

KENYA FORESTRY RESEARCH INSTITUTE



TENDER NO: KEFRI/ RGT/001/ 2022-2024

**TENDER NAME: REGISTRATION OF SUPPLIERS, CONTRACTORS AND
CONSULTANTS FOR VARIOUS CATEGORIES OF GOODS, WORKS AND
SERVICES FOR 2022 - 2024**

RELEASE DATE: TUESDAY 12th APRIL, 2022

CLOSING DATE: FRIDAY 29th APRIL, 2022

CLOSING TIME: 11:30AM

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INVITATION TO APPLY FOR REGISTRATION

Name of Contract: **REGISTRATION OF SUPPLIERS/CONTRACTORS & CONSULTANTS**

Registration Reference No.: **KEFRI/ RGT/001/ 2022-2024**

1. Kenya Forestry Research Institute invites sealed applications from ALL eligible firms to participate in the registration application for the applicable categories as tabulated in Section V.
2. Tendering will be conducted through Open National Registration procedures using a standardized tender document and will be open to all applicants who prequalify.
3. Qualified and interested applicants may obtain further information and inspect the Registration Document during office hours Monday – to Friday between 9:00am to 4:00pm except for public holidays at the address given below.

***Kenya Forestry Research Institute Headquarters,
Muguga, off Nairobi – Naivasha Road,
Supply Chain Management Division,
P.O Box 20412-00200, Nairobi***

4. A complete set of Registration Document in may be purchased or obtained by interested tenders upon payment of a non- refundable fees of **Ksh 1,000** in cash or Banker's Cheque and payable to **Kenya Forestry Research Institute Headquarters, Muguga, off Nairobi – Naivasha Road, P.O Box 20412-00200, Nairobi** or Tender Documents may be obtained electronically free of charge from; www.kefri.org or Public Procurement Information Portal www.tenders.go.ke. Tender documents obtained electronically **will be free of charge**.
5. Registration Document may be viewed and downloaded for free from the KEFRI website www.kefri.org or Public Procurement Information Portal www.tenders.go.ke. Tenderers who download the tender document and intent to submit the tender **must** forward their particulars immediately to tenders@kefri.org to facilitate any further clarification or addendum. The procedure to be followed by tenders in registering their particulars will be as **follows**:

Tenderers shall indicate; Tender reference No; Tender Name; official Email Address and the Telephone number and the complete name and Designation of the Person to be contacted. KEFRI will not be liable for failure of delivery of the Clarification/Addenda to the indicated Contacts, therefore the tenderers are reminded to re-confirm their contacts before they email.

6. Applications for Registration should be submitted by postal service, or hand/courier delivery, clearly marked envelopes and delivered to the address given below on or before **Friday 29th April, 2022 at 11:30AM. *Electronic Tenders Shall not be permitted.***
7. Late applications a reliable to be rejected.
8. Address where to submit Applications

A. Address for obtaining further information and for purchasing tender documents

Kenya Forestry Research Institute (KEFRI)
Supply Chain Management Office
Ag. Deputy Director-Supply Chain Management
Email: tenders@kefri.org
Tel: 0722157414 / 0724259781 / 0734251888

B. Address for Submission of Tenders.

Kenya Forestry Research Institute (KEFRI)
The Director,
P.O Box 20412-00200 City Square, Nairobi
Tender Box, situated outside Director's offices

N/B: Large tenders that cannot be dropped in the tender box shall be received and registered in the tender register on or before the closing time **Friday 29th April, 2022 at 11:30AM.**

Address for Opening of Tenders.

Kenya Forestry Research Institute (KEFRI)
Auditorium Hall, immediately after the closing of the tender

Designation: Ag. Deputy Director-Supply Chain Management
For: DIRECTOR-KEFRI

PART 1 - APPLICATION PROCEDURES

SECTION I - INSTRUCTIONS TO APPLICANTS (ITA)

A. General

1 Scope of Application

1.1 KEFRI is inviting for applications is defined in the **RDS**. 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 **RDS**. If the scope of contract so defined is in multiple contracts, it will be specified in the **RDS** if Registration will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non-Consulting Services is described in Section V (Scope of Works or goods contract).

2 **Source of Funds** to be specified in the RDS, 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, Applicants 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, Registration 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 KEFRI requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination” annexed to the Form of applicant.

5 Eligible Applicants

5.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1 and 5.2. An Applicant 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 Registration 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 RDS.

