



TENDER NO: ACA/PQS/2020/2021-2022/2023

FOR

**REGISTRATION OF SUPPLIERS FOR GOODS, WORKS
& SERVICES FOR THE FINANCIALS YEAR 2020/2021-
2022/2023**

NAME OF THE FIRM:

CATEGORY NUMBER:

CATEGORY NAME:

TARGET GROUP:

If AGPO registered firm, please specify the category: - YOUTH: -----

WOMEN-----

PWD-----

CLOSING DATE: Wednesday 27th May, 2020 at 10:00am

REGISTRATION OF SUPPLIERS FOR GOODS, WORKS & SERVICES FOR THE FINANCIAL YEAR 2020/2021-2022/2023

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SECTION A: GENERAL INFORMATION AND INSTRUCTIONS TO APPLICANTS

1.1 Introduction

The Anti-Counterfeit Authority was established under the Anti-Counterfeit Act 2008 as a State Corporation with the mandates to enlighten and inform the public on matters relating to counterfeiting, combat counterfeiting, trade and other dealings in counterfeit goods, devise and promote training programs to combat counterfeiting and co-ordinate with national, regional or international organizations involved in combating counterfeiting. In order to carry out this mandate, the Authority intends to prequalify candidates for the supply of goods, services and works for the next financial years 2020/2021-2022/2023.

1.2 Candidates must qualify by meeting the set criteria to perform the contract of supply delivery and provision of goods, works and services to the Authority. Suppliers who are not prequalified or fail to meet the prequalifying criteria will not be allowed to participate in the Tenders/RFQs/RFPs

1.3 The application should be in a sealed envelope to maintain confidentiality and addressed to:

**The Chief Executive Officer,
Anti-Counterfeit Authority,
3rd Floor, National Water Plaza, Dunga Road.
P.O. Box 47771-00100
NAIROBI.**

The envelope should be clearly marked with the “**Prequalification Number applied for and the category description**” upon submission, and must be dropped in the Tender box on or before **Wednesday 27th May, 2020**.

1.4 Experience

Prospective suppliers and contractors must have carried out successful supply and delivery of similar items / services to other institutions. Potential candidates must demonstrate the willingness and commitment to meet the pre-qualification criteria.

1.5 Prequalification Documents

The document includes questionnaires for s and instructions for prospective suppliers. In order to be considered for pre-qualification, prospective supplier must provide requested proof and all other information requested.

1.6 Enquiries that may arise from the pre-qualification document should be channeled to the ACA procurement office, through the above address.

All Pre-Qualification documents shall be downloaded from our website www.aca.go.ke. Duly completed Pre-qualification documents shall be sealed in a plain envelope, **clearly marked with the Prequalification/tender category number and name** should be addressed to the above address.

And shall be deposited at the tender box at the reception of the Anti-Counterfeit Authority offices located at National Water Plaza, 3rd floor, along Dunga Road so as to reach the Authority on or before **Wednesday the 27th May, 2020 at 10:00am.**

Late bids shall not be accepted.

SECTION B: REGISTRATION OF SUPPLIERS/ SERVICE PROVIDERS TENDER NO. ACA/PQS/2020/2021-2022/2023

The Authority invites sealed applications from eligible candidates for purposes of prequalifying suppliers for goods, works and services for the period 2020/2021-2022/2023 under the following categories:

