



**TENDER
FOR
SALE OF COMMERCIAL SPACES
AT
PARK ROAD AHP
AND
RESIDENTIAL HOUSES
AT
HOMA-BAY, RONGO AND MIGORI**

TENDER NO. NHC/SALE/003/2022-23

INVITATION DATE: 19TH JULY 2022

**SUBMISSION DEADLINE: 17TH AUGUST 2022
AT 11.00AM**

Table of Contents

2.1 Eligible tenderers.....	5
2.2 Cost of tendering	5
2.3 The tender document.....	5
2.4 Clarification of documents	5
2.5 Amendment of documents	5
2.6 Tender prices and currencies	6
2.7 Tender deposit	6
2.9 Viewing of Space on Sale	6
Deadline for submission of tenders	6
2.12 Modifications and withdrawals of tenders.....	7
2.13 Opening of tenders.....	7
2.15 Evaluation and comparison of tenders	7
2.16 Award of tender criteria	8
2.17 Notification of award	8
2.18 Contacting the NHC.....	8

INVITATION TO TENDER

National Housing Corporation (N.H.C) hereby invites sealed bids from interested bidders willing to participate in the tender for Sale of Commercial Spaces at Park Road AHP and Residential Houses at Homa-bay, Rongo and Migori under terms and conditions contained hereto.

1. SALE OF HOUSES

A. Homa-Bay Rentals (Outright Sale)

Unit Type	Salient Features	Area in m ²	Reserve Price in KShs.
1 Bedroom - House No. LG6A	Bungalow developed on own compound	46	3,400,000.00
1 Bedroom - House No. LG6B	Bungalow developed on own compound	46	2,500,000.00
1 Bedroom - House No. LG8A	Bungalow developed on own compound	46	3,500,000.00
2 Bedroom - House No. LG1A	Semi-detached Bungalow	46	2,500,000.00
2 Bedroom - House No. LG1B	Semi-detached Bungalow	46	2,200,000.00
2 Bedroom - House No. LG3B	Semi-detached Bungalow	46	2,500,000.00
1 Bedroom - House No. LG15B	Semi-detached Bungalow	46	3,400,000.00
1 Bedroom - House No. LG12B	Semi-detached Bungalow	46	2,400,000.00
3 Bedroom – House No. MG1	Bungalow developed on own compound	76	3,000,000.00

B. Rongo Rentals (Outright Sale)

Unit Type	Salient Features	Area in m ²	Reserve Price in KShs.
1 Bedroom - House No.4	Semi-detached Bungalow with open wardrobe	36	1,000,000.00
1 Bedroom - House No.8	Semi-detached Bungalow with open wardrobe	36	1,000,000.00

C. Migori Rentals (Outright Sale)

Unit Type	Salient Features	Area in m ²	Reserve Price in KShs.
2 Bedrooms - House No.5	Bungalow with built-in open wardrobes - developed on own compound	43	1,900,000.00
2 Bedrooms - House No.6	Bungalow with built-in open wardrobes - developed on own compound	43	1,900,000.00

2. SALE OF COMMERCIAL SPACES AT AHP PARK ROAD ESTATE

S/No.	Facility	Area in m²	Reserve Price in KShs.
1.	Shop 02	26M ²	1,567,283.40
2.	Shop 08	26M ²	1,567,283.40
3.	Shop 11	13M ²	783,619.20
4.	Shop 16	10M ²	602,784.00
5.	Shop 17	13M ²	783,619.20
6.	Shop 21	25M ²	1,506,960.00
7.	Shop 24	25M ²	1,506,960.00
8.	Shop 25	25M ²	1,506,960.00
9.	Shop 26	25M ²	1,506,960.00
10.	Shop 27	25M ²	1,506,960.00
11.	Shop 28	25M ²	1,506,960.00
12.	Shop 29	25M ²	1,506,960.00
13.	Shop 31	25M ²	1,506,960.00
14.	Shop 32	25M ²	1,506,960.00
15.	Shop 34	16M ²	964,454.40
16.	Commercial Space	660M ²	49,729,680.00

