REPUBLIC OF KENYA

COUNTY GOVERNMENT OF MIGORI

Telegrams: "MIGORI COUNTY" Migori
Tel:+254-059-20928
E-mail: migoricountygov@gmail.com

MIGORI COUNTY
P.O BOX 195-40400
SUNA-MIGORI, KENYA

REF. CGM/PH/66/2019-2020 AWARD

4TH JUNE 2020

NANCY AND MAY ENTERPRISES LIMITED
P. O. BOX 22,
HOMABAY.

Dear Sir/Madam,

RE: PROPOSED CONSTRUCTION OF KIKONGO DISPENSARY: QUOTATION: NO: CCM/PH/66/2019-2020 NEGOTIATION NO.783761-2

We refer to your bid Closed on 28th May, 2020 and the Evaluation process began on 29th May, 2020 and are glad to inform you that, being the lowest evaluated bidder after detailed technical and financial analysis, your application for the **Construction of Kikongo Dispensary** has been accepted at an evaluated Tender Sum of **Kshs. 4,800,000(Four Million, Eight Hundred Thousand, ShillingsOnly)**.Only inclusive of all taxes.

Your formal acknowledgement of this offer should be submitted to the undersigned within fourteen (14) days from the date herein.

A formal contract shall be signed thereafter before commencement of provision of such Services.

Yours faithfully,

MIGORI COUNTY GOVERNMENT
04 JUN 2020
P.O. Box 195-40400 SUNA, MIGORI
COUNTY PUBLIC HEALTH OFFICER

MR. PHILLE MAJIWA
CHIEF OFFICER PUBLIC HEALTH
COUNTY GOVERNMENT OF MIGORI

NANCY AND MAY ENTERPRISES COMPANY LIMITED
P. O. BOX 22-40300.
HOMA BAY

Our Ref: *MIGC/HELTH/02/2020*

your ref.....

Date 5TH JUNE 2020

TO

THE CHIEF OFFICER
DEPARTMENT OF HEALTH
COUNTY GOVERNMENT OF MIGORI
P. O. BOX 195 – 40400
SUNA MIGORI

Dear Sir,

RE: ACCEPT LETTER FOR PROPOSED CONSTRUCTION OF KIKONGO DISPENSARY

This is to confirm to your office that we have accepted to do the Proposed Construction Of Kikongo Dispensary{CGM/PH/66/2019-2020} In Migori County at a total cost of **Ksh. 4,800,000 (Four Million, Eight Hundred Thousand Shillings Only.**

Thank you for considering our company for the same.

YoursFaithfully

Director-Nancy & May Ent Ltd

COUNTY GOVER

AND

M/S NANCY AND MAY ENTERPRISES (Contractor)

Date: 18TH JUNE, 2020

CONTRACT AGREEMENT

THIS AGREEMENT Made on the 18TH OF JUNE, 2020 between the COUNTY GOVERNMENT OF MIGORI P.O BOX 195-40400, MIGORI, KENYA (herein after called the Employer) of/or whose office is situated in Migori Town on the one part and M/S NANCY AND MAY ENTERPRISES P.O.BOX 22 HOMABAY (whose office is situated in Mombasa town) herein after called the Contractor on the other part.

WHEREAS the County Government of Migori is desirous that certain works shall be offered, viz(PROPOSED CONSTRUCTION OF KIKONGO DISPENSARY) and has accepted a Bid by the Contractor for the same at a cost of Ksh 4,800,000 (Four Million, Eight Hundred Thousand Shillings Only) All taxes inclusive.

NOW THIS AGREEMENT WITHESSETH as follows:

1. IN THIS Agreement words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of Contract herein after referred to.
2. The following documents shall be deemed to form and be read and constructed as part of this Agreement, viz:

a) Contract Agreement if Completed
b) Letter of offer
c) The Letter of Acceptance
d) Form of Tender
e) Special Conditions of Contract
f) General Conditions of Contract
g) The priced Bill of Quantities
h) Any other Document(s) that may be found fit to form part of the Contract

The aforesaid documents are hereinafter referred to as the Contract

3. **Payment**-In consideration of the payments to be made by the Employer to the Contractor, hereby covenants with the Contractor to execute the works in conformity in all respects with the provision of the Contract.

All payments shall be done in Kenyan Shilling

4. **Agreement**-The Employer hereby covenants to pay the Contractor, in consideration of execution of the proposed provision and contract price at the time and in the manner prescribed in the contract **(PROPOSED CONSTRUCTION OF KIKONGO DISPENSARY).**

5. **Contract Transfer** -This contract SHALL NOT BE TRANSFERRED to another party without consent of the employer and may lead to automatic termination without prejudice.

6. **Contract Period**- shall be **120 days** from date of commencement notification.

7. **Contract Completion Date**- shall be extended if an occurrence arises which makes it impossible for completion to be achieved by the Intended Completion Date. It can only be done upon request by the contractor prior to the date of completion.

8. **Contract Termination**

i. The Employer or the Contractor may give notice of the termination in writing 60 days prior.

ii. Refusal to carry out the provision as required under the contract without written communication shall be a fundamental breach of contract.

