



# REPUBLIC OF KENYA

THE NATIONAL TREASURY

P. O. BOX 30007 00100

NAIROBI

## **SALE OF BOARDED ASSORTED STORES AT THE NATIONAL TREASURY HEADQUARTERS - NAIROBI**

### **TENDER NO. TNT/052/2018-2019**

**CLOSING DATE: FRIDAY, 26<sup>th</sup> April, 2019 at 10.00 a.m.**

**APRIL, 2019**

*Serial No. ....*  
*Receipt No.....*

## Table of Contents

<b>INVITATION TO TENDER .....</b>	<b>3</b>
<b>SECTION II - INSTRUCTION TO TENDERERS .....</b>	<b>4</b>
2.1 Eligible Tenderers .....	4
2.2 Cost of Tendering.....	4
2.3 The Tender Document.....	4
2.4 Clarification of Documents .....	4
2.5 Amendment of Documents.....	5
2.6 Tender Prices and Currencies.....	5
2.7 Tender deposit.....	5
2.8 Validity of Tenders.....	6
2.9 Viewing of Tender Items.....	6
2.10 Sealing and Marking of Tenders .....	6
2.12 Modifications and Withdrawals of Tenders .....	6
2.13 Withdrawals and tenders .....	7
2.14 Opening of Tenders .....	7
2.15 Clarification of tenders .....	7
2.16 Evaluation and Comparison of Tenders .....	7
2.17 Award Criteria .....	8
2.18 Notification of Award.....	8
2.19 Contacting the Procuring entity.....	8
<b>SECTION III: SCHEDULE OF REQUIREMENT AND PRICE SCHEDULE .....</b>	<b>10</b>
<b>SECTION IV- CONDITIONS OF TENDER.....</b>	<b>12</b>
<b>SECTION V STANDARD FORMS .....</b>	<b>14</b>
5.1 Form of Tender.....	15
5.2 Tender deposit commitment Declaration Form .....	16
5.3 Letter of Notification of Award .....	17
5.4 Request for Review Form .....	18

**INVITATION TO TENDER  
REPUBLIC OF KENYA**



**THE NATIONAL TREASURY  
INVITATION TO TENDER  
SALE OF BOARDED ASSORTED STORES  
TENDER NO: TNT/ 052 /2018 – 2019**

The National Treasury invites sealed tenders from eligible candidates for sale of boarded assorted stores.

Interested eligible candidates may obtain detailed information on the sale of boarded assorted stores at Treasury Building, Harambee Avenue, Nairobi. Room 601 during normal working hours from 8.00 am – 12.30 pm and 2.30 pm – 4.00 pm.

A complete set of tender documents may be downloaded by interested candidates free of charge at <http://treasury.go.ke> and those who have downloaded the document from the website **must forward their particulars immediately for recording and any further clarifications and addenda to [procurement@treasury.go.ke](mailto:procurement@treasury.go.ke).**

Tenderers who wish to have hard copies of the tender document will be required to pay **Kshs. 1,000.00** per copy either in cash or bankers cheque. Further, a refundable deposit of **kshs.1,000.00** will also be paid for each lot quoted for.

The items can be viewed during normal working hours on prior arrangement with the **Head of Supply Chain Management Services.**

Completed tender documents, enclosed in plain sealed envelopes, marked with the tender number should be addressed to:-

**The Principal Secretary,  
The National Treasury,  
PO Box 30007 – 00100,  
Nairobi, Kenya**

and be deposited in the tender box provided at the Treasury Building, 6<sup>th</sup> Floor, Harambee Avenue, Nairobi, so as to be received on or before **Friday 26<sup>th</sup> April, 2019 at 10.00 a.m.**

Prices quoted should be net exclusive of all taxes, must be in Kenya Shillings and should remain valid for 120 days.

