



**REPUBLIC OF KENYA
MINISTRY OF INDUSTRIALIZATION TRADE
AND ENTERPRISE DEVELOPMENT**

**P. O. BOX 30430-00100
NAIROBI**

STATE DEPARTMENT FOR TRADE AND ENTERPRISE DEVELOPMENT

**PREQUALIFICATION/REGISTRATION OF SUPPLIERS /
CONTRACTORS FOR SUPPLY OF GOODS AND PROVISION
OF SERVICES FOR THE FINANCIAL YEAR 2022/2023**

**TENDER NO.
MOITED/SDTED/PQF/001/2022-2023**

CATEGORY APPLIED FOR.....

CLOSING/OPENING DATE - TUESDAY 21th SEPTEMBER 2022 AT 10.00 A.M.

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PRE-QUALIFICATION DOCUMENT FOR WORKS AND GOODS CONTRACTS

Invitation for Pre-qualification No.:

MOITED/SDTED/PQF/001/2022-2023

Procuring Entity or Procuring Entity: **STATE DEPARTMENT FORTRADE AND ENTERPRISE
DEVELOPMENT**

Issued on: **Tuesday 6th September 2022**



REPUBLIC OF KENYA
MINISTRY OF INDUSTRIALIZATION TRADE AND
ENTERPRISE DEVELOPMENT
INVITATION TO PREQUALIFICATION

PREQUALIFICATION OF SUPPLIERS FOR SUPPLY OF GOODS AND PROVISION OF SERVICES
TENDER NO: MOITED/SDTED/PQF/001/2022-2023

Date: **6th September 2022**

Tenders are invited for prequalification of suppliers from interested and eligible bidders for the supply/provision of the under listed goods / services for the Financial Year 2022/2023.

S/NO	CATEGORY NO.	ITEM DESCRIPTION
		SUPPLY OF GOODS
1.	A1	Registration for Supply of Office Equipment.
2.	A2	Registration for Supply of Furniture & Fittings (Agents/Dealers of locally manufactured furniture only).
3.	A3	Registration for Supply of General Office Stationeries.
4.	A4	Registration for Supply of Toners and other Computer consumables and accessories.
5.	A5	Registration for Supply of Hardware & Electrical items & services.
6.	A6	Prequalification Registration for Supply and delivery of bottled mineral water.
7.	A7	Registration for Supply and delivery of staff uniforms, footwear and other clothing.
8.	A8	Registration for Supply of Tents, Chairs, Table's decoration services (dressing drapery)
9.	A9	Registration for Supply and fitting of motor vehicles tyres, tubes, batteries.
10.	A10	Registration for Supply of Gifts, Carvings and Paintings.
		PROVISION OF SERVICES
11.	B1	Registration for Provision of Designing & Printing Services of newsletters.
12.	B2	Registration for Provision of Travel, Air Ticketing services and Travel Insurance Services (IATA/KATA Registered firms.)
13.	B3	Registration for Provision and maintenance of Telephone, Fax Machines and other Telecommunication equipment.
14.	B4	Registration for Provision of Graphic Designs and Printing Services.
15.	B5	Registration for Design and production of branded and promotional materials (t-shirts, caps, pens, folders, brochures, fliers, calendars,

		diaries, banners, roll-up banners, mugs, key holders, umbrellas, wheel covers, wall clocks, signage and Other promotional.
16.	B6	Registration for Supply and provision of films, videos, digital camera, TVs and other audio-visual and photographic materials, equipment and photographic and video services giveaways)
17.	B7	Registration for Provision of laundry/cleaning services of curtains, nettings, blinds, sofa sets and other upholstery.
18.	B8	Prequalification for Repair and maintenance of office furniture and fittings.
19.	B9	Prequalification for Provision of car hire services and transport Services including limousine and chauffeur services.
20.	B10	Prequalification for Development and maintenance of LAN (Local area network) and network equipment.
21.	B11	Prequalification for Provision of Multimedia Services, PR Support services and event management services.
22.	B12	Prequalification for Provision of Asset Engraving/Marking and Cataloguing Services.
23.	B13	Prequalification for Provision of Auctioneering Services.
24.	B14	Prequalification for Provision of Courier Services.
25.	B15	Prequalification for Provision of repairs, maintenance and service of office and machines and equipment
26.	B16	Prequalification for Minor maintenance works, plumbing, electrical works, partitioning and painting of offices and Buildings.

Eligible Suppliers may obtain the document from the Ministry of Industrialization, Trade and Enterprise Development, State Department for Trade and Enterprise Development Telposta Towers 17th Floor Room 1702 during normal working hours in person at a non-refundable fee of **Kshs.1000/-** which is paid in cash at the cash office before, **5.00pm** on normal working days or in bankers cheque payable to the Principal Secretary State Department For Trade And Enterprise Development or downloaded from the State Department For Trade And Enterprise Development website <http://www.trade.go.ke> and Public Procurement Information Portal www.tenders.go.ke. Free of charge.

Suppliers currently in the State Department for Enterprise and Development database who wish to be retained are required to apply and submit up to date information required in the registration of suppliers' document.

Completed Tender Documents, “**Original**” enclosed in plain sealed envelope, marked with the Tender Number shall be addressed to: -

The Principal Secretary,
Ministry of Industrialization, Trade and Enterprise Development,
State Department for Trade and Enterprise Development
P.O. Box 30430-00100

Nairobi

And be deposited in State Department for Trade and Enterprise Development tender box on the 17th floor Telposta Towers. To be received on or before **21st September 2022** at **10.00a.m.**

All Bid Documents must be serialized / paginated.

