

Our Ref: CAK/TEND/013/2023-2024

17TH JANUARY, 2024

AMENDMENT NO 1 OF TENDER REFERENCE NO. CAK/TEND/013/2023-2024 FOR THE PROVISION OF 45MBPS DEDICATED MPLS FIBER INTERNET CONNECTION FOR A PERIOD OF THREE YEARS.

1. RELATIONSHIP WITH THE PRINCIPAL BID DOCUMENT

Save where expressly amended by terms of this Addendum, the principal Bid document shall continue to be in full force and effect.

The provision of the Addendum shall be deemed to have been incorporated in and shall be read as part of the principal Bid Document.

A. AMENDMENTS HAVE BEEN MADE IN THE MANDATORY CRITERIA AND NOW READS AS PER TABLE BELOW.

No	Criteria (YES/NO)	Bidder response
1	Submit a copy of the Certificate of Incorporation/Registration	
2	Submit a Copy of the Valid Tax Compliance Certificate from KRA (Online TCC checks will done)	
3	Submit a Copy of Valid Single Business Permit with verifiable QR code issued by County Government.	
4	Submit copies of audited financial statements for the most recent three consecutive years preceding the date of this tender (2020, 2021 & 2022), certified and dully signed by the Auditor and director (s). Copy of registration certificate and practicing license from a recognized accounting body for the auditor(s) who audited the latest Annual Accounts and/or financial statements of the bidder must be attached.	
5	Submit a copy of CR 12 Form issued within the last 6 months (from tender closing date) Partnership deed and copies of partners Identity Cards/ passports for partnership business and Identity cards for sole proprietor.	
6	Tenderer must have relevant certified specialists' certifications related to providing internet services such as networking, project management, telecommunication, cyber security among others. Provide certificates or any evidence proving the same.	
7	ISP provide valid license from the Communication Authority of Kenya (CA)	

8	The Tenderer must have successfully completed at least three (3) similar works in at least three reputable organizations in the last five (5) years. Provide reference letters with contact persons email/s and telephone number/s	
9	Power of attorney/ Authorization Letter, Giving the name of person who has been authorized to submit/execute this agreement as a binding document and this person should sign all the documents related to this tender.	
10	Completely filled, signed and stamped Confidential Business questionnaire	
11	Must duly fill, sign and stamp form of tender and price schedule.	
12	Must Submit Tender security (hard or digital copy) of Ksh 50,000/= valid for a period of 120 days after date of tender opening. The tender security shall be in the form of;(a) Cash (b) a bank guarantee (c) a guarantee by an insurance company registered and licensed by an insurance company registered and licensed by the Insurance Regulatory Authority (IRA) listed by the Authority; or (d) a guarantee issued by a financial institution approved and licensed by the Central Bank of Kenya (CBK).	
13	Must complete a self-declaration that the bidder/person is not debarred in the matter of public procurement – Form SD 1 attached	
14	Must complete a self-declaration that the bidder/person will not engage in any corrupt or fraudulent practices – Form SD 2 attached	
15	Must fill, sign and stamp the disclosure of interest forms, conflict of interest disclosure forms provided in the TD	
16	Duly filled and signed declaration and commitment to the code of ethics from provided in the TD	
17	Must fill, check appropriately, sign and stamp certificate of independent tender determination	
18	The bid document must be bound and serialized(pagination) including all Annexes. SPIRAL BINDING NOT ALLOWED	
19	Submit bid documents in Original and Copy of the tender (Two (2) bid documents only)	
Overall score		

NB: Bidders Must provide/meet all the Mandatory requirements to qualify for Technical Evaluation

B. AMENDMENTS HAVE BEEN MADE IN THE TECHNICAL CRITERIA AND NOW READS AS PER TABLE BELOW.

No	Description	Max. Score
1	ISP has a clear understanding of its requirement. Clear understanding of the Statement of Works (SOW) and the proposal has all the detail to meet the requirement <ol style="list-style-type: none"> 1. Have functional Customer Service Centre which is operational 24/7; (1 mark) 2. The Internet Service Provider (ISP) should commit to providing a minimum uptime of 99.95%; (1 mark) 3. The response time for resolving any faults should take less than an hour after the incident is reported; (1 mark) 4. The ISP should have a redundant fiber backup link configured for the Authority's network infrastructure from a different Internet service provider, provide SLA agreement; (3 marks) 	20

	<p>5. Delivery and installation period should be at most one week (seven days) (1 mark)</p> <p>6. The ISP should provide the Authority with at least two weeks of trial period to test whether the service meets its requirements as specified (1 mark)</p> <p>7. Dedicated internet connection on a fiber backbone (2 marks)</p> <p>8. ISP to provide online/live bandwidth and link monitoring system (1 mark)</p> <p>9. Fiber Connection 20Mbps uplink/20Mbps downlink dedicated MPLS internet connection at the Authority's production data center. (3 mark)</p> <p>10. Provide the Authority with subnet /29 (minimum ten (10) usable Public IP addresses) (1 mark)</p> <p>11. A redundant fiber internet backup link configured for the Authority's network infrastructure from a different Internet service provider. (2 marks)</p> <p>12. 25Mbps uplink/25Mbps downlink Point to Point MPLS Internet Connection to our DR location (3 mark)</p>	
2	ISP to provide at least three (3) contracts for similar work done. Five mark for each contract provided	15
3	<p>ISP's Qualifications and Experience - At least 5 years' experience of providing internet services in Kenya. (5 marks).</p> <p>ISP provide two (2) technical and qualified personnel to provide support in case of link disruption or any other technical problem with personnel professional certifications in the areas of Networks and Network Security management (10 marks)</p>	15
4	<p>ISP has a redundant fiber internet backup link configured for the Authority's network infrastructure from a different Internet service provider (18 marks)</p> <p>The provider backbone network MUST be on full redundancy with at least two (2) multinational networks e.g. TEAMS, SEACOM among others (8 marks)</p>	26
5	ISP's support services (ISP support Team is available to answer questions and solve problems 24/7 via phone, email or chat. ISP to provide contact details of its support Team and has agreed to answer all calls in under 5 minutes)	10
6	<p>ISP has a fully functional Network operation Centre in Kenya. (ISP has necessary software and tools to manage Internet service provided to Authority ISP is able to provide access to the Authority's ICT Team to visit their NOC). (5 marks)</p> <p>The ISP to provide online/live bandwidth and link monitoring system (5 marks)</p>	10
7	<p>Financial Strength</p> <p>The submitted audited accounts for the years 2020, 2021 & 2022.</p> <p>(i) current ratio of 1 and above (2 marks),</p> <p>(ii) Return on asset (ROA) of from 5% and above (2 marks)</p> <p>NB: $\text{Current Ratio} = \frac{\text{Current assets}}{\text{Current liabilities}}$</p> <p>$\text{Return on Asset (ROA)} = \frac{\text{Net Income}}{\text{Average total Assets}}$</p>	4
Total Score		100

NB: Bidders shall be required to obtain Eighty (80) marks at the Technical Evaluation to proceed to the next Financial Evaluation stage. Those who score below 80 marks will be eliminated at this stage from the entire evaluation process and will not be considered further.

C. CLOSING DATE

1.	The closing date in INVITATION TO TENDER (ITT) of the principal tender document reads 23 rd January, 2024, at 12.00pm has now been extended for seven (7) more days and the new closing date changed to read 30th January, 2024 at 12.00pm.
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W. Masinde

For Ag. Director General
COMPETITION AUTHORITY OF KENYA