Tenders will be opened immediately thereafter in the presence of candidates' or their representatives who choose to attend at the Conference Room 603 on 6<sup>th</sup> Floor, Treasury Building, Harambee Avenue on **Friday 26<sup>th</sup> April, 2019 at 10.00 a.m.**

**HEAD, SUPPLY CHAIN MANAGEMENT SERVICES  
FOR: PRINCIPAL SECRETARY**

## **SECTION II - INSTRUCTION TO TENDERERS**

### **2.1 Eligible Tenderers**

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

### **2.2 Cost of Tendering**

- 2.2.1 The tenderer shall bear all costs associated with the preparation and submission of its tender, and the procuring entity, will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.
- 2.2.2 The price to be charged for the tender document shall 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
  - (v) 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 as but not later than Seven (7) days after the expiration of the period of tender validity prescribed by the procuring entity.
- 2.7.4 The successful Tenderer's tender deposit will be 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 120 days or as specified in the appendix to instruction to tenderers after date of tender opening prescribed by the Procuring entity, pursuant to paragraph 2.10 Tender valid for a shorter period shall be rejected by the Procuring entity as non-responsive.

2.8.2 In exceptional circumstances, the Procuring entity may solicit the Tenderer's consent to an extension of the period of validity. The request and the responses thereto shall be made in writing. The tender deposit provided under paragraph 2.7 shall also be suitably extended. A tenderer may refuse the request without forfeiting its tender deposit. A tenderer granting the request will not be required nor permitted to modify its tender.

## **2.9. Viewing of Tender Items**

2.9.1 Prospective bidders are advised to view the items, stores/equipment in liaison with the procuring entity before they bid for each lot. This will enable them to arrive at the most reasonable and competitive bids. Bids are based on AS 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 **Friday 26<sup>th</sup> April, 2019 at 10.00 a.m.**"

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 26<sup>th</sup> April, 2019 at 10.00 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 tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by the Procuring entity prior to the deadline prescribed for submission of tenders.

2.12.2 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 26<sup>th</sup> April, 2019 at 10.00 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.

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 to Tenderers Reference	<i>Particulars of appendix to Instructions to tenderers</i>
2.1.1	<i>Indicate eligible tenderers: <b>Kenyan Citizens</b></i>
2.8.1	<i>Indicate tender validity: <b>120 Days</b></i>

### SECTION III: SCHEDULE OF REQUIREMENT AND PRICE SCHEDULE

Lot Nos.	Item Description	Unit	Qty	Location	Reserve Price (Kshs)	Required Deposit	Total Tender Price Kshs
1	Assorted Waste Paper (Approx Tonnes)	Tons	10	Disposal Store N/T	45,000.00	1,000.00	
2	Assorted Broken Chairs	No.	169	Disposal Store N/T	33,800.00	1,000.00	
3	Assorted Broken Tables	No.	15	Disposal Store N/T	15,000.00	1,000.00	
4	Assorted Filling Cabinets Various Sizes	No.	39	Disposal Store N/T	117,000.00	1,000.00	
5	Assorted Non Functional CPU Shells	No.	21	Disposal Store N/T	2,400.00	1,000.00	
6	Assorted Non Functional Printers	No.	28	Disposal Store N/T	6,250.00	1,000.00	
7	Assorted Worn Out Old Tyres	No.	25	Disposal Store N/T	1,250.00	1,000.00	
8	Assorted Table Tops	No.	30	Disposal Store N/T	15,000.00	1,000.00	
9	Assorted Non Functional Photocopiers	No.	9	Disposal Store N/T	25,000.00	1,000.00	
10	Assorted Worn Out Sofa sets (Various Sizes)	No.	7	Disposal Store N/T	12,250.00	1,000.00	
11	Assorted Monitors (Shells)	No.	9	Disposal Store N/T	900.00	N/A	
12	Assorted Non Functional Scanners	No.	4	Disposal Store N/T	400.00	N/A	
13	Non Functional Water Dispensers	No.	2	Disposal Store N/T	500.00	N/A	
14	Non Functional Microwaves	No.	2	Disposal Store N/T	300.00	N/A	
15	Assorted Doors Various Sizes /Types	No.	10	Disposal Store N/T	15,000.00	1,000.00	
16	Non Functional Broken Type Writer	No.	1	Disposal Store N/T	200.00	N/A	
17	Non-Functional Old Paper Shredder	No.	1	Disposal Store N/T	800.00	N/A	
18	Non Functional Old UPS's Various Types	No.	14	Disposal Store N/T	1,400.00	1,000.00	
19	Non Functional Burnt Electric Cookers	No.	10	Disposal Store N/T	1,000.00	1,000.00	
20	Used And Worn Out Floor Carpet (Large Size)	No.	1	6th Floor Rm 614	1,500.00	1,000.00	
21	Assorted Old Chairs	No.	20	BIMA House Reception	20,000.00	1,000.00	
22	Assorted Waste Papers (Approx.500 Kilograms)	No.	500	Pension Stores - BIMA	5,500.00	1,000.00	
23	Assorted Non Functional Printers	No.	31	Pension Stores - BIMA	15,250.00	1,000.00	
24	Assorted Sofa Sets Complete With Cushions	No.	5	Pension Stores - BIMA	10,000.00	1,000.00	

