



STIMA INVESTMENT CO-OPERATIVE SOCIETY.

STIMA INVESTMENT PLAZA I,

MUSHEMBI ROAD,

P.O. Box 37895-00100

NAIROBI.

DISPOSAL OF KANGUNDO ROAD LAND LR NUMBER 2358/2

TENDER NO: STI/06/20.

INVITATION DATE: THURSDAY 23RD JANUARY 2020.

CLOSING DATE: THURSDAY 6TH FEBRUARY 2020 AT 12:00 NOON

procurement@stimainvestment.co,ke

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SECTION I – INVITATION TO TENDER

Tender REF No. STI/06/20

Tender name: DISPOSAL OF KANGUNDO ROAD LAND LR NUMBER 2358/2

- 1.1 Stima Investment Cooperative Society invites sealed tenders from eligible candidates for the disposal of Kangundo Road Land LR Number 2358/2
- 1.2 Interested eligible candidates may obtain further information from the Procurement Office, Stima Investment Plaza 1 5th floor during normal working hours between 8:00 am and 4:00 p.m
- 1.3 Prices quoted should be net inclusive of all taxes and must be expressed in Kenya shillings and shall remain valid for a period of 90 days from the closing date of the tender.
- 1.4 Duly completed tender documents are to be enclosed in plain sealed envelopes, marked with the **Tender number: STI/06/20- Disposal of Kangundo Road Land LR Number 2358/2** and be deposited in the tender box provided at the reception of Stima Investment Plaza 1 and addressed to;

**Chief Executive Officer,
Stima Investment Co-operative Society Ltd,
P.O Box 37895-00100,
NAIROBI**

to be received on or before **Thursday 6th February 2020 at 12:00 noon.**

- 1.5 Tenders will be opened immediately thereafter in the presence of the tenderers representatives who choose to attend the opening at Stima Investment boardroom on 5th Floor of Stima Investment Plaza 1. **Late bids shall be rejected.**
- 1.6 Tenderers who need a copy of the title will be required to fill the register at the Stima Investment Office, replication of the copy of title is not permitted unless with due authorization from the Society.

Yours Sincerely,

The Ag. Chief Executive Officer.

TENDER SUBMISSION CHECKLIST

Bidders are advised to clearly label their documents according to the tender submission checklist.

No	Item	Tick where provided
1.	Duly completed Tender Form	
2.	Copy of National Identification Number for those bidding as individuals or Firm's Registration/ incorporation certificate for companies/businesses	
3.	Copy of PIN Certificate or its equivalent for foreign companies	
4.	The Certificate of directors and shareholding (CR12) from the registrar of companies (applicable to firms)	

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SECTION II INSTRUCTIONS TO TENDERERS

2.1 Eligible tenderers

- 2.1.1. This Invitation to tender is open to all tenderers eligible as described in the instructions to tenderers. Successful tenderers shall provide the services for the stipulated duration from the **date** of commencement (hereinafter referred to as the term) specified in the tender documents.
- 2.1.2. The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender unless where specially allowed under section 131 of the Act.
- 2.1.3. Tenderers involved in corrupt or fraudulent practices or debarred from participating in public procurement shall not be eligible.

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 not exceed Kshs. 5,000/=
- 2.2.3 The procuring entity shall allow the tenderer to review the tender document free of charge before purchase.

2.3 Contents of tender documents

- 2.3.1. The tender document comprises of the documents listed below and addenda issued in accordance with clause 6 of these instructions to tenders
 - i) Invitation to tenders
 - ii) Instructions to tenderers
 - iii) Schedule of Requirements
 - iv) Conditions of Tender
 - v) Form of tender
 - vi) Confidential business questionnaire form
 - vii) Tender commitment Declaration form.

The Tenderer is expected to examine all instructions, forms, terms, and specifications in the tender documents. Failure to furnish all information required by the tender documents or to submit a tender not substantially responsive to the tender documents in every respect will be at the tenderers risk and may result in the rejection of its tender.