Tenders will be opened immediately thereafter in the presence of the tenderers or their representatives who choose to attend the opening at **State Department for Trade and Enterprise**

Development, Telposta Building, 18th Floor, Board Room on 21st September 2022, at 10.00 am.

**HEAD, SUPPLY CHAIN MANAGEMENT SERVICES
FOR: PRINCIPAL SECRETARY/ STATE DEPARTMENT FOR TRADE AND ENTERPRISE DEVELOPMENT**

PART 1 - TENDER PROCEDURES

SECTION I - INSTRUCTIONS TO TENDERERS (ITA)

A. General

1. Scope of Tender

1.1 The name of the Procuring Entity inviting for Tenders is defined in the **PDS**. The particular type of contract (works, goods or Non-Consulting Services required) and its name and description of the contract(s) and its reference number are defined in the **PDS**. If the scope of contract so defined is in multiple contracts, it will be specified in the **PDS** if prequalification will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non-Consulting Services are described in Section V (Scope of Works or goods contract).

2. **Source of Funds** to be specified in the PDS, if deemed necessary.

3. Fraud and Corruption

3.1 The Government of Kenya requires compliance with its Anti-Corruption laws and its prevailing sanctions policies and procedures.

3.2 In further pursuance of this policy, Tenderers shall permit and shall cause their agents (where declared or not), subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Procurement Regulatory Authority (PPRA) to inspect all accounts, records and other documents relating to any initial selection process, prequalification process, tender submission (in case prequalified), proposal submission, and contract performance (in the case of award), and to have them audited by auditors appointed by the PPRA.

4. Collusive practices

4.1 The Procuring Entity requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any Tenderer found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, Tenderers shall be required to complete and sign a Certificate of Independent Tender Determination" annexed to the Form of Tenderer.

5. Eligible Tenderers

5.1 Tenderers shall meet the eligibility criteria as per this ITA and ITA 5.1 and a Tenderer may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9 or any combination of such entities in the form of a joint venture ("JV") under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Members of a joint venture may not also make an individual tender, be a subcontractor in a separate tender or be part of another joint venture for the purposes of the same Tender. The maximum number of JV members shall be specified in the PDS.

5.2 Public Officers of the Procuring Entity, their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse, their business associates or agents and firms/organizations in which they have a substantial or controlling interest shall not be eligible to be prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.

5.3 A firm may apply for prequalification both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same

Contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.

5.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its Tender for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Tenderer will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.

5.5 A Tenderer may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2. A Tenderer shall be deemed to have the nationality of a country if the Tenderer is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. Sub-contractors or suppliers for any part of the Contract including related Non-Consulting Services.

5.6 Tenderers shall not have a conflict of interest. Tenderers shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Procuring Entity as Engineer for contract implementation of the contract(s) that are the subject of this prequalification. In addition, Tenderers may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Procuring Entity who:

- a) are directly or indirectly involved in the preparation of the prequalification Document or Invitation to Tender (ITT), Document or specifications of the Contract, and/or the Tender evaluation process of such Contract; or
- b) Would be involved in the implementation or supervision of such Contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Procuring Entity throughout the prequalification, ITT process and execution of the Contract.

5.7 A Tenderer that has been debarred shall be ineligible to be initially selected for, prequalified for, tender for, propose for, or be awarded a contract during such period of time as the PPRA shall have determined. The list of debarred firms and individuals is available at www.ppra.go.ke

5.8 Tenderers that are state-owned enterprise or institutions in Kenya may be eligible to prequalify, compete and be awarded a Contract(s) only if they can establish, in a manner acceptable to the Procuring Entity, that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of any public entity.

5.9 A Tenderer shall not be under sanction of debarment from Tendering by the PPRA as the result of the execution of a Tender/Proposal-Securing Declaration.

5.10 A Tenderer that is a Kenyan firm or citizen shall provide evidence of having fulfilled his/her tax obligations by producing a current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority.

5.11 A Tenderer shall provide any other such documentary evidence of eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

6. Eligibility

6.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated herein. The countries, persons or entities are ineligible if:

- a) As a matter of law or official regulations, Kenya prohibits commercial relations with that country, or
- b) By an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, Kenya prohibits any import of goods or contracting of works or Non- Consulting Services from that country, or any payments to any country, person, or entity in that country.

6.2 When the Works, supply of Goods or provision of non-consulting services are implemented a cross jurisdictional boundary (and more than one country is a Procuring Entity, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1 (a) above by any country may be applied to that procurement a cross other countries involved, if the Procuring Entities involved in the procurement so agree.

6.3 Any goods, works and production processes with characteristics that have been declared by the relevant national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

B. Contents of the Prequalification Documents

7. Sections of Prequalification Document

7.1 This Prequalification Document consists of parts1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

PART 1 - Prequalification Procedures

- i) Section I- Instructions to Tenderers (ITA)
- ii) Section II - Prequalification Data Sheet (PDS)
- iii) Section III - Qualification Criteria and Requirements
- iv) Section IV- Tender Forms

PART 2 - Works, Goods, or Non-Consulting Services Requirements

- i) Section VII- Scope of Works, Goods, or Non-Consulting Services

7.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Tender meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.

7.3 The Tenderer is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Tender all information or documentation as is required by the Prequalification Document.

