



**INSPECTION REPORT IN RESPECT OF THE PROCUREMENT
PROCESS FOR UPGRADING AND RECONSTRUCTION OF
ROADS IN KIRA MC AND MUKONO DLG – LOT 2:
RECONSTRUCTION KIREKA – KAMULI – BETHANY ROAD
(3.5KM) IN KIRA MUNICIPALITY
(KIRA712-GKMA/WRKS/2025-26/00021)**

ENTITY: KIRA MUNICIPAL COUNCIL

COMPLAINANT: WHISTLEBLOWER

OCTOBER 2025

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ACRONYMS

AO	Accounting Officer
BEB	Best Evaluated Bidder
FY	Financial Year
Ltd	Limited
NCONS	Non-Consultancy Services
NSSF	National Social Security Fund
PDE	Procuring and Disposing Entity
PPDA	Public Procurement and Disposal of Public Assets Authority
UGX	Uganda Shillings
URA	Uganda Revenue Authority
VAT	Value Added Tax
WRKS	Works

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1.0 SUMMARY OF FACTS

1. On 21st May 2025, the Contracts Committee approved the open domestic bidding procurement method, the solicitation document and the Evaluation Committee as indicated in Table 1 below:

Table 1: Composition of the Evaluation Committee

S/No	Name	Title	Entity
1.	Ms. Catherine Nambwere	Senior Procurement Officer	Kira Municipal Council
2.	Eng. James Joloba	Municipal Engineer	Kira Municipal Council
3.	Ms. Winnie Namaweje	Environmental	Kira Municipal Council
4.	Ms. Esereda Bakisula	Procurement Specialist	Ministry of Kampala Capital City and Metropolitan Affairs
5.	Mr. David Mayega	Senior Finance Officer	Kira Municipal Council
6.	Mr. Bruce Rukindo	Environmental Specialist	Kira Municipal Council
7.	Mr. Innocent Joseph Mutalya	Senior Environmental Officer	Mukono District Local Government
8.	Ms. Prossy Batenga	Senior Procurement Officer	Mukono District Local Government
9.	Eng. Ben Kyemba	District Engineer	Mukono District Local Government
10.	Mr. Herbert Lutwama	Senior Civil Engineer	Mukono District Local Government
11.	Eng. Denis Adrole	Infrastructure Development Specialist	Ministry of Kampala Capital City and Metropolitan Affairs

2. On 22nd May 2025, the procurement for the reconstruction of Bweyogerere – Butto – Namugongo Road (6.6km) and Kikonko–Namanve Road (1.3km) in Kira Municipality was advertised in the NewVision newspaper.
3. On 2nd June 2025, a pre-bid meeting was held at the Entity’s premises.
4. The record of issue of bids viz Form 8 indicated that 24 firms were issued the solicitation document.
5. On 2nd July 2025, bids were received from seven bidders and opened on the same day.
7. On 8th August 2025, the evaluation of bids was completed. As per the evaluation report, Kiru General Services Ltd was recommended for the award of the contract at UGX 20,976,510,304 VAT exclusive.

8. On 21st August 2025, the Notice of Best Evaluated Bidder was displayed with a removal date of 4th September 2025.
9. On 2nd September 2025, the Authority received a complaint from a whistleblower alleging collusion and unfair treatment of bidders in the procurement.
10. On 15th September 2025, the Authority, in accordance with Section 8 (1) (i) of the PPDA Act, Cap. 205, instituted an inspection into the matter.

2.0 OBJECTIVES OF THE INSPECTION

The objectives of the audit were to establish:

1. Whether bidders were unfairly eliminated during the evaluation of bids; and
2. Whether the bid submitted by Kiru General Services Ltd was correctly evaluated.

3.0 LAW APPLICABLE

- i. The Public Procurement and Disposal of Public Assets Act, Cap 205; and
- ii. The Public Procurement and Disposal of Public Assets Regulations of 2023.

4.0 METHODOLOGY

In reviewing the application, the Authority adopted the following methodology:

- a) Review and analysis of the procurement action file. The records reviewed included the following:
 - i. Invitation to bid;
 - ii. Bid invitation;
 - iii. Record of issue and receipt of bids;
 - iv. Record of bid opening;
 - v. Bids submitted by respective bidders;
 - vi. The evaluation report;
 - vii. Contracts Committee meeting minutes; and
 - viii. Bids submitted by bidders.
- b) Interviews were held with the individuals indicated in table 3:

Table 2: Persons interviewed

S/No	Name	Position
Kira Municipal Council		
1.	Mr. Benon Yiga	Town Clerk / Accounting Officer
2.	Ms. Catherine Nambwere	Senior Procurement Officer

5.0 FINDINGS BY THE AUTHORITY

5.1 Whether bidders were eliminated on non-material grounds in contravention of Regulation 4 of the PPDA (Evaluation) Regulations, 2023

1. The Authority reviewed the procurement action file and evaluation report and noted as follows:
 - i. Four of the five bidders who submitted bids were found compliant to the preliminary evaluation criteria. Homa Construction Plc was eliminated during the preliminary evaluation of bids.
 - ii. Three of the four bidders who reached detailed technical evaluation were found non-compliant to the detailed technical evaluation criteria. Cementers (U) Ltd, Multiplex Ltd and Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd were found non-compliant to the detailed technical evaluation criteria. Kiru General Services Ltd was the only bidder found compliant with the detailed evaluation criteria.
 - iii. Kiru General Services Ltd was recommended for award of contract at a cost of UGX 20,976,510,304 VAT Exclusive.
2. To establish whether bidders were eliminated during evaluation of bids on non-material grounds, the Authority reviewed the solicitation document, evaluation report and bids submitted by respective bidders and made the following observations:

5.1.1 Homa Construction PLC

1. The Authority reviewed the evaluation report and noted that Homa Construction Plc was eliminated during preliminary evaluation of bids for the submission of an expired social security contributions clearance certificate.
2. The Authority reviewed the solicitation document issued to bidders and noted that:
 - i. Clause 3.2 (f) of the evaluation methodology and criteria provided that among the documentation required to provide evidence of eligibility shall be fulfilment of obligations to pay social security contributions in Uganda, where applicable or its equivalent. This shall be evidenced by a valid National Social Security clearance certificate.
 - ii. Clause 34.1 of the Instructions to Bidders provided that the Procuring and Disposing Entity shall examine the legal documentation to establish the eligibility of the bidders and to verify the validity and authenticity of the documents submitted by the bidder.
 - iii. Clause 34.2 of the Instructions to Bidders provided that if after the examination of eligibility, the Procuring and Disposing Entity determines that the bid is not compliant, it shall reject the bid with the exception of rectification of omissions in accordance with ITB 32.2.
3. The Authority reviewed the bid submitted by Homa Construction Plc and noted that the bidder submitted an Ethiopian Pension Contribution Certificate referenced 00048405, valid for the period 2021 to 2022. (*Annex 3*).

4. The Authority found that whereas the deadline for receipt of bids was 3rd July 2023, the Ethiopian Pension Contribution Certificate referenced 00048405 submitted by Homa Construction Plc expired on 31st December 2022. This implies that the Ethiopian Pension Contribution Certificate submitted by the bidder was not valid at the time of bid opening.
5. The Authority found that the submission of an expired Ethiopian Pension Contribution Certificate implied that the bidder did not meet the requirement of submission of a valid social security clearance certificate in contravention of Clause 3.2 (f) of the evaluation methodology and criteria.
6. Homa Construction Plc was in accordance with Clause 34.1 of the Instructions to Bidders correctly eliminated during preliminary evaluation of bids.

Conclusion

The Authority found that the submission of an expired social security clearance certificate implied that Homa Construction Plc did not meet the preliminary evaluation criteria and was correctly eliminated during preliminary evaluation of bids in accordance with Clause 34.2 of the Instructions to Bidders.

In light of the above, the Authority found **no merit** in the Ground raised.

