KENYATTA UNIVERSITY


REQUEST FOR PROPOSAL FOR A TERM LOAN

CLOSING DATE: FRIDAY 28TH FEBRUARY 2020 AT 10:00AM
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SECTION I - REQUEST FOR PROPOSAL

PROPOSAL NO:  KU/RFP/S/057/TL/2019-2020

PROPOSAL NAME: REQUEST FOR PROPOSAL FOR A TERM LOAN

1.1 Kenyatta University invites sealed proposals from eligible financial institutions to provide term loan of Kshs. 450,000,000.00

1.2 Proposal documents can be downloaded free of charge from our website www.ku.ac.ke or click on the link http://www.ku.ac.ke/index.php/about-ku/procurement OR http://www.tenders.go.ke link to GOK tenders websites free of charge.

However candidates who choose to download the documents must notify the Procurement Office immediately for record purposes by email: procurement@ku.ac.ke

1.3 Prices quoted should be net, inclusive of all taxes, and must be in Kenya Shillings and shall remain valid for 120 days from the closing date of the tender.

1.4 Completed proposal documents are to be enclosed in plain sealed envelopes, marked with the tender number and name and be deposited in the Tender Box at (Kenyatta University – Procurement Department Reception) or be addressed to (Kenyatta University P.O. Box 43844 – 00100 G.P.O Nairobi) so as to be received on or before Friday 28th February, 2020 at 10:00am

1.5 Proposals will be opened immediately thereafter in the presence of the candidates representatives who choose to attend at (Kenyatta University - Boardroom).
SECTION II-INFORMATION TO PROSPECTIVE LENDERS

2.1 Introduction

2.1.1 Kenyatta University will select an individual financial institution among those invited to submit proposals or those who respond to the invitation for proposals in accordance with the method of selection detailed under this section and consistent with the regulations.

2.1.2 The financial institution are invited to submit a financial proposal for lending Ksh. 450,000,000.00 required for the purpose stated in the letter of invitation Section I.

2.1.3 The bidders must familiarize themselves with local conditions as regards the assignment and take them into account in preparing their proposals. To obtain adequate information on the assignment and on the local conditions, bidders are encouraged to liaise with the Client regarding any information that they may require before submitting a proposal.

2.1.4 Kenyatta University will provide the inputs and services specified in the special conditions of contract needed to assist the bidders to carry out the assignment.

2.1.5 The cost of preparing the proposal and negotiating the contract including any visit to the site are not reimbursable as a direct cost of the assignment. The client is not bound to accept any of the proposals submitted.

2.1.6 Kenyatta University’s employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender.

2.2 Clarification and amendment to the RFP documents

2.2.1 Financial Institution may request clarification of any of the RFP documents not later than Seven (7) days before the deadline for the submission of the proposals. Any request for clarification must be sent in writing by post or email to the Procurement Manager, Kenyatta University address Section 1 of proposal. The client will respond by post or email to such requests and will send written copies of the response (including an explanation of the query but without identifying the source of inquiry) to all consultants invited to submit proposals.

2.2.2 At any time before the deadline for submission of the proposals, the client may for any reason, either at its own initiative or in response to a clarification requested by an intended individual consultant amend the RFP. Any amendment shall be issued in writing or email to all invited individual consultants and will be binding on them. The client may at their discretion extend the deadline for the submission of the proposals.

2.2.3 Clarification of tenders shall be requested by the tenderer to be received by Kenyatta University not later than 7 days prior to the deadline for submission of tenders.

2.2.4 The client shall reply to clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.
2.3 Preparation of proposals

2.3.1 The consultant’s proposal shall be written in English language.

2.3.2 In preparing the proposal, the bidders are expected to examine the documents consisting the RFP in detail. Material deficiencies in providing the information requested may result in rejection of proposal.

2.4 Financial proposal

2.4.1 The financial proposal must include, but not limited to the terms of reference (TOR) as set in Section III of this document.

2.4.2 The Financial proposal must remain valid for 120 days after the submission date. During this period the individual consultant is expected to keep available at his own cost any staff proposed for the assignment. Kenyatta University will make best efforts to complete negotiations within this period. If Kenyatta University wishes to extend the validity period of the proposals, the applicants who do not agree, have the right not to extend the validity of their proposals.

2.5 Submission, Receipt and opening of proposals

2.5.1 The proposal shall be prepared in indelible ink. They shall contain no interlineations or overwriting, except as necessary to correct errors made by the bidder. Any such corrections must be initialed by the individual consultant.

2.5.2 For each proposal the bidder shall prepare the proposals in two number of copies. Each proposal shall be marked “ORIGINAL” or “COPY” as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall govern.

2.5.3 The original and all copies of the proposal shall be placed in a sealed envelope clearly marked “FINANCIAL PROPOSAL. Both envelopes shall be placed in an outer envelope and sealed. This outer envelope shall bear Kenyatta University address and other information indicated in the section I invitation for proposal and clearly marked “DO NOT OPEN before Friday 28th February 2020 at 10:00am

2.5.4 The completed proposal must be delivered at the submission address on or before the time and date of the submission of the proposals indicated in section 1. Any proposals received later than the closing date for submission of proposals shall be rejected and returned to the consultant unopened. For this purpose the inner envelope containing the technical and financial proposals will bear the address of the bidders submitting the proposals.

