



## THE EAST AFRICAN PORTLAND CEMENT COMPANY

*Holding Life Together*

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Ref: EAPCC/OT/118/2016.

14<sup>th</sup> December 2016.

### **TO: ALL BIDDERS**

Dear Bidders,

### **RE: ADDENDUM NO.2 FOR TENDER NO. EAPCC/OT/118/2016 SUPPLY OF ONE HUNDRED & FIFTY THOUSAND (150,000) METRIC TONNES OF CLINKER.**

Following one of the bidders need for clarification, below is the clarifications and EAPCC's response:-

#### **1. Bidder's Clarification.**

**Clause 2.29 contract, kindly avail the draft contract to facilitate review and commenting as the case may be.**

#### **EAPCC Response.**

Contract format shall be provided upon award of the contract.

#### **2. Bidder's Clarification.**

**Clause 2.30, performance security, in the clause reference is made to conditions of contract, which are not attached. Further in page 2, contents, there is no reference of conditions of contract, implying it is not part of the documentation. Please provide the conditions of contract and extend time to 23<sup>rd</sup> December 2016 or 7<sup>th</sup> January 2017 to facilitate aligning the bid response to the conditions in the Conditions of contract once provided.**

#### **EAPCC Response.**

The employer shall not extend the tender closing date and time. The tender closing date shall remain the same at 12:00 noon 16<sup>th</sup> December 2016.

3. **Bidder's Clarification.**

Clause 2.30, performance security, amounts of the performance bond or guarantee are set as a percentage of the tender price, where is this information.

**EAPCC Response**

Performance security is 10% of the total tender amount.

4. **Bidder's Clarification.**

Clause 2.30, performance security, 7 days upon award to issue the performance guarantee are is short time and request for 30 days from receipt of letter award.

**EAPCC Response**

Performance security shall and must be received 7 days upon award.

5. **Bidder's Clarification.**

Clause 2.33.4 and 2.33.11 Appendix to instruction to bidders there is requirements of 150 trucks and to attach log books. The requirement of this number of trucks is way too high. For efficient offloading of the vessels for trucks would be sufficient. The movement of clinker from Mombasa yard to Athi River, approximately 50 trucks e will be required. Previous similar tenders from EAPCC have requested for 75 trucks (Tender Ref EAPCC/069/OT/2015) . Leasing and /or evidence of ability to lease subject tucks from market should be allowed. Since the contract is for a supply and delivery interest bidders may put together joint ventures/associations that can deliver the envisaged service and this should be allowed performance guarantee will be provided.

**EAPCC Response**

Bidders can lease the trucks.

6. **Bidder's Clarification.**

Any liquidated damages and or damages for none performance?

**EAPCC Response**

Liquidated damages shall be addressed at the point of contract formation.

7. **Bidder's Clarification.**

Section V states that time to delivery is 2 days please clarify delivery of the first batch of 50,000 mt of which delivery.

EAPCC Response

Time to delivery is 14 days.

8. Bidder's Clarification.

Price schedule of goods states option A CIF, Mombasa implying quote in other options yet clause 2.10.5 refers to delivered in Athi River and paid.

EAPCC Response

Clinker shall be delivered duty paid to our Athi River plant.

All other terms and conditions of the tender remain unchanged.

Yours faithfully,

**For: East African Portland Cement Company Limited.**



Ngala Oloiptip.

Ag. SUPPLY CHAIN MANAGER.