



**REPUBLIC OF KENYA
MINISTRY OF PUBLIC SERVICE, PERFORMANCE AND DELIVERY MANAGEMENT
STATE DEPARTMENT FOR PUBLIC SERVICE
HUDUMA KENYA SECRETARIAT**

**REQUEST FOR PROPOSALS TO OPERATE THE CYBER CAFÉ SERVICES IN THE
HUDUMA CENTRES IN SPECIFIC COUNTIES**

TENDER NO. SDPS/HKS/RFP/02/2023-2024/1

**RE-ADVERTISEMENT OF SELECTION OF FIRMS TO OPERATE CYBER
CAFÉS IN THE 5 HUDUMA CENTRES**

(1) Taita Taveta (2) Marsabit (3) Makueni (4) Lamu (5) Isiolo

TENDER CLOSING DATE: MONDAY, 15TH JULY, 2024 AT 11.00AM

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INVITATION TO TENDER (ITT)

PROCURING ENTITY: MINISTRY OF PERFORMANCE AND DELIVERY MANAGEMENT.

STATE DEPARTMENT FOR PUBLIC SERVICE

HUDUMA KENYA SECRETARIAT

P.O BOX 47716-00100 NAIROBI

CONTRACT NAME AND DESCRIPTION: REQUEST FOR PROPOSALS TO OPERATE THE CYBER CAFÉ SERVICES IN THE HUDUMA CENTRES IN SPECIFIC COUNTIES.

TENDER NO: SDPS/HKS/RFP/02/2023-2024/1

1. The Ministry of Public Service, Performance and Delivery Management, State Department of Public Service invites sealed tenders from eligible candidates for Provision of Cyber Services. in specific Counties.
2. Tender documents with detailed specifications shall be downloaded free of charge from the Ministry's website www.hudumakenya.go.ke and PPIP portal www.tenders.go.ke. invites sealed proposals for the provision of cyber café services at Huduma Centre specific County.
3. Tender is a youth empowerment program and is reserved to youth categories operating from County hosting the Huduma Centre.
4. Qualified and interested tenderers may obtain further information and inspect the Tender Documents during office hours 0900 to 1700 hours at the address given below.
5. Tender documents may be obtained electronically from the Website www.hudumakenya.go.ke PPIP Portal./www.tenders.go.ke. Tender documents obtained electronically will be free of charge. Tenderers downloading documents from a designated Website shall advise the Procurement Entity that they have downloaded the tender documents, giving full contact addresses of the tenderer to [Email: tenders@hudumakenya.go.ke](mailto:tenders@hudumakenya.go.ke);
6. Tender documents may be viewed and downloaded for free from the website www.hudumakenya.go.ke. PPIP Portal./www.tenders.go.ke. Tenderers who download the tender document must forward their particulars immediately to [Email: tenders@hudumakenya.go.ke](mailto:tenders@hudumakenya.go.ke);
7. Completed proposal documents are to be submitted enclosed in plain sealed envelope marked Tender No. SDPS/HKS/RFP/02/2023-2024/1--For the Provision of Cyber Café Services at the specific Huduma Centre they will be operating and must be deposited in the Tender Box at Lonrho House, 15th Floor to be received on or before **Monday 15th July, 2024** at 11.00AM to be addressed to;

**The Ag. Chief Executive Officer
Huduma Kenya Secretariat,
P.O Box 47716-00100, Nairobi
15th Floor Lonrho House- Tender Box**

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

Huduma Kenya Secretariat

Supply Chain Office- 14th Floor Lonrho House, Standard Street,

Nairobi Postal Address: 47716- 00100 Nairobi

Head Supply Chain Management Service- Benard Omondi

Email:bomondi@hudumakenya.go.ke

B. Address for Submission of Tenders. Huduma Kenya Secretariat

The Ag. Chief Executive Officer,

P.O Box 47716-00100, Nairobi

15th Floor Lonrho House- Tender Box

C. Address for Opening of Tenders.

Huduma Kenya Secretariat

P.O Box 47716-00100, Nairobi

15th Floor Lonrho House- Board Room

Authorized official

Name: MUGAMBI NJERU

Designation: Ag. Chief Executive Officer

Signature: ----- Date: -----

Official of The Ministry issuing invitation:

Name: Benard Omondi

Designation: Head Supply Chain Management Service

Signature: ----- Date: -----

7. Tenders will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Tenders will be publicly opened in the presence of the Tenderers' designated representatives who choose to attend at the address below.
8. Late tenders will be rejected.