2.5.5 After the deadline for submission of proposal the outer envelope and proposal shall be opened immediately by the opening committee. The financial proposals shall be marked with the bidders number allocated at the time of opening the outer envelope and the technical proposals but shall remain sealed and in the custody of a responsible procurement officer of Kenyatta University up to the time set for opening them.
2.6 Evaluation of the Proposal (General)

2.6.1 From the time the proposals are opened to the time of the contract award, if any individual consultant wishes to contact Kenyatta University on any matter relating to his/her proposal, he/she should do so in writing at the address indicated in section 1. Any effort by an individual consultant to influence Kenyatta University staff in the evaluation of proposals companion proposals or awards of contract may result in the rejection of the individual consultant proposal.

2.7 Opening and Evaluation of Financial Proposals

2.7.1 The financial proposals shall be opened by Kenyatta University in the presence of individual consultants who choose to attend the opening. The name of the bidder and the proposed terms shall be read out loud and recorded. The evaluation committee shall prepare minutes of the opening of the financial proposals.

2.7.2 The bidder with the best offer will be invited to negotiate the contract.

2.8 Negotiations

2.8.1 Negotiations will be held at the same address indicated in the appendix to the information of bidders. The purpose of negotiation is for Kenyatta University and the bidder to reach agreements on all points regarding the loan facility and sign a contract.

2.8.2 The agreed work plan and terms of reference will be incorporated in the description of the service or assignment and form part of the contract.

2.8.3 The negotiation will be concluded with a review of the draft contract. If negotiations fail, Kenyatta University will invite the bidder with the second best offer to negotiate a contract.

2.9 Award of Contract

2.9.2 The contract will be awarded before commencement of negotiation. After negotiations are completed, Kenyatta University will promptly notify the other bidders that they were unsuccessful and return the financial proposal of the individual consultants who did not pass technical evaluation.

2.10 Confidentiality

2.10.1 Information related to evaluation of proposals and recommendation of contract award shall not be disclosed to the bidder who submitted the proposal or to other persons not officially concerned with the process, until the winning bidder has been notified that he/she has been awarded the contract.

2.12 Corrupt or fraudulent practices

2.12.1 The procuring entity requires that the bidders observe the highest standards of ethics during the selection and award of the financial contract and also during the performance of the assignment. The tenderer shall sign a declaration that he has not and will not be involved in corrupt or fraudulent practices.

2.12.2 The procuring entity 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.
2.12.3 Further a bidder who is found to have indulged in corrupt or fraudulent practices risks being debarred from participating in public procurement in Kenya.
### SECTION III – TERMS OF REFERENCE (TOR)

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<tbody>
<tr>
<td>1</td>
<td>Company Profile</td>
<td>Yes/No</td>
</tr>
<tr>
<td>2</td>
<td>Interest Rates</td>
<td>Yes/No</td>
</tr>
<tr>
<td>3</td>
<td>Terms of repayment over 10 years period</td>
<td>Yes/No</td>
</tr>
<tr>
<td>4</td>
<td>Security</td>
<td>Yes/No</td>
</tr>
<tr>
<td>5</td>
<td>Application/ commitment fee</td>
<td>Yes/No</td>
</tr>
<tr>
<td>6</td>
<td>Retention Fee</td>
<td>Yes/No</td>
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<tr>
<td>7</td>
<td>Monitoring Fee</td>
<td>Yes/No</td>
</tr>
<tr>
<td>8</td>
<td>Any other Cost</td>
<td>Yes/No</td>
</tr>
<tr>
<td>9</td>
<td>Grace period/ moratorium</td>
<td>Yes/No</td>
</tr>
<tr>
<td>10</td>
<td>Others (specify)</td>
<td>Yes/No</td>
</tr>
</tbody>
</table>

**To note:**

1. Bidders **MUST** complete the attached Business Questionnaire and disclose all the details therein.
2. Any information provided by the bidder may be verified by the University as part of due diligence and any information that is not correct may lead to the bidder disqualification.
3. The terms of reference will form part of evaluation. The financial institution having met the above terms of reference and being the lowest evaluated bidder will be recommended for award.
4. The Oaths and Statutory declaration form **MUST be filled, signed and stamp by a lawyer who is a commissioner of oaths. Failure will lead to the tender being non-responsive.**
SECTION IV
MANDATORY CONFIDENTIAL BUSINESS QUESTIONNAIRE
(Must be filled by all applicants who choose to participate in this Tender)

You are requested to give the particular indicated in Part 1 and either Part 2(a), 2(b), or 2(c) whichever applies to your type of business and part 3.

You are advised that it is a serious offence to give false information on this Form.

Name of Applicant(s)……………………………………………………………………………………………..

