



**MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND  
COOPERATIVES  
STATE DEPARTMENT FOR FISHERIES, AQUACULTURE AND THE BLUE  
ECONOMY**

**MINUTES OF THE PRE TENDER CONFERENCE AND SITE VISIT MEETING  
FOR TENDER NO. MOALF&C/SDFA&BE/12/2021-2022**

**PROPOSED HACCP COMPLIANT ULTRA MODERN TUNA FISH HUB AT  
LIWATONI MOMBASA (PHASE ONE) HELD ON 16<sup>TH</sup> DECEMBER, 2021 AT  
KENYA FISHING INDUSTRIES CORPORATION (KFIC) LIWATONI  
FISHERIES COMPLEX BOARDROOM**

**MEMBERS PRESENT**

S.NO	NAME	DESIGNATION	DEPARTMENT	
1.	Mr. Kassim Farrah	Secretary, Administration	SDFA&BE	Chairman
2.	<u>Dr. Stephen Mbithi</u> <u>Mrs. Lucy Obungu</u>	<u>TOBEO, Secretary Ag-</u> <u>Secretary, FIBE</u>	<u>TOBEO</u> <u>SDFA&amp;BE</u>	<u>Member</u> <u>Member</u>
3.	<u>Dr. Stanley Chai</u> <u>Mr. Daniel Mungai</u>	<u>TOBEO, Secretary Director</u> <u>General</u>	<u>TOBEO</u> <u>KeFS</u>	<u>Member</u> <u>Member</u>
4.	<u>Dr. Mikah O. Nyaberi</u> <u>Dr. Stephen Mbithi</u>	<u>Ag. CEO KFIC</u> <u>TOBEO,</u> <u>Secretary</u>	<u>KFIC</u> <u>TOBEO</u>	<u>Member</u> <u>Member</u>
5.	<u>Ms. Elizabeth Akello</u> <u>Dr. Stanley Chai</u>	<u>Head,</u> <u>ICT</u> <u>TOBEO, Secretary</u>	<u>SDFA&amp;BE</u> <u>TOBEO</u>	<u>Host Virtual</u> <u>Conference</u> <u>Member</u>
6.	<u>Ms. Roselyn Ayienda</u> <u>Dr. Micah O. Nyaberi</u>	<u>SSCMO</u> <u>Ag. CEO KFIC</u>	<u>SDFA&amp;BE</u> <u>KFIC</u>	<u>Secretary</u> <u>Member</u>
7.	<u>Ms. Monica Mutava</u> <u>Arch. Kenneth Kamau</u>	<u>AOA</u> <u>1SSA</u>	<u>SDFA&amp;BE</u> <u>SDPW</u>	<u>Secretariat</u> <u>Member</u>
8.	<u>Eng. Silas Omondi</u> <u>Members Attending Virtually</u> <u>SDPW</u> <u>Member</u>	<u>SSE</u> <u>(E)</u>		

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98.	<u>Mrs. Lucy Obungu Ms. Elizabeth Akello</u>	<u>Ag. Secretary, FIBE Head, ICT</u>	<u>SDFA&amp;BESDFA&amp;BE</u>	<u>MemberHost Virtual Conference</u>
9.	<u>Mr. Daniel Mungai</u>	<u>Director General</u>	<u>KeFS</u>	<u>Member</u>
10.	<u>Eng. Silas Omondi Ms. Roselyn Ayienda</u>	<u>SSE (E)SSCMØ</u>	<u>SDPWSDFA&amp;BE</u>	<u>MemberSecretary</u>
11.	<u>Arch. Kenneth Kamau Ms. Monica Mutava</u>	<u>SSA AOA-1</u>	<u>SDPWSDFA&amp;BE</u>	<u>MemberSecretariat</u>

**Dr Mbithi:**

Kindly separate this list between members present and members attending virtually, for clarity.

