



THE TECHNICAL UNIVERSITY OF KENYA

TENDER EVALUATION COMMITTEE REPORT FOR SUPPLY AND DELIVERY OF SUPPLY AND DELIVERY OF LPG GAS INSTALLATION AND REFILLING: TENDER NUMBER TU-K/T/7/2024/2025

1. PREAMBLE

1.1 Background Information

Tender Title: Tender for supply and delivery of Liquid Petroleum GAS (LPG).

Tender Ref. No.: TU-K/T/7/2024/2025

1.2 Introduction

The Technical University of Kenya (TU-K) advertised for Supply and Delivery of Liquid Petroleum GAS (LPG) on June 4th, 2024. The closing /opening date of the tender was June 18th, 2024 at 10.00 am. The tender advertisement is attached and here- in after referred to as *Appendix I*.

1.3 Terms of Reference

The Tender Evaluation Committee (TEC) was appointed by the Vice Chancellor on 30th May 2024. The terms of reference were to evaluate and recommend the lowest and most responsive evaluated bidder to the Vice Chancellor for consideration for the award of the tender for the Supply and Delivery of LPG GAS INSTALLATION AND REFILLING. The committee carried out the evaluation exercise on the 24th, 25th and 26th May 2024.

1.4 Scope: Supply and Delivery of Liquid Petroleum GAS (LPG)

2.0 EVALUATION CRITERIA

This was divided into three stages.

- i) Mandatory requirements evaluation criteria (must provide all the mandatory requirements)
- ii) Technical requirements evaluation criteria
- iii) Financial evaluation criteria and visitation (site) evaluation.

2.1 Tender Registration

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ALL

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The members noted and agreed that

- 1) Insisting that the downloaded tender be registered at offices of PSC operations negates the spirit of online initiatives.
- 2) Online submission of tender is allowed in the public procurement and asset disposal Act 2015 cap 64 section 2 (b) and cap 77 sections 1 and 4. Therefore Procurement and Supply Chain should provide parameters where bidders are not bound to physically submit the tenders
- 3) Tender registration parameter should not be used to disqualify any bidder since it was not among the mandatory requirements in the evaluation criteria (as stipulated in the Act section 79 part 2(a)).
- 4) Bidders who submit their tender/bid documents within the stipulated time and deadlines will be the only ones considered to have participated in the tendering process.

3.0 First Stage

All the Tenderers were subjected to an examination of ten (10) mandatory requirements as listed in Table 1. The mandatory information below MUST be provided. Any failure to provide ANY of the information under Mandatory requirements will lead to disqualification from further evaluation.

Table 1: Mandatory Evaluation Criteria

No.	Mandatory Evaluation Criteria	YES/NO(✓/x)
1.	Tender Security – Bank Guarantee or from an Insurance Company (All from acceptable and approved locally-based Kenyan institutions)	
2.	Copy of Company or Firm's Registration Certificate.	
3.	Copy of Valid Tax Compliance Certificate.	
4.	Copy of Receipt for purchase of tender document (where applicable) Free for downloaded documents.	
5.	Copy of Valid Trade License	
6.	Copy of Valid Fire Clearance Certificate	
7.	Audited Financial Accounts for the years 2020/21, 2021/22 and 2022/23 duly signed & stamped by your Auditing firm.	







8.	List of Shareholders and Directors - CR12	
9.	Copy or Registration Certificate from ERC (Energy Regulatory Commission) .	
10.	Ensure serialization of all pages of the bid submitted from the first page to the last page in numerical form.	

3.1 Second Stage

This involved a detailed examination of the Technical Capacity of the bidders.

Table 2: Technical Evaluation Criteria

No.	Technical Evaluation Criteria	Total Marks (70)
1.	Written confirmation on Terms of Payment Of 30 Days Credit Period on the firm letterhead	10
2.	Duly completed Form of Tender stamped and signed.	5
3.	Current Compliance certificate from EPRA (Energy Petroleum Regulatory Authority) .	6
4.	Duly completed Schedule of requirements duly filled, stamped, and signed indicating items offered and their prices. The bid submitted conforms to the required Specifications of the items and the Unit of issue as provided in the tender document (Provide the unit of issue and specifications of the item you are quoting for)	9
5.	Duly completed Declaration Form stamped and signed.	05
6.	Confidential Business Questionnaire (COB) duly filled, stamped, and signed	05
7.	Three Recommendation Letters bearing a name, contact persons , and Three Copies of LPOs or contracts from different Corporate organizations where you have supplied a similar product or service for the last 3 years	10
8.	Evidence of Ownership of Delivery Vehicles	10