CATEGORY NO.	CATEGORY NAME	TARGET GROUP
A. Provision of Goods		
ACA/PQS/001/2020/2023	Supply of general office stationery and supplies	YW&PWD
ACA/PQS/002/2020/2023	Supply of office furniture, furnishings and fittings	Open
ACA/PQS/003/2020/2023	Supply of laptops, Desktops, Tablets, Mobile Phones, printers, projectors, photocopiers, UPS and consumables/associated supplies.	Open
ACA/PQS/004/2020/2023	Supply and Maintenance of computer software and licenses.	Open
ACA/PQS/005/2020/2023	Supply of telephone/telecommunication equipment.	Open
ACA/PQS/006/2020/2023	Supply of motor vehicle tyres, tubes, batteries, spare parts and other motor vehicle accessories.	Open
ACA/PQS/007/2020/2023	Supply of safety clothing, shoes and other accessories.	YW&PWD
ACA/PQS/008/2020/2023	Design and printing of office stationery & reports.	YW&PWD
ACA/PQS/009/2020/2023	Design and printing of branded promotional materials (Brochures,Banners,Fliers,T-shirts,Caps etc)	YW&PWD
ACA/PQS/010/2020/2023	Supply, Installation and maintenance of servers, Network Equipment & Structured Cabling (LAN,WAN etc)	Open
ACA/PQS/011/2020/2023	Supply, installation, Authoritying and maintenance of access control system, CCTVs and alarm systems.	Open
ACA/PQS/012/2020/2023	Supply and maintenance of air conditioners (Mombasa , Nairobi, Kisumu, Eldoret)	Open
ACA/PQS/013/2020/2023	Design and supply of Corporate wear.	Open
ACA/PQS/014/2020/2023	Supply and maintenance of General office equipment.	YW&PWD
ACA/PQS/015/2020/2023	Supply, installation, Authoritying and maintenance of fire extinguishers, fire suppression system, smoke detectors, first aid kits and accessories.	Open
ACA/PQS/016/2020/2023	Supply, installation, Authoritying and maintenance of Audio visual equipment.	Open
B. Provision of Services/Works		
ACA/PQS/017/2020/2023	Repair and maintenance of motor vehicles.	Open
ACA/PQS/018/2020/2023	Repair and maintenance of office furniture and fittings.	YW&PWD
ACA/PQS/019/2020/2023	Provision of air ticketing services (IATA registered)	Open
ACA/PQS/020/2020/2023	Provision of small works services (MOPW	Open

	registered)	
ACA/PQS/021/2020/2023	Supply and maintenance of air conditioners (Mombasa , Nairobi, Kisumu)	Open
ACA/PQS/022/2020/2023	Repair and maintenance of laptops, Desktops, Tablets, Mobile Phones, printers, projectors, photocopiers, UPS and associated ICT Accessories.	Open
ACA/PQS/023/2020/2023	Provision of transportation, car hire and taxi services.	Open
ACA/PQS/024/2020/2023	Provision of professional photography and Video coverage.	Open
ACA/PQS/025/2020/2023	Provision of Entertainment services(DJs,Bands,Musicians,Theatre groups etc)	Open
ACA/PQS/026/2020/2023	Provision of legal services	Open
ACA/PQS/027/2020/2023	Provision of valuation services	Open
ACA/PQS/028/2020/2023	Provision of public relations & media management services	Open
ACA/PQS/029/2020/2023	Provision of interior design and decorative services – events management	Open
C. Professional Consultants Database		
ACA/PQS/030/2020/2023	Provision of research consultancy services	Open
ACA/PQS/031/2020/2023	Provision of Human Resource consultancy(recruitment ,training etc)	Open
ACA/PQS/032/2020/2023	Provision of team building services	Open

Note: Special groups represent youths, women and people living with disabilities as described in the Public Procurement and Disposal (Amendment) Regulations 2013.

Submission should be **serialized** i.e. with page numbers and must contain copies of mandatory statutory documents among others requirements

A complete set of pre-qualification documents can be **downloaded** from the ACA Website www.aca.go.ke. Complete pre-qualification documents in plain sealed envelopes clearly labeled “**PRE- QUALIFICATION FOR SUPPLIERS OF GOODS, WORKS AND SERVICES ACA/PQS/_____/2020/2023** –“be deposited in the tender box situated at the Authority’s reception on the 3rd Floor of National water ,Plaza Dunga Road and addressed to:-

**The Chief Executive Officer,
Anti-Counterfeit Authority,
3rd Floor, National Water Plaza, Dunga Road.
P.O. Box 47771-00100
NAIROBI.**

Opening of the submissions will be done immediately thereafter in the presence of the committee, tenderers or their representatives who choose to attend.

ALL with registered Businesses are encouraged to Participate.

Prequalification received after the stated time or date will be rejected.

Firms that are in the current list of suppliers and those that have submitted their company profiles/letters of introduction MUST apply afresh in order to determine their eligibility

