



**PREQUALIFICATION DOCUMENT  
FOR  
PROVISION OF LEGAL SERVICES**

**TENDER NO: NAC/PREQ/05/2019-2020**

**CLOSSING DATE: 20<sup>TH</sup> JANUARY 2020**

**TIME: 10.00AM**

**PROVISION OF LEGAL SERVICES**

## **SECTION I: INVITATION TO TENDER**

The National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) invites sealed bids from eligible firms for **Provision of Legal Services**. A complete set of bid documents can be obtained by downloading from the organization website [www.nacada.go.ke/Tenders](http://www.nacada.go.ke/Tenders). Completed set of bid documents to be received on or before **Monday, 20<sup>th</sup> JANUARY 2020 at 10:00 A.M**

Bidders are informed that services will be procured on “As and when required (AWR) basis

Completed bid documents are to be enclosed in plain sealed envelopes clearly marked with the tender reference number and tender description can be deposited in the **tender box** provided at **The NACADA Offices, NSSF Building,Block A, 18th floor, Bishop Road** or be addressed to:

**The Chief Executive Officer  
National Authority fro the Campaign Against  
Alcohol and Drug Abuse  
P.O.Box 10774-00100  
Nairobi**

**Chief Executive Officer  
NACADA**

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## SECTION I - INVITATION FOR PREQUALIFICATION (IFQ)

Tender No. NAC/PREQ/5/2019-2020

### Tender Name: PROVISION OF LEGAL SERVICES

1. The National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) hereinafter referred as “Procuring entity” intend to prequalify candidates for the *Provision of Legal Services*.
2. Prequalification is **OPEN ONLY**
3. Eligible candidates may obtain the prequalification document from [www.nacada.go.ke/Tenders](http://www.nacada.go.ke/Tenders), or [www.tenders.go.ke](http://www.tenders.go.ke)
4. A minimum requirement for qualification as per the qualification criteria specified.
5. Applications for prequalification must be submitted enclosed in plain sealed envelopes marked with the tender name and reference number and deposited in the tender box at **The NACADA Offices, NSSF Building, Block A, 18th floor, Eastern wing, Bishop Road** or to be addressed to **The Chief Executive Officer; National Authority fro the Campaign Against Alcohol and Drug Abuse; P.O. Box 10774-00100, Nairobi.** so as to be received on or before *(Monday, 20<sup>th</sup> January 2020 at 10.00 a.m.)*.
6. All candidates whose applications will have been received before the closing date and time will be advised in due course, of the results of their applications. Only candidates prequalified under this prequalification process will be invited to tender.

PROVISION OF LEGAL SERVICES

## **SECTION II - INSTRUCTIONS TO CANDIDATES**

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## SECTION II - INSTRUCTIONS TO CANDIDATES

### 2.1 Scope of Tender

- 2.1.1 *NACADA* hereinafter referred to as the procuring entity intends to prequalify contractors for the **Provision of Legal Services** It is expected that prequalification applications will be submitted and received by the procuring entity not later than *(Monday 20<sup>th</sup> January 2020 at 10.00 a.m.)*
- 2.1.2 Prequalification is open to eligible firms and voluntarily formed joint ventures as indicated in appendix to instructions to candidates.
- 2.1.3 General information on the climate, hydrology, topography, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, facilities, services provided by the procuring entity and (other relevant date) are as specified in the appendix to instructions to candidates. The contract will be a unit price/lump sum/turnkey contract. The tender documents will be *used after prequalification*.

### 2.2 Submission of Application

- 2.2.1 Applications for prequalification shall be submitted in sealed envelopes marked with the tender name and reference number and deposited in the tender box at **The NACADA Offices, NSSF Building, Block A, 18th floor, Eastern wing, Bishop Road** or be addressed to **The Chief Executive Officer; National Authority for the Campaign Against Alcohol and Drug Abuse; P.O. Box 10774-00100, Nairobi** so as to be received on or before *Monday, 20<sup>th</sup> January 2015 at 10.00 a.m.* The procuring entity reserves the right to accept or reject late applications.
- 2.2.2 The name and mailing address of the applicant may be marked on the envelope.
- 2.2.3 All the information requested for pre-qualification shall be provided in the English language. Where information is provided in any other language, it shall be accompanied by a translation of its pertinent parts into English language. The translation will govern and will be used for interpreting the information.
- 2.2.4 Failure to provide information that is essential for effective evaluation of the applicant's qualifications or to provide timely clarification or sub substantiation of the information supplied may result in the applicant's disqualification.