**Tenderers**

**Firm Represented**

1.	<u>Mr. Kyaka Kyalo</u>	<u>Architect</u>	<u>M/S Seven Fourteen Ltd/JV Tuna Tech Services</u>
2.	<u>Mr. Samuel King'esi</u>	<u>Senior Technician</u>	<u>M/S Seven Fourteen Limited Ltd/JV Tuna Tech Services</u>
3.	<u>Mr. Pravin Halai</u>	<u>Representative</u>	<u>M/S Fomento Fomento al Desarrollo Del Comercio Internacional.com S.V</u>
4.	<u>Mr. Teddy L. Kahi</u>	<u>Accountant</u>	<u>M/S Fomento Fomento al Desarrollo Del Comercio Internacional.com S.V</u>
5.	<u>Ms. Stella Ng'ang'a</u>		<u>M/S Urbacon Trading &amp; Contractors/Contemporary Engineering</u>
6.	<u>Mr. Stephen Ochieng</u>		<u>M/S Yaiscule H349 No. 18 Yinchuan Road, Science and Technology R&amp;D Base of Maigaogiao Pioneer Park, Qixia District, Naming, China Horizon</u>
7.	<u>Mr. James Amwayi</u>		<u>M/S Sevenfourteen Ltd/JV Tuna Tech Services</u>
8.	<u>Mr. Peter Ngotho</u>		<u>M/S Ceer Processing Ltd</u>
9.	<u>Eng. E.N. Waithaka</u>		<u>M/S Ceer Processing Ltd</u>

<del>10.</del>	<del>Mr. Lazaro Misiko</del>		<del>M/S Pacific Engineering Projects</del>
<del>11.</del>	<del>Mr. Chepkwony Bore</del>		<del>M/S Associated Construction Company (K) LTD</del>
<del>1.</del>	<del>Mr. Kyaka Kyalo</del>	<del>Architect</del>	<del>M/S Seven Fourteen Attended virtually</del>
<del>2.</del>	<del>Mr. Samuel King'esi</del>	<del>Senior Technician</del>	<del>M/S Seven Fourteen Limited</del>
<del>3.</del>	<del>Mr. Pravin Halai</del>	<del>Representative</del>	<del>M/S Fomento</del>
<del>4.</del>	<del>Mr. Teddy L. Kahi</del>	<del>Accountant</del>	<del>M/S Fomento</del>
<del>5.</del>	<del>Ms. Stella Ng'ang'a</del>		<del>M/S Urbacon Trading &amp; Contractors/Contemporary Engineering</del>
<del>6.</del>	<del>Mr. Stephen Ochieng</del>		<del>M/S Yaiscule H349 No. 18 Yinchuan Road, Science and Technology R&amp;D Base of Maigaogiao Pioneer Park, Qixia District, Naming, China Horizon</del>
<del>7.</del>	<del>Mr. James Amwayi</del>		<del>M/S Sevenfourteen</del>
<del>8.</del>	<del>Mr. Peter Ngotho</del>		<del>M/S Ceer Processing Ltd</del>
<del>9.</del>	<del>Eng. E.N. Waithaka</del>		<del>M/S Ceer Processing Ltd</del>
<del>10.</del>	<del>Mr. Lazaro Misiko</del>		<del>M/S Pacific Engineering Projects</del>
<del>11.</del>	<del>Mr. Chepkwony Bore</del>		<del>M/S Associated Construction Company (K) LTD</del>