2.4 Clarification of Documents

A prospective candidate making inquiries of the tender document may notify the Procuring entity in writing or by post, fax or email at the entity's address indicated in the Invitation for tenders. The Society will respond in writing to any request for clarification of the tender documents, which it receives no later than seven (7) days prior to the

deadline for the submission of tenders, prescribed by the procuring entity. Written copies of the Society's response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers who have received the tender documents"

2.4.1. 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 Society, for any reason, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tender documents by issuing an addendum.

2.5.2. All prospective tenderers who have obtained the tender documents will be notified of the amendment by post, fax or email and such amendment will be binding on them.

2.5.3. In order to allow prospective tenderers reasonable time in which to take the amendment into account in preparing their tenders, the Society, 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 total price 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 any 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 90 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

2.10.1 The tenderer shall seal the tender and mark it with the number and name of the tender clearly marked: **'DO NOT OPEN BEFORE THURSDAY, 6TH FEBRUARY 2020 AT 12:00 NOON.'**

2.11 Deadline for submission of tenders

2.11.1 Tenders must be received by the Society at the address specified not later than **Thursday, 6th February 2020 at 12:00 NOON.**

2.11.2 The Society 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 Modification and Withdrawals of tenders

2.10.1 Modification of tenders

2.10.1.1 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.

2.10.1.2 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.

2.10.1.3 No tender may be modified after the deadline for submission of tenders

2.10.2 Withdrawals and tenders

2.10.2.1 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

2.13 Opening of Tenders

2.13.1 The Society will open all tenders in the presence of tenderer's representative who choose to attend at the location specified in the invitation to tender. The tenderers or representatives who are present shall sign a register evidencing their attendance

2.13.2 The tenderers' names, tender modifications or withdrawal, tender prices and the presence or absence of requisite tender deposit and such other details as the society at its discretion may consider appropriate will be announced at the opening

2.14 Clarification of tenders

2.14.1 To assist in the examination, evaluation and comparison of tenders the Society 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.

2.14.2 Any effort by the tenderer to influence the Society on the tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

2.15 Evaluation and Comparison of Tenders

2.15.1 The Society 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 will be determined to be substantially non responsive, will be rejected by the Society.

2.15.3 The Society will evaluate and compare the tenders which have been determined to be substantially responsive.

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

2.16 Award Criteria

2.16.1 The Society will award the contract to the successful tender(s) whose tender has been determined to be substantially responsive and has been determined to be highest evaluated tender, subject to reserve price.

2.17 Notification of award

2.17.1 Prior to the expiration of the period of tender validity, the Society will notify the successful tenderer in writing that its tender has been accepted.

2.17.2 Simultaneously, the other tenderers shall be notified that their tenders were unsuccessful.

2.18 Contacting the Procurement Entity

2.18.1 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.

2.18.3 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

2.19 Payment of the Land

2.19.1 The successful bidder shall be required to make full payment within 90 days from the date of Sale Agreement Signed.

2.19.2 All Agency cost if any, all cost of transfer, stamp duties and any other cost will be borne by the Purchaser.

Appendix to instructions to tenderers

The following information for procurement of cleaning, sanitary and garbage collection services shall complement or amend the provisions of the instructions to tenderers. Wherever 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

No.	Instructions to tenderers	Particulars of appendix to instructions to tenderers
1.	2.1 Eligible Tenderers	Tender is open to all individuals/entities except Stima Investment employees, committee members, board members and their relatives
2.	2.2 Cost of tendering	The tender document shall be free of charge and only obtained through the society website.
3.	2.6 Tender prices and currencies	The prices quoted shall be in Kenya shillings
2.	2.7 Tender deposit	No deposit will be required
3.	2.8 Validity of tenders	Tenders shall remain valid for 90 days
4.	2.9 Viewing of tender items	Prospective bidders are advised to view the land in liason with Stima Investment representative
5.	2.11 Deadline for submission of tenders	Bids must be received by the society on or before Thursday 6 th February 2020 at 12:00

SECTION III: DESCRIPTION OF THE LAND

DISPOSAL OF LAND L.R NUMBER 2358/2

Introduction

Stima Investment Co-operative Society Limited is an investment was registered in the year 2005 under the Co-operative Act whose main mandate is to carry out investment activities using member's funds.