8. Clarification of Prequalification Documents, site visit(s) and Pre-Tender Meeting

8.1 A Tenderer requiring any clarification of the Prequalification Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated in the **PDS**. The Procuring Entity will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the Tenders. The Procuring Entity shall forward a copy of its response to all prospective Tenderers who have obtained the Prequalification Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **PDS**. Should the Procuring Entity deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure

under ITA 8. And in accordance with the provisions of ITA 17.2.

8.2 The Tenderer, at the Tenderer's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the Tender. The costs of visiting the Site shall be at the Tenderer's own expense. The Procuring Entity shall specify in the **PDS** if a pre-Tender meeting will be held, when and where. The Procuring Entity shall also specify in the **PDS** if a pre-arranged Site visit will be held and when. The Tenderer's designated representative is invited to attend a pre-Tender meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.

8.3 The Tenderer is requested to submit any questions in writing, to reach the Procuring Entity not later than the period specified in the **PDS** before the submission date of Tenders.

8.4 Minutes of a pre-arranged site visit and those of the pre-Tender meeting, if applicable, including the text of the questions asked by Tenderers and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Tenderers who have acquired the prequalification documents. Minutes shall not identify the source of the questions asked.

8.5 The Procuring Entity shall also promptly publish anonymized (*no names*) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified in the **PDS**. Any modification to the Prequalification Documents that may become necessary as a result of the pre-arranged site visit and those of the pre-Tender meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to PDS 8 and not through the minutes of the pre-Tender meeting. Non-attendance at the pre-arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

9. Amendment of Prequalification Document

9.1 At any time prior to the deadline for submission of Tenders, the Procuring Entity may amend the Prequalification Document by issuing an Addendum.

9.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all Tenderers who have obtained the Prequalification Document from the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the **PDS**.

9.3 To give Tenderers reasonable time to take an Addendum into account in preparing their Tenders, the Procuring Entity may, at its discretion, extend the deadline for the submission of Tenders in accordance with ITA 17.2.

C. Preparation of Tenders

10. Cost of Tenders

10.1 The Tenderer shall bear all costs associated with the preparation and submission of its Tender. The Procuring Entity will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

11. Language of Tender

11.1 The Tender as well as all correspondence and documents relating to the prequalification exchanged by the Tenderer and the Procuring Entity, shall be written in English Language. Supporting documents and printed literature that are part of the Tender may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the English language, in which case, for purposes of interpretation of the Tender, the translation shall govern.

12. Documents Comprising the Tender

12.1 The Tender shall comprise the following:

- a) Tender Submission Letter, in accordance with ITA 13.1;
- b) Eligibility: documentary evidence establishing the Tenderer's eligibility, in accordance with ITA 14.1;
- c) Qualifications: documentary evidence establishing the Tenderer's qualifications, in accordance with ITA 15; and
- d) Any other document required as specified in the PDS.

12.2 The Tenderer shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Tender.

13. Tender Submission Letter

13.1 The Tenderer shall complete a Tender Submission Letter as provided in Section IV (Tender Forms). This Letter must be completed without any alteration to its format.

14. Documents Establishing the Eligibility of the Tenderer

14.1 To establish its eligibility in accordance with ITA 4, the Tenderer shall complete the eligibility declarations in the Tender Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV (Tender Forms).

15. Documents Establishing the Qualifications of the Tenderer

15.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Tenderer shall provide the information requested in the corresponding Information Sheets included in Section IV (Tender Forms).

Wherever a Tender Form requires a Tenderer to state a monetary amount, Tenderers should indicate the Kenya Shilling equivalent using the rate of exchange determined as follows:

- a) For construction turnover or financial data required for each Year-Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted).
- b) Value of single Contract-Exchange rate prevailing on the date of the contract.

15.2 Exchange rates shall be taken from the publicly available source identified in the PDS. Any error in determining the exchange rates in the Tender may be corrected by the Procuring Entity.

15.3 Tenderers shall be asked to provide, as part of the data for qualification, such information, including details of ownership, as shall be required to determine whether, according to the classification established by the Procuring Entity, a particular contractor or group of contractors qualifies for a margin of preference. Further the information will enable the Procuring Entity identify any actual or potential conflict of interest in relation to the procurement and/or contract management processes, or a possibility of collusion between Tenderers, and thereby help to prevent any corrupt influence in relation to the procurement processor contract management.

15.4 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which a Tenderer may have. There can be no circumstances in which it would be justified for a Tenderer to keep information relating to its ownership and control confidential where it is tendering to undertake public sector work and receive

public sector funds. Thus, confidentiality will not be accepted by the Procuring Entity as a justification for a Tenderer's failure to disclose, or failure to provide required information on its ownership and control.