#### Attending Virtually

#### Firm Represented

<del>1.</del>	<del>Mr. Joshua Mbithi Arch- Ken Kamau</del>	<del>M/S Seven Fourteen Ltd/JV Tuna Tech Services SDPW</del>
<del>2.</del>	<del>Mr. Ramon Eng. Silas Ømondi</del>	<del>M/S Fomento Al Desarrollo Del Comercio Internacionales. L. SDPW</del>
<del>3.</del>	<del>Mr. Ian Boatwood Mr. Joshua Mbithi</del>	<del>M/S Ceer Processing Limited M/S Seven Fourteen Ltd/JV Tuna Tech Services</del>
<del>4.</del>	<del>Mr. Shirshir Malaviya Mr. Ramon</del>	<del>M/S Pacific Engineering Projects M/S Fomento Al Desarrollo Del Comercio Internacional S.L</del>
<del>5.</del>	<del>Mr. Akram Al Garib Mr. Ian Boatwood</del>	<del>M/S Urbacon Trading &amp; Contracting W.L.L. (UCC) M/S Ceer Processing Limited</del>
<del>6.</del>	<del>Mr. Madhusudhan Mr. Shirshir Malaviya</del>	<del>M/S Urbacon Trading &amp; Contracting W.L.L. (UCC) M/S Pacific Engineering Projects</del>

7. Mr. Peter Sol Rogers  
Mr. Akram Al Garib M/S Pacific Engineering Projects  
M/S Urbacon Trading & Contracting W.L.L. (UCC)
8. Ms. Diana Villarraga  
Mr. Madhusudhan M/S Fomento Al Desarrollo Del Comercio Internacional S.L  
M/S Urbacon Trading & Contracting W.L.L. (UCC)
9. Mr. Amir  
Mr. Peter Sol Rogers M/S Urbacon Trading & Contracting W.L.L. (UCC)  
M/S Pacific Engineering Projects
10. Mr. Christopher Lord  
Ms. Diana Villarraga M/S Pacific Engineering Projects  
M/S Fomento Al Desarrollo Del Comercio Internacional S.L
11. Mr. Horizon.hou  
Mr. Amir M/S Yaiscule H349 No. 18 Yinchuan Road, Science and Technology R&D Base of Maigaogiao Pioneer Park, Qixia District, Naming, China  
Horizon M/S Urbacon Trading & Contracting W.L.L. (UCC)
12. Mr. Christopher Lord M/S Pacific Engineering Projects
13. Mr. Horizon.hou M/S Yaiscule H349 No. 18 Yinchuan Road, Science and Technology R&D Base of Maigaogiao Pioneer Park, Qixia District, Naming, China  
Horizon

## Agenda

- i. Introduction
- ii. Site Visit to the proposed area for the HACCP Compliant Ultra Modern Tuna Fish Hub, Liwatoni

### Min. 01/12/2021-2022 Opening Remarks

The chairman called the meeting to order at 11.25 am. The chairman asked the members present to introduce themselves and described the subject matter.

It was confirmed that all the seven pre-qualified firms were represented and the bidders were shown the land earmarked for project developments outlined in the tender, and thereafter guided on a detailed visit to all facilities on site. team was taken round the premises where At the end of the site inspection visit, the following issues were the issues raised by the bidders;

<b>QUESTION / CONCERNS RAISED BY BIDDERS</b>	<b>RESPONSE BY THE</b>

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		<u>CLIENT ANSWER</u>
1.	Request to consider extension of the tender closing/opening date <u>by 14 to 60 days</u>	<u>Extension allowed for 10 Days Closing/Opening Date 28<sup>th</sup> January, 2022</u>
2.	<p>Breakdown of tender price, according to ITT Art.34 the form of tender shall have a table with the detailed tender price in which cost of works must be a lump sum. Section II (TDS) 34.4 mentioned "the contractor will prepare a complete bill of quantities for the work, within .....as part of his submission (as part of the financial proposal ) days after the award of contract.</p> <p>Please confirm whether or not BoQs must be submitted with the proposal or "days after the award of contract"</p> <p>Form of tender include a breakdown table in which is stated. Monthly cost of design/supervisory staff and site agents up to the completion of contract. However, the cost requested in the table only specifies "amount" without any monthly cost. Please clarify or correct it.</p> <p>The item design/supervisory staff and site agents" refers to personnel of the contractor or there will be any charge for supervision from procuring entity which must be considered</p> <p>Same issue for the <del>item</del> "Monthly item "Monthly cost of major items of equipment"the cost requested in the table only specifies "amount" without any monthly cost. Please clarify</p> <p>We understand "equipment" refers to "construction equipment" as indicated in FORM EQU (Section IV, tendering forms) please confirm</p>	<p><u>Days after the award of the contract, at this stage you will submit a schedule of costs showing lump sum figures</u></p> <p><u>You will be submitting a lump sum item that will include monthly costs over the life of the project</u></p> <p><u>There will be a charge from the procuring entity for project management costs</u></p> <p><u>You will be submitting a lump sum item that will include monthly costs over the life of the project</u></p> <p><u>Confirmed is as indicated in the form</u></p>
3.	Taking into account that the tender forms were submitted for prequalification, and the final tender will be only restricted for the companies	<u>Submit everything as required in the tender document</u>

