

REPUBLIC OF KENYA THE NATIONAL TREASURY P. O. BOX 30007 00100 NAIROBI

TENDER

FOR

SALE OF BOARDED MOTOR VEHICLES AT THE NATIONAL TREASURY HEADQUARTERS

TENDER NO. TNT/036/2020-2021

CLOSING DATE: FRIDAY 29th JANUARY, 2021 AT 11.00 A.M.

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INVITATION TO TENDER



REPUBLIC OF KENYA THE NATIONAL TREASURY SALE OF BOARDED MOTOR VEHICLES TENDER NO: TNT/036/2020– 2021

The National Treasury invites sealed tenders from eligible candidates for Sale of Boarded Motor vehicles.

A complete set of Tender Documents may be downloaded by interested firms free of charge at www.treasury.go.ke or www.tenders.go.ke and those who download the document from the website must forward their particulars immediately for recording and any further clarifications and addenda to procurement@treasury.go.ke.

A complete set of tender documents may be obtained by interested candidates from the Supply Chain Management Office during normal working hours on 6th Floor Room 619, Treasury Building, Harambee Avenue upon payment of a non-refundable fee of Kenya Shillings One Thousand Only (Kshs. 1,000.00) per copy in cash or bankers cheque payable to The Principal Secretary, National Treasury. Further, a refundable deposit of 10% of the reserve price shall be paid in cash or bankers cheque payable to The Principal Secretary, National Treasury, for each vehicle quoted for by the bidder.

Viewing / inspection of all vehicles by the interested bidders shall be conducted on Tuesday 26th January, 2021 at 11.00 a.m. at the Chief Mechanical and Transport Engineer yard, Machokos Road, Industrial Area.

An attendance certificate shall be issued immediately thereafter and **MUST** be attached to the bid document.

Completed Tender Documents, both "Original" and "Copies", enclosed in plain sealed envelopes, marked with the relevant Tender Number and Title shall be addressed to:

The Principal Secretary, The National Treasury, P. O. Box 30007 – 00100, Nairobi, Kenya

and be deposited in the Tender Box provided at the Treasury Building, 6th Floor, Harambee Avenue, Nairobi, so as to be received on or before Friday 29th January, 2021 at 11.00 a.m.

All Bid Documents must be sequentially serialized / paginated.

Tenders will be opened immediately thereafter in the presence of the tenderers or their representatives who choose to attend the opening at The National Treasury, Treasury Building, Harambee Avenue, Nairobi, 6th Floor, Conference Room No. 603 on Friday 29th January, 2021 at 11.00 a.m.

HEAD, SUPPLY CHAIN MANAGEMENT SERVICES. FOR: PRINCIPAL SECRETARY / NATIONAL TREASURY

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.

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 be 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 these instructions to tenderers.
 - (i) Invitation to tender
 - (ii) Instructions to tenderers
 - (iii) Schedule of items and price
 - (iv) Conditions of Tender
 - (ν) Form of tender
 - (vi) 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
- 2.5.1 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.
- 2.5.2 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 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 Tenderer's tender deposit will be discharged or returned as promptly as possible 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 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 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 the balance of the bid price.

2.8 Validity of Tenders

- 2.8.1 Tenders shall remain valid for **180 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 motor vehicles 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 WHERE IS CONDITION and the conditions of the items are not warranted by the seller.

2.10 Sealing and Marking of Tenders

The tenderer shall seal the tender and mark it with the number and name of the tender and "DO NOT OPEN BEFORE

- 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 Friday 29th January, 2021 at 11.00 a.m.
- 2.11.2 The 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

The tenderer may modify or withdraw its tender after the 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.

- 2.12.2 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.
- 2.12.3 No tender may be modified after the deadline for submission of tenders

2.13 Withdrawals and tenders

2.13.1 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

2.14 Opening of Tenders

2.14.1 The Procuring entity will open all tenders in the presence of tenderers' representatives who choose to attend on Friday 29th January, 2021 at 11.00 a.m. and in the location specified in the invitation to tender.

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

- 2.14.2 The 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.
- 2.14.3 The Procuring entity will prepare minutes of the tender opening.

2.15 Clarification of tenders

- 2.15.1 To 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.
- 2.15.2 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.

2.16 Evaluation and Comparison of Tenders

- 2.16.1 The 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.
- 2.16.2 The Procuring entity will evaluate and compare the tenders, which have been determined to be substantially responsive Preliminary evaluation

The following shall be the **MANDATORY** Requirements.