Duly complete bid documents will be submitted in plain sealed envelopes clearly marked with the “**Description**” and addressed to:-

**The Managing Director,
National Housing Corporation,
P. O. BOX 30257 – 00100,
NAIROBI.**

And be deposited in the Tender Box located on Ground Floor of N.H.C House, on or before **17th August 2022 at 11.00am**. Bids will be opened immediately thereafter in the presence of representatives who choose to attend in the Conference Room located on 10th Floor of N.H.C House. **Late bids will be rejected.**

Managing Director

SECTION II-INSTRUCTION TO TENDERERS

2.1 Eligible tenderers

- 2.1.1 This invitation for tenders is open to all eligible tenderers.
- 2.1.2 The proposed sale is open to all interested bidders subject to terms and conditions attached hereto.

2.2 Cost of tendering

- 2.2.1 The tenderer shall bear all costs associated with the preparation and submission of its tender, and NHC, shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the disposal process.
- 2.2.2 The tender document shall be down loaded from *the NHC website www.nhckeny.go.ke* **FREE OF CHARGE.**

2.3 The tender document

- 2.3.1 The tender document comprises the documents listed below and any addenda issued by the NHC.
 - (i) Invitation to tender
 - (ii) Instructions to tenderers
 - (iii) Schedule of Commercial space on sale
 - (iv) Price Schedule
 - (v) Conditions of Tender
- 2.3.2 The tenderer is expected to examine all instructions, forms and terms in the tender documents. Failure to meet all the requirements of the tender will be at the tenderer's risk and may result in the rejection of its tender.

2.4 Clarification of documents

- 2.4.1 A prospective tenderer requiring any clarification of the tender document may notify NHC in writing or by post at the entity's address indicated in the invitation to tender. NHC will respond in writing to any request for clarification of the tender documents, which it receives not later than seven (7) days prior to the deadline for the submission of tenders, prescribed by NHC.
- 2.4.2 Written copies of NHC's response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers that have purchased the tender document.
- 2.4.3 NHC 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.

2.5 Amendment of documents

- 2.5.1 At any time prior to the deadline for submission of tenders, NHC for any reasons, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tender documents by issuing an addendum.
- 2.5.2 All prospective candidates that have received the tender documents will be issued with the addendum in writing or by post and will be binding on them.
- 2.5.3 In order to allow prospective tenderers reasonable time in which to take the addendum into account in preparing their tenders, NHC at its discretion, may extend the deadline for the submission of tenders.

2.6 Tender prices and currencies

- 2.6.1 The tenderer shall indicate on the Price Schedule the amount which shall later be transferred to the respective Form of Tender.
- 2.6.2 Prices quoted by the tenderer shall be fixed during the tender validity period and not subject to variation on any account. A tender submitted with an adjustable price quotation will be treated as non responsive and will be rejected
- 2.6.3 The Price quoted shall be in the currency specified in the invitation to tender.

2.7 Tender deposit

- 2.7.1 All interested bidders shall be required to provide a refundable deposit of Kshs.10,000/- only for each space being tendered for.
- 2.7.2 Failure to deposit the required amount will lead to automatic disqualification.
- 2.7.3 Unsuccessful Tenderer's tender deposit will be discharged or returned promptly but not later than Seven (7) days after expiry of tender validity prescribed by NHC.
- 2.7.4 The successful Tenderer's tender deposit will be credited to his bid price so that it forms part of the amount of the bid and the tender will be required to pay the bid price less the deposit security.
- 2.7.5 The tender deposit may be forfeited:
 - a. If a tenderer withdraws its tender during the period of tender validity.
 - b. In the case of a successful tenderer, if the tenderer fails to pay the balance of the bid price within the specified period.

