

## **MINUTES OF VIRTUAL PRE-BID MEETING FOR TENDER Nos.**

**KWS/ONT/B&F/29/2022 – 2023; CONSTRUCTION OF INTERMEDIATE 8No. STRANDS SOUTHERN BOUNDARY ELECTRIC FENCE AT MERU NATIONAL PARK - (11KM LABOUR AND MAINTAINANCE ONLY);**

**KWS/ONT/B&F/30/2022-2023; SUPPLY AND DELIVERY OF ELECTRIC FENCING MATERIALS FOR REHABILITATING NDII – KANGECHWA FENCE IN TSAVO WEST NATIONAL PARK;**

**KWS/ONT/B&F/31/2022 – 2023; REHABILITATION AND UPGRADING OF 40KM KANGECHWA NDII INTERMEDIATE ELECTRIC FENCE AT TSAVO WEST NATIONAL PARK (LABOUR ONLY) AND**

**KWS/ONT/B&F/32/2022-2023; SUPPLY AND DELIVERY OF ELECTRIC FENCING MATERIALS FOR REHABILITATION OF RUMA N. PARK**

**HELD ON 27<sup>th</sup> SEPTEMBER 2022 AT 10.00AM**

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### **KWS REPRESENTATIVES**

- |                        |             |
|------------------------|-------------|
| 1) Emanuel Ngetich     | Moderator   |
| 2) George M. Wambua    | Chair       |
| 3) George Wabwire      | Panelist    |
| 4) Eng. Bernard Mbenda | Panelist    |
| 5) Ann Mutuku          | Secretary   |
| 6) Ignatius Anolo      | Secretariat |

### **BIDDERS' REPRESENTATIVES**

1. Peter O
2. Nathaniel Karanu/Eng. Mburu (Zapet Engineering)
3. Leonard Kipngeno (Megawatt Power & Telecommunication)
4. Murage Thunguta
5. Charan
6. Emma Wambui
7. Spica `Engineering Limited
8. Lisa (Meiwent Company Ltd)
9. Young
10. David Thuo (Dachri Ltd)

11. Gallagher (Raymond/Ben)
12. Kosseytech Services Contractors Ltd
13. Sylvester
14. Jackson (Limah EA)
15. Edward Maina
16. Joseph
17. Alfred Magero (Freco Edge Investments)
18. Nicholas (Scope Projects)
19. Fred Magero

MIN. NO.	ITEM	DISCUSSION/ACTION
01/27/09/2022	Opening Remarks	The Moderator called the meeting to order at 10.15am, and welcomed participants, both from KWS and bidders' representatives to the webinar. He then requested all present to introduce themselves, thereafter he welcomed Deputy Director – Supply Chain Management to give his opening remarks
		<p>The DSCM welcomed everyone to the meeting and expressed his gratitude to all participants for taking time to be in the webinar. He reiterated that the purpose for the pre-bid meeting was to cultivate an atmosphere where the bidders felt confident on the procurement process being transparent and also to provide a platform where they could seek any clarifications pertaining to the tenders</p> <p>He stated that the tenders were advertised on 20th September 2022 and will be closing/opening on 7th October 2022</p> <p>Tenders were advertised as follows: -</p> <p>KWS/ONT/B&amp;F/29/2022-2023 –Construction of Intermediate 8 No strands Southern Boundary Electric Fence at Meru National Park</p> <p>KWS/ONT/B&amp;F/30/2022-2023-Supply and Delivery of Electrical Materials for Rehabilitating NDII-KANGECHWA Fence In Tsavo West National Park</p> <p>KWS/ONT/B&amp;F/31/2022-2023-Rehabilitation and upgrading of 40km KANGECHWA NDII intermediate Electric Fence at Tsavo West National Park.</p>