- 15.5** The Tenderer shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changes to the information which was provided by the Tenderer under ITT 6.3. The obligations to require this information shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or management of the contract.
- 15.6** All information provided by the Tenderer pursuant to these requirements must be complete, current and accurate as at the date of provision to the Procuring Entity. In submitting the information required pursuant to these requirements, the Tenderer shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.
- 15.7** If a Tenderer fails to submit the information required by these requirements, its Tender will be rejected. Similarly, if the Procuring Entity is unable, after taking reasonable steps, to verify to a reasonable degree the information submitted by a Tenderer pursuant to these requirements, then the Tender will be rejected.
- 15.8** If information submitted by a Tenderer pursuant to these requirements, or obtained by the Procuring Entity (whether through its own enquiries, through notification by the public or otherwise), shows any conflict of interest which could materially and improperly benefit the Tenderer in relation to the procurement or contract management process, then:
- a) If the procurement process is still ongoing, the Tenderer will be disqualified from the procurement process,
 - b) If the contract has been awarded to that Tenderer, the contract award will be set aside,
- 15.9** The Tenderer will be referred to the relevant law enforcement authorities for investigation of whether the Tenderer or any other persons have committed any criminal offence.
- 15.10** If a Tenderer submits information pursuant to these requirements that is incomplete, inaccurate or out-of-date, or attempts to obstruct the verification process, then the consequences ITT 6.7 will ensue unless the Tenderer can show to the reasonable satisfaction of the Procuring Entity that any such act was not material, or was due to genuine error which was not attributable to the intentional act, negligence or recklessness of the Tenderer.

16. Signing of the Tender and Number of Copies

- 16.1** The Tenderer shall prepare one original of the documents comprising the Tender as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Tender shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Tenderer. In case the Tenderer is a JV, the Tender shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

The Tenderer shall submit copies of the signed original Tender, in the number specified in the PDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Tenders

17. Sealing and Marking of Tenders

17.1 The Tenderer shall enclose the original and the copies of the Tender in a sealed envelope that shall:

- a) Bear the name and address of the Tenderer;
- b) Be addressed to the Procuring Entity, in accordance with ITA 17.1; and
- c) Bear the specific identification of this prequalification process indicated in the PDS 1.1.

17.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

18. Deadline for Submission of Tenders

18.1 Tenderers may either submit their Tenders by mail or by hand. Tenders shall be received by the Procuring Entity at the address and no later than the deadline indicated in the PDS. When so specified in the PDS, Tenderers have the option of submitting their Tenders electronically, in accordance with electronic Tender submission procedures specified in the PDS.

18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Tenders by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Procuring Entity and the Tenderers subject to the previous deadline shall thereafter be subject to the deadline as extended.

19. Late Tenders

19.1 The Procuring Entity reserves the right to accept Tenders received after the deadline for submission of Tenders, unless otherwise specified in the PDS. If late Tenders will be accepted, they must be received not later than the date specified in the TDS after the deadline for submission of Tenders.

20. Opening of Tenders

20.1 The Procuring Entity shall open all Tenders at the date, time and place specified in the PDS. Late Tenders shall be treated in accordance with ITA 19.1.

20.2 Tenders submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the PDS.

20.2 The Procuring Entity shall prepare a record of the opening of Tenders to include, as a minimum, the name of the Tenderers. A copy of the record shall be distributed to all Tenderers.

E. Procedures for Evaluation of Tenders

21. Confidentiality

21.1 Information relating to the Tenders, their evaluation and results of the prequalification shall not be disclosed to Tenderers or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Tenderers in accordance with ITA 28.

21.2 From the deadline for submission of Tenders to the time of notification of the results of the prequalification in accordance with ITA 28, any Tenderer that wishes to contact the Procuring Entity on any matter related to the prequalification process may do so only in writing.

22. Clarification of Tenders

22.1 To assist in the evaluation of Tenders, the Procuring Entity may, at its discretion, ask a Tenderer for a clarification (including missing documents) of its Tender, to be submitted within a stated reasonable period of time. Any request for clarification from the Procuring Entity and all clarifications from the Tenderer shall be in writing.

22.1 If a Tenderer does not provide clarifications and/or documents requested by the date and time set in the Procuring Entity's request for clarification, its Tender shall be evaluated based on the information and documents available at the time of evaluation of the Tender.

23. Responsiveness of Tenders

23.1 The Procuring Entity may reject any Tender which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Tenderer is incomplete or otherwise requires clarification as per ITA 21.1, and the Tenderer fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Tenderer.

24. Margin of Preference

24.1 Unless otherwise specified in the **PDS**, a margin of preference shall not apply in the Tendering process resulting from this prequalification.

25. Nominated Subcontractors

25.1 Unless otherwise stated in the PDS, the Procuring Entity does not intend to execute any specific elements of the works by sub-contractors selected in advance by the Procuring Entity (so-called "Nominated Subcontractors").

25.2 The Tenderer shall not propose to subcontract the whole of the Works or Goods. The maximum limit of subcontracting permitted under the contract may be specified by the Procuring Entity in the Tendering Document. The Procuring Entity, in ITA 25.2, may permit the Tenderer to propose subcontractors for certain specialized parts of the contract as indicated there in as ("Specialized Subcontractors"). Tenderers planning to use such Specialized Subcontractors shall specify, in the Tender Submission Letter, the activity(ies) or parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

F. Evaluation of Tenders and Prequalification of Tenderers

26. Evaluation of Tenders

26.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Tenderers, and no other methods, criteria, or requirements shall be used. The Procuring Entity reserves the right to waive min or deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of a Tenderer to perform the Contract.

26.2 Subcontractors proposed by the Tenderer shall be fully qualified and meet the minimum specific experience criteria as specified for their parts of the proposed contract for Works or Goods or non-consulting services. The subcontractor's qualifications shall not be used by the Tenderer to qualify for the Works or Goods or non- consulting services unless their parts of the Works or Goods or non-consulting services were previously designated by the Procuring Entity in the PDS as can be met by Specialized Subcontractors, in which case:

- i) The Specialized Subcontractors shall meet the minimum qualification requirements specified in Section III, and
- ii) The qualifications with respect to specific experience of the Specialized Subcontractor proposed by the Tenderer may be added to the qualification soft he Tenderer for the purpose of the evaluation.

