

REPUBLIC OF KENYA

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

REVIEW NO.41/2010 OF 2<sup>ND</sup> JULY, 2010

BETWEEN

KENYA SHIELD SECURITY LTD ..... APPLICANT

AND

KENYA PIPELINE COMPANY LTD..... PROCURING ENTITY

Review against the decision of the Kenya Pipeline Co. Ltd dated 1<sup>st</sup> July, 2010 in the matter of Expression of Interest for Provision of Security Services for the Year 2010-2012.

**BOARD MEMBERS PRESENT:**

- |    |                   |   |          |
|----|-------------------|---|----------|
| 1. | Mr. P. M. Gachoka | - | Chairman |
| 2. | Mr. S. Kioko      | - | Member   |
| 3. | Amb. C. Amira     | - | Member   |
| 4. | Mrs L. Ruhiu      | - | Member   |
| 5. | Eng. C. Ogut      | - | Member   |

**IN ATTENDANCE:**

- |    |             |   |             |
|----|-------------|---|-------------|
| 1. | C.R. Amoth  | - | Secretary   |
| 2. | J. Wambulwa | - | Secretariat |
| 3. | Mwololo     | - | Intern      |



## **BACKGROUND OF AWARD**

The Procuring Entity advertised for Expression of Interest (EOI) for Provision of Security Services for the years 2010/2011 and 2011/2012 on 8<sup>th</sup> March, 2010. It attracted Thirty one security firms who purchased the tender documents and twenty eight submitted the bids. It closed and opened on 31<sup>st</sup> March, 2010.

## **EVALUATION**

Evaluation was carried out in two stages namely Preliminary and Technical

### **Preliminary Evaluation**

The bids were evaluated for responsiveness on the following parameters:

1. Certificate of incorporation.
2. Tax compliance certificate.
3. Valid trade license.
4. Bid security.
5. Audited financial statement for the last two years.
6. List of office and service equipment, including 4WD vehicle, Motor cycles, telephones, computers, fax, email, HF/VHF radios.
7. At least 5 reference letters of contracts held over the last 3 years.
8. Valid CCK radio frequency licenses.

Eight firms were found not responsive to the parameters set out:



Position 12-15 Fair

Position 16-20 Poor

Based on the above, the Evaluation Committee recommended that the Tender Committee adopts the clustering of the firms and approve the pre-qualification of the eleven security firms under the cluster of very good and good to proceed to the next stage. The eleven were:

1. G4S Security Services
2. Lavington Security Guards
3. Brinks Security Services
4. Bedrock Holdings Limited
5. Gillys Security and Investigation Services
6. Delta Guards Limited
7. Radar Security Limited
8. Riley Services Limited
9. Cornerstone Security Services
10. Total Security Surveillance Limited
11. Riley Falcon Security Services

### **Tender Committee's Decision**

In its meeting held on 15<sup>th</sup> June, 2010 the Tender Committee raised the following concerns:



## **Re-Evaluation**

### **Technical Evaluation**

The Technical Evaluation was carried out in two phases:

1. Detailed individual tender document examination.
2. Due diligence of the security firms.

The Evaluation Committee conducted a technical evaluation by comparing each tender to the technical requirements of services in the tender document and eight firms were found to be non-responsive who included:

1. Patriotic Guards Limited
2. Texas alarms Kenya Limited
3. Pada Security and alarm Systems
4. Pinkertons Professional Security Services
5. Sunrise Security Services
6. Shika Shika Security Alarms Limited
7. Grantom babz Limited
8. Babs Security Services

### **Recommendations**

In view of the foregoing the Tender Committee was requested to progress further the evaluation of the firms which met all the requirements as detailed in the tender document.



1. Declaration that the tender validity expired on 30<sup>th</sup> June, 2010.
2. Declaration that any award subsequent to expiry of tender validity is null and void.
3. A declaration that any contract entered in respect of Provision of Security Services for the year 2010 with the Procuring Entity after 1<sup>st</sup> July, 2010 is void.
4. An order directing the Procuring Entity to extend the security contracts running as at 30<sup>th</sup> June, 2010 pending re-tender and award.
5. Any further order or direction the Board may deem appropriate in the circumstances.

#### NULLIFICATION BY CONSENT:

At the hearing the Chairman, referred the parties to the issue of validity period of the tenders and gave the parties decisions that earlier on dealt with by the Board, namely:

1. Application No. 4/2010 of 13<sup>th</sup> January, 2010 between Arplands Architects and the Ministry of Housing
2. Application No. 68/2010 of 30<sup>th</sup> November, 2007 between De la Rue International Ltd and Kenya Revenue Authority