MIN. NO.	ITEM	DISCUSSION/ACTION		
		<p>KWS/ONT/B&amp;F/32/2022-2023-Supply and Delivery of Electrical Fencing Materials for Rehabilitation of Ruma N. Park</p> <ul style="list-style-type: none"> <li>The DD-SCM informed participants that pursuant to Information to Tenderers (ITT) 35 and 36, of the tender document, abnormally low or abnormally high tenders shall be rejected by KWS during evaluation, and thus encouraged the bidders to submit realistic bids that enables them discharge their contractual obligation satisfactorily without being curtailed by high costs.</li> <li>He further urged the bidders to strictly adhere to all the requirements in the bid document since KWS does thorough above-board tender evaluations</li> <li>George Wabwire gave a brief run-down on the tenders and their respective requirements.</li> <li>Engineer Mbeda encouraged bidders to go through the tender document well to ensure that they were compliant with all the requirements in it.</li> </ul>		
02/27/09/2022	Q & A Session	<b>No</b>	<b>Question</b>	<b>Answer</b>
		1.	<p>Raymond from M/S Gallagher Power Fence wanted clarification on tender number <b>KWS/ONT/B&amp;F/29/2022-2023</b> – Construction of Intermediate 8 No strands Southern Boundary Electric Fence at Meru National Park, whereby on page 23 of the bid document, the indicated works estimated cost was Kshs. 24 million yet the same estimate in figures was Kshs. 20 million.</p> <ul style="list-style-type: none"> <li>He further requested for clarification on page 28 contractor's equipment's minimum requirements on the same and the one on page 36 another table of equipment's.</li> </ul>	<p>- George Wabwire clarified that the correct Engineer's Estimate was actually Kshs. 41,500,000/=</p> <p>- The technical team requested the participants to give them some time to interrogate the document and clarification would be given via an addendum.</p>

MIN. NO.	ITEM	DISCUSSION/ACTION	
		<p>2. Leonard of Megawatt Power requested for clarification on tender number <b>KWS/ONT/B&amp;F/32/2022-2023</b> - Supply and Delivery of Electrical Fencing Materials for Rehabilitation of Ruma N. Park on whether provision of local manufacturers authorization was a must considering the tender was reserved for the AGPO groups. He further raised his concern on audited accounts in the tender document he felt this clause was disadvantaging the reserved group hence felt that should be expunged from the tender document.</p> <p>Finally, he requested for clarification on where the tender documents were to be delivered.</p>	<p>- The Deputy Director Supply Chain Management responded indicating that the requested audited accounts were a way of confirmation of the bidder's financial muscle to do the work, and hence they were necessary and vital documents. He reiterated that in the absence of the audited financial statements, a bidder may attach bank statements indicating their ability to perform the works. He further clarified that Manufacturer's Authorization was proof of the origin of the materials being supplied</p> <p>- Bidders were informed that the bid documents were to be delivered at KWS headquarters main reception in the tender box.</p>
03/27/09/2022		<p>3. On tender number <b>KWS/ONT/B&amp;F/29/2022-2023</b> –Construction of Intermediate 8 No strands Southern Boundary Electric Fence at Meru National Park, Emma She queried whether the Engineer's Estimate, indicated as Kshs. 20 million was going to change</p>	<p>Mr. Wabwire told the meeting that the indicated figure was the correct estimate, and thus it was not going to change. the estimate was not going to change at all</p>
04/27/09/2022		<p>4. Raymond raised concerned in tender number <b>KWS/ONT/B&amp;F/29/2022-2023</b> – Construction of Intermediate 8 No strands Southern Boundary Electric Fence at Meru National Park whereby the indicated Engineer's Estimate in figures was Kshs. 24 million but in words it was indicated as Kshs 20 million</p>	<p>Mr. Wabwire clarified that this would be rectified so that both indicated figures and words would uniformly be Kshs. 20 million.</p>
05/27/09/2022		<p>5. Lisa of M/S Meiwenti Company Limited inquired if a Supplier can present their own</p>	<p>- The Deputy Director Supply Chain Management reiterated that KWS will only accept Manufacturers</p>