S/No.	Criteria	Responsive / Not
		Responsive
1.	Copy of Certificate of Registration / Incorporation ((for Sole	
	Proprietors and Limited Companies) or Copy of Identity	
	Card (ID) for individuals	
2.	Copy of a Valid Tax Compliance Certificate (for Sole	
	Proprietors and Limited Companies)	
3.	Duly filled and signed form of tender.	
4.	Original deposit receipt of the lots tendered for	
5.	Duly filled and signed Confidential Business Questionnaire	
6.	Duly filled and signed Motor Vehicles viewing / inspection	
	certificate form	
7.	Duly filled, and signed Self-Declaration Form that the	
	Tenderer is Not Debarred by Public Procurement Review	

	Authority (PPRA).	
8.	Duly filled and signed Self Declaration form that the	
	Tenderer will not engage in any Corrupt or Fraudulent	
	Practice	
	Responsiveness	

NOTE

AT THIS STAGE, THE TENDERER'S SUBMISSION WILL EITHER BE RESPONSIVE OR NON RESPONSIVE. THE NON RESPONSIVE SUBMISSIONS WILL BE ELIMINATED FROM THE ENTIRE EVALUATION PROCESS

2.16.3 The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

2.17 Award Criteria

2.17.1 The 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 reserve price.

2.18 Notification of Award

- 2.18.1 The Procuring entity will notify the successful tenderer in writing that its tender has been accepted.
- 2.18.1 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

2.19 Contacting the Procuring entity

- 2.19.1 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.
- 2.18.2 Any 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.

The following information for sale of boarded motor vehicles 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 Reference	to	Tenderers	Particulars of appendix to Instructions to tenderers
2.1.1			Indicate eligible tenderers: Kenyan Citizens
2.8.1			Indicate tender validity: 180 Days
	•		

NB

The tender deposit may be forfeited:

- (c) If a tenderer withdraws its tender during the period of tender validity specified by the procuring entity.
- (d) In the case of a successful tenderer, if the tenderer fails to pay the balance of the bid price.

SECTION III: SCHEDULE OF REQUIREMENT AND PRICE SCHEDULE

Lot Nos.	Vehicle Registration, Make/Model	YOM	Qty	Reserve Price (Kshs)	Location	Required Deposit (10%)	Total Tender Price Kshs
1	GKA444M- Nissan X-trail	2006	1	600,000.00	CMTE Yard	60,000.00	
2	GKA129T- Nissan X-trail	2008	1	450,000.00	CMTE Yard	45,000.00	
3	GK A 923T- Volkswagen Passat	2009	1	540,000.00	CMTE Yard	54,000.00	
4	GKA102U-Volkswagen Passat	2009	1	500,000.00	CMTE Yard	50,000.00	
5	GKA083V- Volkswagen Passat	2009	1	500,000.00	CMTE Yard	50,000.00	
6	GK A068V- Volkswagen Passat	2009	1	540,000.00	CMTE Yard	54,000.00	
7	GKA501T- Volkswagen Passat	2008	1	440,000.00	CMTE Yard	44,000.00	
8	GKA377H-Toyota Hilux D/Cabin	2004	1	400,000.00	CMTE Yard	40,000.00	
9	GKA378H- Toyota Hilux D/Cabin	2004	1	400,000.00	CMTE Yard	40,000.00	
10	GKA536M- Toyota NZE120R	2006	1	70,000.00	CMTE Yard	7,000.00	
11	GKA343N- Toyota KZJ120R	2006	1	570,000.00	CMTE Yard	57,000.00	
12	GK A647H- Toyota KZJ120R	2004	1	470,000.00	CMTE Yard	47,000.00	
13	GK A103U- Volkswagen Passat	2009	1	50,000.00	CMTE Yard	5,000.00	
14	GK A 141G-Isuzu Trooper	2003	1	260,000.00	CMTE Yard	26,000.00	

Prices should be net exclusive of all taxes,

NB: Successful Bidders shall be required to pay for any other duties / taxes that n be imposed by other relevant body.				
[Names in full]	[Signature]			
[Postal Address]	[Telephone Number]			

SECTION IV- CONDITIONS OF TENDER

- 4.1 A tenderer may tender for each vehicles or each lot and may tender for as many vehicles or lots as he/she wishes.
- 4.2 A tenderer will pay a deposit as indicated in the Price Schedule (Section III) in advance before the closing date of the tender for each 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 The procuring entity will has made public the reserve prices for all the vehicles as per the Public Procurement and Asset Disposal Act, 2015. Vehicles 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 Motor Vehicles 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	Particulars of the appendix to Conditions of tender
4.5 Storage charges	Indicate storage charge: To be determined by The National Treasury

