

REPUBLIC OF KENYA

Telegraphic Address  
'Bunge', Nairobi  
Telephone 284000  
Nairobi, Kenya



PARLIAMENT  
Parliamentary Joint Services  
Parliament Buildings  
P. O. Box 41842 -00100  
Email: [dg@parliament.go.ke](mailto:dg@parliament.go.ke)

PARLIAMENTARY SERVICE COMMISSION  
OFFICE OF THE DIRECTOR-GENERAL

Our Ref: PJS/PROC/2020-2021/ 38

17<sup>th</sup> February, 2021

TO ALL BIDDERS

RFP NO. PJS/RFP/003/2020-2021: CONSULTANCY SERVICES FOR PREPARATION OF A MASTER PLAN, PRELIMINARY AND DETAILED DESIGN, TENDER DOCUMENTS AND CONSTRUCTION SUPERVISION OF THE PROPOSED CENTRE FOR PARLIAMENTARY STUDIES AND TRAINING (CPST) ON LR NO. 28172

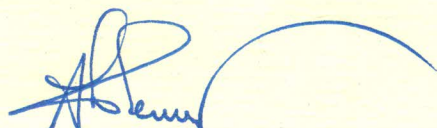
CLARIFICATION SOUGHT BY BIDDERS.

The Commission is in receipt of questions from various bidders seeking clarifications on the referenced tender.

The table below shows the issues raised and the response/clarifications provided.

NO.	QUERY/ CLARIFICATION SOUGHT	CLARIFICATION BY THE COMMITTEE	
1.	Whether prospective bidders are required to submit a tender proposal together a Pro-type model of a master plan	On this issue, prospective bidders were informed that the mandatory requirement to provide a prototype model of a master plan has been dropped and the tender proposal document will be amended accordingly to reflect the change.	
2.	Does rating possession of Master's degree and Bachelor of Science matter for architects or being registered by BORAQS is enough?	The procurement of the consultant is quality based part of determining the technical competence depends on the qualifications of the personnel proposed to undertake the assignment and hence different rating for Bachelors and Masters holders.	
3.	What are the clarifications between section 5.5.7 of the terms of reference which states that each of the Key staff shall possess a minimum of 10 years post qualification experience and Stage two: Technical Evaluation?	<b>Professional</b>	<b>Minimum post Qualification Experience (years)</b>
		Architect	10
		Quantity Surveyor	8
		Structural Engineer	8
		Mechanical Engineer	8
		Electrical Engineer	8
		Civil Engineer	8
		Note: In accordance with the evaluation criteria, presenting a professional with less than the stipulated experience will not lead to disqualification but will score less marks as provided in the Technical Evaluation.	

4.	Why are bidders bidding for professional services required to submit a tender security with their bid?	<p>Section 61(5) of the Act provides for procurements which the tender securities shall not be requested as follows;</p> <p><i>Tender securities shall not be required in procurements reserved for small and micro enterprises or enterprises owned by women, youth, persons with disabilities and other disadvantaged groups participating in a procurement proceeding and the target group shall be required to fill and sign the tender securing declaration form as prescribed.</i></p> <p>As such, bidders for professional services are not exempted.</p>
5.	Can the bid be made QUALITY BASED (QBS) instead of QUALITY AND COST BASED (QCBS)	<p>The choice of procurement method is the prerogative of the procuring entity under the law, the procuring entity has chosen the Request for Proposal method and the selection method as the Quality and Cost Based method which is the preferred method under the law that takes into account the quality of the proposal and the cost of the services.</p>
6.	Whether prospective bidders can be allowed to use tender security from either a reputable bank in Kenya recognized by Central Bank or Insurance Company approved by Public Procurement Regulatory Authority (PPRA)	<p>The Public Procurement And Asset Disposal Act, 2015 defines a tender security as a guarantee required from tenderers by the procuring entity and provided to the procuring entity to secure the fulfilment of any obligation in the tender process and includes such arrangements as bank or insurance guarantees, surety bonds, standby letters of credit, cheques for which a bank is primarily liable, cash deposits, promissory notes and bills of exchange tender securing declaration, or other guarantees from institutions as may be prescribed.</p> <p>The procuring entity requires the tender security only from a reputable bank recognised by the Central Bank of Kenya.</p>
7.	Whether variation on the amount quoted is going to be considered?	<p>Any variations shall be considered in accordance with the provisions of the Public Procurement and Asset Disposal Act 2015 and its attendant regulations.</p>



**CLEMENT M. NYANDIERE, MBS,  
DIRECTOR-GENERAL/ACCOUNTING OFFICER,  
PARLIAMENTARY JOINT SERVICES,  
PARLIAMENTARY SERVICE COMMISSION.**