Unless the Tenderer has been determined prequalified on its own without taking into account the qualification and experience of the proposed specialized sub-contractor, the tender submitted by the Tenderer shall include the same specialized sub-contractor failing which, such tender may be rejected unless a change in the specialized sub-contractor was requested by the Tenderer and approved by the Procuring Entity subsequent to prequalification but before the tender submission deadline in accordance with ITA 30.

26.3 In case of multiple contracts, Tenderers should indicate in their Tenders the individual contract or combination of contracts in which they are interested. The Procuring Entity shall prequalify each Tenderer for each lot and for a combination of contracts for which the Tenderer has thereby indicated its interest and for which the Tenderer meets the appropriate aggregate requirements the Eligibility and Qualification Criteria.

26.4 Further, in the case of multiple contracts, the Procuring Entity will prepare the Eligibility and Qualification Criteria Form for items 3.1, 3.2, 4.2(a) and 4.2(b) for each Lot, to be completed by Tenderers.

26.5 Only the qualifications of the Tenderer shall be considered. The qualifications of other firms, including the Tenderer's subsidiaries, parent entities, affiliates, subcontractors (other than Specialized Subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Tenderer shall not be considered.

27. Procuring Entity's Right to Accept or Reject Tenders

27.1 The Procuring Entity reserves the right to accept or reject any Tender, and to annul the prequalification process and reject all Tenders at any time, without thereby incurring any liability to the Tenderers.

28. Prequalification of Tenderers

28.1 All Tenderers whose Tenders substantially meet or exceed the specified qualification requirements will be prequalified by the Procuring Entity. The Procuring Entity shall notify all Tenderers in writing of the names of those Tenderers who have been prequalified or conditionally prequalified. In addition, those Tenderers who have been disqualified will be informed separately.

28.32 Tenderers that have not been prequalified may write to the Procuring Entity to request, in writing, the grounds on which they were disqualified.

29. Invitation to Tender

29.1 Promptly after the notification of the results of the prequalification, the Procuring Entity shall invite Tenders from all the Tenderers that have been prequalified or conditionally prequalified.

28.2 Tenderers may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity in the form and an amount to be specified in the tendering document.

28.3 The successful Tenderer shall be required to provide a Performance Security as specified in the tendering document.

30. Changes in Qualifications of Tenderers

30.1 Any change in the structure or formation of a Tenderer after being prequalified in accordance with ITA 27 and invited to tender (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor whose qualifications were considered to prequalify the Tenderer) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a prequalified Tenderer proposes to associate with a disqualified Tenderer or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Tenderer no longer substantially meets the qualification criteria set forth in Section III (Qualification Criteria and Requirements); or (iii) in the opinion of the Procuring Entity, the change may result in a substantial reduction in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Invitation to Tender.

31. Procurement Related Complaints

31.1 The procedures for making a Procurement-related Complaint are as specified in the PDS.

SECTION II - PREQUALIFICATION DATA SHEET (PDS)

A. General	
ITA 1.1	<p>The Procuring Entity is; The State Department for Trade and Enterprise Development of P.O. Box 30430-00100 Nairobi</p> <p>The identification of the Invitation for Prequalification is: MOITED/SDTED/PQF/001/2022-2023</p> <p>The particular type of contract is for Services and Goods</p> <p>The Tender is for: Prequalification of Suppliers / Contractors for Supply of Goods and Provision of Services for the Financial Year 2022/2023</p> <p>Prequalification will be based on: Individual Contract</p>
ITA 2	The Source of funds shall be: Government of Kenya
ITA 5	Maximum number of members in JV shall be: N/A
B. Comments of the Prequalification Document	
ITA 8.1	<p>For clarification purposes the Procuring Entity's Address is;</p> <p style="text-align: center;"> The Principal Secretary Ministry of Industrialization, Trade and Enterprise Development, State Department for Trade and Enterprise Development Telposta Towers Kenyatta Avenue, Nairobi 18th Floor, P.O. Box 30430 - 00100 Nairobi Tel: +254-20-2242829 Email: ps.trade@trade.go.ke </p>
ITA 8.2	A pre- arranged meeting will be held on: N/A
	Pre- Tender meeting shall be held: No
ITA 8.3	A pre - arrange site visit will be held on: N/A
ITA 8.5	Minutes of the pre-arranged site visit and those of the pre-proposed meeting at the web page: N/A
ITA 9.2	Addendum issued shall be published at the website: http://www.trade.go.ke and www.tenders.go.ke
C. Preparation of Tender	