**The Chief Executive Officer,
Anti-Counterfeit Authority**

SECTION C: INFORMATION TO BIDDERS

2. Introduction

- 2.1 The Anti-Counterfeit Authority will pre-qualify and enlist bidders for the supply of goods, works and services from among those who will have submitted their tenders in accordance with the tender requirements to undertake the assignments described herein. All suppliers currently pre-qualified with the Authority should note that they too have to reapply afresh as all other previous pre-qualifications shall stand cancelled.
- 2.2 Bidders are invited to submit a prequalification tender for the supply of goods, works and services in the categories.
- 2.3 The Pre-qualification Tender document and the Tenderers response thereof shall be the basis for pre-qualification. Tenderers must familiarize themselves with the requirements described in this document including all attachments and take them into account while preparing the response.
- 2.4 The Authority does not bind itself to assign supply of goods, works and services but shall endeavor to ensure tenders for specific goods, works and services will be treated equitably.
- 2.5 Applicants will be informed through the website of the results of the application without assigning any reason for the Authority's decision thereof.
- 2.6 Tenderers will meet all costs associated with preparation and submission of their applications.
- 2.7 It is the Authority's policy to require that tenderers observe the highest standard of professional and moral ethics during the selection and execution of such contracts. In pursuance of this policy, the Authority:
 - a) Defines for the purpose of this provision, the terms set forth below as follows:
 - i) "Corrupt practice" means the offering, giving, receiving or soliciting of anything of value to influence the action of an officer of the Purchaser/Employer in the prequalification process; and
 - ii) "Fraudulent practice" means a misrepresentation of facts in order to influence the pre-qualification process to the detriment of the Purchaser/Employer, and includes collusive practices among Tenderers (prior to or after submission of Tenders) designed to establish prices at artificial, non-competitive levels and to deprive the Purchaser (the Authority) of the benefits of free and open competition.
 - b) Will reject a Tender for pre-qualification if it determines that a Tenderer has engaged in corrupt or fraudulent activities for the contract in question;
 - c) Will declare a Tender ineligible for pre-qualification if at any time it determines that the Tenderer has engaged in corrupt or fraudulent practices in competing for,

- or in executing a similar contract;
- d) Will have the right to examine financial records relating to the performance of such services to determine capability;
 - e) Will have the right to inspect the business premises of the tenderer;
 - f) Will declare a Tender ineligible for pre-qualification if at any time it determines that the Tenderer has no legal capacity to enter into a contract for the procurement;
 - g) Will declare a Tender ineligible for prequalification if at any time the Authority determines that the tenderer is insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings related to the foregoing;
 - h) Will declare a Tender ineligible for pre-qualification if at any time the Authority determines that the tenderer is related to an employee of the company or a Member of Board or Tender/Procurement committees of the Authority unless otherwise pre-declared to avoid conflict of interest.
 - i) Will declare a Tender ineligible for pre-qualification if at any time it determines that the tenderer has committed an offence relating to procurement, has breached a contract for procurement before by another public company, has in procurement proceedings given false information about its actions and has been blacklisted before by another public entity.
- 2.8 Tenderers shall furnish information as described in the pre-qualification tender document.
- 2.9 Tenderers shall be aware of the provisions of corrupt and fraudulent practices as spelt out in the Public Procurement and Disposal Act, 2015 and the Public Procurement and Disposal Regulations, 2006.

3. Clarification of Documents

- 3.1 A prospective tenderer making inquiries of the tender document may notify the Authority by post, fax or by email at the Authority's address indicated in the Invitation to Tender. The Authority will respond in writing to any request for clarification of the tender document which it receives not later than five (5) days prior to the deadline for the submission of the tenders prescribed by the Authority. Written copies of the Authority's response (including an explanation of the query but without identifying the source of inquiry) will be sent to all candidates who have received the tender document.
- 3.2 The Authority 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.

4 Amendment of the Tender Document

- 4.1 At any time prior to the deadline for submission of the tenders, the Authority, for any reason, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tendering documents by amendment.
- 4.2 All prospective tenderers that have received the tendering documents will be notified of the amendment in writing and it will be binding on them. It is therefore important that tenderers give the correct details when collecting the tender document.
- 4.3 In order to allow prospective tenderers reasonable time to take any amendments into account in preparation of their tenders, the Authority may at its sole discretion extend the deadline for the submission of tenders based on the nature of the amendments.

5. Language of Tender

- 5.1 The tender prepared by the tenderer, as well as all correspondence and documents relating to the tender exchanged by the tenderer and the Authority shall be in Written English language.

6. Documents Comprising the Tender

- 6.1 This document includes questionnaire forms and documents required from the prospective bidders. In order to be considered for pre-qualification prospective bidders must submit all the information herein requested.

7. Submission of Application

- 7.1 The Pre-qualification document shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the tenderer. Any such corrections must be initialed by the person(s) who signs the pre-qualification document.
- 7.2 The Pre-qualification document should be prepared and submitted as specified in the Invitation for Pre-qualification of Suppliers on or before **Wednesday 27th May, 2020**
- 7.3 Any tender received after the deadline in clause 6.2 shall be rejected as a late tender and shall not be considered.

