

COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF WATER AND NATURAL RESOURCES

INVITATION FOR PREQUALIFICATION

FOR

**FRAMEWORK PROVISION AGREEMENT FOR CONSULTANCY SERVICES FOR
GROUNDWATER MAPPING, ENVIRONMENTAL IMPACT ASSESSMENT AND
HYDROGEOLOGICAL INVESTIGATIONS IN BUNGOMA COUNTY, KENYA**

TENDER No/Negotiation No: 1167538-2022-2023

JANUARY 2023

**THE COUNTY EXECUTIVE COMMITTEE
MEMBER (C.E.C.M)
WATER, ENVIRONMENT, TOURISM, NATURAL
RESOURCES AND CLIMATE CHANGE
COUNTY GOVERNMENT OF BUNGOMA
P.O BOX 437 – 50200
BUNGOMA**

**THE CHIEF OFFICER (C.O)
WATER AND NATURAL RESOURCES
COUNTY GOVERNMENT OF
BUNGOMA
P.O BOX 634 – 50200
BUNGOMA**

INVITATION FOR PREQUALIFICATION

Date: **January 26th, 2023**

The County Government of Bungoma, hereinafter referred to as “the Employer”, intends to prequalify Applicants for the “**Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya**” It is expected that invitations to bid to the prequalified Applicants will be made on **February 9th, 2023**.

Prequalification will be conducted through prequalification procedures specified in Prequalification Document attached to this Invitation for Prequalification.

Interested Applicants shall review the complete set of the Prequalification Document attached to this Invitation for Prequalification.

Applications for prequalification shall be submitted manually in sealed envelopes, delivered to the address below by **16:00 on February 2nd, 2023** and be clearly marked “Application to Prequalify for Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya”. Late applications shall be rejected.

Those Applicants who submit incomplete document with omissions and error, may be allowed to supplement once within 3 days from the date when The County Government of Bungoma determines and requests.

THE COUNTY EXECUTIVE COMMITTEE MEMBER (C.E.C.M) WATER, ENVIRONMENT, TOURISM, NATURAL RESOURCES AND CLIMATE CHANGE COUNTY GOVERNMENT OF BUNGOMA P.O BOX 437 – 50200 BUNGOMA Email Address: water.naturalresources@bungoma.go.ke	THE CHIEF OFFICER (C.O) WATER AND NATURAL RESOURCES COUNTY GOVERNMENT OF BUNGOMA P.O BOX 634 – 50200 BUNGOMA Telephone: 0712638217 Email: bungomawater.naturalresources@gmail.com
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Brief of procurement is as follows;

Bid Title	Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya
Summary of Work Scope	<ol style="list-style-type: none">1) Evaluating the groundwater situation based on compilation of existing relevant data (e.g. drilling logs) with additional classical hydrogeological field data collection (e.g. survey of water points, water levels, water quality) leading to the identification of favourable exploration zones2) Carrying out groundwater exploratory field geophysical investigations to identify exact drilling locations3) Supervising the drilling process and on the spot reporting on the progress4) Updating and Developing Geological data for The County Government of Bungoma and any other works as it will be in the Request for Proposal’s ToR
Location	Bungoma County, Kenya
Contract Period	· 24 months from the contract date including call of contracts
Budget	Framework Provision (Indefinite Delivery)-Pay “As Need Arises”

COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF WATER AND NATURAL RESOURCES

PREQUALIFICATION DOCUMENT

Prequalification Document for Procurement of:

FRAMEWORK PROVISION AGREEMENT FOR CONSULTANCY SERVICES FOR GROUNDWATER MAPPING, ENVIRONMENTAL IMPACT ASSESSMENT AND HYDROGEOLOGICAL INVESTIGATIONS IN BUNGOMA COUNTY, KENYA

January 2023

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PART 1
PREQUALIFICATION PROCEDURES

Section I. INSTRUCTIONS TO APPLICANTS (ITA)

A. General

1. Scope of Instruction

- 1.1 In connection with the Invitation for Prequalification indicated in Section II, Prequalification Data Sheet (PDS), the Employer, as defined in the **PDS**, issues this Prequalification Document (PQD) to Applicants interested in bidding for the works described in Section V, Scope of Works.
- 1.2 A minimum requirement for prequalification is to have successfully carried out and only the applicants prequalified under this procedure will be invited to bid.
- 1.3 Invitations to Bid to prequalified applicants will be made in **February 9th, 2023**.
- 1.4 Request for Proposal (RFP) documents including Bidding Documents will be separately distributed to the prequalified bidders through E-mail.