5.1.2 Cementers (U) Ltd

1. The Authority reviewed the evaluation report and noted that Cementers (U) Ltd was eliminated during detailed technical evaluation of bids for the following reasons:
 - i. The Plant and equipment foreman, Mr. Hitesh D Meghani submitted a BSc. in Civil Engineering instead of Mechanical Engineering. He further submitted specific experience as site agent and general foreman instead of plant foreman
 - ii. The contactors Project manager has insufficient experience in a similar position and road construction works
 - iii. The Site and Earthworks Engineer Eng Ndiwalana Geoffrey Burts is a full-time employee of Wakiso District Local Government, thus cannot serve in the position of site engineer, which requires full-time engagement.
 - iv. The Senior Land Surveyor enclosed an academic transcript instead of a degree certificate
 - v. The Health and Safety Officer Bernard Ochola did not attach evidence as a registered environmental practitioner
 - vi. The second Asphalt Paver was not provided; and
 - vii. Failure to show evidence of having undertaken ESHS requirements in past projects.

5.1.2.1 Plant and Equipment Foreman

1. The evaluation report indicated that Mr. Hitesh D Meghani, proposed by Cementers (U) Ltd as a Plant and Equipment Foreman, submitted a BSc. in Civil Engineering instead of Mechanical Engineering. He further submitted specific experience as a site agent and general foreman instead of plant foreman.

2. The Authority reviewed the solicitation document and noted that Clause 6.1 of the evaluation methodology and criteria provided that bidders were required to demonstrate that they will have the personnel for the key position of Plant and Equipment Foreman (3 No.) possessing a BSc. Mechanical Engineering or Equivalent with 15 years of total experience after graduating, 10 years of relevant work experience after graduating and eight years of experience in a similar position.
3. The Authority reviewed the bid submitted by Cementers (U) Ltd and noted that Eng. Hitesh D Meghani was one of three Plant and Equipment Foremen proposed by the bidder.
4. The Authority however, found from a review of documentation submitted by Cementers (U) Ltd in relation to Eng. Hitesh D Meghani, that the proposed Plant and Equipment Foreman possessed a Bachelor of Science degree in Civil Engineering instead of Mechanical Engineering.
5. The Authority notes that while both civil and mechanical engineering are core disciplines that apply mathematics and physics to design and create structures, the primary difference lies in their scope; civil engineering focuses on large, static systems in the built environment, whereas mechanical engineering centers on dynamic mechanical systems. As such, Bachelor of Science degree in Civil Engineering cannot be equated to a Bachelor of Science degree in Mechanical Engineering.
6. The Authority further found that Eng. Hitesh D Meghani did not possess any experience in a similar position in contravention of the requirement of a minimum of eight years of experience in a similar position.
7. Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023 provides that for the purposes of this Regulation, a “material deviation” is a deviation that:
 - a) Affects in a substantial way, the scope or quality of the supplies or services or the performance of the works to be procured;
 - b) Affects the ability of the bidder to perform the proposed contract;
 - c) Impacts the key factors of a procurement including cost, risk, time and quality and causes:
 - i. Unacceptable time schedules, where it is stated in the bidding document that time is of the essence;
 - ii. Unacceptable alternative technical details, such as design, materials, workmanship, specifications, standards or methodologies;
 - iii. Unacceptable counter-bids with respect to key contract terms and conditions, such as payment; or
 - iv. Terms, price adjustment, liquidated damages, subcontracting or warranty.
8. The Authority found that the failure by Cementers (U) Ltd to submit the required personnel for the position of Plant and Equipment Foreman would have an impact of the Employer’s rights under the contract and the Contractor’s obligations. This, in accordance with Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023, amounted to a material deviation.

5.1.2.2 Site and Earthworks Engineer

1. The evaluation report indicated that Eng. Geoffrey Burts Ndiwalana proposed by Cementers (U) Ltd as a Site and Earthworks Engineer is a full-time employee of Wakiso District Local Government thus cannot serve in the position of site engineer which requires full time engagement.
2. The Authority reviewed the solicitation document and noted that Clause 6.1 of the evaluation methodology and criteria provided that bidders were required demonstrate that they will have the personnel for the key position of Site and Earthworks Engineer possessing a BSc. Civil Engineering or equivalent and who is a registered/chartered engineer with a valid practicing license with 15 years of total experience after graduating, 10 years of relevant work experience after graduating and eight years of experience in a similar position.
3. The Authority reviewed the bid submitted by Cementers (U) Ltd and noted that Eng. Geoffrey Burts Ndiwalana was proposed by the bidder as a Site and Earthworks Engineer. Eng. Geoffrey Burts Ndiwalana possessed the required academic and experiential requirements.
4. The Authority requested for clarification from Wakiso District Local Government in as regards the employment of Eng. Geoffrey Burts Ndiwalana on 17th September 2025 to wit a response was provided on 18th September 2025. In the response, it was stated that Eng. Geoffrey Burts Ndiwalana is an employee of Wakiso District Local Government holding the position of District Engineer.
5. The Authority found that the proposal of Eng. Geoffrey Burts Ndiwalana as the Site and Earthworks Engineer, is inappropriate given that he is a full-time employee of Wakiso District Local Government, currently serving as the District Engineer. This status inherently limits his availability for full-time engagement on the assignment, as required by the solicitation document. Consequently, his nomination does not satisfy the availability criterion stipulated under Clause 6.1 of the evaluation methodology, thereby rendering the proposed staffing arrangement non-compliant with the tender requirements.
6. Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023 provides that for the purposes of this Regulation a “material deviation” is a deviation that:
 - a) Affects in a substantial way, the scope or quality of the supplies or services or the performance of the works to be procured;
 - b) Affects the ability of the bidder to perform the proposed contract;
 - c) Impacts the key factors of a procurement including cost, risk, time and quality and causes:
 - i. Unacceptable time schedules, where it is stated in the bidding document that time is of the essence;
 - ii. Unacceptable alternative technical details, such as design, materials, workmanship, specifications, standards or methodologies;
 - iii. Unacceptable counter-bids with respect to key contract terms and conditions, such as payment; or
 - iv. Terms, price adjustment, liquidated damages, subcontracting or warranty.

7. The Authority found that the failure by Cementers (U) Ltd to submit an adequate Site/Earthworks Engineer would have an impact of the Employer's rights under the contract and the Contractor's obligations. This, in accordance with Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023, amounted to a material deviation.

5.1.2.3 Health and Safety Officer

1. The evaluation report indicated that Mr. Bernard Ochola, proposed by Cementers (U) Ltd as a Health and Safety Officer submitted did not possess certification as an environmental practitioner.
2. The Authority reviewed the solicitation document and noted that Clause 6.1 of the evaluation methodology and criteria provided that bidders were required demonstrate that they will have the personnel for the key position of Health and Safety Officer (2 No.) possessing a BSc. Health and Safety or equivalent, and must be a registered environmental practitioner with 10 years of total experience after graduating, eight years of relevant work experience after graduating and five years of experience in a similar position.
3. The Authority reviewed the bid submitted by Cementers (U) Ltd and noted that Mr. Bernard Ochola was one of two Health and Safety Officers proposed by the bidder.
4. The Authority however, found from a review of documentation submitted by Cementers (U) Ltd in relation to Mr. Bernard Ochola that the proposed Health and Safety Officer did not submit documentary evidence of being a registered environmental practitioner.
5. The nomination of Mr. Bernard Ochola as one of the Health and Safety Officers is non-compliant with the requirements of Clause 6.1 of the solicitation document. While Mr. Ochola was proposed by Cementers (U) Ltd and appears to meet the academic and experiential thresholds, the bid submission did not include documentary evidence confirming his status as a registered environmental practitioner. Given that registration as an environmental practitioner is a mandatory criterion for the position, the absence of such certification renders the individual unsuitable for consideration.
6. Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023 provides that for the purposes of this Regulation a "material deviation" is a deviation that:
 - a) Affects in a substantial way, the scope or quality of the supplies or services or the performance of the works to be procured;
 - b) Affects the ability of the bidder to perform the proposed contract;
 - c) Impacts the key factors of a procurement including cost, risk, time and quality and causes:
 - i. Unacceptable time schedules, where it is stated in the bidding document that time is of the essence;
 - ii. Unacceptable alternative technical details, such as design, materials, workmanship, specifications, standards or methodologies;
 - iii. Unacceptable counter-bids with respect to key contract terms and conditions, such as payment; or
 - iv. Terms, price adjustment, liquidated damages, subcontracting or warranty.