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			authorization as a Manufacturer's Authorization	Authorization from the actual manufacturers of the items to be supplied. This is to authenticate the quality of the items being supplied. .
06/27/09/2022		6.	<p>Nicholas inquired if there was any specific fence design for the proposed fence</p> <p>He further inquired why in the document KWS had insisted on a 'Not more than 2 years Kenya Bureau of Standards Test Certificate bearing name of bidder or manufacturer', and if it was still the case when someone imports the material themselves</p>	<p>- Engineer Mbede informed him that the designs and specifications were at the end of the tender document and would form part of the contract.</p> <p>- The Deputy Director Supply Chain Management clarified that everything that is imported into the country, whether by a company or an individual, normally has to be approved and certified by KEBS</p>
07/27/09/2022		7.	<p>Edward sought clarification on tender number <b>KWS/ONT/B&amp;F/32/2022-2023;</b> SUPPLY AND DELIVERY OF ELECTRIC FENCING MATERIALS FOR REHABILITATION OF RUMA N. PARK, where on page 37 – 38 the bidders are required to provide samples for all the items listed.</p>	<p>- Mr. Wabwire confirmed that all samples were to be provided and would form part of the evaluation process. This also applies the same to the reserved group tender.</p>
08/27/09/2022		8.	<p>Emma inquired if there could be any possibility of extending the closing date of this tenders</p>	<p>The Deputy Director Supply Chain Management informed the meeting that the closing date for the tender would not be extended considering that during the deliberations, no substantial matter arose that would warrant such an extension.</p>
09/27/09/2022		9.	<p>Raymond had an inquiry concerning the 'schedule of day works rates' on page 96 of tender KWS/ONT/B&amp;F/31/2022 – 2023; REHABILITATION AND UPGRADING OF 40KM KANGECHWA NDII INTERMEDIATE ELECTRIC FENCE AT TSAVO WEST NATIONAL PARK (LABOUR ONLY against which it was</p>	<p>- The technical team requested for more time to confirm the correct status before communicating the same back to bidders through an addendum.</p>

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			indicated as 'not applicable', His concern was whether this form should be excluded from the document
10/27/09/2022		10.	Mr. Edward inquired whether samples for both Energizers and batteries were required for submission  - Engineer Mbede confirmed that the samples for all these items would be required. - The Deputy Director Supply Chain Management informed bidders that any samples submitted alongside the tenders and were not subjected to destructive testing would all be returned back to the bidders who provided them.
11/27/09/2002		11.	Raymond inquired why in the document KWS had insisted NTSA TIMS printout and why not accept copies of Log Books of the equipment requested for.  He also sought to know whether some of the listed material (cement, ballast and gravel) was to be supplied by the contractor and also whether they were required to provide samples for the same  The Deputy Director Supply Chain Management clarified that NTSA TIMS printout was a way of authenticating ownership of the presented equipment by the bidder as indicated in the tender document or lease agreement attached.  - The technical team sought for more time to interrogate the document and revert through the issuance of an addendum
12/27/09/2022		12.	Leonard sought to know at what point would the samples need to be supplied  The Deputy Director Supply Chain Management informed the meeting that the bidders were required to deliver the samples alongside the bid documents before the closing time/date since the samples will form part of the evaluation process.
13/27/09/2022	Closing Remarks	The Deputy Director Supply Chain Management thanked the bidders for showing interest in KWS tenders. He further reminded the bidders that following the matters arising from the meeting, KWS would not amend and issue a new tender document, rather, any changes would be done in the form of an addendum which would be uploaded on KWS website. He further wished them well and reminded them that the tenders will be closing on 7 <sup>th</sup> October at noon and that no late submission would be allowed	
14/27/09/2022	AOB	There being no other business the meeting was adjourned at 1110hrs	

**SIGNED: -**

George M. Wambua ..... Date. 29<sup>th</sup> September 2022 Chair

Ann Mumbua ..... Date. 29<sup>th</sup> September 2022 Secretary