## 2.3 Eligible Candidates

- 2.3.1 This invitation for pre-qualification is open to firms eligible as defined in Kenya's Public Procurement Law and regulations and as indicated in the appendix to instructions to candidates.
- 2.3.2 The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender.
- 2.3.3 All firms found capable of performing the contract satisfactorily in accordance to the set prequalification criteria shall be prequalified.

## 2.4 Qualification Criteria

- 2.4.1 Pre-qualification will be based on meeting the minimum requirements to pass in the criteria set as shown below. The declaration will be either pass or fail regarding the applicant's general and particular experience, personnel and equipment capabilities and financial position as demonstrated by the applicant's response in the forms provided in Section IV and submitted with the letter of application. The procuring entity reserves the right to waive minor deviations if they do not materially affect the capability of an applicant to perform the contract.
- 2.4.2 When highly specialized inputs (especially for execution of the contract) are required by the applicant from specialist sub-contractors, such subcontractors and their inputs shall be described in the Standard Form 1 (General Information)
- 2.4.3 **General Experience. The applicant shall meet the minimum criteria as specified in the appendix to instruction to tenderers.**
- 2.4.4 **Personnel capabilities. The applicant must have suitably qualified personnel to fill the following positions**

<b>Position</b>	<b>Total experience (years)</b>	<b>In similar works (years)</b>	<b>As manager of similar works (years)</b>
<b>Sole Proprietor/ Partners /Director</b>			
<b>Other Position</b>			
<b>Other position</b>			

- 2.4.5 Financial position. The applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit and other financial

means sufficient to meet the construction cash flow for a period of twelve (12) months.

2.4.6 The audited Accounts for the last (3) years shall be submitted and must demonstrate the soundness of the applicant's financial position, showing long-term profitability. Where necessary the procuring entity will make inquiries with the applicant's bankers.

2.4.7 Litigation history the applicant should provide accurate information on any litigation or arbitration resulting from contracts completed or under its execution over the last five years. A consistent history of awards against the applicant or any partner of a joint venture may result in failure of the application.

## **2.5 Joint Venture**

2.5.1 Joint ventures must comply with the following: -

(a) Following are the minimum qualification requirements.

(i) The lead partner shall meet not less than (not less than of all the qualifying criteria in paragraph 2.4.3 and 2.4.6 above (24)

(ii) The other partners shall meet individually not less than of all the qualifying criteria given in paragraph. 2.4.3 and 2.4.6 above

(iii) The joint venture must satisfy collectively the criteria of section 4, for which propose the relevant figures for each of the partners shall be added together to arrive at the joint ventures total capacity. Individual members must each satisfy the requirements of paragraph 2.4.7 and 2.4.8 above.

(b) The formation of a joint venture after pre-qualification and any change in a prequalified joint venture will be subject to the written approval of the procuring entity prior to the deadline for submission of bids. Such approval may be denied if (i) partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements (ii) the new partners to a joint venture are not qualified, individually or as an another joint venture; or (iii) in the opinion of the procuring entity a substantial reduction in competition may result.

(c) Any future bid shall be signed so as to legally bind all partners, jointly and severally, and any bid shall be submitted with a copy of the joint venture agreement providing the joint and several liabilities with respect to the contract.

2.5.2 The pre-qualification of a joint venture does not necessarily pre-qualify any of its members individually as a member in any other joint venture or association. In case of dissolution of a joint venture, each one of the constituent firms may prequalify if it meets all the prequalification requirements, subject to a written approval of the procuring entity



## **2.6 Public Sector companies**

- 2.6.1 Any public owned enterprise may be eligible to qualify if, in addition to meeting all the above requirements, it is also legally and financially autonomous, it operates under commercial law, and it is not a dependent agency of another public entity.

## **2.7. Conflict of Interest**

- 2.7.1 The applicant (including all members of a joint venture) shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other prequalification and bidding documents for the project, or with an entity that was proposed as engineer for the contract. Any such association must be disclosed and may result in the disqualification of the applicant.

## **2.8. Updating Pre-Qualification Information**

- 2.8.1 Pre-qualified candidates shall be required to update the financial information used for pre-qualification at the time of submitting their bids and to confirm their continued compliance with the qualification criteria. A bid shall be rejected if the applicant's qualification thresholds are no longer met at the time of bidding.