2. Eligible Applicants

- 2.1 This invitation to prequalify is open to international private or public legal entity but limited to the applicants with legal rights and eligibilities to conduct consultancy services in Bungoma County, Kenya. The legal rights and eligibilities for consultancy services in Bungoma County, Kenya may be effective from the date of applications submission and shall be maintained during the contract period.
- 2.2 Prequalification does not allow any combination of legal entities in the form of association(s) including Joint Venture (JV) with the formal intent.
- 2.3 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they or any of their affiliates participated as a consultant in the preparation of the Prequalification Document. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the County Government of Bungoma in Kenya who: (i) are directly or indirectly involved in the preparation of the Prequalification Document or bidding document or specifications of the contract, and/or the bid evaluation process of such contract; or (ii) would be involved in the implementation or supervision of such contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Kenyan Government or the County Government of Bungoma throughout the bidding process and execution of the contract.
- 2.4 Applicants shall provide such documentary evidence of their continued eligibility satisfactory to the Employer, as the Employer reasonably request.

B. Contents of the Prequalification Document

3. Sections of Prequalification on Document

- 3.1 The document for the prequalification of Applicants (hereinafter “Prequalification Document”) consists of Parts 1 and 2 which comprise all the sections indicated below, and should be read in conjunction with any addendum issued in accordance with **ITA 5**.

PART 1 - Prequalification Procedures

- Section I. Instructions to Applicants (ITA)
- Section II. Prequalification Data Sheet (PDS)
- Section III. Evaluation and Qualification Criteria
- Section IV. Application Forms

PART 2 - Work Requirements

- Section V. Scope of Works

- 3.2 The “Invitation for Prequalification” issued by the Employer is not part of the Prequalification Document.
- 3.3 Unless obtained directly from the Employer, the Employer holds no responsibility for the completeness of the document, responses to requests for clarification, or addenda to the Prequalification Document in accordance with **ITA 5**. In case of any discrepancies, documents issued directly by the Employer shall prevail.
- 3.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish all information or documentation required by the Prequalification Document.

4. Clarification of Prequalification Document

An Applicant requiring any clarification of the Prequalification Document shall contact the Employer by E-mail indicated in the **PDS**. The Employer will respond by public notice on County Government of Bungoma webpage indicated in the **PDS** to any request for clarification provided that such request is received no later than **16:00, January 31st, 2023**. When the Employer deems it necessary to amend the prequalification document as a result of a clarification, it shall do so following the procedure under **ITA 5** and in accordance with the provisions of **ITA 13.2**.

5. Amendment of Prequalification Document

- 5.1 At any time prior to the deadline for submission of applications, the Employer may amend the Prequalification Document by issuing addenda.
- 5.2 Any addenda issued shall be part of the Prequalification Document and shall be notified on County Government of Bungoma webpage indicated in the **PDS**, and the Applicants have obligation to pay attention to the additional information on the KOICA webpage.
- 5.3 To give prospective Applicants reasonable time to take an addenda into account in preparing their applications, the Employer may, at its discretion, extend the deadline for the submission of applications.

C. Preparation of Applications

6. Cost of Applications

The Applicant shall bear all costs associated with the preparation and submission of its application. The Employer will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

7. Language of Application

The application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language specified in the **PDS**. Supporting documents and printed literature that are part of the application may be in another language as described in **PDS**.