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 Registration 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 application for Registration either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.
- 5.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2. An Applicant shall be deemed to have the nationality of a country if the Applicant 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 Applicants shall not have a conflict of interest. Applicants 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 KEFRI as Engineer for contract implementation of the contract(s) that are the subject of this Registration. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of KEFRI who:
- a are directly or indirectly involved in the preparation of the Registration 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 KEFRI throughout the Registration, ITT process and execution of the Contract.
- 5.7 An Applicant 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 Applicants 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 accept able 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 An Applicant 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 An Applicant 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 An Applicant shall provide any other such documentary evidence of eligibility satisfactory to the Procuring Entity, as KEFRI 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 in eligible 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 Registration Documents

7 Sections of Registration Document

- 7.1 This Registration Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with ITA 8.

PART 1 - Registration Procedures

- i) Section I- Instructions to Applicants (ITA)
- ii) Section II - Registration Data Sheet (RDS)
- iii) Section III - Qualification Criteria and Requirements
- iv) Section IV- Application 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, KEFRI accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Registration Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by KEFRI shall prevail.
- 7.3 The Applicant is expected to examine all instructions, forms, and terms in the Registration Document and to furnish with its Application all information or documentation as is required by the Registration Document.

8 Clarification of Registration Documents, site visit(s) and Pre-Application Meeting

- 8.1 An Applicant requiring any clarification of the Registration Document shall contact KEFRI in writing at the Procuring Entity's address indicated in the **RDS**. KEFRI 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 applications. KEFRI shall forward a copy of its response to all prospective Applicants who have obtained the Registration Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **RDS**, KEFRI shall also promptly publish its response at the webpage identified in the **RDS**. Should KEFRI deem it necessary to amend the Registration 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 Applicant, at the Applicant'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 application. The costs of visiting the Site shall be at the Applicant's own expense. KEFRI shall specify in the **RDS** if a pre-application meeting will be held, when and where. KEFRI shall also specify in the **RDS** if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre- application 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 Applicant is requested to submit any questions in writing, to reach KEFRI not later than the period specified in the **RDS** before the submission date of applications.

- 8.4 Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the Registration documents. Minutes shall not identify the source of the questions asked.
- 8.5 KEFRI 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 RDS**. Any modification to the Registration Documents that may become necessary as a result of the pre-arranged site visit and those of the pre-application meeting shall be made by KEFRI exclusively through the issue of an Addendum pursuant to RDS 8 and not through the minutes of the pre-application 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 Registration Document

- 9.1 At any time prior to the deadline for submission of Applications, KEFRI may amend the Registration Document by issuing an Addendum.
- 9.2 Any Addendum issued shall be part of the Registration Document and shall be communicated in writing to all Applicants who have obtained the Registration Document from the Procuring Entity. KEFRI shall promptly publish the Addendum at the Procuring Entity's webpage identified in the RDS.
- 9.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, KEFRI may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

C. Preparation of Applications

10 Cost of Applications

- 10.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. KEFRI will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the Registration process.

11 Language of Application

- 11.1 The Application as well as all correspondence and documents relating to the Registration exchanged by the Applicant and the Procuring Entity, shall be written in English Language. Supporting documents and printed literature that are part of the Application 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 Application, the translation shall govern.

12 Documents Comprising the Application

- 12.1 The Application shall comprise the following:
- a. Application Submission Letter, in accordance with ITA 13.1;
 - b. Eligibility: documentary evidence establishing the Applicant's eligibility, in accordance with ITA 14.1;
 - c. Qualifications: documentary evidence establishing the Applicant's qualifications, in accordance with ITA 15; and
 - d. Any other document required as specified in the RDS.
- 12.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application.

13 Application Submission Letter

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

14 Documents Establishing the Eligibility of the Applicant

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

15 Documents Establishing the Qualifications of the Applicant

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

15.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants 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.

15.3 Exchange rates shall be taken from the publicly available source identified in the RDS. Any error in determining the exchange rates in the Application may be corrected by the Procuring Entity.

15.4 Applicants 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 KEFRI identify any actual or potential conflict of interest in relation to the procurement and/or contract management processes, or a possibility of collusion between Applicants, and thereby help to prevent any corrupt influence in relation to the procurement processor contract management.

15.5 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which an Applicant may have. There can be no circumstances in which it would be justified for an Applicant 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 KEFRI as a justification for an Applicant's failure to disclose, or failure to provide required information on its ownership and control.

15.6 The Applicant shall provide further documentary proof, information or authorizations that KEFRI may request in relation to ownership and control which information on any changes to the information which was provided by the Applicant 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.

15.7 All information provided by the Applicant 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 Applicant shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.

