



Kenya Airports Authority

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CAA/OT/JKIA/0092/2021-2022

12th January 2022

To: All Tenderers

RE: DEVELOPMENT AND MANAGEMENT OF FOOD AND BEVERAGE OUTLETS AT JOMO KENYAT INTERNATIONAL AIRPORT

LOT 1: BRANDED FAST FOOD RESTAURANT

LOT 2: GOURMET COFFEE SHOP

LOT 3: AFRICAN CUISINE

LOT 4: BRANDED GRAB N GO

LOT 5: BRANDED BAR AND RESTAURANT

TENDER NO: CAA/OT/JKIA/0092/2021-2022

CLARIFICATION No.1

The following are tender clarifications issued regarding the above tender in accordance to instructions to tenderers clause 6 of the bidding document for the referenced tender.

No.	Clause /Clarification	Response
I.	<p>ITT3.1 Eligible tenders or their Joint Venture (JV) partners are Firms who operate food and beverage outlets in</p> <p>i. An airport/ rail terminal ii. Shopping malls with a leading supermarket as the anchor tenant, leading fuel stations or commercial streets.</p> <p>The tender is restricted to all bidders who are able to demonstrable capacity to develop and manage a branded catering outlet. Firms who are interested in bidding for the business either individually or as a consortium / joint venture must show proof of relevant experience. Successful tenderers shall be contracted for a term of 7 years with a review of terms and performance at the end</p>	

	<p>of each third (3) year. Maximum number of joint ventures partners shall be two (2).</p> <p><i>Point of Clarification</i> We are a small to medium set up and therefore entering into a JV will minimize our opportunities for growth. Further with the economically growing nation and intention for new entrepreneurs to establish themselves. We hereby request waiver of the said requirement to enable ourselves achieve and acquire a favorable outcome. As small to medium scale entrepreneurs, the said requirement shall not be fruitful futuristically</p>	<p>This requirement is optional.</p>
<p>2.</p>	<p>11. Ability to access funds necessary for the investment in the Development and Management of the food and beverage outlet of not less than Ksh. 10 million or capacity to have a minimum cash flow of Ksh. 10 million.</p> <p>12. Having a cumulative annual turnover of not less than, Ksh.100 million for the three years. Bidders shall submit certified copies of its audited financial accounts for the past three years; 2016, 2017 and 2018 or 2017, 2018 and 2019 to demonstrate this annual turnover in catering outlet sales.</p> <p><i>Point of Clarification</i> Requirement, Part No. 1. 11 and 12 As stipulated herein above, we intend to apply under LOT 4 which shall entail a small retail space. Further as mentioned, the said requirement will discourage entrepreneurs with the ability to deliver greater outcomes in the future.</p>	<p>These are MINIMUM requirements necessary for the level of investment required.</p>
<p>3.</p>	<p>Bidders must provide evidence that they have necessary experience and capacity to develop and manage the catering outlet. Firms MUST demonstrate at Least three (3) years relevant experience in the development and management of at least two outlets –</p>	<p>This minimum requirement remains mandatory for minimum expected standards in this category.</p>

	<p><i>Point of Clarification</i> Requirement Part 2 Experience. The said requirement entails experience of 3 years. As mentioned above, we are a new startup and therefore we request that the same should not apply to us. However, the staff personnel and/ or any person working on behalf of the company shall be qualified to meet the necessary requirements. Noting that we are a new startup, we propose that you may evaluate our performance every 12 months and not every three years as stated in your tender requirements</p>	
<p>4.</p>	<p>Minimum Annual Guarantee USD 50,000 Requirement Part 3 Minimum Annual Guarantee We request yourselves to revise the said figure keeping in mind that we are a small to medium entrepreneurship</p>	<p>This Minimum Annual Guarantee of USD.50,000 remains as stated.</p>
<p>5.</p>	<p>Annual Concession Fee 10% of Gross Turnover. Requirement Part 3 Annual Concession Fee We request yourselves to revise the said figure keeping in mind that we are a small to medium entrepreneurship.</p>	<p>This is the minimum expected revenue share to the Authority and remains as stated.</p>
<p>6.</p>	<p>In the TDS, under the Section headed STATEMENT OF FINANCIAL COMPLIANCE, you list Item I as Annual Concession Fee. The remarks then state that this the "payment of a fixed concession rate based on gross annual receipts/sales". We seek clarity around the fact that you state that this is computed on GROSS sales. Our understanding is that gross sales include 16% VAT which goes to the Government, a 2% catering levy, and upto 10% Service charge which goes to staff. We do not understand why the concession fee would be</p>	<p>Concession is computed on net sales before tax, hence the concessionaire should submit net sales report to be shared and KAA will load 16% VAT on its share of sales.</p>



	based on amounts that we are not realizing? We therefore think that the fee should be based on NETT sales turnover.	
7.	On the page numbered 45, under the heading of STATEMENT OF FINANCIAL COMPLIANCE, Item 3 Space Fees, you state that "the applicable rates USD345/- per square foot p.a. shall apply for space occupied. But under PART 2 - LEASE REQUIREMENTS, on page number 46 headed SECTION VI Schedule of requirements, Item 3 scope of service, the rate is listed as US\$345 per sq M p.a. Kindly clarify which is the correct Unit of measure as per square foot rates seem exorbitant.	Bidders are hereby informed that the measurement is per square meter and the rate remains as US\$345 per sq meter per annum (M.P.A)
8.	I would like to clarify the tender security amount - It has been indicated as Ksh 100,000 for each lot in one page and in another page it has been indicated as Ksh 500,000 for each lot.	Item No. 4 of the Preliminary Evaluation Criteria is hereby amended to read "The tender security amounting to Kshs.100,000.00 per LOT in the prescribed format valid for 156 days from the tender opening date."

The closing/opening date remains on **13th January 2022 at 11:00 am.**

This clarification forms part of the bidding document and is binding on all bidders. All other conditions remain the same.

Patrick K. Wanjuki
GM (PROCUREMENT AND LOGISTICS)
For: MANAGING DIRECTOR/CEO