ITA 12.1 (d)	<p>The Tenderer shall submit (Mandatory Requirement) with its Tender the following documents;</p> <ol style="list-style-type: none"> 1. Certified copy of Certificate of Registration / Certificate of Incorporation. 2. Copy of Valid Tax Compliance Certificate from Kenya Revenue Authority 3. Certified copy of Certificate of Confirmation of Directors and Shareholding (CR 12) (Issued within the last 12 Months to Tender Opening Date) 4. The bid document “Original” must be sequentially paginated / serialized.
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	<p>For bidders applying for Provision of Travel and Air Ticketing Services</p> <p>1. Must have accreditation to professional body IATA for the last 1 year. Attach at least 1-year certificate from IATA or letter from IATA</p> <p>NB: All copies that require certification to be certified by an Advocate and Commissioner of Oaths, High Court of Kenya</p>
ITA 15.2 (b)	The source for determining exchange rates is: Central Bank of Kenya
ITA 16.2	In addition to the original, the number of copies to be submitted with the Tender is: N/A
D. Submission of Tender	
ITA 17.1	<p>The deadline for Tender submission is: Date: Tuesday 21st September 2022 Time: 10.00 A.M.</p> <p>The Principal Secretary Ministry of Industrialization, Trade and Enterprise Development, State Department for Trade and Enterprise Development Telposta Towers Nairobi, Kenya Kenyatta Avenue, Nairobi Deposited in the Tender Box, located at Telposta Towers, 17th Floor.</p>
ITA 18.1	Late Tenders will be returned unopened to the Tenderer
ITA 19.1	The Procuring Entity will not accept late Tenders
ITA 20.1	<p>The opening of the Tenders shall be at: State Department for Trade and Enterprise Development, Kenyatta Avenue, Nairobi Telposta Towers, 18th Floor, Board Room at 10.00am</p>
ITA 20.2	The electronic Tender opening procedure shall be; N/A
E. Procedure for Evaluation of Tenders	
ITA 24.1	A margin of preference: N/A
ITA 25.1	At this time the Procuring Entity does not intend to execute certain specific parts of the Goods / Services by sub-contractors selected in advance
ITA 25.2	The parts of the Goods / Services for which the Procuring Entity permits the Tenderer to propose specialized Sub Contractors are described as follows; N/A
ITA 31.1	Any Tenderer wishes to make a Procurement related complaint, the Tenderer should submit its complaint in writing to: www.ppra.go.ke or email complaint@ppra.go.ke

SECTION III - QUALIFICATION CRITERIA AND REQUIREMENTS

1. This section contains all the methods, criteria, and requirements that the Procuring Entity shall use to evaluate Tenders, all in one Form “Eligibility and Qualification Criteria”. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the Form.
2. The Procuring Entity shall insert one Form for each Lot or Contract in case of multiple contracts.
3. This form is generic and refers to works and construction. In case of Supply of Goods or Non-Consulting Services, the form shall be amended to read Goods or Non-Consulting Services as appropriate.

Mandatory Requirements

- Certified copy of Certificate of Registration / Certificate of Incorporation.
- Copy of Valid Tax Compliance Certificate from Kenya Revenue Authority
- Certified copy of Certificate of Confirmation of Directors and Shareholding (CR 12) (Issued within the last 12 Months to Tender Opening Date, for Limited Companies or copy of Identification Card (ID) for Sole Proprietors
- Certified copy of the County Government Business Permit
- The bid document “Original” must be sequentially paginated / serialized.
- Duly filled, signed and stamped Self-Declaration Form that the Tenderer is Not Debarred
- Dully filled, signed and Stamped Self Declaration form that the Tenderer will not engage in any Corrupt or Fraudulent Practice.
- Must fill the Tender forms/ documents in the format provided including all the forms
 - Tender Submission Letter
 - Tenderer Information Form
 - Historical Contract Non-Performance and Pending Litigation and Litigation History
 - Financial Situation and Performance
 - Sources of Finance
 - Average Annual Turnover
 - General Experience
 - Specific Experience
 - Experience in Key Activities

For bidders applying for Provision of Travel and Air Ticketing Services must also attached the following;

1. Must have accreditation to professional body IATA for the last 1 year. Attach at least 1-year certificate from IATA or letter from IATA

Failure to produce these certificates and filling the forms will lead to automatic disqualification of the candidate. Evaluation shall be on a Yes / No Criteria.

NB: All copies that require certification to be certified by an Advocate and Commissioner of Oaths, High Court of Kenya

SECTION IV- TENDER FORMS

1. Tender Submission Letter

Date:..... *[insert day, month, and year]*

ITT No. and title *[insert ITT number and title]*

To..... *[insert full name of Procuring Entity]* We, the undersigned, apply to be prequalified for the referenced ITT and declare that:

- a) No reservations: We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s), issued in accordance with ITA 8: *[insert the number and issuing date of each addendum]*.
- b) No conflict of interest: We have no conflict of interest in accordance with ITA 5.7;
- c) Eligibility: We (and our subcontractors) meet the eligibility requirements as stated ITA 5, we have not been suspended by the Procuring Entity based on execution of a Tender/Proposal-Securing Declaration in accordance with ITA 5.8;

Suspension and Debarment: We, along with any of our subcontractors, suppliers, consultants, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the PPRA. Further, we are not ineligible under the Kenya laws or official regulations or pursuant to a decision of the United Nations Security Council;

State-owned enterprise or institution: *[select the appropriate option and delete the other]* *[We are not a state- owned enterprise or institution]* / *[We are a state-owned enterprise or institution but meet the requirements of ITA5.9];*

- f) Suppliers: We, in accordance with ITA 24.2 and 25.2, plan to subcontract the following key activities and/or parts of the works or supply contracts:

..... *[Insert any of the key activities identified in Section III-4.2 (a) or (b) or 4.3(a) or (b) which the Procuring Entity has permitted under the Prequalification Document and which the Tenderer intends to subcontract along with complete details of the Specialized Subcontractors, their qualification and experience]*

- (g) Commissions, gratuities, fees: We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding Tendering process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert full name for each occurrence]</i>	<i>[insert street/ number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount currency, value, exchange rate and KENYA SHILLING equivalent]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If no payments are made or promised, add the following statement: “No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Tender]

- (h) Not bound to accept: We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Tender that you may receive nor to invite the prequalified Tenderers to Tender for the contract subject of this Prequalification process, without incurring any liability to the Tenderers, in accordance with ITA 26.1.
- (i) True and correct: All information, statements and description contained in the Tender are in all respect true, correct and complete to the best of our knowledge and belief.