15.8 If an Applicant fails to submit the information required by these requirements, its application will be rejected. Similarly, if KEFRI is unable, after taking reasonable steps, to verify to a reasonable degree the information submitted by an Applicant pursuant to these requirements, then the application will be rejected.

15.9 If information submitted by an Applicant pursuant to these requirements, or obtained by KEFRI

(whether through its own enquiries, through notification by the public or otherwise), shows any conflict of interest which could materially and improperly benefit the Applicant in relation to the procurement or contract management process, then:

- a. If the procurement process is still ongoing, the Applicant will be disqualified from the procurement process,
- b. If the contract has been awarded to that Applicant, the contract award will be set aside,

15.10 the Applicant will be referred to the relevant law enforcement authorities for investigation of whether the Applicant or any other persons have committed any criminal offence.

15.11 If an Applicant 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 Applicant can show to the reasonable satisfaction of KEFRI 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 Applicant.

16 Signing of the Application and Number of Copies

16.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application 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.

16.2 The Applicant shall submit copies of the signed original Application, in the number specified in the RDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

17 Sealing and Marking of Applications

17.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:

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

17.2 KEFRI 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 Applications

18.1 Applicants may either submit their Applications by hand. Applications shall be received by KEFRI at the address and no later than the deadline indicated in the RDS. When so specified in the RDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **RDS**.

18.2 KEFRI may, at its discretion, extend the deadline for the submission of Applications by amending the Registration Document in accordance with ITA 8, in which case all rights and obligations of KEFRI and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

19 Late Applications

19.1 KEFRI reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **RDS**. If late applications will be accepted, they must be received not later than the date specified in the **TDS** after the deadline for submission of applications.

20. Opening of Applications

- 20.1 KEFRI shall open all Applications at the date, time and place specified in the **RDS**. Late Applications shall be treated in accordance with ITA 19.1.
- 20.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **RDS**.
- 20.2 KEFRI shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

21 Confidentiality

- 21.1 Information relating to the Applications, their evaluation and results of the Registration shall not be disclosed to Applicants or any other persons not officially concerned with the Registration process until the notification of Registration results is made to all Applicants in accordance with ITA 28.
- 21.2 From the deadline for submission of Applications to the time of notification of the results of the Registration in accordance with ITA 28, any Applicant that wishes to contact the KEFRI on any matter related to the Registration process may do so only in writing.

22 Clarification of Applications

- 22.1 To assist in the evaluation of Applications, the KEFRI may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from KEFRI and all clarifications from the Applicant shall be in writing.
- 22.1 If an Applicant does not provide clarifications and/or documents requested by the date and time set in KEFRI's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

23 Responsiveness of Applications

- 23.1 KEFRI may reject any Application which is not responsive to the requirements of the Registration Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

24 Margin of Preference

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

25 Nominated Subcontractors

- 25.1 Unless otherwise stated in the **RDS**, KEFRI does not intend to execute any specific elements of the works by sub-contractors selected in advance by KEFRI (so-called "Nominated Subcontractors").
- 25.2 The Applicant 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 KEFRI in the Tendering Document. The Procuring Entity, in ITA 25.2, may permit the Applicant to propose subcontractors for certain specialized parts of the contract as indicated there in as ("Specialized Subcontractors"). Applicants planning to use such Specialized Subcontractors shall specify, in the Application 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 Applications and Registration of Applicants

26 Evaluation of Applications

26.1 KEFRI shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. KEFRI 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 an Applicant to perform the Contract.

26.2 Subcontractors proposed by the Applicant 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 Applicant 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 KEFRI in the RDS 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 Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation. Unless the Applicant 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 Applicant 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 Applicant and approved by KEFRI subsequent to Registration but before the tender submission deadline in accordance with ITA 30.

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

26.4 Further, in the case of multiple contracts, KEFRI 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 applicants.

26.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant'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 Applicant shall not be considered.

27 Procuring Entity's Right to Accept or Reject Applications

27.1 KEFRI reserves the right to accept or reject any Application, and to annul the Registration process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

28 Registration of Applicants

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

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

28 Invitation to Tender

29.1 Promptly after the notification of the results of the Registration, KEFRI shall invite Tenders from all the Applicants that have been prequalified or conditionally prequalified.

- 28.2 Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to KEFRI in the form and an amount to be specified in the tendering document.
- 28.3 The successful Applicant shall be required to provide a Performance Security as specified in the tendering document.

29 Changes in Qualifications of Applicants

- 30.1 Any change in the structure or formation of an Applicant 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 Applicant) shall be subject to the written approval of KEFRI prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant 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 KEFRI not later than fourteen (14) days after the date of the Invitation to Tender.