Part 1: General:

1.1: Business Name ……………………………………………………………………………………………

1.2: Certificate of Incorporation/Registration No:…………………………………………………………

1.3: Location of business premises …………………………………………………………………………

1.4: Plot No. ………………………………………………………………………………………………………

1.5: Street/Road …………………………………………………………………………………………………

1.6: Postal Address ……………………………………………………………………………………………

1.7: Office Tel. No. ………………………………………………………………………………………………

1.8: Mobile:……………………………………………………………………………………………………

1.9: Fax No: ………………………………………………………………………………………………………

1.10: Email Address……………………………………………………………………………………………

1.11: Website……………………………………………………………………………………………………

1.12: Nature of business:(Indicate whether Manufacturer, Distributor e.t.c)…………………………

1.13: Contact Person (Full Names)…………………………………………………………………………

(a) Directors Name and Mobile Nos:……………………………………………………………………

(b) If not Director, Title……………………………………………………………… Power of Attorney (Yes/No)

if yes, attach written document.

1.14: Maximum value of business which you can handle at any one time Kshs. ……………………

1.15: Name of your bankers …………………………… Branch …………………………………………

- 9 -
Part 2(a) – Sole Proprietor:

2a.1: Your name in full ................................................................. Age .................................

2a.2: Nationality ........................................... Country of origin .................................

Citizenship details.................................................

Party 2(b) – Partnership

2b.1: Give details of partners as follows

2b.2: Name    Nationality    Citizenship Details    Shares
1. ..................    ..................    ..................    .............
2. ..................    ..................    ..................    .............
3. ..................    ..................    ..................    .............
4. ..................    ..................    ..................    .............
5. ..................    ..................    ..................    .............

Part 2(c) – Registered Company:

2c.1: Private or public .................................................................

2c.2: State the nominal and issued capital of the company –

Nominal Kshs. .................................................................
Issued Kshs.................................................................

2c.3: Give details of all directors as follows

Name    Nationality    Citizenship Details    Shares
1. ..................    ..................    ..................    .............
2. ..................    ..................    ..................    .............
3. ..................    ..................    ..................    .............
4. ..................    ..................    ..................    .............
5. ..................    ..................    ..................    .............

Date........................................... Signature of Tenderer ........................................

If a citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration

Part 3 – Eligibility Status

3.1 Are you related to an Employee who works in the Finance or Procurement Departments, or, is a member of the Tender Committee of Kenyatta University?
Yes.................. No:.................................
3.2: If answer in ‘3.1’ is **YES** give the relationship:…………………………………………………

3.3: Does an Employee as in ‘3.1’ above, sit in the Board of Directors or Management of your Organisation Subsidiaries or Joint Ventures?
Yes……… No………

3.4: If answer in ‘3.3’ above is YES give details………………………………………………………………………………

3.5: Has your Organization, Subsidiary Joint Venture or Sub-contractor been involved in the past directly or indirectly with a firm or any of its affiliates that have been engaged by Kenyatta University to provide consulting services for preparation of design, specifications and other documents to be used for procurement or the goods or services under this invitation?
Yes…………….. No………………

3.6: If answer in ‘3.5’ above is YES give details……………………………………………………………………………………………………

3.7: Are you under a declaration of ineligibility for corrupt and fraudulent practices?
Yes…………….. No………………

3.8: If answer in ‘3.7’ above is YES give details………………………………………………………………………………

3.9: Have you offered or given anything of value to influence the procurement process?
Yes…………….. No………………

3.10: If answer in ‘3.9’ above is YES give details………………………………………………………………………………

    I DECLARE that the information given on this form is correct to the best of my knowledge and belief.

    Date:……………………… Signature of Candidate:………………………………

If a Kenyan Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or registration.
SECTION V
OATHS AND STATUTORY DECLARATION FORM

REPUBLIC OF KENYA
IN THE MATTER OF OATHS AND STATUTORY DECLARATION ACT CHAPTER 15 OF
THE LAWS OF KENYA AND IN THE MATTER OF THE PUBLIC PROCUREMENT AND
ASSET DISPOSAL ACT NO. 33 OF 2015

I,………………………………………………. Of P.O
Box………………………………………………………
Being a resident of…………………………………………….. in
the Republic of Kenya do hereby make
oath and state as follows:-

1. THAT I am the Chief Executive/Managing Director/Principal Officer/Director of………………
(name of the Candidate) which is a Candidate in respect of Tender Number…………………... to
supply goods, render services and/or carry out works for Kenyatta University and duly authorized
and competent to make this Affidavit.

2. THAT the aforesaid Candidate has not been requested to pay any inducement to any member of
the Board, Management, Staff and/or employees and/or agents of Kenyatta University, which is
the procuring entity.

3. THAT the aforesaid Candidate, its servants and/or agents have not offered any inducement to any
member of the Board, Management, Staff and/or employees and/or agents of Kenyatta University.

4. THAT what is deponed to hereinabove is true to the best of my knowledge information and belief.

SWORN at……………………………… by the said}
Name of chief Executive/Managing Director/}

Principal Officer/Director }

On this........................... day of ............ 20.....

}                          DEPONENT

Before me

}                           }

}

}

}

Commissioner for Oaths }