2.8 Validity of tenders

- 2.8.1 Tenders shall remain valid for **150 days** after date of tender opening prescribed by the NHC. Tender valid for a shorter period shall be rejected by the NHC as non responsive.
- 2.8.2 In exceptional circumstances, NHC may solicit the Tenderer's consent to an extension of the period of validity. The request and the responses thereto shall be made in writing. The tender deposit provided under Paragraph 2.7 shall also be suitably extended. A tenderer may refuse the request without forfeiting its tender deposit. A tenderer granting the request will not be required nor permitted to modify its tender.

2.9 Viewing of Space on Sale

- 2.9.1 Prospective bidders are advised to view the commercial space on sale where need be in order to arrive at the most reasonable and competitive bid. The sale will be based on **"as iswhere – is"** basis and the conditions are not warranted by NHC.

2.10 Sealing and marking of tenders

The tenderer shall seal the tender and mark it with the Tender Number and Tender Description and with writings **"DO NOT OPEN BEFORE, 17th August 2022 at 11.00a.m.**

2.11 Deadline for submission of tenders

- 2.11.1. Tenders must be received by NHC at the address specified in the invitation to tender not later than, **17th August 2022 at 11.00a.m.**
- 2.11.2 NHC may, at its discretion, extend this deadline for the submission of tenders by amending the tender documents in which case all rights and obligations of NHC and tenderers previously subject to the deadline will thereafter be subject to the deadline as extended.

2.12 Modifications and withdrawals of tenders

2.12.1 Modification of tenders

- 2.12.1.1 The tenderer may modify or withdraw its tender after the tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by NHC prior to the deadline prescribed for submission of tenders.
- 2.12.1.2 The Tenderer's modification or withdrawal notice shall be prepared, sealed, marked, and dispatched accordingly. A withdrawal notice may also be sent by fax but followed by a signed confirmation copy, postmarked not later than the deadline for submission of tenders.
- 2.12.1.3 No tender may be modified after the deadline for submission of tenders

2.12.2 Withdrawals and tenders

- 2.12.2.1 No tender may be withdrawn in the interval between the deadline for submission of tenders and the expiration of the period of tender validity specified by the tenderer. Withdrawal of a tender during this interval may result in the tenderer's forfeiture of its tender deposit.

2.13 Opening of tenders

- 2.13.1 NHC will open all tenders in the presence of tenderers' representatives who choose to attend. Tenders must be received by NHC at the address specified not later than **17th August 2022 at 11.00a.m.** and in the location specified in the invitation to tender. The tenderers or representatives who are present shall sign a register evidencing their attendance.
- 2.13.2 The tenderers' names, tender modifications or withdrawals, tender prices, and the presence or absence of requisite tender deposit and such other details as NHC, at its discretion, may consider appropriate, will be announced at the opening.

2.14 Clarification of tenders

- 2.14.1 To assist in the examination, evaluation and comparison of tenders, NHC may at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.
- 2.14.2 Any effort by the tenderer to influence NHC in the evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

2.15 Evaluation and comparison of tenders

- 2.15.1 NHC will examine the tenders to determine whether they are complete, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non responsive, will be rejected by NHC.
- 2.15.2 NHC will evaluate and compare the tenders, which have been determined to be substantially responsive.
- 2.15.3 The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

2.16 Award of tender criteria

2.16.1 NHC will award the contract to the successful tenderer(s) whose tender has been determined to be substantially responsive and has been determined to be the **highest evaluated bid, subject to the reserves price.**

2.17 Notification of award

2.17.2 Prior to the expiration of the period of tender validity, NHC will notify the successful tenderer in writing that its tender has been accepted.

2.17.3 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

2.17.8 In the event the successful bidder fails to pay for the awarded space within specified period, NHC shall notify the person who had submitted the second highest.

2.18 Contacting the NHC

No tenderer shall contact NHC on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded. Any effort by a tenderer to influence NHC in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of the tenderer's tender.

SECTION III – GENERAL CONDITIONS OF TENDER

1. All interested tenderers will be required to pay a refundable deposit of Kshs.10,000/- for each space/house being tendered for in advance before the closing date of the tender using the following bank details.