31 Procurement Related Complaints and Administrative Review

- 31.1 The procedures for making a Procurement-related Complaint are as specified in the RDS.
- 31.2 A request for administrative review shall be made in the form provided.

SECTION II - REGISTRATION DATA SHEET (RDS)

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
ITA 1.1	Kenya Forestry Research Institute KEFRI/ RGT/001/ 2022-2024 Registration of Suppliers, Contractors and Consultants for various categories of goods, works and services for 2022 - 2024 Registration will be based on General Categories
ITA 2	The Source of funds shall be - NOT APPLICABLE
ITA 5.2	Maximum number of members in the JV shall be: NOT REQUIRED
B. Contents of the Prequalification Document	
ITA 8.1	The Tenderer will submit any request for clarifications in writing at the Address below: Ag. Deputy Director -Supply Chain Management Division Tel: 0722157414/0724259781/0734251888 Email address: tenders@kefri.org to reach KEFRI not later than three (3) days to closure of the tender. KEFRI shall publish its response at the website www.kefri.org
ITA 8.2	A pre-application meeting will be held on NOT APPLICABLE
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach KEFRI not later than THREE (3) DAYS TO CLOSURE OF THE TENDER.
ITA 8.5	Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page - NOT APPLICABLE
ITT 9.2	Addendum issued shall be published at the website; www.kefri.org/tenders.go.ke
ITA 8.2	Registration Meeting will be held: NO
C. Preparation of Applications	
ITA 12.1 (d)	The Applicant shall submit with its Application, the following additional documents: ALL MANDATORY REQUIREMENT AS SPECIFIED IN THE TENDER EVALUATION CRITERIA FOR RESPECTIVE CATEGORIES APPLIED FOR.
ITA 15.2(b)	The source for determining exchange rates is Central Bank of Kenya Rate
ITA 16.2	In addition to the original, the number of copies to be submitted with the Application is: One Original Copies Only
D. Submission of Applications	
ITA 17.1	The deadline for Application submission is: Date: Friday, 29th April, 2022 Time: 11:30AM For Application submission purposes only, the Procuring Entity's address is: The Director, Kenya Forestry Research Institute, P.O Box 20412-00200 Tel: 0722157414/0724259781/0734251888 City Square, Nairobi Applicants SHALL NOT have the option of submitting their Applications electronically.
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	KEFRI will not accept late applications.
ITA 20.1	Tenders will be opened immediately thereafter in the presence of the Candidates or their representatives who choose to attend at the Auditorium Hall - KEFRI Headquarters – Muguga on Friday 29th April, 2022 at 11:30AM.
ITA 20.2	The electronic Application opening procedures shall be: NOT APPLICABLE
E. Procedures for Evaluation of Applications	

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
ITA 24.1	A margin of preference <i>shall not</i> apply.
ITA 25.1	At this time KEFRI does not intend to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 25.2	NOT APPLICABLE
ITA 31.1	<p>The procedures for making a Procurement-related Complaint are available from the PPRA Website www.ppra.go.ke or email complaints@ppra.go.ke.</p> <p>If a Tenderer wishes to make a Procurement-related Complaint, the Tenderer should submit its complaint following these procedures, in writing (by the quickest means available, that is either by hand delivery or email to:</p> <p>The Director, Kenya Forestry Research Institute, P.O Box 20412-00200 Tel: 0722157414/0724259781/0734251888 City Square, Nairobi director@kefri.org, tenders@kefri.org</p> <p>In summary, a Procurement-related Complaint may challenge any of the following:</p> <p>(i) the terms of the Tender Documents; and (ii) KEFRI's decision to award the contract.</p>

SECTION III - QUALIFICATION CRITERIA AND REQUIREMENTS

1. This section contains all the methods, criteria, and requirements that KEFRI shall use to evaluate Applications, 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.

3.1 MANDATORY REQUIREMENTS

3.1.2 General requirements to all applicants

All applicants must submit /provide the following documents:-

- 1) Certificate of Business Registration
- 2) Copy of Company’s CR 12/CR 13
- 3) Valid Tax Compliance Certificates
- 4) Copy of current Trade License/Business Permit from County Government
- 5) Must submit a company Profile
- 6) Duly completed, stamped and signed confidential business questionnaire
- 7) Duly completed, stamped and signed Self Declaration Forms – Form SD1 and Form SD 2
- 8) Duly completed, stamped and signed Declaration and commitment to the code of ethics
- 9) Duly completed, stamped and signed Historical Contract Non Performance and Pending Litigation and Litigation History
- 10) Duly completed, stamped and signed Financial Forms – 3.1 – Financial Situation & Performance