8. Documents Comprising the Application

The application shall comprise the following:

- (a) Application Submission Form, in accordance with **ITA 9**; and
- (b) documentary evidence establishing the Applicant's qualification, in accordance with **ITA 10**

9. Application Submission Form

The Applicant shall prepare an Application Submission Letter as provided in Section IV, Application Forms. This Form must be completed without any alteration to its format.

10. Documents Establishing the Qualifications of the Applicant

To establish its qualifications to perform the contract in accordance with Section III, Evaluation and Qualification Criteria, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.

11. Signing of the Application and Number of Copies

- 11.1 The Applicant shall prepare one original of the documents comprising the application as described in ITA 8 and clearly mark it "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant.
- 11.2 The Applicant shall submit copies of the signed original application, in the number specified in the PDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

12. Sealing and Identification of Applications

- 12.1 The Applicant shall enclose the original and the copies of the application in an envelope that shall be sealed and shall:
- (a) bear the name and address of the Applicant;
 - (b) be addressed to the Employer, in accordance with ITA 13.1; and
 - (c) be clearly marked:

"Application to Prequalify for Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya"

- 12.2 The Employer will accept no responsibility for not processing any envelope that was identified as a violation of the requirement in ITA 12.1 above.

13. Deadline for Submission of Application

- 13.1 Applicants shall submit their applications in person. Applications shall be received by the Employer no later than the deadline indicated in the PDS.
- 13.2 The Employer may, at its discretion, extend the deadline for the submission of applications by amending the Prequalification Document in accordance with ITA 5, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

14. Late Applications

If any applicant fails to meet the deadline for submission of the application, the Prequalification Document will be declined. Applicants who submit until the deadline may submit supplementary documents once within three days from the date when KOICA determines and requests.

15. Opening of Applications

The Employer shall prepare a record of the opening of applications that shall include, as a minimum, the name of the Applicant. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

16. Confidentiality

- 16.1 Information relating to the evaluation of applications, and results of prequalification, shall not be disclosed to Applicants, or any other persons not officially concerned with such process, until the notification of prequalification is made to all Applicants in accordance with ITA 22
- 16.2 From the deadline for submission of applications to the time of notification of the results of the prequalification in accordance with ITA 22, any Applicant that wishes to contact the Employer on any matter related to the prequalification process, may do so but only in writing.

17. Clarification of Applications

- 17.1 To assist in the evaluation of applications, the Employer may, at its discretion, ask any Applicant for a clarification (including missing documents, supplementary documents and different information) of its application which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.
- 17.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Employer's request for clarification, its application shall be evaluated based on the information and documents available at the time of evaluation of the application.

18. Responsiveness of Application

The Employer may reject any application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 17.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

F. Evaluation of Applications and Prequalification of Applicants

19. Evaluation of Applications

The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Evaluation and Qualification Criteria to evaluate the qualifications of the Applicants. The use of other methods, criteria, or requirements shall not be permitted. The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an Applicant to perform the contract.

20. Employer's Right to Accept or Reject Applications

The Employer reserves the right to accept or reject any application, and to annul the prequalification process and reject all applications at any time, without thereby incurring any liability to Applicants.

21. Prequalification of Applicants

All Applicants who Applications meet or exceed the specified qualification requirements will be prequalified by the Employer.

22. Notification of Prequalification

22.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified. In addition, those Applicants who have been disqualified will be informed separately.

22.2 Applicants that have not been prequalified may write to the Employer to request, in writing, the grounds on which they were disqualified.

23. Invitation to Bid

23.1 Promptly after the notification of the results of the prequalification the Employer shall invite all the Applicants that have been prequalified, to bid.

23.2 Bidders shall be required to provide a Bid Security acceptable to the Employer in the form and an amount to be specified in the Bidding Document, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bidding Document.

24. Changes in Qualifications of Applicants

Any change in the qualifications of an Applicant after being prequalified in accordance with ITA 21 and invited to bid shall be subject to a written approval of the Employer, prior to the deadline for submission of bid. Such approval shall be (i) denied if as a consequence of the change the Applicant no longer substantially meets the qualification criteria set forth in Section III, Evaluation and Qualification Criteria, or (ii) may be approved, if in the opinion of the Employer, a substantial reduction in competition may result. Any such changes shall be submitted to the Employer not later than 7 days after the date of the Invitation to Bid.