- (a) For Residential Houses at Homa-Bay, Rongo and Migori Please use the following Bank Details:

Account Name: National Housing Corporation
Account Number: 01136006210311
Branch: Cooperative Bank House Nairobi

- (b) For Commercial Spaces at Park Road, Please use the following Bank Details:

Account Name: National Housing Corporation
Account Number: 01136006210312
Branch: Cooperative Bank House Nairobi

2. The successful tenderer(s) will be required to pay a minimum of 10% of the final selling price by the date to be indicated in the offer letter, failure to which the offer will be cancelled and deposit forfeited.
3. Unsuccessful tenderers will be refunded deposits within fourteen (14) days after notification without interest.
4. The Evaluation Criteria will be as below;

I. Mandatory Evaluation Criteria

- (a) All tenderers Must attach a copy of National Identification Card (ID)
- (b) All tenderers Must fill the Price Schedule in the format provided
- (c) All tenderers Must fill the respective Form of Tender in the Format provided
- (d) All tenderers Must attach evidence of having paid a deposit of at least Kshs.10,000 per house/space tendered for by attaching a copy of bank slip.

II. Financial Evaluation Criteria

The successful bid(s) shall be the one with the highest bid price per house/space and that meets all the conditions of the tender.

SECTION IV – SPECIAL CONDITIONS OF TENDER

1. To qualify for allocation of space, the bidder must meet all the mandatory requirements.
2. The successful bidders will be required to pay a 10% immediately upon award and clear the remaining balance of 90% within a period of 3 months (90days).
3. The title deed for the property has not yet been transferred to the Corporation hence sectional titles will be processed at unspecified time when the Corporation will have acquired full ownership documents.
4. The Corporation reserves the right to accept or reject any bid without prejudice.
5. Bidders should not submit more than one bid document. Please quote for all the houses/spaces on the same tender document. Non compliant tenderers will automatically be disqualified.

SECTION V - PRICE SCHEDULE

We/I do confirm to have placed the required deposit as supported by the attached copy of Bank Slip.

1. SALE OF HOUSES

A. Homa-Bay Rentals (Outright Sale)

Unit Type	Salient Features	Area in m ²	Reserve Price in KShs.	Bid Price (Kshs)	Amount of Deposit Paid (Kshs)
1 Bedroom - House No. LG6A	Bungalow developed on own compound	46	3,400,000		
1 Bedroom - House No. LG6B	Bungalow developed on own compound	46	2,500,000		
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1 Bedroom - House No. LG15B	Semi-detached Bungalow	46	3,400,000		
1 Bedroom - House No. LG12B	Semi-detached Bungalow	46	2,400,000		
3 Bedroom – House No. MG1	Bungalow developed on own compound	76	3,000,000		

B. Rongo Rentals (Outright Sale)

S/No.	Unit Type	Salient Features	Area in m ²	Reserve Price in KShs.	Bid Price (Kshs)	Amount of Deposit Paid (Kshs)
1.	1 Bedroom - House No.4	Semi-detached Bungalow with open wardrobe	36	1,000,000		
2.	1 Bedroom - House No.8	Semi-detached Bungalow with open wardrobe	36	1,000,000		

C. Migori Rentals (Outright Sale)

S/No.	Unit Type	Salient Features	Area in m ²	Reserve Price in KShs.	Bid Price (Kshs)	Amount of Deposit Paid (Kshs)
1.	2 Bedrooms - House No.5	Bungalow with built-in open wardrobes - developed on own compound	43	1,900,000		
2.	2 Bedrooms - House No.6	Bungalow with built-in open wardrobes - developed on own compound	43	1,900,000		

SALE OF COMMERCIAL SPACES AT AHP PARK ROAD ESTATE

S/No.	Facility	Area in m²	Reserve Price in KShs.	Bid Price (Kshs)	Amount of Deposit Paid (Kshs)
1.	Shop 02	26M ²	1,567,283.40		
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3.	Shop 11	13M ²	783,619.20		
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9.	Shop 26	25M ²	1,506,960		
10.	Shop 27	25M ²	1,506,960		
11.	Shop 28	25M ²	1,506,960		
12.	Shop 29	25M ²	1,506,960		
13.	Shop 31	25M ²	1,506,960		
14.	Shop 32	25M ²	1,506,960		
15.	Shop 34	16M ²	964,454.40		
16.	Commercial Space	660M ²	49,729,680		

Name of Tenderer:

ID No.:

Signature:.....