3.2 Other Relevant Mandatory Requirement for the below listed Categories;

3.2.1 Applicants for categories reserved for AGPO:

All applicants who wish to be registered under the categories reserved for **AGPO** –firms owned by youth, women and Persons with disabilities must:

1. Must Submit/Provide a valid AGPO Registration Certificate

3.2.2 Applications for registration for **works** related services applicants will be further required to submit the following mandatory requirements;

1. Must submit a valid license from National Construction Authority - NCA 8 and above and a valid practicing license
2. Must submit a valid EPRA license for Electrical Works where applicable

3.2.3 Applications for registration for **ICT related goods/services** applicants will be further required to submit the following mandatory requirements;

1. Must submit a valid certificate for accreditation by ICTA category end user equipment ICTA 4 and above
2. Must submit a valid certificate for accreditation by ICTA category System and Application ICTA 4 and above
3. Must submit a valid certificate for accreditation by ICTA category ICT Networks/security ICTA 4 and above
4. Must submit a valid certificate for accreditation by ICTA category Data Centre ICTA 3 and above

3.2.4 Applications for registration for **provision of laboratory and clinical items** applicants will be further required to submit the following mandatory requirements;

1. A valid license from Pharmacy and Poisons Board (PPB)

3.2.5 Application for registration for provision of **Consultancy related services** applicants will be further required to submit the following mandatory requirements;

1. Registration with relevant regulatory/professional bodies.

3.2.6 Application for registration for provision **Air ticketing services** applicants will be further

required to submit the following mandatory requirements;

1) A valid license with IATA and KATA

- 3.2.7 Application for registration for **Provision of insurance brokerage services** applicants will be further required to submit the following mandatory requirements;
- i. A valid membership with Association of Insurance Brokers
 - ii. A valid certificate from Insurance Regulatory Authority (IRA)
 - iii. Must submit Two (2) copies of recommendation/reference letters where similar services have been offered for the period between 2020 - 2021
- 3.2.8 Application for registration for provision **Motor vehicle** related services/works applicants will be further required to submit the following mandatory requirements;
1. Must Submit a valid certificate of registration with the State Department of Public Works - Mechanical
- 3.2.9 Application registration for provision of **valuation of Motor Vehicle** services applicants will be further required to submit the following mandatory requirements;
- i. Must submit valid certificate from Insurance Regulatory Authority (IRA)
- 4.3.0 Application for registration for **Provision of Maintenance, Repair and Servicing of Telecommunication Lines at KEFRI**, applicants will be further required to submit the following mandatory requirement
- i. Must submit valid license from Communication Authority of Kenya

SECTION IV- APPLICATION FORMS

1. Application 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 Registration 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 KEFRI 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) Subcontractors and Specialized Subcontractors: 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 KEFRI has permitted under the Registration Document and which the Applicant 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 Registration process, the corresponding Tendering process or execution of the Contract:

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

[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 Application]

(h) Not bound to accept: We understand that you may cancel the Registration process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to Tender for the contract subject of this Registration process, without incurring any liability to the Applicants, in accordance with ITA 26.1.

(i) True and correct: All information, statements and description contained in the Application 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 Applicant]*

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

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

Duly authorized to sign the Application for and on behalf of: Applicant's

Name..... *[insert full name of Applicant 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 - Applicant 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 <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of 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 - Applicant'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 Applicant is a JV) as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this Registration]

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 [insert year] specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 st January [insert year] 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)
[insert year]	[insert amount and percentage]	Contract Identification: [indicate complete contract name/ number, and any other identification] Name of Procuring Entity: [insert full name] Address of Procuring Entity: [insert street/city/country] Reason(s) for nonperformance: [indicate main reason(s)]	[insert amount]
Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3.			
<input type="checkbox"/> Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3 as indicated below.			
Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)

<i>insert year]</i>	<i>[insert amount]</i>	<p>Contract Identification: [indicate complete contract name, number, and any other identification]</p> <p>Name of Procuring Entity: <i>[insert full name]</i></p> <p>Address of Procuring Entity: <i>[insert street/city/country]</i></p> <p>Matter in dispute: <i>[indicate main issues in dispute]</i></p> <p>Party who initiated the dispute: <i>[indicate "Procuring Entity" or "Contractor"]</i></p> <p>Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i></p>	<i>[insert amount]</i>
Litigation History 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>	<p>Contract Identification: [indicate complete contract name, number, and any other identification]</p> <p>Name of Procuring Entity: <i>[insert full name]</i></p> <p>Address of Procuring Entity: <i>[insert street/city/country]</i></p> <p>Matter in dispute: <i>[indicate main issues in dispute]</i></p> <p>Party who initiated the dispute: <i>[indicate "Procuring Entity" or "Contractor"]</i></p> <p>Reason(s) for Litigation and award decision <i>[indicate main reason(s)]</i></p>	<i>[insert amount]</i>

5. Tenderer's Eligibility- Confidential Business Questionnaire Form

a) Instruction to Tenderer

Tender is instructed to complete the particulars required in this Form, *one form for each entity if Tender is a JV*. Tenderer is further reminded that it is an offence to give false information on this Form.