7. The Authority found that the failure by Cementers (U) Ltd to submit the required personnel for the position of Health and Safety Officer would have an impact on the Employer's rights under the contract and the Contractor's obligations. This, in accordance with Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023, amounted to a material deviation.

5.1.2.4 Asphalt Paver

1. The evaluation report indicated that Cementers (U) Ltd submitted evidence of the lease, ownership or hire of only one asphalt paver in contravention of the requirement of submission of evidence of the lease, ownership or hire of two asphalt pavers.
2. The Authority reviewed the solicitation document and noted that Clause 6.2 of the evaluation methodology and criteria provided that bidders were required to demonstrate that they have access to the 2No. asphalt pavers capable of laying 7m width fitted with electronic sensors for automatic level located within Uganda, Kenya, Tanzania or Rwanda, either by ownership, lease or hire.
3. The Authority reviewed the bid submitted by Cementers (U) Ltd and noted that the bidder submitted evidence of the ownership of one asphalt paver in contravention of the requirement of 2No. asphalt pavers.
4. Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023 provides that for the purposes of this Regulation a "material deviation" is a deviation that:
 - a) Affects in a substantial way, the scope or quality of the supplies or services or the performance of the works to be procured;
 - b) Affects the ability of the bidder to perform the proposed contract;
 - c) Impacts the key factors of a procurement including cost, risk, time and quality and causes:
 - i. Unacceptable time schedules, where it is stated in the bidding document that time is of the essence;
 - ii. Unacceptable alternative technical details, such as design, materials, workmanship, specifications, standards or methodologies;
 - iii. Unacceptable counter-bids with respect to key contract terms and conditions, such as payment; or
 - iv. Terms, price adjustment, liquidated damages, subcontracting or warranty.
5. The bid submitted by Cementers (U) Ltd failed to meet the equipment availability requirement for asphalt paving works as stipulated under Clause 6.2 of the solicitation document. Specifically, the bidder provided evidence of ownership of only one asphalt paver, whereas the bidding document required proof of access through ownership, lease, or hire to two asphalt pavers capable of laying a 7-meter width and fitted with electronic sensors for automatic levelling. This shortfall in equipment provision renders the bid non-compliant with the mandatory technical specifications and raises concerns regarding the bidder's capacity to execute the works as required.
6. The Authority found that the failure by Cementers (U) Ltd to submit the required equipment (2No. asphalt pavers) would have an impact on the Employer's rights under the contract and

the Contractor's obligations. This, in accordance with Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023, amounted to a material deviation.

5.1.2.5 Experience in implementing Environment, Safety, Health, and Social (ESHS) in previous works

1. The Authority reviewed the solicitation document and noted that Sub-Factor 6.2.10 of the qualification criteria in the evaluation criteria and methodology provided that:
 - i. Bidders must possess experience in implementing Environmental and Social (ES) activities in construction projects including but not limited to biodiversity, traffic management, child protection, consents and permits, occupational safety and health, grievance management, waste management and disposal, HIV/AIDS and STIs, accident prevention and management, communication and stakeholder engagement, water resource protection, and gender management; and
 - ii. Bidders would meet the requirement by submission of Form 10B and evidence of compliance with ES requirements in previous contracts including but not limited to National Environment Management Authority (NEMA) certificates, workplace registration certificates, environmental and social audits, copies of compliance agreements or improvement notice from NEMA, evidence of compliance with water-use requirements (copy of water abstraction permit), copies of development permits, hoarding permits for auxiliary sites in the previous contracts.
2. The Authority reviewed the bid submitted by Cementers (U) Ltd and found that the bidder submitted Form 10B and ESIA certificates, registration of workplace certificates and water abstraction permits as evidence of ESHS performance on the previous projects.
3. The Authority however found that the bidder did not submit any documentation or statements indicating how the certificates and permits were complied with, such as, grievance management logs, incident logs, incident root-cause analysis reports, equipment maintenance logs, responses to inspection reports, evidence of environmental audits for support facilities such as worker's camps, environmental compliance audits, the approval of final decommissioning and restoration reports etc.
4. From the above, the Authority found that the bid submitted by Cementers (U) Ltd did not sufficiently demonstrate experience in implementing Environment, Safety, Health, and Social (ESHS) aspects in previous works, as required under Sub-Factor 6.2.10 of the solicitation document. Although the bidder provided Form 10B and supporting certifications such as ESIA approvals, workplace registration certificates, and water abstraction permits, the submission lacked critical documentation evidencing actual compliance and operationalization of these requirements. Specifically, there were no grievance management logs, incident reports, audit findings, or other performance records to substantiate how ESHS obligations were fulfilled in past projects. In the absence of such evidence, the bidder's experience in implementing ESHS measures remains unverified and non-compliant with the stated evaluation criteria.

Conclusion

The Authority found that the bid submitted by Cementers (U) Ltd was correctly found to be non-compliant across multiple critical areas, resulting in its elimination at the technical evaluation stage. Key personnel proposed by the bidder including the Plant and Equipment Foreman, Site and Earthworks Engineer, Health and Safety Officer, and Project Manager did not meet the mandatory academic, experiential, or availability requirements. In addition, the bidder failed to provide the required number of asphalt pavers, and did not adequately demonstrate experience in implementing Environment, Safety, Health, and Social (ESHS) safeguards in previous works.

These deficiencies constitute material deviations under Regulation 7(4) of the PPDA (Evaluation) Regulations, 2023, as they substantially affect the bidder's ability to perform the contract and compromise the scope, quality, and reliability of the proposed works. The cumulative effect of this non-compliance undermined the responsiveness of the bid and justified its elimination during detailed technical evaluation.

In light of the above, the Authority found **no merit** in the Ground raised.

5.1.3 Multiplex Ltd

1. The Authority reviewed the evaluation report and noted that Multiplex Ltd was eliminated during detailed technical evaluation of bids for the following reasons:
 - i. The proposed quantity surveyor has insufficient experience in similar position and road construction works; and
 - ii. Failure to show evidence of having undertaken ESHS requirements in past projects.

5.1.3.1 Quantity Surveyor

1. The evaluation report indicated that Mr. Pathias Akabanjuna proposed by Multiplex Ltd as a Quantity Surveyor has insufficient experience in a similar position.
2. The Authority reviewed the solicitation document and noted that Clause 6.1 of the evaluation methodology and criteria provided that bidders were required to demonstrate that they will have the personnel for the key position of Quantity Surveyor possessing a BSc. Quantity Surveying or equivalent, and who is a registered/chartered surveyor with 15 years of total experience after graduating, 10 years of relevant work experience after graduating and eight years of experience in a similar position.
3. The Authority reviewed the bid submitted by Multiplex Ltd and noted that Mr. Pathias Akabanjuna was proposed by the bidder as a Quantity Surveyor.
8. The Authority however found from a review of documentation submitted by Multiplex Ltd in relation to Mr. Pathias Akabanjuna that the proposed Quantity Surveyor possessed two years and 3 months of experience in a similar position against the requirement of eight years of experience in a similar position.

4. Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023 provides that for the purposes of this Regulation a “material deviation” is a deviation that:
 - a) Affects in a substantial way, the scope or quality of the supplies or services or the performance of the works to be procured;
 - b) Affects the ability of the bidder to perform the proposed contract;
 - c) Impacts the key factors of a procurement including cost, risk, time and quality and causes:
 - i. Unacceptable time schedules, where it is stated in the bidding document that time is of the essence;
 - ii. Unacceptable alternative technical details, such as design, materials, workmanship, specifications, standards or methodologies;
 - iii. Unacceptable counter-bids with respect to key contract terms and conditions, such as payment; or
 - iv. Terms, price adjustment, liquidated damages, subcontracting or warranty.
5. The Authority found the nomination of Mr. Pathias Akabanjuna as Quantity Surveyor by Multiplex Ltd is non-compliant with the personnel requirements outlined in Clause 6.1 of the solicitation document. While the nominee meets the academic and registration criteria, the documentation submitted confirms only two years and three months of experience in a similar position, falling significantly short of the mandatory eight years. This shortfall constitutes a material deviation under Regulation 7(4) of the PPDA (Evaluation) Regulations, 2023, as it directly affects the bidder’s ability to perform the contract and undermines the quality assurance expected for this key technical role.

5.1.3.2 Experience in implementing Environment, Safety, Health, and Social (ESHS) in previous works

1. The evaluation report indicated that Multiplex Ltd did not meet the requirement of experience in implementing Environment, Safety, Health, and Social (ESHS) in previous works.
2. The Authority noted from a review of the solicitation document issued to bidders that Sub-Factor 6.2.10 of the evaluation methodology and criteria provided that bidders must possess experience in implementing Environmental and Social (ES) aspects in construction projects including but not limited to biodiversity, traffic management, child protection, consents and permits, occupational safety and health, grievance management, waste management and disposal, HIV/AIDS and STIs, accident prevention and management, communication and stakeholder engagement, water resource protection, and gender management.
3. Bidders would meet the requirement of Sub-Factor 6.2.10 by submission of Form 10B and evidence of compliance with ES requirements in previous contracts including but not limited to NEMA certificates, workplace registration certificates from MoGLSD, Environmental and Social Audit, copy of compliance agreements or improvement notice from NEMA, evidence of compliance with water-use requirements (copy of water abstraction permit), copies of development permits, hoarding permits for auxiliary sites in the previous contracts.

4. The Authority reviewed the bid submitted by Multiplex Ltd and found that the bidder submitted Form 10B and ESIA certificates, registration of workplace certificates, and water abstraction permits as evidence of ESHS performance on the previous projects.
5. The Authority however found that the bidder did not submit any documentation or statements indicating how the certificates and permits were complied with, such as, grievance management logs, incident logs, incident root-cause analysis reports, equipment maintenance logs, responses to inspection reports, evidence of environmental audits for support facilities such as worker's camps, environmental compliance audits, the approval of final decommissioning and restoration reports etc.
6. From the above, the Authority found that the bid submitted by Multiplex Ltd did not sufficiently demonstrate experience in implementing Environment, Safety, Health, and Social (ESHS) aspects in previous works, as required under Sub-Factor 6.2.10 of the solicitation document. Although the bidder provided Form 10B and supporting certifications such as ESIA approvals, workplace registration certificates, and water abstraction permits, the submission lacked critical documentation evidencing actual compliance and operationalisation of these requirements. Specifically, there were no grievance management logs, incident reports, audit findings, or other performance records to substantiate how ESHS obligations were fulfilled in past projects. In the absence of such evidence, the bidder's experience in implementing ESHS measures remains unverified and non-compliant with the stated evaluation criteria.

Conclusion

The Authority found that the bid submitted by Multiplex Ltd was correctly found to be non-compliant, resulting in its elimination at the technical evaluation stage. Key personnel proposed by the bidder for the position of Quantity Surveyor did not meet the experiential requirements, while the bidder also failed to adequately demonstrate experience in implementing Environment, Safety, Health, and Social (ESHS) safeguards in previous works.

These deficiencies constitute material deviations under Regulation 7(4) of the PPDA (Evaluation) Regulations, 2023, as they substantially affect the bidder's ability to perform the contract and compromise the scope, quality, and reliability of ESHS safeguards in the proposed works. The cumulative effect of this non-compliance undermined the responsiveness of the bid and justified its elimination during detailed evaluation.

In light of the above, the Authority found **no merit** in the Ground raised.

5.1.4 Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd

1. The Authority reviewed the evaluation report and noted that Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd was eliminated during detailed technical evaluation of bids for the following reasons:
 - i. Failure to submit a construction schedule;
 - ii. Failure to submit adequate evidence of the lease, ownership or hire of equipment; and
 - iii. Failure to show evidence of having undertaken ESHS requirements in past projects.

5.1.4.1 Construction Schedule

1. The evaluation report indicated that Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd did not meet the requirement of submission of a construction schedule.
2. Authority noted the following from a review of the solicitation document issued to bidders:
 - a) GCC 22 of the Special Conditions of Contract provided that the intended completion period for the works shall be 18 months.
 - b) Clause 15.1 (g) of the Instructions to Bidders (ITB) provided that a bid submitted by a bidder shall comprise the technical documentation (description of the proposed work method and schedule, including drawings and charts, as necessary) in accordance with ITB16.
 - c) Clause 16 of the Instructions to Bidders (ITB) provided that bidders shall furnish technical documentation, including a statement of work methods, equipment, personnel, schedule and any other information as stipulated in Section 4, Bidding Forms, in sufficient detail to demonstrate the adequacy of the bidder's proposal to meet the work's requirements and the completion time.
 - d) Clause 5.1 of the evaluation methodology and criteria provided that the assessment of responsiveness will consider the following criteria:
 - i. Acceptance of the conditions of the proposed contract;
 - ii. Acceptable completion schedule; and
 - iii. Acceptability of the proposed program (work method and schedule), including relevant drawings and charts.
 - e) Bidders are required to submit with their bids a construction schedule inclusive of a detailed schedule of the civil works construction phase. This schedule should be produced in at least MS Project 2016; well-resourced with the expected manpower and equipment expected to undertake each particular task, duration allocated to each task and indicating milestones.
3. The Authority reviewed the bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd and found that the bidder did not submit with its bid a construction schedule in contravention of Clause 5.1 of the evaluation methodology and criteria.
4. Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023 provides that for the purposes of this Regulation a "material deviation" is a deviation that:
 - a) Affects in a substantial way, the scope or quality of the supplies or services or the performance of the works to be procured;
 - b) Affects the ability of the bidder to perform the proposed contract;
 - c) Impacts the key factors of a procurement including cost, risk, time and quality and causes:
 - i. Unacceptable time schedules, where it is stated in the bidding document that time is of the essence;
 - ii. Unacceptable alternative technical details, such as design, materials, workmanship, specifications, standards or methodologies;
 - iii. Unacceptable counter-bids with respect to key contract terms and conditions, such as payment; or

- iv. Terms, price adjustment, liquidated damages, subcontracting or warranty.
5. The Authority found that the bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd was correctly determined as non-responsive due to the omission of a construction schedule, contrary to Clause 5.1 of the evaluation methodology and criteria. The solicitation document explicitly required bidders to submit a detailed and well-resourced construction schedule, developed in MS Project 2016 or equivalent, to demonstrate the feasibility of completing the works within the stipulated 18-month period. The absence of this schedule undermines the adequacy of the proposed work program and constitutes a material deviation under Regulation 7(4) of the PPDA (Evaluation) Regulations, 2023, as it directly affects the bidder's ability to meet time-sensitive performance obligations and compromises the assessment of cost, risk, and quality parameters.

