response shall be in writing, and no change in the prices or substance of the bid shall be sought, offered, or permitted.

2.15.2 Any effort by the bidder to influence the procuring entity in the procuring entity's bid evaluation, bid comparison or contract award decisions may result in the rejection of the bidder's bid

The proposal should comply with the threshold criteria in the T.O.R  
Proposals that do not satisfy the threshold criteria will not receive further consideration

Apart from TOR the following marking scheme will be used for Technical proposal

No	Parameters	Marks	Allocated
1.	Evidence of Environmental conservation	20	
2.	Proof of previous experience or training in meat industry	20	
3.	Technical capability including mode of financing to enable realize the project within one year from the date of acceptance	20	
4.	Firms will be expected to show and demonstrate management of succession plans	15	
5.	Firms will be expected to state clearly preferred mode of financing the project And a commitment letter from a financial Institution is a must.	15	
6.	Corporate social responsibility programs	10	
	<b>TOTAL</b>	<b>100</b>	

## 2.16 Financial Proposal

Bidders shall state their bid price for the payment on schedule outlined in the special conditions of contract. This schedule should be submitted in a separate sealed envelope marked financial proposal. Bids will be evaluated on the basis of Quantity and Cost Basis Selection(QCBS) method.

## 2.17 Post qualification

2.17.1 The procuring entity will verify and determine to its satisfaction whether the bidder that is selected as having submitted the most favorable evaluated responsive bid is qualified to perform the contract satisfactorily.

2.17.2 The determination will take into account the bidder financial and technical capabilities. It will be based upon examination of the documentary evidence of the bidders qualifications submitted by the bidder, as well as such other information as the procuring entity deems necessary and appropriate. Particular attention will be made to the thresholds set in the attached terms of reference.

## 2.18 Award criteria

2.18.1 The procuring entity will award the contract to the successful bidder whose bid has been determined to be substantially responsive and has been determined to be most favorable evaluated bid, provided further that the bidder is determined to be qualified to perform the contract satisfactorily.

2.18.2 To qualify for contract awards, the bidder shall have the following:-

- (a) Necessary qualifications, capability experience, services, equipment and facilities to provide what is being procured.
- (b) Legal capacity to enter into contract for procurement
- (c) Shall not be insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings relating to the foregoing.
- (d) Shall not be debarred from participating in public procurement.

**2.19 Procuring entity reserves the right to accept or reject any or all bids**

2.19.1 The procuring entity reserves the right to accept or reject any bid, and to annul the bidding process and reject all bids at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders of the grounds for the procuring entity's action. If the procuring entity determines that none of the bids is responsive, the procuring entity shall notify each bidder who submitted a bid.

2.19.2 The procuring entity shall give prompt notice of the termination to the bidders and on request give its reasons for termination within 14 days of receiving the request from any bidder.

2.19.3 A bidder who gives false information in the bid document about its qualification or who refuses to enter into a contract after notification of contract award shall be considered for debarment from participating in future public procurement.

### **2.20.0 Notification of Award**

2.20.1 Prior to the expiration of the period of bid validity, the procuring entity will notify the successful bidder in writing that its bid has been accepted.

2.20.2 The notification of award will constitute the formation of the contract subject to the signing of the contract between the bidder and the procuring entity. Simultaneously the unsuccessful bidders shall be notified that their bids have been unsuccessful.

2.20.3 Upon the successful bidders furnishing of the performance security, the procuring entity will promptly notify each unsuccessful bidder and will discharge its bid security, pursuant to paragraph 2.6.1

### **2.21.0 Signing of contract**

2.21.1 At the same time as the procuring entities notifies the successful bidder that its bids has been accepted, the procuring entity will simultaneously inform the other bidders that have not been successful

2.21.2 Within fourteen (14) days of receipt of the contract form, the successful bidder shall sign and date the contract forms and return it to the procuring entity.

2.22.3 The contract will be definitive upon its signature by the two parties.

2.23.4 The parties to the contract shall have it signed within 30 days from the date of notification of contract award unless there is an administrative review request.