A. Table 8: Tenderer's details

	ITEM	Description
1	Name of Procuring Entity	
2	Name of Tenderer	
3	Full Address and Contact Details of the Tenderer	1. Country 2. City 3. Location 4. Building 5. Floor 6. Postal Address 7. Name and email of contact person
4	Reference Number of the Tender	
5	Date and Time of Tender Opening	
6	Current Trade License No. and Expiring Date	
7	Maximum Value of Business which the Tenderer Handles	

General and Specific Details

b) Sole Proprietor, provide the following details.

Name in full _____ Age _____
 Nationality _____
 Country of Origin _____
 Citizenship _____

c) Partnership, provide the following details.

Table 9: Partnership Details

	Name of Partners	Nationality	Citizenship	% Shares Owned
1				
2				
3				

(d) Registered Company, provide the following details.

- i) Private or public Company _____
- ii) State the nominal and issued capital of the Company:- Nominal Kenya Shillings (Equivalent)
 Issued Kenya Shillings (Equivalent)
- iii) Give details of Directors as follows.

Table 10: Registered Company

	Name of Director	Nationality	Citizenship	% Shares Owned
1				
2				
3				

e) DISCLOSURE OF INTEREST- Interest of the Firm in the Procuring Entity.

i) Are there any person/persons in (Name of Procuring Entity)

who has an interest or relationship in this firm? Yes/No..... If yes, provide details as follows.

Table 11: Disclosure of Interest

	Name of Person	Designation in the Procuring Entity	Interest or Relationship with the Tenderer
1			
2			
3			

ii) **Table 12: Conflict of Interest Disclosure**

	Type of Conflict	Disclosure Yes or No	If YES, Provide Details of the Relationship with Tenderer
1	Tenderer is directly or indirectly controlled by or is under common control with another tenderer		
2	Tenderer receives or has received any direct or indirect subsidy from another tenderer		
3	Tenderer has the same legal representative as another tenderer		
4	Tenderer has another relationship with another tenderer, directly or through common third parties, that puts it in a position to influence the tender of another tenderer, or influence the decisions of the Procuring Entity regarding this tendering process		
5	Any of these Tenderer's affiliates participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of the tender		
6	Tender would be providing goods, works, non-consulting services during		

	Type of Conflict	Disclosure Yes or No	If YES, Provide Details of the Relationship with Tenderer
	implementation of the contract specified in this Tender Document		
7	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity who are directly or indirectly involved in the preparation of the Tender document or specifications of the Contract and or the Tender evaluation process of such contract		
8	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity who would be involved in the implementation or supervision of the such contract		
9	Has the conflict stemming from such relationship stated in item 7 and 8 above been resolved in a manner acceptable to the Procuring Entity through the tendering process and execution of the Contract		

f) Certification

On behalf of the Tenderer, I certify that the information given above is correct.

Full Name _____ Title or Designation

(Signature)

(Date)

6. Self-Declaration Forms

i. 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.....(*ins
ert tender
title/description*) for.....(*insert name of the Procuring entity*) and
duly authorized and competent to make this statement.

2. THAT the aforesaid Bidder, its Directors and subcontractors have not been cak
3. red from participating in procurement proceeding under Part IV of the Act.
4. THAT what is deponed to herein above is true to the best of my knowledge, information and belief.

.....
(Title) (Signature) (Date)

Bidder Official Stamp

ii. FORM SD2

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.

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 herein above is true to the best of my knowledge information and belief.

..... (Title) (Signature)
(Date)

Bidder's Official Stamp

7. Declaration and Commitment to the Code of Ethics

I.....(person) on behalf of
(Name of the Business/ Company/Firm).....declare that I have read and fully understood the contents of the Public Procurement & Asset Disposal Act, 2015, Regulations and the Code of Ethics for persons participating in Public Procurement and Asset Disposal and my responsibilities under the Code.