5.1.4.2 Evidence of the lease, ownership or hire of equipment

1. The evaluation report indicated that Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd submitted a letter undertaking to hire equipment for the contract from Delight Automart Company Ltd dated 18th June 2025 but did not provide documentary evidence of the ownership of equipment.
2. The Authority reviewed the solicitation document and noted that Clause 6.2 of the evaluation methodology and criteria provided that bidders were required to demonstrate that they have access to the equipment within Uganda, Kenya, Tanzania or Rwanda, either by ownership, lease or hire.
3. The Authority reviewed the bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd and noted that the bidder submitted a memorandum of understanding from Delight Automart Company Ltd as evidence of the hire of equipment for the works. There was, however, no documentary evidence submitted indicating that Delight Automart Company Ltd possessed the equipment in the form of registration books or agreements.
4. Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2023 provides that for the purposes of this Regulation a "material deviation" is a deviation that:
 - a) Affects in a substantial way, the scope or quality of the supplies or services or the performance of the works to be procured;
 - b) Affects the ability of the bidder to perform the proposed contract;
 - c) Impacts the key factors of a procurement including cost, risk, time and quality and causes:
 - i. Unacceptable time schedules, where it is stated in the bidding document that time is of the essence;
 - ii. Unacceptable alternative technical details, such as design, materials, workmanship, specifications, standards or methodologies;
 - iii. Unacceptable counter-bids with respect to key contract terms and conditions, such as payment; or
 - iv. Terms, price adjustment, liquidated damages, subcontracting or warranty.

5. The bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd did not meet the equipment access requirements stipulated under Clause 6.2 of the evaluation methodology and criteria. While the bidder provided a memorandum of understanding dated 18th June 2025 from Delight Automart Company Ltd as evidence of intent to hire equipment, no supporting documentation was submitted to confirm that Delight Automart Company Ltd actually possesses the listed equipment such as registration books, lease agreements, or ownership records. This omission constitutes a material deviation under Regulation 7(4) of the PPDA (Evaluation) Regulations, 2023, as it directly affects the bidder's ability to perform the contract and introduces uncertainty in relation to equipment availability, thereby impacting time, risk, and quality parameters of the procurement.

5.1.4.3 Experience in implementing Environment, Safety, Health, and Social (ESHS) in previous works

1. The evaluation report indicated that Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd did not meet the requirement of experience in implementing Environment, Safety, Health, and Social (ESHS) in previous works.
2. The Authority noted from a review of the solicitation document issued to bidders that:
 - i. Sub-Factor 6.2.10 of the evaluation methodology and criteria provided that bidders must possess experience in implementing Environmental and Social (ES) aspects in construction projects including but not limited to biodiversity, traffic management, child protection, consents and permits, occupational safety and health, grievance management, waste management and disposal, HIV/AIDS and STIs, accident prevention and management, communication and stakeholder engagement, water resource protection, and gender management.
 - ii. Bidders would meet the requirement by submission of Form 10B and evidence of compliance with ES requirements in previous contracts including but not limited to NEMA certificates, workplace registration certificates from MoGLSD, Environmental and Social Audit, copy of compliance agreements or improvement notice from NEMA, evidence of compliance with water-use requirements (copy of water abstraction permit), copies of development permits, hoarding permits for auxiliary sites in the previous contracts.
 - iii. Sub-Factor 6.2.3 of the evaluation methodology and criteria pertaining to pending declaration of Environmental, Social, Health, and Safety (ESHS) past performance provided that each bidder must declare any civil work contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, or social, or health or safety requirements or safeguard in the past five years. Each bidder was required to meet the requirement by itself or as partner to past or existing JVs by filling Form 5B.
3. The Authority reviewed the bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd and found that the bidder submitted certificates indicating compliance with

ESHS requirements in previous works. However, the bidder did not submit Form 10B, expressly stating specific experience in E&S safeguards activities.

4. The Authority further noted from a review of the bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd that the bidder did not submit Form 5B and as such, did not declare any civil work contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, or social, or health or safety requirements or safeguard in the past five years.
5. From the above, the Authority found that the bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd did not meet the mandatory requirement for demonstrating experience in implementing Environment, Safety, Health, and Social (ESHS) safeguards in previous works, as outlined under Sub-Factor 6.2.10 of the evaluation criteria. Although the bidder provided certificates indicating general compliance with ESHS obligations, they failed to submit Form 10B detailing specific experience in executing E&S safeguard activities. Furthermore, the bidder did not submit Form 5B, which is required to declare any past contract suspensions, terminations, or performance security calls related to ESHS non-compliance. The absence of these critical disclosures renders the bid non-compliant and undermines the Entity's ability to assess the bidder's track record and reliability in managing ESHS risks.

Conclusion

Based on the evaluation of the bid submitted by Texa Solutions Ltd in Joint Venture with Raimok Trading Co Ltd, several material deficiencies were identified that rendered the bid non-responsive. Most notably, the bidder failed to submit a construction schedule as required under Clause 5.1 of the evaluation criteria, undermining the assessment of their ability to complete the works within the stipulated 18-month period. Additionally, while the bidder provided a memorandum of understanding for equipment hire from Delight Automart Company Ltd, they did not furnish documentary evidence confirming that the equipment was actually owned or available such as registration books or lease agreements thereby failing to meet the equipment access requirements under Clause 6.2.

Further, the bid lacked sufficient documentation to demonstrate experience in implementing Environment, Safety, Health, and Social (ESHS) safeguards. The bidder did not submit Form 10B detailing specific ESHS implementation experience, nor did they provide Form 5B to declare any past contract suspensions or terminations related to ESHS non-compliance. These omissions collectively constitute material deviations under Regulation 7(4) of the PPDA (Evaluation) Regulations, 2023, as they substantially affect the bidder's ability to perform the contract and compromise key procurement parameters including time, risk, and quality. As such, the bid was correctly found non-compliant to the detailed technical evaluation criteria.

In light of the above, the Authority found **no merit** in the Ground raised.

5.2 Whether the bid submitted by Kiru General Services Ltd was correctly evaluated

The Authority reviewed the procurement action file and the bid submitted by Kiru General Services Ltd and found that evaluation of the bid submitted by the bidder was undertaken in accordance with the PPDA Act, Cap. 205, PPDA Regulations, 2023, Guidelines, 2024 and the solicitation document as indicated in Tables 3, 4, 5, 5 and 7 below:

Table 3: Preliminary examination of the bid submitted by Kiru General Services Ltd

S/No	Evaluation Criteria	Status of compliance of Kiru General Services Ltd
1.	A copy of the bidder's valid trading license or equivalent and a copy of the bidder's certificate of registration or equivalent for bidders not currently registered with the Authority	Trading licence, certificate of incorporation and PPDA Registration Certificate submitted. Complies
2.	A statement in the bid submission sheet that the bidder meets the eligibility criteria stated in ITB 4.1 and 4.4	Complies
3.	A declaration in the bid submission sheet of nationality of the bidder	Complies
4.	A declaration in the bid submission sheet that the bidder is not under suspension by the authority	Complies
5.	Fulfilment of obligations to pay taxes evidenced by a valid tax clearance certificate addressed to Kira MC or its equivalent (for a tax period ending 30 June 2025), Foreign firms shall submit an equivalent of Tax Clearance Certificates from their Countries of domicile for the tax period above	Complies
6.	Fulfilment of obligations to pay Social Security contributions in Uganda where applicable or its equivalent. This shall be evidenced by a valid National Social Security Certificate (NSSF) by the bid closing date	Certificate submitted
7.	The Beneficial Ownership Declaration Form. The bidder shall submit details of the beneficial owners	Complies
8.	Bid validity	Complies
9.	Code of Ethical Conduct in Business for Providers and Bidders	Signed by Eng. George Kiberu
10.	Code of ethical conduct for ESHS	Signed by all proposed staff.
11.	Original receipt for the purchase of Tender Documents	UGX 300,000 Complies
12.	Site visit Certificates from the either of the two entities: Mukono DLG or Kira MC	Kira Municipal Council signed by the Municipal Engineer