8. Eligible Candidates

- 8.1 This prequalification document is open to all candidates who are eligible including youth, women and persons with disability as defined in Kenya's Public Procurement Law and regulations. All bidders who pass the set criteria shall be prequalified. Due diligence will be undertaken and any bidder found to be in breach and has provided false information will lead to automatic disqualification.

9. Tender Evaluation

- 9.1 The Authority will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.
- 9.2 Tenderers shall not contact the Authority on matters relating to their tender from the time of opening to the time the evaluation is finalized and official communication sent to them. Any effort by the tenderer to influence the Authority in the evaluation shall result in the cancellation of their tender.
- 9.3 Prequalification will be based on meeting the minimum criteria regarding the applicant's legal status, general and particular experience, personnel and financial position as demonstrated by their responses.
- 9.4 The applicants must have registered offices and the Authority reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said goods, works or services.
- 9.5 Tenderers who qualify according to the selection criteria will be invited to submit their quotations for the supply of goods, works or services as and when required.
- 9.6 The Authority reserves the right to accept or reject any or all tenders.

SECTION D. PREQUALIFICATION CRITERIA

There shall be two phases of carrying out the evaluation of pre-qualification applications:

1. Preliminary Evaluation (**All Bidders**)
2. Technical Evaluation (**Open Group only**)

10.1 Preliminary Evaluation

- a) All the applications shall be sorted out according to the various categories and levels contained in the application for pre-qualification form.
- b) Pre-screening shall be done for all the applications in each category to determine responsiveness by providing copies of:
 1. Certificate of Incorporation / Registration
 2. Valid PIN/VAT Certificate
 3. Valid Tax Compliance Certificate
 4. Completed Confidential Business Questionnaire
 5. Company profile
 6. Valid AGPO certificate from National Treasury (**For Youth, Women and PWDs**)
- c) Applications that do not meet the above requirements shall be considered substantially non-responsive and shall be excluded from those considered for technical evaluation.
- d) A list shall be compiled for those tenderers who pass the preliminary evaluation to be evaluated in detail.

10.2 Technical Evaluation (Open Group Only)

- a) The evaluation committee shall undertake a thorough and objective analysis of the Suppliers contained in the list;
- b) A detailed assessment of each applicant will be made in the course of evaluating the application.
- c) Details of the applicant's financial capability, past experience, physical facilities and performance in the relevant field will be assessed as follows:

No.	Required Information	Allocated Scores
1.	Financial capacity <ul style="list-style-type: none">• Audited reports for the last 3 years (5 marks for each audited report)• Demonstrate capacity to access credit facilities(bank statements, letter of credit from the bank etc)	15
		10
2.	Past experience & performance <ul style="list-style-type: none">• No. of years in business (Maximum score for 8 years and above)• Five referees(mostly clients) within the last two years- attach proof (2 marks for each referee)	15
		10
3.	Physical Facilities <ul style="list-style-type: none">•Evidence of availability of office premise (Copy of title deed, lease/tenancy agreement or a current utility bill)	10
4.	Certification by regulatory bodies e.g. KEBS, registration with MOPW, Professional bodies certification (IATA a must for Air Travel Agent) (General)	15
5.	Qualifications and experience of 3 key personnel (Attach CVs)- 5 marks for each CV	15
6.	Dully filled and stamped declaration form	10
	Total Marks	100

NB: To qualify, the prospective supplier (open group), consultant or contractor must score **70 points and above**.

10.3 Information relating to preliminary evaluations of all the applications and also those who qualify for pre-qualification shall not be disclosed to applicants or any other persons not officially concerned with such process until the notification of pre-qualification results is made to all applicants.

10.4 Once the list of those who succeeded to be prequalified has been approved and ratified by the Accounting Officer, the Authority shall notify through the website all those applicants who have been pre-qualified.

11 Confidentiality

11.1 Information relating to evaluation of tenders and recommendations concerning pre-qualification shall not be disclosed to the tenderers until the pre-qualified firms have been advised accordingly.

**SECTION E: APPLICATION FORM REGISTRATION OF SUPPLIERS
APPLICATION FORM**

I/We (Firm Name)hereby apply for registration as
a supplier for

(Category No.)

Postal Address.....

Telephone Number (Fixed Line).....

Mobile.....

Email Address.....Fax.....