I do hereby commit to abide by the provisions of the Code of Ethics for persons participating in Public Procurement and Asset Disposal.

Name of Authorized signatory.....

Sign.....

Position.....

Office Address.....

Telephone.....

E-mail

Name of the Firm/Company

Date.....

(Company Seal/ Rubber Stamp where applicable)

Witness

Name

Sign.....

Date.....

8. Form FIN – 3.1 - Financial Situation and Performance

Financial Situation and Performance

[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 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] years, [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)					
Cash Flow Information					
Cash Flow from Operating Activities					

* Refer ITA 14 for the exchange rate

2. Sources of Finance

[The following table shall be filled in for the Applicant 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		

a. Financial documents

The Applicant 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 Applicant 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

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

Table A (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 Annual Construction 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.

PART 2 - WORKS, GOODS OR NON - CONSULTING SERVICES REQUIREMENTS

(select one)

SECTION V - SCOPE OF WORKS, GOODS OR NON-CONSULTING SERVICES REQUIRED

REGISTRATION CATEGORY	DESCRIPTION	Eligibility
PROVISION OF INSURANCE BROKERAGE SERVICES		
KEFRI/RG/ 01/2022 - 2024	Provision of Insurance brokerage services	Open
PROVISION OF LABORATORY AND CLINICAL ITEMS		
KEFRI/RG/02/2022 - 2024	Supply and delivery of laboratory reagents, glassware and chemicals	Open
KEFRI/RG/03/2022 - 2024	Supply and delivery of clinical drugs and dressings	Open
KEFRI/RG/04/2022 - 2024	Supply and delivery of scientific laboratory and clinical equipment	Open
ICT RELATED ITEMS/SERVICES		
KEFRI/RG/05/2022 - 2024	Supply, Delivery, Installation, Maintenance and Repair of System and Application Software	Open
KEFRI/RG/06/2022 - 2024	Supply, Delivery, Installation, Maintenance and Repair of Information Security Systems (Firewalls, Antivirus and all related systems)	Open
KEFRI/RG/07/2022 - 2024	Supply, Delivery, Installation, Maintenance and Repair of ICT Networks (Layer 2&3 etc)	Open
KEFRI/RG/08/2022 - 2024	Supply and delivery of computers, printers, UPS, Scanners and Tablets	AGPO Registered Firms
KEFRI/RG/09/2022 - 2024	Supply, Delivery, Installation and Commissioning of Video Collaboration Solution	Open
KEFRI/RG/010/2022 - 2024	Provision of repair, maintenance and servicing of ICT related items – computers, printers, UPS etc	AGPO Registered Firms
KEFRI/RG/011/2022 - 2024	Provision of Repair, Maintenance and Servicing of Wide Area Network (WAN) and Local Area Network (LAN)	Open
FURNITURE		
KEFRI/RG/012/2022 - 2024	Supply and Delivery of Furniture and fittings	Open
PROVISION OF SMALL WORKS AND MAINTENANCE OF LABORATORY EQUIPMENT		
KEFRI/RG/013/2022 - 2024	Provision of small works services (Repairs, partitioning, renovation and painting services) – Builders Works	AGPO Registered Firms
KEFRI/RG/014/2022 - 2024	Provision of small works services - Mechanical Works – all categories e.g. <ul style="list-style-type: none"> i. Laboratory installation and fume cupboards ii. Cold-rooms iii. Refrigeration iv. Air Conditioning and Ventilations v. Kitchen and Laundry Equipment and refuse disposal system vi. Fire Engineering Services vii. E.t.c 	AGPO Registered Firms
KEFRI/RG/015/2022 - 2024	Provision of small works services – Electrical Works – all categories e.g. <ul style="list-style-type: none"> i. Electronic – Telecommunication PABX, intercoms and telecom wiring ii. Electronic Security Surveillance Systems – CCTV e.t.c 	Open/ AGPO Registered Firms