## **APPENDIX TO INSTRUCTIONS TO CANDIDATES**

### **DESCRIPTION OF THE SERVICES FOR THE PROVISION OF LEGAL SERVICE (2019 -2021)**

#### **1. NATURE AND SCOPE OF THE LEGAL SERVICES**

2.1 NACADA intends to procure by way of pre-qualification the services of competent law firms (the lawyers) –

2.2 To be listed on its Panel for the two year period between 2019/20 to 2020/21.

2.3 To offer a myriad of legal and associated consultancy services (hereafter referred to as the Services) as may from time to time be required over the period in question.

2.4 The scope of the Services include but not limited to the following fields of law:

- i. Constitutional and Administrative Law
- ii. Devolution and Public Policy
- iii. Employment and Labour laws
- iv. Criminal law
- v. Procurement law
- vi. Health and Safety laws
- vii. Company and Commercial Law
- viii. Insurance law
- ix. Civil litigation
- x. Arbitration and Alternative Dispute Resolution
- xi. Contract negotiations
- xii. Conveyancing; Debt Recoveries
- xiii. Information Technology Law
- xiv. Construction and Engineering law
- xv. Land Law
- xvi. Public-Private Partnership Law.

2.5 This will also include provision of expert advice and opinions on specific cases, transactions, events including projects. It may involve carrying out searches locally and abroad in land and company registries together with liaising with other relevant bodies and authorities.

2.6 The lawyers will be expected to primarily work closely and under the auspices of the Department of Government Transactions, Civil Litigation, and International law Division among others.

## **2. THE OBJECTIVES**

3.1 The promulgation of the new Constitution on 27th August 2010, the expansion of operations within NACADA and other developments within the legal fraternity together with the changes in legislation affecting NACADA necessitate extra vigilance and continuous review of our legal matters, operations and business.

3.1.1 In particular implementation of the Constitution, devolved governance structure, the overall Government of Kenya as well as NACADA's objectives.

3.2 The selected lawyers will also be expected to provide timely, up to date informed responses and recommendations to queries from the Department.

3.3 The Pre-qualification and enlisting on NACADA's Panel shall not constitute a retainer.

3.4 NACADA does not bind itself to request for provision of any service but shall endeavour to ensure that empaneled lawyers will be treated equitably.

## **3. Professionalism and Experience**

4.1 The lawyers should be adequately competent, possess substantial relevant experience and who can be able to promptly offer the Services and associated consultancy.

4.2 The lawyers shall at all times during the period of the engagement conduct him/herself in a manner suited to the best interests of NACADA.

4.3 The lawyers should demonstrate the capability of conducting presentations and/or providing training to staff on relevant legal aspects in the various fields.

4.4 The selected lawyers should have good credentials in handling relevant Kenyan cases and matters. He/she should also have appropriate experience and/or national affiliations or networks in the major towns of Kenya (Such affiliation will be an added advantage).

## **4. Requirements, Reports and Schedules**

5.1 It is expected that the selected lawyers may enter into discussion and agreement with NACADA on the approach and action plans to realize the objectives of their appointment.

5.2 Taking cognizance of the entrenched adoption of Performance Contracts in NACADA and the benefits accruing there-from, the law firms will be required to enter into Service Level Agreements with NACADA. Therefore law firms will be required to indicate their acceptance by signing the Agreements. This will be among the mandatory basis for selection to the NACADA Panel.

5.3 The lawyers will be expected to give periodic Reports and Review of legal matters that they are handling and timely submission within specified Schedules.

5.4 Lawyers/Law firms who have previously been removed from the NACADA Panel or had any matter transferred away from such law firm will not be considered in this Pre-Qualification Tender.

## **5. The Evaluation and Selection Process**

6.1 The Evaluation and Selection Process of this Pre-Qualification tender will be conducted largely along the following lines:-

**5.1.1** Desk evaluation of all submitted bid documents- **Preliminary and Technical Evaluation.**

**5.1.2** Confirmatory/Inspection Visits of the lawyer's premises or any other places deemed necessary by the Evaluation Team- **Post Qualification Evaluation.**

6.2 All lawyers who participate in this Pre-Qualification Tender shall be deemed to have consented to this Process.

6.3 NACADA therefore requests that participating lawyers and firms grant reasonable access and facilities to the NACADA staff for these purposes.

## **7. CONFIRMATION AND VERIFICATION OF BID DOCUMENTS**

7.1 All lawyers/law firms are strongly advised to:-

7.1.1 Follow and conform to the information contained in the Pre-Qualification Tender Document in preparing and submitting its bid.