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	prequalified, is it necessary to submit again forms related to eligibility, finance and experience	
4.	According to TDS 20.1 tender validity period will be 154 days , but not in section III, is state that valid tender security will be 12 days. Please confirm validity period of tender security	<u>Tender validity period is confirmed to be 154 days as given in tender document</u>
5.	In the table 1, item A evaluation scores refer to some works not included in the tender (only design as part of the phase 1 content) ie plant and equipment design and capacities for fish offloading jetty, modular ice plant, water supply and potable water treatment, fish market center, fishing net repair, fuel storage, administrative block.  Please clarify this evaluation criteria. Tenderer suggest it must be corrected accordingly to the scope of work	<u>Scope of work includes design of the entire hub (all plants), and installation covers the only the plants and facilities in the tender. of a few only. All the competencies required under evaluation are necessary for effective design of all plants, including those plants which are not expected to be constructed or delivered.</u>
6.	In section c supply equipment scope 11 (power reticulation and distribution) and 13(power supply substation) is stated that installation for phase 1 only is included. Please indicate technical characteristics of actual available electricity connections.  No water treatment and storage facility included (only design). Please confirm actual potable water specifications for phase 1 to be used in the fish processing and canning lines	<u>In the PRELIMINARY INFORMATION - PREAMBLE item (n) 2No. 1,000KVA transformers - The facility is connected through an 11kV Overhead transmission line.</u>  <u>The hub will be designed to provide, and treat enough water to process 100 MT fish, as specified in the design notes. Since this is a design-and-build tender, bidders are expected to provide professional estimates of amount of water required</u>
7	Scope of fish meal and feed plant will be only design at this phase 1, therefore fish waste (heads, bones, guts etc) obtained during process must be collected (or used) by a third party. Please indicate or confirm.....or a fish waste composting process with its facilities must be included  Could you please indicate if the existing 34,000 liter	<u>The Hub is expected to be operationalized once all plants listed in the tender document are installed. Installations in phase 1 are as indicated in this tender. No fish waste composting is foreseen in phas-e 1 of the Hub.</u>  <u>The bio digester is available and a</u>

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	bio digester is available to be operated? If yes, could you please indicate technical characteristics	<del>bidder can evaluate its All facilities on-site are available for evaluation of suitability and use or otherwise.</del> <del>as a bidder may determine.</del> The technical characteristics of any facility on site may be reviewed/ascertained by a bidder at any time during the tendering period.
8	Scope of jetty fixtures is "design only" no installations. (no cranes, no belt conveyers) forklifts or manual pallets jacks must be considered for unloaded fish?	Bidders are invited to design jetty fixtures as indicated in the tender document. Installation of jetty fixtures is not part of phase 1 (this tender).
9	The canning formats of tuna loins should be usual ones on the market but it must be indicated what formats are really required. Please indicate	This is a design-and-build contract...bidders are expected to professionally incorporate in their design and delivery equipment/specs which will enable the hub to operate competitively globally
10	The preparation of the loins is a common part whether the loins are to be destined for freezing to be sold to third parties or to be packed on the canning line.  Therefore it is necessary to define the amount of tuna raw material that is wanted to use to obtain loins for freezing  <b>Option A</b>  And the amount of tuna raw material wanted to use for canning  <b>Option B</b>  please indicate or define how many of the 25 tons per day of tuna cooked loins will be used to be frozen and sell and how many will be canned, and whether it is foreseen to do both processes simultaneously from 25 tonnes of tuna loins	The loins are foreseen to be BOTH frozen for sale to third parties, and canning before eventual sale.  The bidders are at liberty to advise the client on the best ratios of split of the loins between the two unit operations on the same day, or other practical operating models.
11	<del>It is</del> Is it required to design and build a fresh and frozen fish processing plant with a capacity of 50MT per day, of which 20% will be other species	Species mix and ratio of the fresh and frozen plant will be as indicated in the design notes (Section C)