	iii. Compressed Air – Hydraulic Lp and Mechanical Gas Installation iv. E.t.c	
KEFRI/RG/016/2022 - 2024	Maintenance, repair and servicing of generators	Open
KEFRI/RG/017/2022 - 2024	Supply, delivery, Maintenance, Repair and servicing of cold rooms & refrigerators	Open
KEFRI/RG/018/2022 - 2024	Repair and Maintenance of Lab Equipment - Coldrooms, Refrigerators,	AGPO Registered Firms
MOTOR VEHICLE RELATED SUPPLIES		
KEFRI/RG/019/2022 - 2024	Provision of motor vehicle repairs and maintenance services (Provide certificate for Ministry of Public Works approved garages)	Open
KEFRI/RG/020/2022 - 2024	Supply, Delivery of Motor Vehicle Tyres, Tubes ,Rims & Wheel Alignment And Balancing	Open
KEFRI/RG/021/2022 - 2024	Provision of branding of Motor vehicles with KEFRI Corporate colors	AGPO Registered Firms
KEFRI/RG/022/2022 - 2024	Provision of Repairs and Spray Painting of Motor Vehicles Services	Open
	Provision of Motor Vehicle Valuation Services	
FOOD STUFF AND KITCHEN EQUIPMENTS & UTENSILS		
KEFRI/RG/023/2022 - 2024	Supply and delivery of fresh green Vegetables and fresh meat, chicken, fish, poultry, pork & meat sausages.	AGPO Registered Firms
KEFRI/RG/024/2022 - 2024	Supply and Delivery of Dry Food stuff	Open
KEFRI/RG/025/2022 - 2024	Supply and Delivery of Fresh Milk	Open
KEFRI/RG/026/2022 - 2024	Supply and delivery of kitchen equipment and utensils.	Open
COMPUTER CONSUMABLES, GENERAL AND PRINT STATIONERY		
KEFRI/RG/027/2022 - 2024	Supply and delivery of assorted office stationery	AGPO Registered Firms
KEFRI/RG/028/2022 - 2024	Supply and delivery of printer cartridges, ribbons and toners (Authorized Dealers only).	AGPO Registered Firms
KEFRI/RG/029/2022 - 2024	Provision of printing and publishing services	AGPO Registered Firms
TICKETING SERVICES		
KEFRI/RG/030/2022 - 2024	Provision of travel & air ticketing services	AGPO Registered Firms
PROCUREMENT OF SEEDS AND RELATED ITEMS		
KEFRI/RG/031/2022 - 2024	Supply and delivery of seeds and seedlings.	AGPO Registered Firms
KEFRI/RG/032/2022 - 2024	Supply and Delivery of Potting Tubes	Open
EVENT & PROMOTIONAL MATERIALS		
KEFRI/RG/033/2022 - 2024	Supply and delivery of staff uniforms, linen and protective clothing.	AGPO Registered Firms
KEFRI/RG/034/2022 - 2024	Supply and delivery of promotional Materials: Caps, T-Shirts, Umbrellas, Flyers, Posters & banners	AGPO Registered Firms
KEFRI/RG/035/2022 - 2024	Provision of outdoor event Services Tents, Chairs, Flowers & Related Equipment	AGPO Registered Firms

CONSULTANCY/SERVICES		
KEFRI/RG/034/2022 - 2024	Provision of Occupational Health, Safety and Environment Services	Open
KEFRI/RG/035/2022 - 2024	Supply, delivery, Maintenance & servicing of fire-fighting equipment and training	Open
KEFRI/RG/036/2022 - 2024	Provision of Environmental Management Consultancy Services	Open
KEFRI/RG/037/2022 - 2024	Collection of hazardous materials, used oil, plastics and waste papers – must be registered with NEMA	Open
KEFRI/RG/038/2022 - 2024	Provision of Human Resource Consultancy Services	Open
KEFRI/RG/039/2022 - 2024	Provision of Scientific Research Based Consultancy Services	Open
OTHER GOODS		
KEFRI/RG/040/2022 - 2024	Supply and delivery of Hardware Materials – Plumbing materials, timber, building sand, cement, ballast and hardcore.	AGPO Registered Firms
KEFRI/RG/041/2022 - 2024	Supply and delivery of General Electrical Materials	AGPO Registered Firms
KEFRI/RG/042/2022 - 2024	Supply of Newspapers and Periodicals	AGPO Registered Firms
KEFRI/RG/043/2022 - 2024	Supply of Calling & Scratch cards	AGPO Registered Firms

Request For Review

FORM FOR REVIEW (r.203 (1))

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO.....OF.....20.....

BETWEEN

.....**APPLICANT**

AND

.....**RESPONDENT (Procuring Entity)**

Request for review of the decision of the..... (Name of KEFRI ofdated the...day of20.....in the matter of Tender No.....of20..... for (Tender description).

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical address.....P. O. Box No..... Tel. No.....Email, hereby request the Public Procurement Administrative Review Board to review the whole/part of the above mentioned decision on the following grounds , namely:

- 1.
- 2.

By this memorandum, the Applicant requests the Board for an order/orders that:

- 1.
- 2.

SIGNED (Applicant) Dated on.....day of/...20.....

FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on.....day of20.....

SIGNED

Board Secretary