Tender Submission Format

**This order and arrangement shall be considered as the Tender Submission Format.
Tenderers shall tick against each item indicating that they have provided it.**

SECTION II – INFORMATION TO TENDERERS (ITC)

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SECTION II: - INFORMATION TO TENDERERS (ITT)

2.1 Introduction

2.1.1 The Ministry named in the Appendix to “ITC” will select a firm among those invited to submit a proposal, in accordance with the method of selection detailed in the appendix. The method of selection shall be as indicated by the Ministry of Public Service, Performance and Delivery Management/Huduma Kenya in the Appendix.

2.1.2 The Ministry’s employees, committee members, board members and their relative (spouse and children) are not eligible to participate.

2.2 Clarification and Amendment of Tender Documents

2.2.1 Tenderers may request a clarification of any of the tender documents only up to seven [7] days before the proposal submission date. Any request for clarification must be sent in writing by paper mail, cable, telex, facsimile or electronic mail to the of Ministry’s address indicated in the Appendix “ITC”. The will respond by cable, telex, facsimile or electronic mail to such requests and will send written copies of the response (including an explanation of the query but without identifying the source of inquiry) to all invited Tenderers who intend to submit proposals.

2.2.2 At any time before the submission of proposals, the Ministry a may for any reason, whether at his own initiative or in response to a clarification requested by an invited firm, amend the tender. Any amendment shall be issued in writing through addenda. Addenda shall be sent by mail, cable, telex or facsimile to all invited Tenderers and will be binding on them. The Ministry may at his discretion extend the deadline for the submission of proposals.

2.3 Preparation of Technical Proposal

2.3.1 The Tenderers proposal shall be written in English language

2.3.2 In preparing the Technical Proposal, Tenderers are expected to examine the documents constituting this tender in detail. Material deficiencies in providing the information requested may result in rejection of a proposal.

2.3.3 The Technical Proposal shall not include any financial information.

2.4 Submission, Receipt, and Opening of Proposals

2.4.1 The original proposal shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the firm itself. Any such corrections must be initialed by the persons or person authorized to sign the proposals.

2.5 Evaluation of Technical Proposal

2.6.1 The evaluation committee appointed by the of Ministry shall evaluate the proposals on the basis of their responsiveness to the Terms of Reference and Technical Specifications.

2.5.1 Each responsive proposal will be given a technical score. A proposal shall be rejected at this stage if it does not respond to important aspects of the Terms of Reference or if it fails to achieve the minimum technical score indicated in the Appendix “ITC”.

2.6 Award of Contract

2.6.1 The selected firm is expected to commence the assignment on the date and at the location specified in Appendix “A”.

2.6.2 The parties to the contract shall have it signed within 30 days from the date of notification of contract award unless there is an administrative review request.

2.6.3 The Ministry may at any time terminate procurement proceedings before contract award and shall not be liable to any person for the termination.

2.6.4 The of shall give prompt notice of the termination to the Tenderers and on request give its reasons for termination within 14 days of receiving the request from any Tenderer.

2.6.5 To qualify for contract awards, the Tenderer shall have the following:

- (a) Necessary qualifications, capability experience, services, equipment and facilities to provide what is being procured.
- (b) Legal capacity to enter into a contract for procurement
- (c) Shall not be insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings relating to the foregoing.
- (d) Shall not be debarred from participating in public procurement.

Appendix to Instructions to Tenderer

1.5.1 The evaluation committee appointed by the Ministry shall evaluate the proposals following the criteria set out in the Terms of Reference based on the following;

Stage1: Preliminary Examination

S/N	Mandatory Eligibility criteria	YES/NO
1.	Copy of Registration/Incorporation under the Companies Act (Business Registration Certificate or Company Registration Certificate.)	
2.	Valid Tax Compliance Certificate.	
3.	Must provide copy of PIN certificate	
4.	Valid trading license from the county the Huduma Centre is hosted. (County Single Business Permit (For the County Tendered for. To demonstrate Business operates in the respective county).	
5.	Valid YAGPO Certificate	
6.	Must submit a duly filled form of tender in the prescribed format.	
7.	Must submit a duly filled, signed and stamped Confidential Business Questionnaire in the format provided.	
8.	Must submit Certificate of Independent Tender Determination	
9.	Must indicate on the sealed envelopes the Huduma Centre tendered for.	
10.	Must submit a dully Filled and Stamped Form SD1	

11.	Must submit a dully Filled and Stamped Form SD2	
12.	Must submit a dully filled disclosure of interest/no conflicts of interest	
13.	Firm has submitted the required number of copies of tender document (1 Original and 1 Copy) within the same sealed and marked envelope.	
14.	Document must be serially paginated on every page and TAPE BOUND	
15.	Must submit a dully filled and Stamped Declaration and commitment to the Code of Ethics Form	
	FINAL DETERMINATION (R/NR)	

Tenderers will be required to pass the Preliminary Evaluation having submitted all the requested mandatory documentation before being considered for Technical Evaluation.