S/No	Evaluation Criteria	Status of compliance of Kiru General Services Ltd
13.	The Bid Submission Sheet dully signed by authorised representative of the bidder in accordance with ITB Sub-Clause 15.2 and 34.3	Signed by Eng. George Kiberu
14.	The Price Schedule or Bill of Quantities in accordance with ITB Clause 16 and 17	
15.	A Power of Attorney in accordance with ITB 22.2	Signed by Eng. George Kiberu was appointed as attorney. PoA registered with URSB. Complies
16.	An authentic Bid Security in accordance with ITB Clause 20	Submitted and verified as per correspondence seen on file
17.	Letter introducing the PDE to the bidder's bankers and authorizing the bank to provide necessary information-ITB 15.1 (i)	Complies
18.	List of employers in the last three years TB15.1 (ii)	Form 6 submitted
19.	Proposals for subcontracting components of the works amounting to at least 30 percent of the Contract Price.	N/A The bidder is 100% owned by Ugandans Complies
20.	Letters from insurance companies confirming that they are willing to provide the required insurance cover under the Contract -ITB 15.1 (i)	Complies
21.	Form 4 – Bidder information sheet	Complies
22.	Form 4 A – Party to JV / Consortium/association Information Sheet	Complies
23.	Form 5 – Historical Contract Non-Performance	Complies
24.	Form 5A- Pending Litigation	Complies
25.	FORM 5 B- Environmental, Social, Health and Safety Performance Declaration	Complies
26.	Form 6-Current Contract Commitments / Works in Progress	Complies
27.	Form 6-Financial Situation	Complies
28.	Form 7-Average Annual Turnover	Complies
29.	Form 8-Financial Resources	Complies
30.	Form 9-Experience, General Experience	Complies
31.	Form 10 A (a)- Specific Experience	Complies
32.	Form 10 A (b) Specific Experience in Key Activities in Managing Environmental and Social Safeguards Activities	Complies
33.	Form 11 Local Content Plan	Complies
34.	Plan for subcontracting to at least 30% of the Contract Price to a Local Provider.	Complies

Table 4: Detailed examination of the bid submitted by Kiru General Services Ltd

S/No	Technical Evaluation Criteria	Submission by Kiru General Services Ltd
	Acceptance of the conditions of the proposed contract	The bidder has highlighted the acceptance in the Bid submission sheet item (b) Pg 00001
	Acceptable completion schedule	Completion period of 262 days (starting 2025/10/01 and ending 2026/10/01), equivalent to 8 months and 21 days. Pg 172.
	Acceptability of the proposed program (work method and schedule), including relevant drawings and charts	<p>The proposed program was inclusive of establishment on site, earthworks and pavement layers, drainage works, bituminous layers, ancillary roadworks, and site clearance and handover. It is customized to the project sites of Kireka – Kamuli - Naalya (3.5 Km)</p> <p>As required, the work programme was well-resourced with the expected manpower and equipment to undertake each particular task. Pgs 172 - 179</p>
	Proposed Site Organization	As per the organisation structure presented, Both the Head Office and Site Office staff are linked, all required project staff are presented as per the recommended staff list. Page 102 - 103
	Method Statement	<p>The proposed methodology of 36 pages was inclusive of ESHS activities, surveying & design, mobilization, Manufacturing, shipment and Transportation of inputs/ materials, Earthworks, drainage works, bituminous surfacing, signage, guardrails, marking, painting, pavement installation, street lighting and de-commissioning activities were presented. Pgs 124 - 160</p> <p>Equipment and personnel required at some of the major phases of the project was presented</p> <p>The bidder has proposed and submitted a narrative and comprehensive method statement that illustrates of works/ activities chronologically as exhibited from Pg 124 – 160 of the bids.</p>
	Mobilization Schedule	The mobilization schedule of Local workforce, equipment and materials was embedded within the construction schedule. Demobilization was presented within the construction schedule.

S/No	Technical Evaluation Criteria	Submission by Kiru General Services Ltd
	Sustainable Procurement and ESHS Code of Conduct and Environment and Social Management Plan	<p>The bidder presented a comprehensive elaboration of ESHS while undertaking project implementation on biodiversity management, traffic management plan, child protection, Consent permits, Occupation health and Safety, Grievance Management, Waste management and disposal, HIV/AIDs and STIs, Accidental prevention and management, Community and Stakeholder Management., Water Resource Management and Gender Management. The bidder has not provided documentary evidence to support their compliance with ESHS safeguards management interventions. Instead, the bidder presents letters of confirmation and clearance for implementation of environmental safeguards on the previous projects, from the Environmental Officers from Mitooma District Local Government and Kira Municipality, as well as the Ministry of Works and Transport.</p> <p>The bidder provided a qualified and experienced Environment and Social Safeguards team in line with the requirements as set out in the bidding documents. The bidder has presented supporting evidence of the copies of academic qualifications and CVs and the team's confirmation of availability is presented.</p>

Table 5: Examination of personnel in the bid submitted by Kiru General Services Ltd

S/No	Required Personnel	Submission by Kiru General Services Ltd
1.	Project Manager	Eng Kiberu George Patrick
	Contractor's Representative (Project Manager) B.Sc. Civil Engineering or Equivalent; Registered/Chartered Engineer with a Valid practicing licence	BSc. Engineering 2005 Registered on 2018 Licence 2025 No. 1136
	Minimum years of relevant Work Experience (15 years)	Has 20 years of experience experience.
	Total work experience (20 years)	Has 20 years' experience

S/No	Required Personnel	Submission by Kiru General Services Ltd
	Experience in similar position (10 years)	Has 16 years' experience in similar position
	Site/Earthworks Engineer	Eng William Kiyega
2.	B.Sc. Civil Engineering or Equivalent; Registered/Chartered Engineer with a Valid practicing licence	Bachelor of Civil Engineering 2006 Registered on 2017 P Licence 2025 No. 1054
	Minimum years of relevant Work Experience (10 years)	Has the required 17 years' experience
	Total work experience (15 years)	Has the required 17 years' experience
	Experience in similar position (08 years)	Has 11 years' experience in a similar position
3.	Plant and Equipment Foreman	Benard Kivumbi
	B.Sc. Mechanical Engineering or Equivalent	Bachelor of Mechanical Engineering obtained in 2006
	Minimum years of relevant Work Experience (10 years)	Has 16 years' experience.
	Total work experience (15 years)	Has 16 years' experience.
	Experience in similar position (08 years)	Has 16 years' experience.
	Plant and Equipment Foreman	Mr. Derrick Kijoba
	B.Sc. Mechanical Engineering or Equivalent	Bachelor of Mechanical Engineering obtained in 2010
	Minimum years of relevant Work Experience (10 years)	Has the relevant 10 years' experience.
	Total work experience (15 years)	Has 15 years of total working experience.
	Experience in similar position (08 years)	Has 8 years' experience in a similar position .
	Plant and Equipment Foreman	Mr. Jeffy Briton Ssemuddu
	B.Sc. Mechanical Engineering or Equivalent	Bachelor of Mechanical Engineering obtained in 2006
	Minimum years of relevant Work Experience (10 years)	Has 16 years' experience.
	Total work experience (15 years)	Has 16 years' experience.
	Experience in similar position (08 years)	Has 16 years' experience.

S/No	Required Personnel	Submission by Kiru General Services Ltd
4.	Drainage and Structures Engineer	Mr. Henry Matege
	B.Sc. Civil Engineering or Equivalent. Registered/Chartered Engineer with a Valid practicing licence	Bachelor of Civil Engineering, 2008 Registered on 2017 Licence 2025 No. 1057
	Minimum years of relevant Work Experience (10 years)	Has the relevant 10 years working experience.
	Total work experience (15 years)	Has 16.3 years work experience.
	Experience in similar position (8 years)	Has 8 years' experience in similar position.
5.	Electrical Engineer	Patrick Damulira
	B.Sc. Electrical Engineering or Equivalent; Registered/Chartered Engineer with a Valid practicing licence	BSC. Electrical Engineering 2010 Registered in 2017 Licence No. 1799/2025
	Minimum years of relevant work experience (10 years)	Has 12 years relevant work experience
	Total work experience (15 years)	Has 15 years' experience
Experience in similar position (5 years)	Has 9 years' experience in similar position	
6.	Quantity Surveyor	Ashiraf Kasozi
	B.Sc. Quantity Surveying or Equivalent; Registered with a relevant body	B.Sc. Quantity Surveying 2010 Registered in 2021 Licence No. 426
	Minimum years of relevant Work Experience (10 years)	Has the relevant experience of 14 years
	Total work experience (15 years)	Has the 15 years' experience
Experience in similar position (8 years)	Has the relevant 8 years' experience in similar position	
7.	Senior Land Surveyor	Erias Kamagero Isabirye
	B.Sc. Surveying or Equivalent; Registered with a relevant body	B.Sc. science in surveying, 2008 Registration No. 196 Licence No. 196/2025
	Minimum years of relevant Work Experience (10 years)	Has the relevant 10 years' experience
	Total work experience (15 years)	Has 17 years work experience
Experience in similar position (08 years)	Has the required experience in similar position.	