G. TAX INCLUDING VAT

The County Government of Bungoma has no authority or responsibility for any tax including VAT incurred on the bidding and contracts, and the responsible entity for tax payment or reimbursement issues is Ministry of Treasury in accordance with Kenyan laws and regulations. All the parties under the project will pay all the taxes as per the approved laws in the Kenyan Government.

H. Fraud and Corruption

Bungoma County Government requires Bidders and Contractors to observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, County Government of Bungoma;

- (a) will reject a proposal for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question.
- (b) will recognize such a Contractors as ineligible, for a period determined by the County Government of Bungoma.



Section II. PREQUALIFICATION DATA SHEET (PDS)

A. General	
ITA 1.1	<p>The Employer: The County Government of Bungoma Bungoma Municipal Building-Office of The Governor, Opposite Huduma center along Moi avenue P.O. Box 437-50200, Bungoma, Kenya Tel: +254(055)30343 E-mail: info@bungoma.go.ke</p> <p>Bid Title: Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya</p>
B. Contents of the Prequalification Document	
ITA 4	<p>For clarification purposes only, the Employer's contact is: Mr. Stephen Makhanu, The Chief Officer – Water and Natural Resources (Bungoma County Government) E-mail: water.naturalresources@bungoma.go.ke</p> <p>The Employer's responses will be notified on https://www.bungoma.go.ke no later than January 31st, 2023.</p>
ITA 5.2	<p>The County Government of Bungoma webpage for notification about any addendum is: https://www.bungoma.go.ke</p>
C. Preparation of Applications	
ITA 7	<p>The Application as well as all correspondence shall be submitted in English.</p> <p>In principle, documents to be submitted for application shall be written in English, but documents written or issued in other languages shall be submitted with original document after notarization of translation.</p> <p>Subsequently, if the translated document is determined to be intentionally mistranslated, it will be disqualified.</p>
ITA 11.2	<p>In addition to the original, the number of copies to be submitted with the application is: Three (3) copies.</p> <p>The softcopy (WORD and PDF) of the Prequalification document shall be submitted in the provided Form (Section IV) by USB.</p>
D. Submission of Applications	
ITA 13.1	<p>The deadline for application submission is: Date: February 2nd, 2023, Time: 16:00</p> <p>For application submission purposes only, the Employer's address is: The Chief Officer (C.O), Water and Natural Resources, County government of Bungoma P.O BOX 634 –50200 Bungoma Telephone: 0712638217 Email: bungomawater.naturalresources@gmail.com</p>

Section III. EVALUATION AND QUALIFICATION CRITERIA

Prequalification will be based on meeting all the following minimum **pass/fail** criteria regarding the Applicant's general and particular experience, personnel capabilities, and financial position, as demonstrated by the Applicant's responses in the corresponding Information Sheets included in Section IV, Application Forms. The Employer reserves the right to waive minor deviations if they do not materially affect the capability of an applicant to perform the contract.

A. Legal Requirement. The Applicant must meet the following requirement.

Criteria	Requirement	Submission
Certificate of Incorporation / registration	<ul style="list-style-type: none"> • The certified copy should be attached to show that the applicant is a registered company and legally authorized to do business in Kenya <p>The copy is invalid if it is not certified by Commissioner of Oaths by the legitimate issuing authority</p>	Form PQ-4 Attach the Certificate
Sanctions or Restriction	<ul style="list-style-type: none"> ■ An Applicant shall not be under any suspension or restriction from the participation of public procurement in Kenya by the public authorities of Kenya, international aid organizations as of the official date of bid public notice. 	Form PQ-4
CR 12 Form	<ul style="list-style-type: none"> • The certified copy is attached. Recent (Within last 12 Months) <p>The copy is invalid if it is not certified by a commissioner for oaths</p>	Form PQ-4 Attach recent CR12 form
Nationality Eligibility (copy of ID)	<ul style="list-style-type: none"> • The copy of the proof of citizenship (National ID card, passport) is attached as per the list of directors in the CR12 document 	Form PQ-4 Attach necessary ID Cards/Passport
Tax Compliance Certificate	<ul style="list-style-type: none"> • Produce current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority • The copy is attached <p>The certificate is valid and issued by KRA</p>	Form PQ-4 Attach Tax Compliance Certificate
KRA PIN	Attach certified valid copy of KRA PIN or VAT certificate issued by KRA	Form PQ-4 Attach KRA Pin certificate
Single business permit	Attach valid certified copy from any County Government	Form PQ-4 Attach single business permit