Prepared
Tender

Copy of Current Vehicle Inspection Report	10
Total Score	70

TOTAL TECHNICAL EVALUATION WILL BE OUT OF 70

NOTE: PASS MARK BEFORE PROCEEDING TO THE FINANCIAL EVALUATION = 60

3.2 Financial Evaluation will be out of 70:30

This will include the following: -

- A. Confirmation of the authenticity and sufficiency of the submitted Tender Security.
- B. Confirmation of and considering Price Schedule duly completed and signed.
- C. Checking that the Tenderer has quoted prices based on Delivery Duty Paid (DDP) terms/ (VAT inclusive).
- D. Checking submission of audited financial accounts, which must be those that are reported within fifteen (15) calendar months of the date of the tender document.
- E. Conducting a financial comparison.
- F. Correction of arithmetical errors,
- G. Taking into account the cost of any deviation(s) from the tender requirements,
- H. Combined Score.

The Successful Bidder shall be the lowest evaluated bidder.

NOTE

- 1. For purposes of evaluation, the exchange rate to be used for currency conversion shall be the selling exchange rate ruling on the date of tender closing provided by the Central Bank of Kenya. (Visit the Central Bank of Kenya website).
- 2. Total tender value means the Tenderer's total tender price inclusive of Value Added Tax (V.A.T) for the goods it offers to supply.

4.0 Bids Received

Three (3) bidders submitted their bids as outlined in Table 3.

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Table 3: Bids Received as at Bid Opening

B/No	Company Name	Tender Sum Amount Ksh	Bid bond amount (ksh)	Bid/Security provider
1	Power Option Ltd	(Ksh. 1,169,523.00)	(Ksh. 11,695.00)	AMACO
2	Megtraco Ltd	(Ksh. 822,700.00)	(Ksh. 8,227.00)	APA Insurance
3	Upper Valley Energy Ltd	(Ksh. 1,110,753.00)	N/A	N/A

5.0 Compliance with Mandatory Requirements

Table 4 outlines compliance with the mandatory requirements from bids received.

Table 4: Mandatory Requirements

No.	Mandatory Requirements	B/No	B/No	B/No	B/No
1	Tender Security – Bank Guarantee or from an Insurance Company (All from acceptable and approved locally-based Kenyan institutions)	Yes/No. ✓/ / x	B1 Yes	B2 Yes	B3 No
2	Copy of Company or Firm's Registration Certificate.	Yes/No. ✓/ / x	Yes	No	Yes
3	Copy of Valid Tax Compliance Certificate.	Yes/No. ✓/ / x	Yes	Yes	Yes
4	Copy of Receipt for purchase of tender document (where applicable) Free for downloaded documents.	Yes/No. ✓/ / x	Yes	Yes	Yes
5	Copy of Valid Trade License	Yes/No. ✓/ / x	No	Yes	No
6	Copy of Valid Fire Clearance Certificate	Yes/No. ✓/ / x	No	No	No
7	Audited Financial Accounts for the years 2020/21, 2021/22 and 2022/23 duly signed & stamped by your Auditing firm.	Yes/No. ✓/ / x	Yes	No	No

8	List of Shareholders and Directors - CR12	Yes/No. ✓ / x	Yes	Yes	Yes
9	Copy or Registration Certificate from ERC (Energy Regulatory Commission).	Yes/No. ✓ / x	No	No	No
10	Ensure serialization of all pages of the bid submitted from the first page to the last page in numerical form.	Yes/No. ✓ / x	Yes	No	No

From the mandatory evaluation done, the results in Table 5 were extracted:

Table 5: Results of mandatory evaluation

B/N 0	Remarks
B1	<ol style="list-style-type: none"> 1. Provided EPRA License for another company in the name of Green Gas Company Limited. 2. Fire Clearance Certificate was from another company namely Green Gas Company Limited. 3. Did not provide a copy of registration certificate from ERC (Energy Regulatory Commission).
B2	<ol style="list-style-type: none"> 1. Did not provide a copy of the firm's registration certificate. 2. Did not provide a copy of valid fire clearance certificate. 3. Did not provide a copy of registration certificate from ERC (Energy Regulatory Commission). 4. Did not serialize the tender document provided. 5. Provided financial books <i>fy</i> 2019/2020 rather 2023/2024. 6. There was no ownership of the financial books by the auditing firm.
B3	<ol style="list-style-type: none"> 1. Did not provide tender security 2. Did not provide a copy of Trading license from EPRA. 3. Did not provide a copy of valid fire clearance certificate. 4. Did not provide any audited books of accounts. 5. Did not provide a copy of registration certificate from ERC (Energy Regulatory Commission). 6. Did not serialize the tender document provided.