Signed *[insert signature(s) of an authorized representative(s) of the Tenderer]*

Name *[insert full name of person signing the Tender]*

In the capacity of *[insert capacity of person signing the Tender]*

Duly authorized to sign the Tender for and on behalf of: Tenderer's Name
[insert full name of Tenderer or the name of the JV]

Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

2 Form ELI -1.1 - Tenderer Information Form

Date: *[insert day, month, year]*

ITT No. and title *[insert ITT number and title]*

Page. *[insert page number]* of *[insert total number]* pages

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address[in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of <input type="checkbox"/> registration of the legal entity named above, in accordance with ITA 5.6. <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 5.3. <input type="checkbox"/> In case of state-owned enterprise or institution, in accordance with ITA 5.9 documents establishing: ● Legal and financial autonomy ● Operation under commercial law ● Establishing that the Applicant is not under supervision of the Procuring Entity 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

3. Form ELI-1.2 - Tenderer's JV Information Form

[The following form is additional to Form ELI-1.1., and shall be completed to provide information relating to each JV member (incase the Tenderer is a JV) as well as any Specialized Subcontractor proposed to be used by the Tenderer for any part of the Contract resulting from this prequalification]

Date *[insert day, month, year]*

ITT No. and title *[insert ITT number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant name: <i>[insert full name]</i>
Applicant's JV Member's name: <i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration: <i>[indicate country of registration]</i>
Applicant JV Member's year of constitution: <i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 5.6 <input type="checkbox"/> In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Procuring Entity, in accordance with ITA 5.9. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

4. Form CON 2 - Historical Contract Non-Performance, and Pending Litigation and Litigation History

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name:.....*[insert full name]*

Date:.....*[insert day, month, year]*

Joint Venture Member's Name:..... *[insert full name]*

ITT No. and title:..... *[insert ITT number and title]*

Page..... *[insert page number]* of*[insert total number]* pages

Non-Performed Contracts in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> Contract non-performance did not occur since 1 st January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 st January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, requirement 2.1			
Year	Non-performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and KENYA SHILLING equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Procuring Entity: <i>[insert full name]</i> Address of Procuring Entity: <i>[insert street/city/country]</i> Reason(s) for nonperformance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>
Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> No Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4.			
<input type="checkbox"/> Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4 as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert percentage]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Procuring Entity: <i>[insert full name]</i> Address of Procuring Entity: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Procuring Entity" or "Contractor"]</i> Reason(s) for Litigation and award decision <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>

4. Form FIN – 3.1 - Financial Situation and Performance

Financial Situation and Performance

[The following table shall be filled in for the Tenderer and for each member of a Joint Venture]

Tenderer's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

ITT No. and title *[insert ITT number and title]*

Page. *[insert page number]* of *[insert total number]* pages

1. Financial data

Type of Financial information in (currency)	Historic information for previous <i>[insert number]</i> years, <i>[insert in words]</i> (amount in currency, currency, exchange rate*, USD equivalent)				
	Year 1	Year 2	Year 3	Year4	Year 5
Statement of Financial Position (Information from Balance Sheet)					
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
CashFlow Information					
Cash Flow from Operating Activities					

* Refer ITA 14 for the exchange rate

5.2 Sources of Finance

[The following table shall be filled in for the Tenderer and all parties combined in case of a Joint Venture]

Specify sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.

No.	Source of finance	Amount (Kenya shilling equivalent)
1		
2		
3		

5.3 Financial documents

The Tenderer and its parties shall provide copies of financial statements for *[number]* years pursuant Section III, Qualifications Criteria and Requirements, Sub-factor 3.1. The financial statements shall:

- a) reflect the financial situation of the Tenderer or in case of JV member, and not an affiliated entity (such as parent company or group member).
 - b) Be independently audited or certified in accordance with local legislation.
 - c) Be complete, including all notes to the financial statements.
 - d) Correspond to accounting periods already completed and audited.
- ☐ Attached are copies of financial statements¹ for the *[number]* years required above; and complying with the requirements

¹If the most recent set of financial statements is for a period earlier than 12 months from the date of Tender, the reason for this should be justified.

6 Form FIN - 3.2 - Average Annual Turnover

[The following table shall be filled in for the Tenderer and for each member of a Joint Venture] Tenderer's

Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name:..... *[insert full name]*

ITT No. and title: *[insert ITT number and title]*

Page.....*[insert page number]* of..... *[insert total number]* pages Table A (Complete if Contractor)

Annual turnover data (construction only)			
Year	Amount Currency	Exchange rate*	USD equivalent
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>		
		Average Supplies Turnover**	

* Refer ITA 14 for date and source of exchange rate.

** Total Kenya shilling equivalent for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, 3.2.

Table B (Complete if Supplier)

Annual turnover data (Supply contracts)			
Year	Amount Currency	Exchange rate*	USD equivalent
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>		
		Average Supplies Turnover**	

Refer ITA 15 for date and source of exchange rate.