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12	<p>Small pelagic species such as mackerel, horse mackerel, etc, should be processed on a different line as they have different processes, depending on whether they are to be block frozen, vacuum packed in pouches, sold fresh, filleted etc.</p> <p>It is necessary to define which capacity is required to produce from these species in order to define the required equipment how much is for freezing (and type of freezing) how much is for selling fresh, how much for filleting etc.</p> <p>If it will be necessary to process other fish species (white fish, sea bass, sea bream etc) to obtain fillets for freezing, vacuum packing etc. a different line must be considered normally multifunction lines where manual processes are done</p> <p>Please define what other species must be processed, and the estimated products and production for these "other species"</p>	<p><u>The 'other species' referred to in the design notes are the species found in Kenya's EEZ, and excludes horse mackerel. A full list of marine species from Kenyan waters may be obtained from Kenya Fisheries Country Report to IOTC (Indian Ocean Tuna Commission), which is freely available online.</u></p>
13	<p>How to deal with fish waste (heads, guts, bones, skin) because there is no feed meal or fish meal plant to treat it.</p> <p>We need to know if some third party is going to collect it (you must think that from 50 tons of fish to be processed, it will be at least 20 tons of fish waste daily</p>	<p><u>By the time the Hub is operational, it is expected that a fishmeal plant shall be in place. The design should include fish meal but this will not be put up during phase 1.</u></p>
14	<p>One solution could be to use a fishing waste composting process to compost the waste, and re use it as fertilizers, but we will need an enclosed warehouse (can we use some of the existing bio digester. Kindly advise/clarify</p>	<p><u>Refer to 13 above</u></p> <p><u>This aspect is not foreseen in this by the tender client. Tenderers may however include this in their design.</u></p>
15	<p>Another main issue is how to take the unloaded fish to the cold storage rooms it will be necessary to consider forklifts or pallets jack. There will be a lot of auxiliary equipment which seems not considered in the RFP. Kindly clarify</p>	<p><u>This tender provides for design of fixtures on the jetty. as outlined in the tender document</u></p>
16	<p>List of inventory for all the equipment</p>	<p><u>A PDF List of all inventory will be send to the bidder to be emailed to bidders on 24<sup>th</sup> December, 2021</u></p>
17	<p>How are the cold storage going to be divided?</p>	<p>The tender being a design and build, there are no bills of quantities in the tender document and no prescription on how to go about the tender. The first assignment to work on are the schematic designs which will be</p>

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	<p>Fresh and frozen line to handle 50 tons daily. How many are frozen? Are they going to be half frozen and half chilled?</p>	<p>done after winning the tender. The client will then consider the designs and once they are approved the design will be done.</p> <p>The tender document has proposed splits. However the tenderer could choose to propose to the client any other splits that they consider to be most efficient because they are the experts.</p> <p>Design notes explains the product which is tuna fish 80% and 20% other species and the product specification being yellow fin tuna and skipjack tuna.</p> <p><u>On the split between frozen and chilled volumes, bidders are invited to suggest to the client appropriate splits, considering the species mix and market realities. The plant will be designed to handle 100 tonnes raw material, the fresh and frozen plant will handle 50 tonnes per day, the canary 25 tonnes and 25 tonnes waste material</u></p>
<p><u>18</u></p>	<p>How will the fishmeal be handled and stored before the processing? Can a fresh and frozen be operated without a fish meal plant?</p>	<p><del>Proposals are part of the tenderers details as experts to guide the client</del>  <u>A Fish meal should be part of the design. However, fishmeal plant is not plant is to be part of facilities to be put up under this phase of the project but it is expected to be in place before the Hub is operationalized.</u></p>
<p><u>19</u></p>	<p>What are the type of freezers to be used?</p>	<p><del>The temperatures for cold storage which will handle 100mt are given in the tender document. This should guide the tenderer on the appropriate type of freezers to be used</del>  <u>Bidders are invited to design appropriate types of freezers for the client, considering species mix, final products suggested, and market realities.</u></p>