B. Capability of Contract Execution. The Applicant must meet the following requirement.

History of the Contract Non-fulfillment	<ul style="list-style-type: none"> ■ An Applicant shall not have any non-compliance with The County Government of Bungoma or The Government of Kenya by not fulfilling its obligation in the last 3 years from the official date of bid public notice. 	Form PQ-5
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Criteria	Requirement	Submission
Financial Liability Lawsuit	<ul style="list-style-type: none"> ■ An Applicant shall not be in the progress of litigations or filing lawsuits which claimed to pay more than 50% of the Applicant's capital as of the official date of bid public notice. 	Form PQ-5
Personnel Capabilities	<ul style="list-style-type: none"> ■ An Applicant shall assign field manager (site agent) with the following requirements to the site. <ul style="list-style-type: none"> - The field manager shall be an employee of the Applicant as of the official date of bid public notice. - Minimum academic background for the field manager shall be bachelor's degree of Environmental Science, Geological Studies, Hydrology or Hydro-geological Studies. - The field manager shall have experience as a field manager for 5 years at least. - The field manager shall have experience to perform Ground water surveys with standard technologies using Resistivity equipment like the Terrameter 	Form PQ-5 Form PQ-6

C. Financial Position. The Applicant must meet the following requirement.

Criteria	Requirement	Submission
Financial State	<ul style="list-style-type: none"> ■ An Applicant shall meet the requirement of financial stability status as follows. <ul style="list-style-type: none"> - The average debt ratio for 3 fiscal years (2020-2022) shall be less than 150%. ■ An Applicant shall clear all taxes of 2022. 	Form PQ-7

D. Consultancy Experience. The Applicant must meet the following requirement.

Criteria	Requirement	Submission
Similar Consultancy Experience	<ul style="list-style-type: none"> ■ An Applicant shall have one or more completed consultancy contracts for water supply system of more than 10,000,000 KES on the basis of the single consultancy in the last 5 years as of the official date of bid public notice. ■ An Applicant shall have one or more completion experience in Consultancy contract for water treatment plant with capacity and process as below in the last 5 years as of the official date of bid public notice. <ul style="list-style-type: none"> - The capacity shall be $Q=2,000\text{m}^3/\text{day}$ or more than - Standard water treatment process including rapid sand filtration shall be adapted in the facility. 	Form PQ-8 Form PQ-9

[Note]

* **In this Bid, Consortium or Joint Venture is not allowed.**

* Only the completed consultancy contract in the given period shall be accepted regarding experiences of personnel, Applicant.

* The completed consultancy works as a sub-contractor shall not be accepted regarding experiences of Applicant.

* In case of Consortium or Joint-Ventured contract, only the actual share or share rate shall be accepted regarding similar CONSULTANCY experience.



Section IV. APPLICATION FORMS

Submission List for Prequalification

An Applicant shall submit all of following Application Forms including required attachments.