** Total Kenya shilling equivalent for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, 3.2.

7 Form EXP - 4.1 - General Experience (*Select one*)

[The following table shall be filled in for the Tenderer and in the case of a JV Tenderer, each Member]
Tenderer's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

ITT No. and title *[insert ITT number and title]*

Page *[insert page number]* of *[insert total number]* pages

[Identify contracts that demonstrate continuous supplies work over the past [number] years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and KENYA SHILLING equivalent*]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Supplies or "JV Member" or "Sub-contractor" or "Management Supplier"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and KENYA SHILLING equivalent*]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Supplies or "JV Member" or "Sub-contractor" or "Management Supplier"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and Kenya shillings equivalent*]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Supplies or "JV Member" or "Sub-contractor" or "Management Supplier"]</i>

* Refer ITA 15 for date and source of exchange rate.

8 Form EXP - 4.2(a) - Specific Experience (*Select one*)

[The following table shall be filled in for contracts performed by the Tenderer, each member of a Joint Venture, and Specialized Sub-contractors]

Tenderer's Name: *[insert full name]*

Date:..... *[insert day, month, year]*

Joint Venture Member Name:.....*[insert full name]*

ITT No. and title *[insert ITT number and title]*

Page..... *[insert page number]* of *[insert total number]* pages

Supplier

Management
Supplier

2.Physical size of required supplies
services

Figure 1

3. Complexity	<i>[insert description of complexity]</i>
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* Refer ITA 15 for date and source of exchange rate.

9 Form EXP - 4.2(b) - Experience in Key Activities (select one)

Tenderer's Name: [insert full name]

Date: [insert day, month, year]

Tenderer's JV Member's Name: [insert full name]

Sub-contractor's Name..... (as per ITA 24.2 and 24.3): [insert full name]

ITT No. and title [insert ITT number and title]

Page..... [insert page number] of [insert total number] pages

All suppliers for key activities must complete the information in this form as per ITA 24.2 and 24.3 and Section III, Qualification Criteria and Requirements, 4.2.

1. Key Activity No. One: [insert brief description of the Activity, emphasizing its specificity]

Total Quantity of Activity under the contract: _____

Information				
Contract Identification	[insert contract name and number, if applicable]			
Award date	[insert day, month, year, e.g., 15 June, 2015]			
Completion date	[insert day, month, year, e.g., 03 October, 2017]			
Role in Contract [check the appropriate box]	Prime <div style="border: 1px solid black; padding: 2px; display: inline-block;">Supplier</div> <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Supplier <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>
Total Contract Amount	[insert total contract amount in contract currency(ies)]		KENYA SHILLING [insert exchange rate and total contract amount in KENYA SHILLING equivalent]	
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year [Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]	Total quantity in the contract (i)	Percentage participation (ii)	Actual Quantity Performed (i) x (ii)	
Year 1				
Year 2				
Year 3				
Year 4				
Procuring Entity's Name:	[insert full name]			
Address: Telephone/fax number E-mail:	[indicate street / number / town or city / country] [insert telephone/fax numbers, including country and city area codes] [insert e-mail address, if available]			

2. Activity No. Two

3.

	Information
Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	
	<i>[insert response to inquiry indicated in left column]</i>

SELF DECLARATION FORMS - DEBARRED

(r.47)

FORM SD1

SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015.

I,, of Post Office Box
being a resident of in the Republic of
..... do hereby make a statement as follows: -

1. THAT I am the Company Secretary/ Chief Executive/Managing Director/Principal Officer/Director of (insert name of the Company) who is a Bidder in respect of Tender No for (Insert tender title/description) for (insert name of the Procuring entity) and duly authorized and competent to make this statement.
Kenya Subsidiary Legislation, 2020

2. THAT the aforesaid Bidder, its servants and/or agents will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agents of (insert name of the Procuring entity) which is the procuring entity.

3. THAT the aforesaid Bidder, its servants and/or agents have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of (name of the procuring entity)

4. THAT the aforesaid Bidder will not engage /has not engaged in any corrosive practice with other bidders participating in the subject tender

5. THAT what is deponed to hereinabove is true to the best of my knowledge information and belief.

.....

.....
(Title)

.....
(Signature)

.....
(Date)

Bidder Official Stamp

FORM SD2

**SELF DECLARATION FORMS - CORRUPT OR FRAUDULENT PRACTICE
SELF DECLARATION THAT THE PERSON/ TENDERER WILL NOT ENGAGE IN
ANY CORRUPT OR FRAUDULENT PRACTICE**

I, of P. O. Box being a
resident of in the Republic of..... do
hereby make a statement as follows: -

1. THAT I am the Chief Executive/Managing Director/Principal Officer/Director of
..... (insert name of the Company) who is a Bidder in respect of
Tender No. for(insert tender title/description)
for..... (insert name of the Procuring entity) and duly authorized and
competent to make this statement, Kenya Subsidiary Legislation, 2020
2. THAT the aforesaid Bidder, its servants and/or agents /subcontractors will not engage
in any corrupt or fraudulent practice and has not been requested to pay any inducement to
any member of the Board, Management, Staff and/or employees and/or agents of
..... (insert name of the Procuring entity) which is the procuring entity.
3. THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered
any inducement to any member of the Board, Management, Staff and/or employees
and/or agents of..... (name of the procuring entity)
4. THAT the aforesaid Bidder will not engage /has not engaged in any corrosive practice with other
bidders participating in the subject tender
5. THAT what is deponed to here in above is true to the best of my knowledge
information and belief.

.....
(Title)

.....
(Signature)

.....
(Date)

Bidder's Official Stamp