Town..... Street.....

Building.....Floor.....Room/Office.....

Other branches/Locations.....

.....
Full name of authorized signatory.....

Designation.....

Official Rubber Stamp and Signature.....

SECTION F: STANDARD FORMS – CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

You are requested to give the particulars indicated in Part 1 and either Part 2(a), 2(b) or 2 (c) whichever applies to your type of business. You are advised that it is a serious offence to give false information on this form.

Part 1 – General:	
Business Name	.....
Location of business premises.....	.....
Plot No.....	Street/Road.....
Postal Address	Tel No. Fax E mail
Nature of Business .....	.....
Registration Certificate No. ....	.....
Maximum value of business which you can handle at any one time – Kshs .	.....
Name of your bankers	Branch

Part 2 (a) – Sole Proprietor	
Your name in full	Age
Nationality	Country of origin
Citizenship details.....	

Part 2 (b) Partnership			
Given details of partners as follows:			
Name	Nationality	Citizenship Details	Shares
1. ....	.....	.....	.....
2. ....	.....	.....	.....
3.....	.....	.....	.....
4.....	.....	.....	.....

Part 2 Registered Company (c)			
Private or Public			
State the nominal and issued capital of company-			
Nominal Kshs. ....		.....
Issued Kshs.....		.....
Given details of all directors as follows			
Name	Nationality	Citizenship Details	Shares
1.....	.....	.....	.....
2. ....	.....	.....	.....
3. ....	.....	.....	.....
4. ....	.....	.....	.....
5 .....	.....	.....	.....

* If a Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or registration.

YOUA RE ADVISED THAT IT IS A SERIOUS OFFENCE TO GIVE FALSE INFORMATION ON THIS FORM

SECTION G: TENDER SUBMISSION FORM

Having studied the pre-qualification information for the above tender category We/I hereby state:

- a. That the information furnished in our/my application is accurate to the best of our/my knowledge.
- b. That in case of being pre-qualified we /I acknowledge that this grants us the right to participate in due time in the submission of a tender or quotation on the basis of provision in the tender or quotation documents to follow.
- c. Those pre-qualified bidders will be invited randomly to participate in the tender/quotations as and when there is a requirement.
- d. We/I enclose all the required documents and information required for the pre- qualification evaluation.
- e. Our tender is binding to us and if found acceptable we shall be pleased to be included in the list of pre-qualified firms.
- f. We understand you are not bound to accept either in part or whole any tender you receive.

Date:

Applicant's Name.....

Represented by.....

Signature.....

(Full name and designation of the person signing and stamp or seal).

PART 1(A): PREQUALIFICATION DATA/GENERAL INFORMATION

Business Name	
Nature of Business	
Directors Name	
Category (Y,W,PWDs if applicable)	
AGPO certificate No.(if applicable)	
Postal Address	
Telephone Number	
Contact Person	
Physical Location of the business	Town..... Street..... Building..... Floor.....
Maximum value of business which you can handle at any one time	Kshs.....

PART 1(B) .SOLE PROPRIETOR

Your name in full	..........
Age	.....

Nationality	..........
Country of origin	..........

PART 1(C) – PARTNERSHIP

Give details of partners as follows:

No	Name	Nationality	Citizenship details	Share
1				
2				
3				
4				
5				

PART 1(D) – REGISTERED COMPANY

Private or Public	.....		
State the nominal and issued capital of the company	Nominal Kshs..... Issued.....			
Give details of all directors	Name	Nationality	Citizenship details	Share

	<p>.....</p> <p>.....</p>
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Date.....Signature of tenderer.....

If Kenyan, indicate “citizenship details”, whether by Birth, Naturalization or Registration. *(You may attach a separate sheet if space is required. The attachment must be duly signed and stamped)*

PART 1(E): STATUS OF COMPLIANCE WITH STATUTORY REQUIREMENTS

1. Certificate of Registration/ Incorporation..... (Attach copy)
2. Valid Trade License..... (Attach copy)
3. State VAT Registration No..... (Attach copy)
4. PIN NO(Attach copy)
5. Attach proof of being up to date in VAT and Income Tax Returns..... (Attach copy Of current Tax Compliance Certificate)

PART 2. DECLARATION

I/ We have completed these forms accurately at the time application and it is agreed that all responses can be sustained if requested to do so. Any inaccuracy in the information filled herein may be used as grounds for disqualification from further proceedings.

Signed and Stamped

Name.....

Position in the Company.....

Date.....