Submission List	Form No.
Letter of Intent for Prequalification (Application Submission Letter)	Form PQ-1
Applicant Information Form	Form PQ-2
Power of Attorney	Form PQ-3
Legal Requirement	Form PQ-4
Capability of Contract Execution	Form PQ-5
Resume of Proposed Field Manager	Form PQ-6
Financial Position	Form PQ-7
Similar Consultancy Track Record	Form PQ-8
Details of Consultancy Track Record	Form PQ-9

LETTER OF INTENT FOR PREQUALIFICATION

Date: [MM DD, 20YY]

To: **The County Government of Bungoma**

We, the undersigned, apply to be prequalified for the referenced Invitation for Prequalification and Instruction to Applicants for the bid of 'Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya' and declare that:

- (a) **No reservations:** We have examined and have no reservations to the Prequalification Document;
- (b) **No conflict of interest:** We have no conflict of interest in accordance with ITA 2.3;
- (c) **Eligibility:** We meet the eligibility requirements as stated ITA 2.1;
- (d) **Suspension and Debarment:** We are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the Government of Kenya or the County Government of Bungoma. Further, we are not ineligible under the laws of Kenya;
- (e) **Not bound to accept:** We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to Bid for the contract subject of this Prequalification process, without incurring any liability to the Applicants, in accordance with ITA 20; and
- (f) **True and correct:** All information, statements and description contained in the Application Documents are in all respect true, correct and complete to the best of our knowledge and belief.

Signed: [insert signature(s) of an authorized representative(s) of the Applicant]Name: [insert full name and title of person signing the Application]In the capacity of: [insert capacity of person signing the Application]

Duly authorized to sign
the Application for and
on behalf of:

[insert full name of Applicant]Address: [insert street number/town or city/country address]Date: [insert day number] day of [insert month], [insert year]

APPLICANT INFORMATION FORM

Date: *[MM DD, 20YY]*

Applicant Information

Applicant's legal name
[insert full legal name]

Applicant's actual or intended country of constitution:
[indicate country of Constitution]

Applicant's actual or intended year of constitution:
[indicate year of Constitution]

Applicant's legal address in country of constitution:
[insert street/ number/ town or city/ country]

Applicant's authorized representative information

Name: *[insert full legal name]*

Address: *[insert street/ number/ town or city/ country]*

Telephone/Fax numbers: *[insert telephone/fax numbers, including country and city codes]*

E-mail address: *[indicate e-mail address]*

POWER OF ATTORNEY

Date: *[MM DD, 20YY]*

KNOW ALL MEN BY THESE PRESENTS that the undersigned *[name], [title] of [name of Company]* (hereinafter called “the Company”), is lawfully authorized to represent and act on behalf of the Company, whose registered address is *[Company’s address]*, and does hereby appoint *[name], [title], of [firm]* of ____, whose signature appears below, to be the true and lawful attorney, and authorized the said attorney to sign the Application of Prequalification Document, Bids, conduct negotiations, sign a Contract and execute all the necessary matters related thereto, in the name and on behalf of the Company in connection with the execution, completion and maintenance of the Contract for the “Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya”.

OFFICIAL SEAL AND SIGNATURE OF THE COMPANY:

Printed Name of the Legal Representative:

Signature of the Legal Representative:

Printed Name of the Attorney:

In the capacity of: *[Insert title or other appropriate designation]*

Signature of the Attorney:

Company’s seal:

Printed Name of the Witness:

In the capacity of: *[Insert title or other appropriate designation]*

Signature of the Witness:

Address of Witness:

Dated on *[Month Day, Year]*

LEGAL REQUIREMENT

Date: [MM DD, 20YY]

Applicant's Legal Name: *[insert full name]*

To: **The County Government of Bungoma**

We, the undersigned, apply to be prequalified for the referenced Invitation for Prequalification and Instruction to Applicants for the bid of 'Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya' and declare that:

(a) Legality:

- *[Insert Applicant's legal name]* is a legitimate company in accordance with the legally required procedures of the established nation.
- *[Insert Applicant's legal name]* has legal rights to conduct and implement consultancy in Kenya.
- *[Insert Applicant's legal name]* has a valid Tax Compliance Certificate Certificate No.....

(b) Sanctions or Restrictions:

- *[Insert Applicant's legal name]* is not under any suspension or restriction from the participation of public procurement in Kenya by the public authorities of Kenya, international aid organizations as of the official date of bid public notice.