### **2.22.0 Corrupt or fraudulent practices**

2.22.1 The procuring entity requires that bidders observe the highest standard of ethics during the procurement process and execution of contracts. A bidder shall sign a declaration that he has not and will not be involved in corrupt or fraudulent practices.

2.22.2 The procuring entity will reject a proposal; for award if it determines that the bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question.

2.22.3 Further a bidder who is found to have indulged in corrupt or fraudulent practices risks being debarred from participating in public procurement in Kenya.

## SECTION III - APPENDIX TO INSTRUCTIONS TO BIDDERS

### Notes to the appendix to the instructions to bidders

1. The appendix to instructions to bidders is intended to assist the procuring entity in providing specific information in relation to corresponding clauses in the instructions to bidders included in section II and has to be prepared for each specific procurement.
2. The procuring entity should specify in the appendix information and requirements specific to the circumstances of the procuring entity, the particulars of the bid, and the bid evaluation criteria that will apply to the bids.
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 as necessitated by the Circumstances of the particulars of the bid to be also incorporated
4. Section II should remain unchanged and can only be amended through the appendix to Instructions to bidders.
5. Clauses to be included in this part must be consistent with the public procurement law and regulations
6. The following information for letting, leasing, licensing, tenancy, franchise or management Contract of (*Leasing of GAKINDU slaughter house*) shall complement, supplement, or amend the provisions of the instructions to bidders. Wherever there is a conflict between the provisions on the instructions to bidders and the provisions of the appendix, the provisions of the appendix herein shall prevail over those of the instructions to bidders



Appendix to instructions to bidders

1.	Procuring Entity is: NYERI COUNTY GOVERNMENT
2.	Name of project is: RENTING OF GAKINDU SLAUGHTER HOUSE
3.	Bid No. <b>CGN/RFP/ALF&amp;CD/83/2016-2017</b>
4.	The expected completion date of the lease will be determined during signing of this contract Non-attendance at the site or pre bid meeting will result in disqualification i.e. site visit is Mandatory.
5.	Bidders must submit one original and two additional copies of the technical proposal which shall include the financial proposal
6.	Address for clarification of bidding document is <b>THE COUNTY SECRETARY</b> <b>COUNTY GOVERNMENT OF NYERI</b> <b>P.O BOX 1112</b> <b>NYERI</b> <b>Email: <a href="http://www.nyeri.go.ke">www.nyeri.go.ke</a></b>
7.	In the case of consortium arrangement each partner shall submit information required and in Addition the bidder shall submit a completely signed consortium agreement by all partners as a mandatory requirement.
8.	Bids: COUNTY BID BOX Located at NYERI TOWN HALL
10.	The extension of the deadline for submission of bids shall be made not later than seven days Before the expiry of the original deadline
11.	Bid must remain valid 90 days after the submission date, i.e. until the evaluation and awarding of Contract is complete
12.	Technical and financial proposal are requested: YES
13.	The method of selection is Quality and Cost Based selection (QCBS)
14.	(QBS) Client will provide the following inputs: Facilitation of access to project area, available maps, Data, Reports and contacts with other stake holders
15.	Description of work plan and methodology required: YES
16.	Training is a specific component of this assignment:
17.	Reports that are part of the assignment must be written in the following language: ENGLISH
18.	Information on the outer envelope should also include the bid name leasing of the GAKINDU Abattoir. <b>BID NO. CGN/RFP/ALF&amp;CD/83/2016-2017</b> Prices quoted to include taxes and duties

21.	Bidders costs to be stated in Kenya Shillings with the indication of the rate of conversion
22.	<p>YES</p> <p>The points given to evaluation criteria are as indicated in the instruction to bidders 2.22.3; Information given must be supported by documentary proof. References must be accompanied by Current addresses, telephone and email contacts.</p> <p>The minimum technical score required pass is 60%</p>
23.	Bidders must be deposited in the bid box located at Governor's office Nyeri County.
24.	Information on evaluation and award is confidential
25.	<p>YES</p> <p>The client shall issue any addendum/corrigendum or clarification in writing through emails Provided by the bidders in their submitted bid documents</p>