7.1.2 Ensure that they officially verify the accuracy, authenticity and validity of any and all documentation, certification or information obtained from third parties e.g. KSL, CLE, LSK, and KRA including letters from referees that they intend to or submit to NACADA as part of their bid.

7.2 The bidders are also encouraged to demonstrate high degrees of integrity, fidelity to and honesty in the information supplied to NACADA as part of their bids. The information should be as clear and concise as possible.

## **8. TECHNICAL EVALUATION**

8.1 A detailed assessment of each applicant will be made in the course of evaluating the application.

8.2 Details of the applicant's organizational structure, financial capability, annual turnover for the last two years, experience in the relevant field, available resources and references will be assessed as follows:

### **8.3 The Firm Profile:**

8.3.1 Provide firm profile showing names of Partners, Associates and their biasness in practice;

8.3.2 Certification by regulatory/affiliation bodies (provide copies of the Partnership Deed/Certificate of Registration of Business Name/ LLP Certificate, current Practicing Certificates etc.)

8.3.3 Letters from the Advocates Complaints Commission and the Disciplinary Committee on the status of partners/firm in regard to complaints;

### **8.4 Experience:**

8.4.1 Number of years in the business (maximum score for five years and above);

8.4.2 List (and provide evidence) of 3 major current client references (especially public bodies and organizations) with their contacts within the last two years. State product/service provided and value of goods/service.

### **8.5 Physical Facilities:**

8.5.1 Provide evidence of availability of office premises and physical address (copy of title deed, lease/tenancy agreement or utility bill);

### **8.6 Financial Capacity:**

8.6.1 Provide audited accounts for the last 2 years

8.6.2 6 months bank statements

8.6.3 Copy of the professional indemnity held by your firm, or advocates therein

### **8.7 Highlights of major civil litigation undertaken by the firm in the last 5 years;**

8.7.1 Provide qualifications and experience of key personnel (attach CVs) and Copies of the current practicing partners certificates of the partner

8.7.2 Provide at least three civil litigation assignments most recently handled by the firm; the nature of the litigation and the outcome thereof.

## **9. FURTHER EVALATION CRITERIA**

9.1 NACADA may classify the firms of advocates for purposes of determination of the suitability of each firm for any particular assignment, based on the risk involved and the technical expertise required.

9.2 The classification, as defined by NACADA, shall be as follows:-

9.2.1 Category A law firms – (Super-size)

- Has a Professional Indemnity Cover of not less than KSh. 200 Million
- Has more than twelve (12) admitted lawyers

9.2.2 Category B law firms – (Large)

- Has a Professional Indemnity Cover of not less than KSh. 100 Million but not equivalent to or more than KSh. 200 Million
- Has between eight (8) and twelve (12) admitted lawyers

9.2.3 Category C law firms – (Medium)

- Has a Professional Indemnity Cover of not less than KSh. 50 Million but not equivalent to or more than KSh. 100 Million
- Has between four (4) and seven (7) admitted lawyers

9.2.4 Category D law firms – (Standard)

- Has a Professional Indemnity Cover of not less than KSh. 10 Million but not equivalent to or more than KSh. 50 Million
- Has between one (1) and three (3) admitted lawyers

9.2.5 For purposes of this categorization and the Pre-Qualification Tender Document –

9.2.5.1 ‘Admitted lawyers’ shall mean qualified lawyers who have been admitted to the Bar and hold a valid year 2019 practicing certificate. It includes all Partners and Associates in the law firm.

9.2.5.2 A law firm that substantially fits within one category will be deemed to be within that category even though it does not strictly fully fall within the parameters described for that category as above.

9.3 Law firms shall satisfy all relevant licensing and/or registration with LSK, the Office of the Attorney General of Kenya and the relevant County.

9.4 Law firms shall provide such evidence of their continued eligibility satisfactory to NACADA as NACADA may reasonably request.

9.5 In NACADA’s appointment of law firms, NACADA shall strive to appoint at least 30% of the firms in its panel from among the youth, women, disabled, and minority and marginalized groups who possess a certificate of preference and fulfill the requirements for pre-qualification under this Tender document.

## EVALUATION CRITERIA

The evaluation of the bids shall be done in two stages; the preliminary evaluation, the technical evaluation and Post Qualification Evaluation

### Preliminary Evaluation ( Mandatory Requirement)

At this stage the procuring entity will be checking the responsiveness and non responsiveness. Any bid that will get a non responsive score in any of the MR will be disqualified from further evaluation.