Attached are copies of:

- 1) Certificate of Incorporation/ Business Registration Certificate
 - * The Applicant is required to submit the Certificate of Incorporation/ registration certificate to prove the legitimate company of the established nation (Kenya).
- 2) The certified copy should be attached to show that the applicant is a registered company and legally authorized to do business in Kenya
 - * The Applicant is required to submit the CONSULTANCY license and business license or equivalent issued by the Ministry or Authorities concerned, which proves that the Applicant is qualified for business and CONSULTANCY works in Kenya.
- 3) CR 12 FORM
- 4) Copy of ID Cards/Passport
- 5) Tax Compliance Certificate from Kenya Revenue Authority (KRA)
- 6) Single Business Permit

CAPABILITY OF CONTRACT EXECUTION

Date: [MM DD, 20YY]

Applicant's Legal Name: *[insert full name]*To: **The County Government of Bungoma**

We, the undersigned, apply to be prequalified for the referenced Invitation for Prequalification and Instruction to Applicants for the bid of 'Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya' and declare that:

(a) History of the Contract Non-fulfillment

- *[Insert Applicant's legal name]* does not have any non-compliance cases with KOICA by not fulfilling its obligation in the last 3 years from the official date of bid public notice.

(b) Lawsuit associated with Financial Liability

- *[Insert Applicant's legal name]* is not in the progress of litigations or filing lawsuits which claimed to pay more than 50% of the Applicant's capital as of the official date of bid public notice.

(c) Personnel Capabilities

- *[Insert Applicant's legal name]* will assign the field manager (site agent) who meets the requirements as follows:
 - The field manager (site agent) shall be an employee of the Applicant as of the official date of bid public notice.
 - Minimum academic background for the field manager (site agent) shall be bachelor's degree of Environmental Science, Geology, Hydrological Science and Hydro-geological Science.
 - The field manager (site agent) shall have experience as a field manager (site agent) for 5 years at least.
 - The field manager (site agent) shall have experience to perform the CONSULTANCY works of water treatment plant of standard treatment process including rapid sand filtration process.

Documents to be attached and submitted;

Form (RESUME OF PROPOSED FIELD MANAGER)

RESUME OF PROPOSED FIELD MANAGER

Date: [MM DD, 20YY]

Name of Applicant		
Proposed Personnel Information	Name:	Date of Birth:
	Telephone:	E-mail:
	Position:	
	Academic Background:	
	Professional Qualifications:	
Present Employment	Name of Employer:	
	Address of Employer:	
	Telephone:	Contact (manager/personnel officer):
	Fax:	E-mail:
	Job Title:	Years with Present Employer:

■ Professional Experiences

From	To	Descriptions
<i>dd/mm/yyyy</i>	<i>dd/mm/yyyy</i>	Project Name: Employer: Project Amount: Major Work Scope of the Project: Affiliated Company: Duty in the Project:

* Summarize professional experience, in reverse chronological order.

* The professional experiences shall be carefully written considering Prequalification evaluation requirements.

Documents to be attached and submitted:

- 1) Degree Certificate
- 2) Employment Certificate notarized by notary public
- 3) Evidential documents issued by public authorities or current (former) employers which can prove objectively that the written professional experiences meet the requirements in the Prequalification evaluation criteria. (In case of the evidential documents issued by non-public organization, they shall be submitted after notarization by notary public)

FINANCIAL POSITION

Date: [MM DD, 20YY]

Applicant's Legal Name: *[insert full name]*To: **The County Government of Bungoma**

We, the undersigned, apply to be prequalified for the referenced Invitation for Prequalification and Instruction to Applicants for the bid of 'Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya' and declare that:

- *[Insert Applicant's legal name]* meets the requirements of a financial status (The average debt ratio for 3 fiscal years (2020-2022) shall be less than 150%, and all taxes of 2022 shall be cleared).

