

KGN-HYD - 018-2018.: INTERNATIONAL TENDER FOR REHABILITATION OF GENERATOR MV SWITCHGEAR, PROTECTION SYSTEMS AND LV SWITCHBOARDS OF GITARU HYDRO POWER STATION - KENYA Clarification 1

Item No.	TENDER CLAUSE NO.	TENDER ARTICLE	Question/additional information sought by tenderers.	Clarification
BIDDING REQUIREMENTS AND PROCEDURES				
1	ITT 15.3 Tender Prices	All duties, taxes and other levies payable by the Contractor under the Contract, or for any other cause, as of the date 15 days prior to the deadline for submission of Tenders, shall be included in the rates, prices and total Tender price submitted by the Tenderer.	<p>“The total prices shall be Delivered at Place (DAP) Gitaru Power Station as per incoterms 2010, i.e. all freight, clearing and transportations costs to Gitaru Power Stations except taxes are inclusive</p> <ul style="list-style-type: none"> • As per the price schedule it states” Total unit Price (DAP, all costs except taxes)” and no column of taxes in the price schedule <p>As per the above</p> <p>1. Is there an overall or partial TAX Exemption regarding the Tender in Subject?</p> <p>2. If not, kindly explain where we shall include all the taxes in our prices and unit rates.</p>	<p>Taxes for goods shall not be in the scope of the bidder under DAP terms. All taxes charged on goods shall not be included in the bid price by the bidder.</p> <p>All applicable taxes on services to be rendered by bidder shall be paid by the bidder and should be included in the bid offer</p> <p>Bidder shall familiarise themselves with Kenyan tax laws especially on withholding taxes before making the bid.</p> <p>See addendum 1 for clarity</p>
	ITT 15.6	The prices and unit rates in the Bills of Quantities are to be the full [all-inclusive] value of the work described under the items, including all costs and expenses which may be necessary, and all general risks, taxes, liabilities and obligations set forth or implied in the documents on which the tender is based.		
	Special conditions of contract Add Sub clause 23.1 Local Taxation	Nothing in the Contract shall relieve the Contractor and/or his Sub-Contractors from their responsibility to pay any taxes, statutory contributions and levies that may be levied on them in Kenya in respect of the Contract. The Contract Price shall include all applicable taxes and shall not be adjusted for any of these taxes. The Contractor shall be deemed to be familiar with the tax laws in the Employer's Country and satisfied themselves with the requirements for all taxes, statutory contributions and duties to which they may be subjected during the term of the Contract. In instances where discussions are held between the Employer and the Contractor regarding tax matters, this shall not be deemed to constitute competent advice and hence does not absolve the Contractor of their responsibility in relation to due diligence on the tax issue as per above.		

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ACKNOWLEDGEMENT OF CLARIFICATION NO. 1

We, the undersigned hereby certify that the addendum is an integral part of the document and the alterations set out in this clarification have been incorporated in the tender proposal.

Signed.....

Tenderer.....

Date.....