MR	REQUIREMENT TO BE ATTACHED	RESPONSIVE OR NON RESPONSIVE
MR 1	Certificate of Incorporation /Registration	
MR 2	KRA Pin Certificate	
MR 3	Valid and Current Tax Compliance Certificate	
MR 4	Current Single Business Permit	
MR 5	CR12 for Limited Company	
MR 6	Certificate of practicing License from LSK/Legal Counsel of Kenya	
MR 7	Five (5) Years Experience	
MR 8	Copy of Professional Indemnity	

### Technical Evaluation

At technical evaluation the procuring entity will award the scores based on the evidence provided in the bid document as required in the application forms (AF). The minimum score to qualify will be 70% marks. Any bid who will score 70% and above will be listed for further post qualification evaluation.

S/NO	CRITERIA	DETAILED CRITERIA	SCORE
1	General Information	Dully provide general information on <b>AF1</b>	6 Marks
2	General Experience – 5 Years	Provide annual turnover of 5 years as indicated in <b>AF2</b> Turnover of less than 5 years; $t=n/5*20$	20 Marks
3	Particular Experience	Provide 5 contracts of similar nature of this tender as indicated in <b>AF3A</b> Less than 5 contracts; $p=n/5*20$	20 Marks
4	Personnel Capability	Provide credentials of 5 technical staff as indicated in <b>AF4</b> Less than 5 staff; $p=n/5*20$	20 Marks
5	Financial Capability	Provide audited books of Account for 2 years as indicated in <b>AF6</b> Less than 2 years; $f=n/2*12$	12 Marks

		Provide 6 months bank statement	12 Marks
		Less than 6 months; $b=n/6*12$	
		Provide Professional Indemnity held by the Firm	5 Marks
6	Litigation History	Provide the litigation history for the last 5 years as indicated in <b>AF7</b>	5 Marks
		<b>TOTAL MARKS</b>	<b>100%</b>

### **Post Qualification Evaluation**

Under this criterion the evaluation committee will visit the premises of the successful bids of the firms that scored 70% marks and Above to ascertain: the physical existence of the firm; verify the original documentation submitted by the firm and any other information may be of importance.

The bids that will successfully qualify at this stage will be enlisted in the procuring entity's database as the prequalified legal service providers.



**SECTION III - LETTER OF APPLICATION**

Date .....

To .....  
.....  
(Name and address of the procuring entity)

Ladies and/or Gentlemen

1. Being duly authorized to represent and act on behalf of \_\_\_\_\_ (name of firm) (hereinafter referred to as “the Applicant” ), and having reviewed and fully understood all of the pre-qualification information provided, the undersigned hereby apply to be prequalified by yourselves as a bidder for the following contract(s) under (Tender No. and Tender name)

Tender number	Tender name
1.	
2.	
3.	
4.	
5.	

2. Attached to this letter are copies of original documents defining
- (a) the Applicant’s legal status
    - 1. Incorporation /Registration certificate
    - 2. Pin certificate
    - 3. VAT certificate
    - 4. Valid and current tax compliance
  - (b) the principal place of business and the place of incorporation (for applicants who are corporations), or the place of registration and the nationality of the owners (for applicants who are partnerships or individually-owned firms).
5. Single business permit with relevant County government Authority
6. CR12 for limited company
7. Certificate of practicing from LSK/Legal Council of Kenya

**PROVISION OF LEGAL SERVICES**

8. Proof of similar work undertaken

9. Key personnel with a minimum of not less than 5 years' experience in the said field

3. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and as requested by yourselves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.

4. This application is made with the full understanding that:

- (a) bids by prequalified applicants will be subject to verification of all information submitted for prequalification at the time of bidding.
- (b) Your Agency reserves the right to:
  - amend the scope and value of any contracts bid under this project; in such event, bids will only be called from prequalified bidders who meet the revised requirements; and
  - reject or accept any application, cancel the prequalification process, and reject all applications
- (c) your Agency shall not be liable for any such actions and shall be under no obligation to inform the Applicant of the grounds for them

1. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the <each> contract, and the responsibilities for execution of the <each> contract.

2. We confirm that if we bid, that bid, as well as any resulting contract, will be:

- (a) signed so as to legally bind all partners, jointly and severally; and
- (b) submitted with a joint venture agreement providing the joint and several liabilities of all partners in the event the contract is awarded to us.