S/No	Required Personnel	Submission by Kiru General Services Ltd	
8.	Materials and Pavement Engineer/Quality Manager (1)	Patrick Kalule	
	B.Sc. Civil Engineering or Equivalent; Registered/Chartered Engineer with a Valid practicing licence	BSc. Civil Engineering obtained in 2006 Licence. No 973/2025	
	Minimum years of relevant Work Experience (10 years)	Has the relevant 13 years work experience	
	Total work experience (15 years)	Has total 19 years of work experience	
	Experience in similar position (08 years)	Has over 13 years work experience in similar position	
9.	Environmental/Safeguards Manager	Janet Shaban Nbaka	
	BSc. Environmental Science or Equivalent; Registered environmental practitioner	BSc. Environmental Science, 2006 Licence No, CC/EIA/116/24	
	Minimum years of relevant Work Experience (08 years)	Has the relevant experience required	
	Total work experience (10 years)	Has total work experience of 17 years	
	Experience in similar position (5 years)	Has over 10 years' experience in similar position	
10.	Health and Safety Officers	Brayn Okedi	Sasira Phionah
	BSc. Health and Safety or equivalent; Registered environmental practitioner	Master of Science in Environmental and Natural Resource 2015 Licence No, CC/EIA/138/24 Nebosh Certificate, 2015	Bachelors of Science in Environmental and Natural Resource,2015 Licence No, CC/EIA/133/25
	Minimum years of relevant Work Experience (08 years)	He has 8 years of relevant experience in road works	She has 10 years of relevant experience
	Total work experience (10 years)	10 years, 7 months of total work experience.	He has 10 years of total work experience.
	Experience in similar position (05 years)	He has the required 9years & 5months in similar position	Has 6years in similar position.

S/No	Required Personnel	Submission by Kiru General Services Ltd	
11.	Social Development Officers	Esther Nasonko	Jimmy Obwona
	BA. Social Science, BA. Social Works and & Social Administration or Equivalent	Bachelor of Arts & Masters Social Sector Planning and Management, 2009	Bachelor of Social Work and Social Administration, 2007
	Minimum years of relevant Work Experience (08 years)	She has 12 years of relevant experience	13 years of relevant experience
	Total work experience (10 years)	Has 16 years of total work experience	13 years, 8months of total work experience
	Experience in similar position (06 years)	Has 12 yrs of similar work experience in same position	12 years of relevant experience
	Conclusion	Compliant	

Table 6: Examination of equipment owned, leased or hired by Kiru General Services Ltd

No	Equipment Type and Description/ Capacity	Minimum Number required	Submission by Kiru General Services Ltd
1	Hot Mix Plant (batch type only, with electronic and computer controls and vibratory screens. 60 tons/hour capacity)	1	Enclosed an equipment hire agreement from Stirling Civil Engineering Ltd, dated 24 th June 2025 and attached a sales invoice no. 013/03 dated 27 th August 2003
2	Stone crusher with screening unit (Minimum capacity 50 tons/ hour)	1	Enclosed an equipment hire agreement from African Conmat Industries Ltd, dated 19 th June, 2025 and attached an export invoice no. IEC CODE 0815008953 dated 26 th March 2020
3	Asphalt Paver capable of laying 7 m width fitted with electronic sensors for automatic level control	2	<ul style="list-style-type: none"> Enclosed an equipment hire agreement from Stirling Civil Engineering Ltd, dated 24th June 2025 and attached a sales invoice no. 013/03 dated 27th August 2003. Enclosed registration certificate dated UBQ 938V for Reg. No. UBQ 938V
4	Crawler Dozer + Ripper D8, 250 to 350 HP	4	<ul style="list-style-type: none"> Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 9th September 2022 Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 19th June 2025
5	Wheel Front End Loader 170HP	3	<ul style="list-style-type: none"> Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 9th September 2022

No	Equipment Type and Description/ Capacity	Minimum Number required	Submission by Kiru General Services Ltd
			<ul style="list-style-type: none"> Enclosed an equipment hire agreement from Stirling Civil Engineering Ltd, dated 24th June 2025
6	Excavators 0.25 – 0.4 m3 SAE bucket 140 HP	4	<ul style="list-style-type: none"> Enclosed registration certificate dated Reg. No. UBF 621W Enclosed registration certificate dated Reg. No. UBP 963Z Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 9th September 2022
7	Dump Truck (Tipper Truck) 10 – 15 m3	12	Enclosed an equipment hire /lease agreement from GVS Investments Ltd dated 9 th June 2025 for the hire of 12 dump trucks.
9	Water Bowser 12,000 litres	2	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UBB 411U Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 9th September 2022
10	Motor Grader 140 to 185HP	4	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UAK 454L Enclosed registration certificate for Reg. No. UAW 803X Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 9th September 2022
11	Smooth Wheeled Roller 10-12 tons	4	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UBQ 532V Enclosed registration certificate for Reg. No. UBK 909B Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 9th September 2022 Enclosed an equipment hire agreement from Stirling Civil Engineering Ltd, dated 24th June 2025
12	Vibrating Roller 12-14 tons	4	<ul style="list-style-type: none"> Enclosed an equipment hire/lease agreement from Fulcrum Consult Ltd dated 9th September 2022 Enclosed an equipment hire agreement from Stirling Civil Engineering Ltd, dated 24th June 2025
13	Pneumatic Tyred Roller up to 16 tons	3	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UBR 989Q

No	Equipment Type and Description/ Capacity	Minimum Number required	Submission by Kiru General Services Ltd
			<ul style="list-style-type: none"> Enclosed an equipment hire agreement from Stirling Civil Engineering Ltd, dated 24th June 2025
14	Mechanical broom	2	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UBL 984D Enclosed registration certificate for Reg. No. UBH 084M
15	Concrete mixer 0.5 – 1.0 m ³	4	<ul style="list-style-type: none"> Enclosed a Tax invoice from Terrain Plant Limited dated 2nd May, 2024, No. INV /24/00590 Enclosed a Tax invoice from Terrain Plant Limited dated 2nd May, 2024, No. INV /24/00785 Enclosed a Tax invoice from Terrain Plant Limited dated 2nd May, 2024, No. INV /24/00687
16	Concrete Transit Mixer	2	Enclosed an equipment hire agreement from Dippsi Concrete Products Limited, dated 19 th June 2025
17	Mobile Crane 40 tons	2	Enclosed an equipment hire agreement from Adam Source and Contacts Limited, dated 11 th September 2024
18	Bitumen Distributor 8000litres	2	Enclosed an equipment hire agreement from Stirling Civil Engineering Ltd, dated 24 th June 2025
19	Hydraulic shovel 1.0 – 1.5 m ³	2	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UBN 589X Enclosed registration certificate for Reg. No. UBF 579W
20	Grid Roller 10 – 13.5 ton	2	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UBF 552L Enclosed registration certificate for Reg. No. UAN 536S
21	Low-bed	2	<ul style="list-style-type: none"> Enclosed registration certificate for Reg. No. UBQ 846Z Enclosed registration certificate for Reg. No. UBM 378V
22	Set of sufficient survey equipment for setting out and control of works, such as a GPS, a total station and an automatic level	1	<ul style="list-style-type: none"> Enclosed a tax invoice from Survet Uganda Limited dated 5th November 2024 Enclosed a tax invoice from Terrain Plant Limited dated 21st May 2019