**SECTION IV - SCHEDULE OF PARTICULARS OF BID**

1. (Details of assets, services of facilities being offered)

**3. LOCATION AND CAPACITY**

1	GAKINDU slaughter house	GAKINDU Town	Has capacity for 8 cattle or 40 sheep/goats per day
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**GENERAL REQUIREMENT FOR ALL  
SLAUGHTER HOUSES**

Compliance of CAP 356 (meat control act) or any other law enacted by the County Government and any other law pertaining environmental preservation

NB To the successful bidder to please note

21 Lease period is two years

22 All payment to be made upfront at the beginning of the year

	Amount of Rent per MONTH (Kshs )
GAKINDU SLAUGHTER HOUSE	

## **SECTION V STANDARD FORM**

### **Notes on the sample forms**

1. **Form of bid** The form of bid must be completed by the bidder and submitted with the bid Documents. It must also be duly signed by duly authorized representatives of the bidder.
2. **Price schedule form-** The price form must similarly be completed and submitted with the bid
3. **Contract form** - The contract form shall not be completed by the bidder at the time of submitting the bid. The contract form shall be completed after contract award and should incorporate the accepted contract price
4. **Bid security form** - When required by the bid documents the bidder shall provide the bid security either in form included herein or in another format acceptable to the procuring entity. The bid security form must be completed by the bid and submitted with the bid.
5. **Authorization form** - When required by the bid documents this form must be completed and submitted with the bid documents. This form will be completed by the principal where the bidder is an agent.

FORM OF BID

To  
Name and address of procuring entity

Date  
\_\_\_\_\_  
Tender no.  
Tender Name

Gentlemen and/or Ladies

1. Having examined the bid documents including addenda No. (Insert numbers) í í í í . the receipt of which is hereby duly acknowledged, we the undersigned, offer to procure (the particulars of the bid) under this bid in conformity with the said bid document for the sumí .. of [total amount in words and figures]

2. We undertake, if our bid is accepted, to abide by the conditions of the bid.

3. We agree to abide by this bid for a period of í í í í í í í [number] days from the date fixed for bid opening of the instructions to bidders, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

4. This bid, together with your written acceptance thereof and your notification of award, shall constitute a contract between us subject to the signing of the contract by both parties.

5. We understand that you are not bound to accept the lowest or any bid you may receive.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2016

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

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

Duly authorized to sign bid for on behalf of \_\_\_\_\_

## CONTRACT FORM

This agreement made the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between \_\_\_\_\_, name of procurement entity \_\_\_\_\_, [country of procurement entity] (hereinafter called the procuring entity) of one part and \_\_\_\_\_ [name of bidder] of the other part:

Whereas the procuring entity invite bids for the lease, development and operation of solar energy generating plants in NYERI COUNTY land sites and has accepted a bid by the bidder for the lease, development and operation in the sum of \_\_\_\_\_  
\_\_\_\_\_ [contract price in words in figures] (hereinafter called the contract price)

NOW THIS AGREEMENT WITNESSTH AS FOLLOWS:

1. In this agreement words and expressions shall have the same meanings as are respectively assigned to them in the conditions of contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, these are:
  - (a) The bid form and the price schedules submitted by the bidder;
  - (b) The schedule of particulars of bid
  - (c) The details of cover
  - (d) The procuring entity's notification of award
  - (e) The terms of reference
3. In consideration of the offer for lease, development and operation of solar energy generating plants as indicated in the schedule of prices, by procuring entity to the bidder as hereinafter mentioned, the bidder hereby covenants with the procuring entity to make timely payments to the procuring entity therein conformity in all respect with the provisions of the contract

4. The bidder hereby covenants to pay procuring entity in consideration for the lease and Other services, the contract price or such other sum as may become payable under the Provisions of the contract at the times and in manner prescribed by the contract

IN WITNESS whereof the parties hereto have caused this agreement to be executed in accordance with their respective laws the day and year first above written

Signed, sealed, delivered by \_\_\_\_\_ the \_\_\_\_\_ (for procuring entity)

Signed, sealed, delivered by \_\_\_\_\_ the \_\_\_\_\_ (for the bidder) in presence of \_\_\_\_\_

## BID SECURITY FORM

Whereas [name of bidder] (hereinafter called <the bidder> has submitted its bid dated [date of submission of bid] for [particulars] (hereinafter called<the bid>).