3. The undersigned declare that the statement made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead partner of a joint venture)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf (name of Partner)	For and on behalf of (name of partner)

## SECTION IV- STANDARD FORMS

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6.	Financial capability	
7.	Litigation History	
8.	Request for Review	

**APPLICATION FORM (AF1)**

**GENERAL INFORMATION**

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact
4.	Fax	E-mail
5.	Place of incorporation/registration	Year of incorporation/registration

Nationality of owners		
	Name	Nationality
1.		
2.		
3.		
4.		
5.		

**APPLICATION FORM (AF2)**

**GENERAL EXPERIENCE RECORD**

Name of Applicant or partner of a joint venture
---

Annual turnover data		
Year	Turnover	Kshs.
1.		
2.		
3.		
4.		
5.		

**APPLICATION FORM (AF2A)**

**JOINT VENTURE SUMMARY**

Names of all partners of a joint venture
1. Lead partner
2. Partner
3. Partner
4. Partner
5. Partner
6. Partner

Total value of annual construction turnover, in terms of work billed to clients, in Kshs.

Annual turnover data (construction only: Kshs.
--

Partner	Form 2 Page no.	Year 1	Year 2	Year 3
1. Lead Partner				
2. Partner				
3. Partner				
4. Partner				
5. Partner				
6. Partner				
	Totals			





**APPLICATION FORM (AF4)**

**PERSONNEL CAPABILITIES**

Name of Applicant
-------------------

1.	Title of position Name of prime candidate Name of alternate candidate
2.	Title of position Name of prime candidate Name of alternate candidate
3.	Title of position Name of prime candidate Name of alternate candidate
4.	Title of position Name of prime candidate Name of alternate candidate

**APPLICATION FORM (AF5)**

**CANDIDATE SUMMARY**

Name of Applicant
-------------------

Position		Candidate * Prime                      * Alternate
Candidate information	1. Name of candidate	2. Date of birth
	3. Professional qualifications	
Present employment	4. Name of employer	
	5. Address of employer	
Telephone		Contact (manager/personnel officer)
Fax		E mail
Job title of candidate		Years with present employer

Summarize professional experience over the last 20 years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the Project.

From	To	Company/Project/Position/Relevant technical and management experience

## APPLICATION FORM (AF6)

### FINANCIAL CAPABILITY

Name of Applicant or partner of a joint venture
---

Banker	Name of banker		
	Address of banker		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Telephone</td> <td style="width: 50%; border: none;">Contact name and title</td> </tr> </table>	Telephone	Contact name and title
Telephone	Contact name and title		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Fax</td> <td style="width: 50%; border: none;">E mail</td> </tr> </table>	Fax	E mail
Fax	E mail		

Financial information in Kshs.	Actual : previous five years		Projected: next two years	
	1.	2.	3.	4.
1. Total assets				
2. Current assets				
3. Total liabilities				
4. Current liabilities				
5. Profits before taxes				
6. Profits after taxes				

Source of finance	Amount Kshs.
1.	
2.	
3.	
4.	

### APPLICATION FORM (AF7)

#### LITIGATION HISTORY

Name of Applicant or partner of a joint venture
---

Applicants, including each of the partners of a joint venture, should provide information of any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution (Instructions to Applicants, paragraph. 4.8). A separate sheet should be used for each partner of a joint venture.

Year	Award FOR or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value Kshs.)

**LETTER OF NOTIFICATION OF AWARD**

Address of Procuring Entity

---

---

To: \_\_\_\_\_

---

---

---

RE: Tender No. \_\_\_\_\_

Tender Name \_\_\_\_\_

This is to notify that the contract/s stated below under the above mentioned tender have been awarded to you.

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1. Please acknowledge receipt of this letter of notification signifying your acceptance.
2. The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
3. You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

*(FULL PARTICULARS)* \_\_\_\_\_  
\_\_\_\_\_

SIGNED FOR ACCOUNTING OFFICER

**REQUEST FOR REVIEW FORM**

**FORM RB 1**

**REPUBLIC OF KENYA**

**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 the Procuring Entity*) of  
.....dated the...day of .....20.....in the matter of Tender  
No.....of .....20...

**REQUEST FOR REVIEW**

I/We.....,the above named Applicant(s), of address: Physical  
address.....Fax 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.
- etc.

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

- 1.
- 2.
- etc

SIGNED .....(Applicant)

Dated on.....day of ...../...20...

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**FOR OFFICIAL USE ONLY**

Lodged with the Secretary Public Procurement Administrative Review Board on .....  
day of .....20.....

**SIGNED**  
**Board Secretary**