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20	Facility's Certification	Tenderers are required to ensure that all the materials, processes and <del>flow within the</del> <del>how the</del> plants are <del>organized is</del> HACCP Compliant, meet <del>g</del> Good <del>M</del> manufacturing <del>P</del> practices (GMPs), <del>Good Hygienic Practices (GHPs)</del> and ensure that everything they propose is HACCP compliant for certification purposes
21	Old Buildings and Equipment	The position of the client is that the tenderer exercises their professional freedom to design and build and to determine whether the <del>buildings, and</del> equipment <del>on site</del> can be integrated, partly integrated or removed. The client does not have opinion on what to retain but to have an Ultra Modern Hub that is efficient <del>and cost effective to operate.</del> Refer to <del>paragraph (d) of special notes of the tender document</del>
22	Team leader of a contractor being an engineer?	The tender document should be treated as given with the competencies spelt out. <del>contained when the document is returned</del>
23	Is whatever <del>is</del> existing HACCP compliant? Can it be integrated because of policy issues?	<del>The contractor should assess whether the existing equipment was compliant and advise the client the project being a design and build</del> Bidders are required to assess suitability of the existing of <del>all buildings plant and equipment on site for suitability and hence integration or removal.</del> This includes HACCP compliance of such buildings, plant or <del>equipment.</del>
24	Will there be another tender advertised on the basis of the designs	<del>At this state,</del> Bidders are required to respond to the current tender as is. <del>The client wants</del> requires the tenderer to commit to designing the entire plant and delivering the three plants indicated in the tender.

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25	Environmental impact assessment and approvals necessary	<p><u>Environmental Impact Assessment approvals are required</u>  The tenderers are supposed to assume that there is nothing existing at the moment in terms of any necessary approvals. The areas previously approved as fish processing plant site but when the waste water treatment plant and other plants will be installed, the necessary environmental approvals will be required.</p> <p><u>Environmental Impact Assessment and approvals will be required prior to commencement of works after design of the project.</u></p>
26	Can a tenderer visit the site at any time of choice?	<p><u>There is n</u>No restriction for continuous site visit by the pre qualified tenderers</p>
▲	<u>Pagination of the tender document</u>	<u>This is noted.</u>
27	<p>Request for clear copies of the following pages of the tender document</p> <p>a) Page 5 under preliminary information, the diagram specifying site measurements and various existing buildings is not visible</p> <p>b) Page 93, Fig.1, the proposed layout figure and writings can not be seen</p> <p>c) Page 96, Fig 2; the processing flow diagram and writings are faint;</p> <p>d) Page 97 Fig.3; the processing factory layout and writings are faint;</p> <p>e) Page 98, Fig.4 the fish meal and animal feed factory flow diagram is faint</p> <p>f) Page 99, Fig.5 the tuna canning and cooked loins flow diagram is faint.</p>	<p><u>(Secretariat to check format of diagrams in the tender document and correct accordingly)</u>  <u>A soft copy of the tender document can be accessed from the state portal for tenders and the Ministry's website</u>  <u><a href="http://www.kilimo.go.ke">www.kilimo.go.ke</a></u></p>