No	Equipment Type and Description/ Capacity	Minimum Number required	Submission by Kiru General Services Ltd
			<ul style="list-style-type: none"> Enclosed a tax invoice from FK Domestic Supplies Ltd dated 12th June 2019 Enclosed a tax invoice from Keshav Technomac Co. Ltd dated 17th February 2015
	Conclusion		Compliant

Table 7: Examination of qualification and eligibility requirements in the bid submitted by Kiru General Services Ltd

Sub-Factor	Requirement	Documents required	Submission by Kiru General Services Ltd
6.2.2 Pending Litigation	All pending litigation shall in total not represent more than Twenty percent (20 %) of the Bidder's net worth and shall be treated as resolved against the Bidder.	Form5A	Bidder declares on Form 5a that he has NO record of pending litigation processes.
6.2.3 Declaration of Environmental, Social, Health, and Safety (ESHS) past performance	Declare any civil works contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, or social, or health or safety requirements or safeguard in the past five years.	Form5B ESHS Performance Declaration	Bidder presented Form 5 B. A declaration was made with no non-compliances in the management of ESHS in previous assignments
6.2.6 Financial Resources	The Bidder must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to meet: The following cash-flow requirement of 5 billion every 4 months' cycle and the overall cash flow	Form 8 and line of credit	Letter from Guarantee Trust Bank offering UGX 5Billion every four months.

Sub-Factor	Requirement	Documents required	Submission by Kiru General Services Ltd
	requirements for this contract and its concurrent commitments.		
6.2.7 General Experience	Experience under contracts in the role of contractor, subcontractor, or management contractor for the last three (03) years before the bid submission deadline, and with activity in at least <u>Six</u> months in each year.	Form 9 and Certificates of Completion or Substantial Completion	Bidder presents the following general experience: <ul style="list-style-type: none"> • Construction of drainage works, Walkways and sectional repairs for section 0+000 to 0+808 Naguru Avenue • Completion of new Health Centre III in selected Urban Local Governments under UgFIT – Kirinya HC III • Construction of Bajaber Link, George Kimbowa Road, Kasenya Road, Matyrs way, Sadler Lane, Naijja Channel, Nabugala and Kitamanyagamba (5.28Km) • Construction of Busega Market Drainage and Parking, Caperoad Pavement, Drainage structure and Landscaping, Walusimbi Close, Ancilliary works on City Road junctions (5.185Km) • Routine mechanized maintenance of selected paved roads under framework contract fo three Years. Lot 4 Seeta – Namugongo (7.2Km) Kireka – Namugongo (7.0Km), Silver springs – Bweyogerere 6.7Km, Namboole Circular

Sub-Factor	Requirement	Documents required	Submission by Kiru General Services Ltd
			(3.9Km), Bweyogerere – Bukasa (6.0Km), Seeta – Namilyango (4.2Km) and Kajjansi – Munyonyo (11.3Km)
6.2.8 Specific Experience	<p>(a)Participation as a contractor, management contractor, or subcontractor, in at least two contracts within the last five years, each with a value of at least Uganda Shillings 20 Billion that have been successfully and substantially completed (at least 70 percent complete) and that are similar to the proposed works. The similarity shall be based on the physical size, & complexity, technology or other characteristics as described in Section 6, Statement of Requirements.</p> <p>The similarity of the contracts shall be based physical size complexity, construction methods /technology or other characteristics as described in Section VII, Scope of Works.</p>	Form 10 and Certificates of Completion or Substantial Completion	<p>Bidder presents the following specific experience</p> <ul style="list-style-type: none"> • Construction of Bajaber Link, George Kimbowa Road, Kasenya Road, Matyrs way, Sadler Lane, Naijja Channel, Nabugala and Kitamanyagamba (5.28Km) • Construction of Busega Market Drainage and Parking, Caperoad Pavement, Drainage structure and Landscaping, Walusimbi Close, Ancilliary works on City Road junctions (5.185Km)
6.2.9 Specific Experience	<p>For the above or other contracts executed during the period stipulated in 6.2.8(a) above, a minimum experience in the following key activities:</p> <p>Gravel fill and subgrade – 20,000m³</p>	Form 10 and copies of the contracts providing the scope of the works	124,498 M ³

Sub-Factor	Requirement	Documents required	Submission by Kiru General Services Ltd
	Concrete Kerbs – 8,000m		8,500
	Stone pitching – 1,000m ²		2,000 M ²
	Crushed Stone Subbase or Base – 8,000m ³		13,931 M ³
	Rock filling – 1,000m ³		1,500 M ³
	Asphalt concrete Surfacing – 3,000m ³		4,422 M ³
	Culvert installation – 8,000m		13,476m
6.2.10 Specific Experience-Environment and Social Activities	<p>Experience in Implementing Environmental and social (ES) aspects in construction projects, including but not limited to:</p> <ul style="list-style-type: none"> • Biodiversity, • Traffic management, • Child protection, • Consents and permits, • Occupational safety and health, • Grievance management, • Waste management and disposal, • HIV/AIDS and STIs, • Accident prevention and management, • Communication and stakeholder engagement, • Water resource protection, • Gender management. 	<p>Form 10B and evidence of compliance with ES requirements in previous contracts including but not limited to NEMA certificates, Workplace registration certificates from MoGLSD, Environmental and Social Audit-copy of Compliance agreements or improvement notice from NEMA, evidence of compliance with water-use requirements (copy of water abstraction permit), copies of</p>	<p>The bidder presented a comprehensive elaboration of ESHS while undertaking project implementation on biodiversity management, traffic management plan, child protection, Consent permits, Occupation health and Safety, Grievance Management, Waste management and disposal, HIV/AIDS and STIs, Accidental prevention and management, Community and Stakeholder Management., Water Resource Management and Gender Management. The bidder has not provided documentary evidence to support their compliance with ESHS safeguards management interventions. Instead, the bidder presents letters of confirmation and clearance for implementation of environmental safeguards on the previous projects, from the Environmental Officers from Mitooma District Local Government</p>

Sub-Factor	Requirement	Documents required	Submission by Kiru General Services Ltd
		Development permits, hoarding permits for auxiliary sites in the previous contracts.	and Kira Municipality as well the Ministry of Works and Transport.
6.2.11	In accordance with the PPDA guideline issued on 01 March 2017, and the local content Bill 2019, the bidder must submit evidence of a sub-contracting arrangement or other agreement with a local company or local companies (<i>A local company is defined as a company registered in Uganda and wholly owned by Ugandans</i>) that shall include details of the works with the local company/ies amounting to at least 30% of the scope of contracted works.	Form 11	<u>N/A</u>
6.2.12	The bidder shall submit details of the registration certificates and certificates of incorporation of the local company (ies)	Form 11	<u>N/A</u>
6.2.13	The local company in (ii) above shall submit particulars at least one Key Staff with at a degree in Engineering to be employed by the Local Company with an active role in the company's site operations.	Form 11	<u>N/A</u>
6.2.14	The Bidder shall submit details of previous construction experience gained by the Local company (ies) in road construction.	Form 9 and Certificates of Completion or Substantial Completion	1. <u>N/A</u>

Sub-Factor	Requirement	Documents required	Submission by Kiru General Services Ltd
6.2.15	The bidder shall submit copies of the sub-contract agreement with the local company/ies detailing the scope of works that are to be executed by the local company	Sub-contract agreements	<u>N/A</u>

6.0 CONCLUSION AND RECOMMENDATION

In light of the findings above, the Authority found **no merit** in the Grounds raised and recommends that the procurement should proceed to its logical conclusion.