Financial Report for the Last 3 Years

DESCRIPTION	2020	2021	2022	Total	REMARK
Total Assets					
Total Gross					
Equity Capital					
Current Liabilities					
Fixed Liabilities					
Current Assets					
Net profit					
Cost of Sales					
Net Profit to Net Worth Ratio					Net profit/Equity Capital
Debt Ratio					Total Liabilities/Equity Capital
Liquidities Ratio					Current Assets/Current Liabilities
Equity Ratio					Equity capital/Total capital

Documents to be attached and submitted:

- 1) Financial Balance Sheet (2020-2022)
- 2) Audit Report (2020-2022)
- 3) Tax Clearance Certificate (2023)



SIMILAR CONSULTANCY TRACK RECORD

Date: [MM DD, 20YY]

Applicant's Legal Name: *[insert full name]*To: **The County Government of Bungoma**

We, the undersigned, apply to be prequalified for the referenced Invitation for Prequalification and Instruction to Applicants for the bid of 'Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya' and declare that:

- *[Insert Applicant's legal name]* has a track record of completed consultancy contracts for more than KES 5,000,000 on the basis of the single contract in the last 5 years as of the official date of bid public notice.

No.	Name of Project (Contract)	Completion Year	Amount (KES equivalent)
1			000,000 KES
2			
3			
4			
5			

* The completed CONSULTANCY works as a sub-contractor shall not be accepted.

* In case of Consortium or Joint-Ventured contract, only the actual share or share rate shall be accepted.

* In the case that the currency of the contract amount is not KES, the amount shall be converted into KES using CBK's Indicative Mean Exchange Rates as of the contract date.

Documents to be attached and submitted:

Form (DETAILS OF CONSULTANCY TRACK RECORD)

DETAILS OF CONSULTANCY TRACK RECORD
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Date: [MM DD, 20YY]

Applicant's Legal Name: *[insert full name]*

Items	Description
Contract Number	
Contract Name	
Contract Period	Contract Date: [DD.MM.YYYY] Completion Date: [DD.MM.YYYY]
Employer's Country	
Employer's Name	
Employer's Address	
Work Scope	<ol style="list-style-type: none"> 1) Evaluating the groundwater situation based on compilation of existing relevant data (e.g. drilling logs) with additional classical hydrogeological field data collection (e.g. survey of water points, water levels, water quality) leading to the identification of favourable exploration zones 2) Carrying out groundwater exploratory field geophysical investigations to identify exact drilling locations 3) Supervising the drilling process and on the spot reporting on the progress 4) Updating and Developing Geological data for The County Government of Bungoma
Contract Role	(Mark one) <input type="checkbox"/> Sole Contractor <input type="checkbox"/> Leading Contractor <input type="checkbox"/> Partner <input type="checkbox"/> Sub Contractor
Value at Completion	<ul style="list-style-type: none"> · Total Contract Amount: [000,000] KES · Responsible Contract Amount (in the case of joint venture): [0,000,000] KES [00.0] % (percentage of share)

* In the case that the currency of the contract amount is not KES, the amount shall be converted into KES using CBK's Indicative Mean Exchange Rates as of the contract date.

Documents to be attached and submitted;

Official evidential documents issued by employer, including (not limited to) contract agreement, completion certificate, etc. which can prove objectively that the written track record meets the requirements in the Prequalification evaluation criteria.

PART 2

WORK REQUIREMENTS

Section V. SCOPE OF WORKS

A. Description of the Work and CONSULTANCY Period

Bid Title	Framework Provision Agreement for Consultancy Services for Groundwater Mapping, Environmental Impact Assessment and Hydrogeological Investigations in Bungoma County, Kenya
Summary of Work Scope	<ol style="list-style-type: none">1) · Evaluating the groundwater situation based on compilation of existing relevant data (e.g. drilling logs) with additional classical hydrogeological field data collection (e.g. survey of water points, water levels, water quality) leading to the identification of favourable exploration zones2) Carrying out groundwater exploratory field geophysical investigations to identify exact drilling locations3) Supervising the drilling process and on the spot reporting on the progress4) Updating and Developing Geological data for The County Government of Bungoma and any other works as it will be in the Request for Proposal's ToR
Location	Bungoma County, Kenya
Contract Period	24 months from the contract date including call of contracts
Budget	Framework Provision (Indefinite Delivery)-Pay "As Need Arises"