SECTION V STANDARD FORMS

Notes on Standard Forms

5.1 The form of tender, 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		
			Date: Tender No.
To:		••••	render 110.
••	[name and address o	 of procuring enti	ity]
Gentle	men and/or Ladies:		
Lots/ Nacknovus in constant in	Noswledged, we the und onformity with the sa	[insert nu lersigned, offer to aid tender docun ums as may be a	ents including Addenda. umbers]. The receipt of which is hereby duly o purchase and collect all the items offered to ments for the sum of
2.		our Tender is ac	ccepted, to pay for and collect the items in
fixed f	for tender opening	of the Instructio	r a period of [number] days from the date ons to tenderers, and it shall remain binding before the expiration of that period.
	We understand that ay receive.	you are not bo	ound to accept the highest or any tender that
Dated	this	_ day of	20
	[Names in full]		[Signature]

[Telephone Number]

[Postal Address]

5.2 Tender deposit commitment Declaration Form

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

Lot No.	Item Description	Deposit Kshs.	Receipt No. and Date
[Nan	nes in full]	[Signature]	
[Post	tal Address]	[Telephone Number]	

5.3. Letter of Notification of Award

	Address of Procuring Entity
To:	
RE: Tender No	
Tender Name	
been awarded to you.	ntract/s stated below under the above mentioned tender have
	receipt of this letter of notification signifying your acceptance
	ts shall be signed by the parties within 30 days of the date of rlier than 14 days from the date of the letter.
· · · · · · · · · · · · · · · · · · ·	officer(s) whose particulars appear below on the subject of notification of award.
(FULL PARTICULAR:	5)

SIGNED FOR ACCOUNTING OFFICER

5.4 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	Street/Road Tel No	Fax E mail ne – Kshs.	
Part II – Individual:			
Individual Name Postal Address Name of your bankers	Tel No	E mail	
1	D : 2 ()		
Your name in full	Part 3 (a) – Sole I		
Nationality Citizenship details	Country of origin .		
	Part 3 (b) Partnersh	ip	
Given details of partners as follows: Name	•	Citizenship Details	Shares
2 3			
	Part 3 (c) – Regis	itered Company	
Private or Public			
State the nominal and issued capital of Nominal Kshs			
Given details of all directors as follow		Cir. J. D. H.	CI .
Name	Nationality	Citizenship Details	Shares
2			
3			
4			
5			
Date	Seal/Si	gnature of Candidate	

5.5 Request for Review Form FORM RB 1

REPUBLIC OF KENYA

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NOOF20
BETWEEN
APPLICANT
AND
Request for review of the decision of the (Name of the Procuring Entity) of
dated theday of20in the matter of Tender
Noof20
REQUEST FOR REVIEW
I/We,the above named Applicant(s), of address: Physical
addressFax NoTel. NoEmail, 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 onday of/20
FOR OFFICIAL USE ONLY
Lodged with the Secretary Public Procurement Administrative Review Board on
day of20

SIGNED
Board Secretary

5.6 SELF DECLARATION FORMS - DEBARRED

(r.47)

FORM SD1

SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015.

l,	in the Republic of	
1. THAT I am the Company Secretary Officer/Director of	(insert name o of Tender Nofo e/description) for	f the or (insert
2. THAT the aforesaid Bidder, its Direction participating in procurement pro-		een debarred
3. THAT what is deponed to hereinal information and belief.	bove is true to the best of my knowl	edge,
(Title)	(Signature)	(Date)
Bidder Official Stamp		

FORM SD2

5.7

SELF DECLARATION THAT THE PERSON/ TENDERER WILL NOT ENGAGE IN ANY CORRUPT OR FRAUDULENT PRACTICE I, of P. O. Box being a resident of in the Republic of do hereby make a statement as follows: -1. THAT I am the Chief Executive/Managing Director/Principal Officer/Director of (insert name of the Company) who is a Bidder in respect of Tender No. for (insert tender title/description) for (insert name of the Procuring entity) and duly authorized and competent to make this statement, Kenya Subsidiary Legislation, 2020 2. THAT the aforesaid Bidder, its servants and/or agents /subcontractors will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agents of (insert name of the Procuring entity) which is the procuring entity. 3. THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of (name of the procuring entity) 4. THAT the aforesaid Bidder will not engage /has not engaged in any corrosive practice with other bidders participating in the subject tender 5. THAT what is deponed to hereinabove is true to the best of my knowledge information and belief. (Title) (Signature) (Date)

SELF DECLARATION FORMS - CORRUPT OR FRAUDULENT PRACTICE

Bidder's Official Stamp

THE NATIONAL TREASURY

5.8 MOTOR VEHICLES VIEWING / INSPECTION CERTIFICATE FORM

This is to certify that M/s/ Mr	have visited.
inspected and views the Motor Vehicles (site name	ne), Vehicles
Registration (s)	
The National Treasury Representative	
Name:	
Sign:	
Date:	
Official Stamp:	
Tenderers Representative	
Name;	
Signature;	
Date:	
Official Stamp: (in case of a Lir Sole Propitiate	