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28	<p>The scoring criteria on page 37 for Key experts suggests that the Team Leader is an Engineer. Is this the case? Does a qualified technical expert in other fields like Architecture, Quantity Surveying or Project management suffice as well?</p>	<p>This is an illustration or example for the evaluation criteria</p>
29	<p>Kindly clarify on the Multiple contracts on page 38 of the bid document. The BoQs don't seem to be divided into lots for the works. Will the contractor be required to split the works? Shall we submit more than one form of tender?</p>	<p>This tender is not divided into lots and the contractor is supposed to fill one form of tender that will have the final tender sum</p>
30	<p>As per page 68 and 69 of the tender document, the procuring entity is supposed to provide front load at a available for design purposes.</p>	<p>To be provided to the awarded bidder after award</p>
31	<p>Kindly provide us with the following information;</p> <ul style="list-style-type: none"> <li>i) Any ground investigation and condition information(Geo-technical data)</li> <li>ii) Integrity and suitability of the existing buildings if the contractor proposes to renovate. Are the buildings in the right condition for renovation? Any technical audit report on the condition of the buildings on site</li> <li>iii) Provide us with as built Architectural and Structural Drawings of the buildings on site.</li> </ul>	<p>These drawings if available will be provided during the post contract design stage</p>
32	<p>On the Evaluation criteria on page36, there are 4 points for award for a JV with Local(Kenyan) Consultants and JV with Local(Kenyan Contractors). Are the said JVs compulsory? Will a bidder automatically loose the four points if they opt for sub-consultancy agreements instead of JVs?</p>	<p>It is not mandatory to have a joint venture with a local contractor or consultant. However the scores will be awarded as per the criteria provided for in the tender document</p>
33	<p>Under design notes on page75, kindly clarify on your meaning of</p> <ul style="list-style-type: none"> <li>i) Modular fresh and frozen fish processing plant</li> <li>ii) Modular fish feed meal and feed plant.</li> </ul>	<p>Both OTH-plants the buildings and their capacity to process should be designed as modular</p>

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	<p><u>Does the procuring entity suggest the buildings should be modular or the capacity to be processed in the buildings should be expandable? Please clarify.</u></p>	
34	<p><u>From the structures on site, one can easily deduce that some of the buildings are newly erected together with the coldrooms cold rooms. What's the Procuring Entities' preference in handling these facilities in line with the contractor's design proposals? Demolish or retain as they are?</u></p>	<p><u>Refer to item (d) on special notes (page 3). This is a design and build tender, and bidders are required to professionally design the hub as specified, assess suitability of all structures and equipment on site, propose schematic designs, and advise on either of the options (full integration, partial integration or full demolitions). This is for all the structures on site both new and old.</u></p>
35	<p><u>Under Page 105 of the tender BoQ, the guidance on preparing BoQs indicate that the works should be broken down and a BoQ template given. As a general practice under EPC contracts, the design and BoQ liability is on the contractor. Our opinion is the BoQ would be best be under Lump sum for this kind of works for specific works.</u></p> <p><u>On the same note, condition 12 of contract - Measurement and Valuation clause, indicate that -the works will be measured and interim certificates issued. Consider issuing special condition of contract to this clause to amend the -payment certificate to be milestone based and not valuation based for this type of contract. Have the milestones clearly identified. After all, the liability for design and BoQs is on the Contractor and not the procuring entity. It's upon the contractor to satisfy himself fully on the site conditions before costing.</u></p>	<p><u>Cost schedules at this stage are to be lump sums of the various works.</u></p>
36	<p><u>Also, on the BoQ, are we supposed to make a BoQ for the whole project or only for the phase one or both? And should the price written in the form of tender before the whole project or only phase one.</u></p>	<p><u>The schedule of cost is to capture DESIGN cost for the entire hub and DESIGN and BUILD for the identified partial works to be implemented in phase one.</u></p>
37	<p><u>What is the criteria for determining the 40%Local acquisition rule? Cost, magnitude or other criteria.</u></p>	<p><u>Refer to the tender document clause 7 of Section iii of the evaluation and qualification criteria</u></p>