Lot Nos.	Item Description	Unit	Qty	Location	Reserve Price (Kshs)	Required Deposit	Total Tender Price Kshs
25	Assorted CPU's (Shells)	No.	26	Herufi House ICT Store	2,600.00	1,000.00	
26	Non Functional Old UPS's Various Types	No.	25	Herufi House ICT Store	2,500.00	1,000.00	
27	Assorted Non Functional Monitors (Shells)	No.	10	Herufi House ICT Store	1,000.00	1,000.00	
28	Assorted Non Functional Printers	No.	11	Herufi House ICT Store	10,000.00	1,000.00	
29	Assorted Non Functional Photocopiers	No.	2	Herufi House ICT Store	5,000.00	1,000.00	
30	Used Computer Keyboards	No.	10	Herufi House ICT Store	1,000.00	1,000.00	
31	Assorted Used Fans	No.	6	Herufi House ICT Store	1,200.00	1,000.00	
32	Used Assorted Non Refillable Cylinders	No.	17	Herufi House ICT Store	8,500.00	1,000.00	
33	Assorted Fax Machines	No.	2	Herufi House ICT Store	400.00	N/A	
34	Used Type Writer	No.	1	Herufi House ICT Store	200.00	N/A	
35	Non Functional D -Links	No.	5	Herufi House ICT Store	500.00	N/A	
36	Non-Functional Old Paper Shredders	No.	2	Herufi House ICT Store	400.00	N/A	
37	Assorted Non Functional Scanners	No.	2	Herufi House ICT Store	1,500.00	1,000.00	
38	Assorted Non Functional old Compressors	No.	10	Herufi House ICT Store	2,500.00	1,000.00	
39	Non Functional Burnt Electric Cookers	No.	4	Herufi House ICT Store	400.00	N/A	

**Prices should be net exclusive of all taxes,**

**NB: Successful Bidders shall be required to pay for any other duties / taxes that may 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 item or each lot and may tender for as many items or lots as he/she wishes.
- 4.2 A tenderer will pay a deposit of **Kshs.1000.00** in advance before the closing date of the tender for each lot tendered for as indicated in the schedule of items and prices. Items in lots marked N/A and whose reserve price is less than **Kshs. 1,000.00** will not attract a refundable deposit.
- 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 strictly 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 make public the reserve prices for all the items as per the Public Procurement and Asset Disposal Act, 2015. Items tendered for below the reserve price will be retained by the procuring entity.

## Appendix to Conditions of Tender

The following information for sale of boarded assorted stores 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>
4.51 Storage charges	<i>Indicate storage charge: <b>Kshs.1,000.00 per day</b></i>

## **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: .....  
.....  
[name and address of procuring entity]

Gentlemen and/or Ladies:

1. Having examined the tender documents including Addenda. Lots/ 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.

2. We undertake, if our Tender is accepted, to pay for and collect the items in accordance with the requirements of the tender.

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

4. We understand that you are not bound to accept the highest or any tender that you may receive.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
[Names in full]

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

\_\_\_\_\_  
[Postal Address]

\_\_\_\_\_  
[Telephone Number]





**5.3. 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

**5.4 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 the Procuring Entity*) 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**