KNOW ALL PEOPLE by these presents that WE [name of bank] of [name of country], having our registered office at [name of procuring entity] (hereinafter called < the procuring entity > in the sum of [state the amount] for which payment well and truly to be made to the said procuring entity, the bank bids itself, its successors, and assigns by these presents. Sealed with the common seal of the said bank this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

THE CONDITIONS OF this obligation are;

1. If the bid withdraws its bid during the period of bid validity specified by the procuring entity on the form; or
2. If the bid, having been modified of the acceptance of its bid by the procuring entity during the period of bid validity
  - (a) Fails or refuses to execute the contract form, if required or
  - (b) Fails or refuses to furnish the performance security, in accordance with  
The instructions to bids
  - (c) Refuses correction of arithmetic errors in the bid

We undertake to pay the procuring entity up to the above amount upon receipt of its first written demand, without the procuring entity having to substantiate its demand, provided that in its demand the procuring entity will note that the amount claimed by its due to it, owing to the occurrence of one or both of the conditions, specifying the occurred condition(s)

This bid guarantee will remain in force up to and including thirty (30) days after the period of bid validity, and any demand in respect thereof should reach the bank not later than the above date

[Signature of the bank]

(Amend accordingly if provided by the insurance company)



AUTHORIZATION FORM

To [name of the procuring entity] ..

WHEREAS [Name of the principal]

[Name of the principal]

Who are established and reputation dealers in [type of business] having registered offices at [Address of principal] do hereby authorizing [name and address of bidder] to submit a bid, [reference of the bid] for thee stated 9 particulars of bid).

We hereby extend our full guarantee and warranty as per the general conditions of contract for the services to be provided against this invitation for bids.

[Signature for and on behalf of the principal]

Note: This letter of authority should be on the letterhead of the principal and should be signed by a competent person

LETTER OF NOTIFICATION OF AWARD

Address of procuring Entity

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

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

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

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

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

This is to notify that the contracts stated below under the above mentioned bid have been awarded to you.

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

1. Please acknowledge receipt of this letter of notification signifying your acceptance
2. The contract shall be signed by the parties within 30 days of the date of this letter but not earlier than 7 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

## SECTION VI TERMS OF REFERENCE (TOR)

### 6.0 Introduction

COUNTY GOVERNMENT OF NYERI requests proposals from í í í í í í í í .. for rentingí í í í í í í í .. Slaughterhouse, located at í í í í í í í í í í í í . town  
COUNTY GOVERNMENT OF NYERI seeks proposals from experienced slaughter house operators capable of financing, maintaining and operating a í í í í í í í í .slaughter house. To receive serious consideration, proposals must also incorporate state of the art measures to minimize impacts to the environment.

### 6.1 Site Visit

The applicant at own responsibility and risk, is advised to visit the site of works and its surroundings and obtain all information that may be necessary for preparing the proposal and entering into a contract for the development of the project. The costs of visiting the site shall be at the applicants own expense.

### 6.2 This RFP covers the following:-

The development of ,,.....slaughter house on NYERI COUNTY land is offered under a competitive bidding process through RFP. This RFP offering is to select a qualified leasee. If NYERI COUNTY GOVERNMENT determines the proposal is responsive and meets minimum criteria, slaughter house assignment will be offered to allow the leasee access and the slaughter house.