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		<p>Power Company). The facility is connected through an 11kV Overhead transmission line. There exists on site 2No. 1,000KVA, 11/.415V, Transformers</p> <p>(refer to PRELIMINARY INFORMATION - PREAMBLE item (n) 2No. 1,000KVA transformers)</p>
47	<p>Pg.68;</p> <p>Pursuant to Sub-Clause 4.10 of the Conditions of Contract, the Procuring Entity shall make available to Tenderers all relevant information in the Procuring Entity's possession pertaining to the site and the proposed works. Typical information to be provided by the Procuring Entity may include:</p> <p>a) Statuary planning and zoning constraints</p> <p>b) Orders consents permits, licenses and compliance requirement</p> <p>c) Ground investigation and condition information</p> <p>d) Utility records and Land ownership information</p> <p>e) Groundwater, surface water and hydrological information</p> <p>f) Environmental and social baseline data</p> <p>g) Details of known accommodation works requirements</p> <p>h) As built records of existing infrastructure</p> <p>i) Details of any risks or hazards</p> <p>j) Any other physical constraints</p> <p>k) Quality and Environmental, health and safety systems to apply</p>	<p>These documents/drawings if available will be provided during the post contract design stage.</p>
48	<p>Stakeholder engagement records and requirements on sub-surface and hydrological conditions at the Site, including environmental aspects.</p>	<p>These documents/drawings if available will be provided during the post contract design stage.</p>

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	<p>item for 2no. (two) pre-shipment inspections for each set of equipment for up to a maximum of ten (10) number officers from the employer and technical departments. The amount is to cater for travel, hotel accommodation and out of pocket expenses during the exercise.”</p> <p>There will be multiple shipments for different facilities. Is Contractor required to allow for 20 officer to visit for each shipment or there will be total 20 officers visits for all the equipment required for the project</p>	<p>All equipment must be inspected before shipment</p>
52	<p>As per the tender document “The Contractor shall be entitled to use for the purposes of the Works such supplies of electricity, water, gas and other services as may be available on the Site and of which details and prices are given in the Specifications. The Contractor shall, at his risk and cost, provide any apparatus necessary for his use of these services and for measuring the quantities consumed.”</p> <p>Please confirm if water and electricity is available on site and what will be the charges for use of water, electricity and gas. We would ask the employer to consider supplying water, electricity and gas for construction and commissioning on free of charge basis.</p>	<p>The tenderer should capture the cost in the preliminaries</p>
52	<p>Section IV – PCC Item 1.1 Time for Completion</p> <p>The Time for Completion as per the tender documents is 182 days. Whereas design work can be completed within this timeframe, supply and construction <del>can not</del> cannot be completed in this timeframe. We request you to consider extending the Time for Completion to 18 months</p>	<p>The time for completion is fixed as given in the tender document</p>
53	<p>Section IX Contract Forms</p> <p>Please provide contract forms in editable form (word or excel documents)</p>	<p>Bidders are free to retype the forms at their own risk without distorting the forms. The forms must retain their format</p>
54	<p>Under Particular Conditions of Contract Section IX :- The Name and Reference No of the contract is given as MOALF&amp;C/SDFA&amp;BE/013/2020-2021,</p>	<p>This is a typo error. The correct Name and Reference No of the contract is No.MOALF&amp;C/SDFA&amp;BE/012/2021</p>

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~~The minutes of the pre tender conference and site visit meeting are to be published on the website; [www.kilimo.go.ke](http://www.kilimo.go.ke)~~ This Marks the end of Questions/Clarifications and Answers.

**Signed Date**

Mr. Kassim Farrah	Chairman
Mr. Daniel Mungai	Member
Mrs. Lucy Obungu	Member
Dr. Stephen Mbithi	Member
Dr. Stanley Chai	Member
Dr. Micah O. Nyaberi	Member
Arch. Kenneth Kamau	Member
Eng. Silas Omondi	Member

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