Date:.....

Telephone:.....

FORM OF TENDER FOR

(Please photocopy this document and have a separate form of tender for each house/space you have tendered for)

Date: _____

To:
.....
[name and address of NHC]

Gentlemen and/or Ladies:

1. Having examined the tender documents including Addenda. Nos.[insert numbers if any]. The receipt of which is hereby duly acknowledged, we the undersigned, offer to purchase the indicated Shop in conformity with the said tender documents at the sum of Kshs.....(.....) [total tender amount in figures and in words] or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Tender.

2. We undertake, if our Tender is accepted, to pay in accordance with the requirements of the tender.

3. We agree to abide by the tender for a period of **150** days from the date fixed for tender opening of the Instructions to tenderers, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

4. We understand that you are not bound to accept the highest or any tender that you may receive.

Dated this.....day of.....20.....

[Signature]

[In the capacity of]

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.....Nature
of business.....Current Trade License No.....
Expiring date.....Maximum value of business which you can handle at any
one time Kenya shillings.....
(In words).....
Name of your Bankers Branch

Part 2 (a) – Sole Proprietors or Individual

Your Name in full Age
Nationality Country of origin
Citizenship details (ID and or Passport Number).....
Name.....and
signature.....

Part 2 (b) Partnership

Given details of partners as follows:

Name	Nationality	Citizenship Details	Shares
1.			
2.			
3.			

[Name, Designation and Signature of Tenders Representative in the Company]

Name.....
.....Designation.....
Signature and Company stamp or Seal.....

Part 2 (c) - Registered Company (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.			
ETC.			

[Name, Designation and Signature of Tenders Representative in the Company]

Name.....
Designation
Signature and Company stamp or
Seal.....

Date

SELF-DECLARATION FORMS

FORM SD1

SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015.

I,....., of Post Office Box being a resident of in the Republic of do hereby make a statement as follows:-

1. THAT I am the Company Secretary/Chief Executive/Managing Director/Principal Officer/Director of..... (Insert name of the Company) who is a Bidder in respect of **Tender No.....** for..... (Insert tender title/description) for..... (Insert name of the Procuring entity) and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its Directors and subcontractors have not been debarred from participating in procurement proceeding under Part IV of the Act.
3. THAT what is deponed to here in above is true to the best of my knowledge, information and belief.

.....

.....

..... (Title) (Signature)
(Date)

Bidder's Official Stamp

FORM SD2

SELF-DECLARATION THAT THE PERSON/TENDERER WILL NOT ENGAGE IN ANY CORRUPT OR FRAUDULENT PRACTICE.

I,of P. O. Box being a resident of.....
..... in the Republic of do hereby make a statement as follows:-

1. THAT I am the Chief Executive/Managing Director/Principal Officer/Director of..... *(Insert name of the Company)* who is a Bidder in respect of **Tender No.**..... for..... *(Insert tender title/description)* for..... *(Insert name of the Procuring entity)* and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its servants and/or agents/subcontractors will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agents of.....*(insert name of the Procuring entity)* which is the procuring entity.
3. THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of*(name of the procuring entity)*.
4. THAT the aforesaid Bidder will not engage/has not engaged in any corrosive practice with other bidders participating in the subject tender
5. THAT what is deponed to here in above is true to the best of my knowledge information and belief.

.....
..... (Title) (Signature)
..... (Date)

Bidder's Official Stamp