Cover and Title

Intent and Project characteristics

Bidder description

Legal entity of bidder

Plans and Financing. Letter confirming proof of Funds as attachment is mandatory and should be attached along with the proposal. Otherwise the proposal will be rejected without any reason.

Project Description

Project development status.

Project output

Implementation Schedule

Any additional information

NYERI COUNTY reserves the right to reject any or all proposals.

### 6.2.1 Objectives

NYERI COUNTY objectives in issuing this bid document are:-

- Create employment.
- To enter into a lease contract with successful bidder on renting and operating í í í í í í . Slaughter house
- To lease out the slaughterhouse to the successful bidder at reasonable monthly payment
- To achieve the privatization of the Nyeri county government slaughterhouse as soon as possible, while maintaining the required hygiene standards and with minimal impacts to the environment.

## **6.3 RESPONSE FORMAT**

### **6.3.1 Introduction**

This section contains the instructions for preparing the technical proposal. The proposal should include the requested project information. A minimum set of mandatory information is required to ensure an adequate description of the proposed work. A prescribed format for the proposal is given to facilitate preparation and evaluation.

The merits of a proposal depend on:

1. How well the proposal demonstrates understanding of and meets NYERI COUNTY objectives and Requirements as described in the project description.
2. The bidders' qualifications
3. The bidders' responsiveness to the technical proposal preparation
4. Any additional material may be presented beyond that requested only if it's necessary for clarification of the proposal

### **6.3.2 Proposal details and format**

The proposal presents the bidder's plans for the project based on the concepts given in the project description, the details requested below, and how the bidder expects the project to proceed

The proposal must be recognized and have the requested information in the sequence presented below. Additional subsections may be defined if they will help present and identify important material. If a requested item is not known or is not applicable, please indicate that in the applicable section of the proposal. Relevant documents may be cited.

Please note that if an applicant has questions or seeks clarification regarding the bid document, and that question and answer may be applicable to all RFP applicants, the question and the NYERI COUNTY answers will be provided to all bidders by email.

### **6.3.3 Response detail**

Response to this RFP should be clear, concise, in depth, conclusive, definite and designed to convey intent and the basic concept of supporting information

### **6.3.4 Proposal evaluation process**

Each proposal received on time will be reviewed and evaluated by a proposal evaluation panel.

Proposals will be screened to determine if they contain the requested information in the required format. Proposals that meet these criteria will be designated as responsive and will be evaluated and ranked according to the criteria given in this **RFP**

### **6.3.5 Developer selection and contract award process**

One responsive proposal will be assigned to the slaughterhouse to hire and operate. If the proposal is not deemed satisfactory, NYERI COUNTY may return the proposal and may issue a new solicitation. The bidder will be contacted to confirm details relative to their technical proposal, development schedule, and compatibility with the authority. A letter describing NYERI COUNTY intent to award and assign the slaughterhouse will be sent to the bidder.

### **6.3.6 Threshold requirements**

Proposed projects must meet the following threshold requirements. Proposals that do not meet the following requirement will be rejected.

The developer must be willing to adhere to meat control Act the public health Act environment Act in operating the slaughter house

## **6.4 PROPOSAL**

### **6.4.1 Cover and title page**

Put the name of the project, company name, date of the proposal, the persons(s) responsible for the proposal preparation, and all co-sponsors currently in the project. The cover shall include the legend "Request for proposal for hiring a slaughterhouse". Slaughter house. Number each copy on the cover. Clearly show that it is the **RFP** on both the cover and the title pages. Number each copy of submitted proposal as 1 of 5, 2 of 5 and so on.

### **6.4.2 Legal entity of bidder**

Description of the current or proposed legal status of bidder, the state of incorporation and all affiliated companies, including holding companies, subsidiaries, and predecessor companies presently or in past engaged in developing or operating similar facilities. This should include but is not limited to:

- The type of business entity (bidder)- corporation, partnership, joint venture etc.
- Business entity is registered with the state and authorized to do business
- Business entity is currently active and in good standing with the state
- The state (or country) the business entity is primarily domiciled.