Land Overview

The land is located at Malaa, along Kangundo Road about 200 metres East of Malaa Market Centre, Machakos County and approximately 42.5 kilometres from the City Centre of Nairobi. The parcel measures 20 acres and is fenced using barbed wire. In addition, there are 2 Bungalows that are partially complete and substructure works to 18 housing units. The site also has a material storage shed, Borehole as well as electricity connection.

LAND	Land Size	L.R NUMBER
Kangundo Road	20 Acres	2358/2

SECTION IV: EVALUATION CRITERIA

Evaluation of duly submitted tenders will be conducted along the following stages: -

Part 1 - Preliminary Evaluation under Paragraph 2.20 of the ITT.

These are mandatory requirements. This shall include confirmation of the following: -

- a) Company or Firm's Registration Certificate
- b) PIN Certificate.
- c) Submission and considering Tender Form duly completed and signed.
- d) Submission and considering the Confidential Business Questionnaire: -
 - a. Is fully filled and signed.
 - b. That details correspond to the related information in the bid.

Part 2- Financial Evaluation

The Successful tenderer shall be the qualified tenderer who has offered the highest price.

SECTION V - STANDARD FORMS

1. Form of tender
2. Confidential Questionnaire form
3. Letter of Notification of Award
4. Tender deposit commitment Declaration Form

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 Nos.. *[insert numbers,* the of which is hereby duly acknowledged, we, the undersigned, offer to purchase the land 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 and acquire the land in accordance with the requirement of the tender.
3. We agree to abide by this Tender for a period of 90 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. Until a formal Contract is prepared and executed, this Tender, together with your written acceptance thereof and your notification of award, shall constitute a binding Contract between us.

Dated this _____ day of _____ 20
[signature] *[In the capacity of]*
 Duly authorized to sign tender for and on behalf of _____

TENDER DEPOSIT COMMITMENT DECLARATION FORM

Name of Tenderer _____ **Tender Number** _____. **Page** ____ **of** _____.

We do confirm that we have put deposits for the land as supported by the attached copies of receipts as follows: -

Item Description	Deposit (Ksh)	Receipt No. and date

Signature of tenderer _____

CONFIDENTIAL BUSINESS QUESTIONNAIRE

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.

<p>Part 1 General</p> <p>Business Name.....</p> <p>Location of Business Premises</p> <p>Plot No,Street/Road.....</p> <p>Postal addressTel No.Fax Email.....</p> <p>Nature of Business</p> <p>Registration Certificate No.</p> <p>Maximum value of business which you can handle at any one time – Kshs.....</p> <p>Name of your bankers.....</p> <p>Branch.....</p>

<p>Part 2 (a) – Sole Proprietor</p> <p>Your name in full.....Age.....</p> <p>Nationality.....Country of Origin.....</p> <p>Citizenship details</p> <p>.....</p>																				
<p>Part 2 (b) – Partnership</p> <p>Given details of partners as follows</p> <table border="1"> <thead> <tr> <th>Name</th> <th>Nationality</th> <th>Citizenship details</th> <th>Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>	Name	Nationality	Citizenship details	Shares	1.	2.	3.	4.
Name	Nationality	Citizenship details	Shares																	
1.																	
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<p>Part 2 (c) – Registered Company</p> <p>Private or Public</p> <p>State the nominal and issued capital of company</p> <p>Nominal Kshs.</p> <p>Issued Kshs.</p> <p>Given details of all directors as follows</p> <table border="1"> <thead> <tr> <th>Name</th> <th>Nationality</th> <th>Citizenship details</th> <th>Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>	Name	Nationality	Citizenship details	Shares	1.	2.	3.	4.
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1.																	
2.																	
3.																	
4.																	
<p>Date.....Signature of Candidate.....</p>																				

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

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 of20.....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