9. Dispute Resolution

i. The parties agree that avoidance or early resolution of dispute is crucial for a smooth execution of the contract and the success of the assignment. The parties shall use their best efforts to settle amicably all disputes arising out of or in connection with this contract or its interpretation.

ii. Any dispute between the parties as to matters arising pursuant to this contract that cannot be settled amicably within [30] days after receipt by one part of the part or the other party's request for such amicable settlement may proceed to be determined by a court of competent jurisdiction of law in Kenya.

WITNESS WHERE OF the parties have hereto have caused respective common seals to be hereunto affixed (or have hereunto set their respective hands and seals) the day and the year first above written.

SIGNED, SEALED AND DELIVERED

EMPLOYER

Name Patrick C. Majiwa Signature

(CHIEF OFFICER, PUBLIC HEALTH)

MIGORI COUNTY GOVERNMENT
18 JUN 2020
P.O. Box 707-40400
SUNA, MIGORI
CHIEF OFFICER, PUBLIC HEALTH

CONTRACTOR

For the said contractor Bruce Bhai (Sign)

(Name)

in the Capacity

of

In the presence of Jack Owiti (Sign)

(Name)

MAY ENTERPRISES
LIMITED
P. O. Box 22 HOMA BAY

Official Rubber Stamp Date

COUNTERSIGNED

MIGORI COUNTY GOVERNMENT
P.O. BOX SUNA MIGORI COUNTY
HEAD SUPPLY CHAIN
MANAGEMENT SERVICES
Sign

REPUBLIC OF KENYA

PURCHASE ORDER

TO: Nancy And May Enterprises Limited
P. O. BOX 22

Purchase Order No. 433
Date 18/06/2020
Currency KES
Release No.

HOMABAY COUNTY

Please carry out the Goods/Services listed here below at MIGORI - HEALTH SERVICES,MIGORI_COUNTY,KENYA on terms and conditions stated below of this Order, on or before 2020-06-30 00:00:00
And send the Invoices immediately to PAY AND ACCOUNTS DEPARTMENT,MIGORI - HEALTH SERVICES,,,MIGORI_COUNTY,KENYA

Line No.	Item Type	Item Code	Category	Description	UOM	Qty	Price	Line Total	Account Combination	Req No	Quot No	Contr. No
1	Goods	W000000007	00	CONSTRUCTION OF KIKONGO DISPENSARY	Each	1	4800000.00	4,800,000.00	1-5166-5160001C1-0001001-0000000-000			

TOTAL 4,800,000

Signature
Designation Director, Sch
Proc Entity MCG
Date 18/6/20

MIGORI COUNTY GOVERNMENT
P O Box 195-40400, SUNA, MIGORI COUNTY
HEAD SUPPLY CHAIN MANAGEMENT SERVICES
Sign.....
Date.....

Signature
Date 18/6/20

MIGORI COUNTY GOVERNMENT
18 JUN 2020
P.O. Box 202-40400 SUNA, MIGORI
CHIEF OFFICER, PUBLIC HEALTH

ANNEX 8R

CERTIFICATE OF PRACTICAL COMPLETION

From: **PUBLIC WORKS OFFICE – MIGORI COUNTY** Ref: **MOPW/NTK/PH/DISP/KIK/01** Date: **02/06/2021**	TO: Chief Architect MOW Architectural Department P.O. BOX 30743 NAIROBI

Details of works				
WP Item Number			Description of job	Ministry/Agency
D	NY		**PROPOSED CONSTRUCTION KIKONGO DISPENSARY**	**HEALTH**
VOTE	PROV	NO		
Contract Number **CGM/PH/66/2019-2020**			Name/ Address of contractor **M/S NANCY AND MAY ENTERPRISES LTD.** **P.O BOX 22 HOMABAY.**	

Completion of Building Works

(a) The contracts Works are now complete to my satisfaction, subject to the items noted overleaf and are ready to be handed over to the Client Ministry.

02/06/2021
Date

GEORGE M. OTIENO
Building Supervisor (MOW or Consultant)

MIGORI COUNTY GOVERNMENT
PUBLIC WORKS, ROADS, TRANSPORT & ENERGY
NYATIKE SUB-COUNTY WORKS OFFICER
P. O. Box 195-40400, SUNA-MIGORI (MIGORI COUNTY)
Sign:.....
Date:.....

Completion of Mechanical/ Electrical works

The mechanical/ Electrical installation on the above works Have been completed and tested to my satisfaction.

02/06/2021
Date

GEORGE M. OTIENO
M/E Supervisor(MOW or Consultant)

MIGORI COUNTY GOVERNMENT
P.O. Box 195 - 40400, MIGORI
02 JUN 2021
PUBLIC WORKS DEPT.
ELECTRICAL INSPECTOR

Release Of Retention and Surety Bond

Att: Job QS and Contracts Register Office

The first moiety of the retention and surety bond may now be released.

02/06/2021
Date

CHARLES S. WAMBURA
DEPARTMENTAL HEAD/PM

Copies: Building and M/E Supervisors
Job QS and CRO

AL 10/77