### **6.4.3 Plans and Financing**

Describe the structure and status of a plan for project financing. Include major provisions of plan along with any milestones the project must meet for ongoing financing.

If past financing has resulted in an operational slaughterhouse briefly describe that past financing process.

Provide a list of any current credit issues raised by rating agencies, banks or accounting firms and a list of all credit ratings from the major rating agencies, if available.

### **6.4.4 Project description**

Describe a development work plan for the [redacted] slaughterhouse. The intent of this criterion is to assess the [redacted] slaughterhouse operators capacity and interest in hiring and managing the project in a timely manner, preferably in 2 months or less

**6.6 Compensation to NYERI COUNTY GOVERNMENT**

The minimum bid amounts are detailed in this section below. Responses should indicate both the minimum bid from the RFP, and the bid from the respondent.

**1.7 Proposal evaluation**

The evaluation proposal has 1 ó 100 points maximum

This is as stipulated in the instruction to biddersøsection 2.14.2

Following review of the information contained in phase I proposals; the most favorable bidders will be selected. At this point NYERI COUNTY will offer and assign the í í í í í í í slaughterhouse to the bidder for hiring and operation rights.

**1.8 Proposal**

This proposal must be completed and approved prior to issuance of a common lease for.....slaughterhouse

**6.9 Slaughterhouse description**

The bidders are advised to visit the slaughterhouse and asses it for themselves



### **6.10 Demonstration of financial ability**

Information submitted must include a balance sheet (pro forma) for leasing. This must include a summary of projected income and costs for the first 10years of the operation of the lease along with a discussion of the economic assumptions upon which the projections are based. The summary must include an analysis of the annual minimum cash flow requirements for the applicant to break even.

### **6.11 Site control**

Provide documentation of site control, including land rights and access road.

### **6.12 Environmental review, key permits**

The proposer is responsible for securing the resources necessary to renovate and manage the slaughter house. Discuss known environment issues relative to the development and operation of the project.

### **6.13 Schedule**

Show a schedule of tasks in a graphic form, such as a Gantt chart, detailing the length of time required for each task. Include the time lines requested in other sections of this proposal so that all schedules are together.

### **6.14 Additional information – value addition**

Provide additional information, with appropriate headings, that will help describe the project and plan

## 7.0 FINAL PROJECT REQUIREMENTS – successful bidder

### 7.1 Facility maintenance

The successful bidder must, engineer, procure, construct, install and provide all support necessary to renovate and maintain the í í í í í í í slaughterhouse.

Developer obligations include but are not limited to:

- Securing all land rights, easements and right of way needed to renovate and operate the Facility.
- Paying the costs for environmental impact mitigation.
- Operating and maintaining the facility, and the associated costs.
- Promptly paying the monthly rent as per the contract.

### **7.3 Where to send proposals**

Submit two (2) papers copies of the proposal to the address shown below:

THE COUNTY SECRETARY  
COUNTY GOVERNMENT OF NYERI  
P.O BOX 1112  
NYERI

### **7.4 Withdrawal and modification of proposals**

Bidders may withdraw their proposal and submit a revised proposal prior to the response deadline through a written notification. After the response deadline, bidder initiated changes will not be accepted.

### **7.5 Confidential or proprietary information**

NYERI COUNTY will not accept proposals or other documents that are marked to indicate the entire document is the confidential or proprietary information of the sender or that restricted handling is required.

If the bidder considers data to be confidential or proprietary, those portions of the proposal must be clearly marked "confidential" on each page containing confidential information.

### **7.6 Communication**

Communication with NYERI COUNTY GOVERNMENT related to this RFP must be sent by email to THE COUNTY SECRETARY, COUNTY GOVERNMENT OF NYERI, [www.nyeri.go.ke](http://www.nyeri.go.ke)

Parties who request a copy of the **RFP** or send email regarding the **RFP** will be placed on an email distribution list. Questions and requests for clarification regarding the **RFP** and NYERI COUNTY GOVERNMENT responses will be distributed to everyone on the email distribution list.