Based on the results in Table 5 the bidders B1, B2 and B3 did not proceed to the technical stage, as the bidders did not meet all the mandatory requirements. Therefore, no further evaluation was required since all the bidders failed to meet the mandatory requirements.

Tender Evaluation Committee's Recommendation

The Tender Evaluation Committee recommends that the procurement entity is to liaise with the service providers like Kenya shell, Total etc. to provide proposals on how to rightfully conduct the work of Liquid Petroleum Gas (LPG) being that they are experts. The management should also advise on the viability and commencement of such procurement being a vital component of service to the institution.

EVALUATION COMMITTEE MEMBERS:

- 1. Prof. Jacton Odote  Date: 17/7/24
- 2. Ms. Hadija Wako  Date: 17/7/2024
- 3. Mr. Peter Musila  Date: 19/7/24
- 4. Mr. Jackson Moenga  Date: 17/7/24
- 5. Ms. Loreen Odondi  Date: 17/7/2024
- 6. Ms. Marsela Kange M-K Date: 17/7/2024
- 7. Mr. Stephen Nyamweya  Date: 17/07/2024

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ADDENDUM TO TENDER NOTICE FOR FINANCIAL YEAR 2024 – 2025 ON EXTENSION OF TENDER OPENING DATE

Pursuant to section 75 (clause1) of the Public Procurement and Asset Disposal Act 2015. The Technical University of Kenya extends the tender opening date from Monday 17th June 2024 to Tuesday 18th June 2024, this is due to gazettment of Monday 17th June 2024 as a public holiday. This Tender Notice subsides the details of the previous Notice.

The Technical University of Kenya (TU-K) invites applications from interested, eligible, and capable firms for Tenders in the following categories:

TENDERS 2024/2025				
TENDER REFERENCE.NO	CATEGORY OF SREVICE/PRODUCT	ELIGIBILITY	TENDER SECURITY AMOUNT	COST OF TENDER DOCUMENT
TUK/T/01/2024/2025	Meat/ Fish and Poultry products	Open	1% of tender sum	Free download
TUK/T/02/2024/2025	Dry Goods/Milk	Open	1% of tender sum	Free download
TUK/T/03/2024/2025	General Office Stationeries	Women/Pwd	1% of tender sum	Free download
TUK/T/04/2024/2025	Detergents/Soaps/ Toiletries and Disinfectants	Youth/Women	1% of tender sum	Free download
TUK/T/05/2024/2025	Branded Examination Booklets/Envelopes/ Files and Folders	Open	1% of tender sum	Free download
TUK/T/06/2024/2025	Toners/Cartridges/Inks and Ribbons	Open	1% of tender sum	Free download
TUK/T/07/2024/2025	Liquidated Petroleum Gas (LPG)	Open	1% of tender sum	Free download
TUK/T/08/2024/2025	Provision of Security Services	Open	1% of tender sum	Free download
TUK/T/09/2024/2025	Leasing of student center shops	Restricted to TU-K Students only	Nil	Free download

Interested eligible tenderers may obtain further information and inspect the tender documents from the Office of the Director, Procurement and Supply Chain, N-Block, The Technical University of Kenya on Haile Selassie Avenue, Nairobi-Kenya. During normal working hours, i.e. Monday to Friday from 8.00 a.m. to 1.00 pm and 2.00 pm to 5.00 p.m. with effect from Tuesday 4th June, 2024 at the TU-K website (www.tukenya.ac.ke)

A complete set of tender document may be obtained free of charge from the TUK website. All tender documents downloaded through the website should be duly registered at the office of the Director, Procurement and Supply Chain. Completed tender documents enclosed in plain sealed envelopes, marked "Category code No"..... & "Category description" should be deposited in the Tender Box situated on the first floor, Administration Block of The Technical University of Kenya or be addressed and posted to:

The Vice Chancellor

The Technical University of Kenya

P.O. Box 52428 – 00200 • Nairobi

<http://www.tukenya.ac.ke>

So as to reach the undersigned on or before Tuesday 18th June, 2024 at 10.00 a.m. The closing/opening process will be conducted immediately thereafter in the presence of firms' representatives who choose to attend at the conference room situated on the 1st floor, Administration Block, the Technical University of Kenya.

Late bids will be returned unopened.

THE VICE CHANCELLOR

<http://www.tukenya.ac.ke>