Stage 2: Technical Evaluation

ON-BOARDING OF HUDUMA CENTRE CYBER CAFÉ OPERATOR – SPECIFICATIONS AND EVALUATION CRITERIA

1. BACKGROUND

The Huduma Kenya Program aims at transforming service delivery to Kenyans by enabling citizens to access various Public Services and information from a single location (Huduma Centres) and through integrated electronic service channels.

In this regard, there are auxiliary online services offered in the Huduma Centres through Cyber Cafes' that are exclusively reserved for Youth Owned Enterprises. These Cyber Cafes are onboarded through a competitive public procurement process and to which they are awarded tenders to operate Cyber Cafes within Huduma Centres. The objective of the setting up of the Cyber Cafés in Huduma Centres is:

- a. To provide customers with a facility to access online Government Services; and
- b. To also empower the youth by creating employment through a preferential Youth Access to Government Procurement Opportunities (YAGPO).

With the operationalization of the Huduma Centres , there is need to onboard cyber café services as one of the auxiliary services offered through the Huduma Centre. Additionally, it is proposed that the service provider for the cyber café be a local proprietor hailing from the specific County the Huduma Centre is in.

TECHNICAL SPECIFICATIONS

The tenderer is required to demonstrate technical capacity to provide the necessary services. The following specifications have been provided and the tenderer will be required to meet the specifications set in order to qualify for consideration.

ANNEX 1 CYBER CAFE SPECIFICATIONS

Huduma Kenya Secretariat is seeking sealed bids from interested and qualified **Youth Bidders** to provide **Cyber Cafe Services** in Huduma Centres. The sealed bids to state the specific Huduma Centre Cyber Café that a Youth Enterprise is bidding from the below list of **5 Huduma Centers**.

The Cyber Cafes are in the following five (5) **Huduma Centres**, namely:

(1) Taita Taveta (2) Marsabit (3) Makueni (4) Lamu (5) Isiolo

The bid should respond to the below specifications:

SPECIFICATIONS THAT THE CYBER CAFÉ BID SHOULD RESPOND TO	
Specification	Details
Technical Proposal	<ul style="list-style-type: none"> • Provide a detailed proposal demonstrating: <ul style="list-style-type: none"> ○ Business case: <ul style="list-style-type: none"> ▪ Objectives ▪ Approach ▪ Benefits ▪ Future business ideas ○ Setup of a Cyber Cafe and auxiliary services, namely: <ul style="list-style-type: none"> ▪ General Cyber Café Services which include: Surfing/internet access, printing, scanning, photocopying (colour and black and white), lamination, binding of documents, passport photo taking and any other Cyber Café Services. ▪ Stationary bureau ▪ Miniature refreshment and snack shop ▪ Mobile money services ▪ Mobile banking services ○ How to offer Government services: <ul style="list-style-type: none"> ▪ General information on Government services ▪ Self-service and Government assisted services ○ Team Structure of personnel who will be running the cyber
Personal Computers (PCs)	<ul style="list-style-type: none"> • Personal Computer (PCs) with minimum specifications as follows: <ul style="list-style-type: none"> ○ Processor- Intel Core Processor-Intel Core i5 (6th Generation) 6500/3.2GHz or higher

SPECIFICATIONS THAT THE CYBER CAFÉ BID SHOULD RESPOND TO

Specification	Details
	<ul style="list-style-type: none"> ○ System Memory-6GB SDRAM; Transfer rates of up to 1600MT/s ○ Minimum Storage Sub System-500GB 7200 RPM SATA or 128 GB SSD Hard Drive ○ Hard Drive; DVD Super Multi Rewriter ○ Display/Graphics-20" Diagonal HD Antiglare LED - Backlit (1366*768) ○ Application Software-Microsoft Office® 2013 Professional ○ Kaspersky Internet Security Software (Latest) ○ Operating System-Genuine Windows® 10 Professional 64bit ○ I/O Interface-3 USB ports
Printing Services	<ul style="list-style-type: none"> ● The Cyber Cafe will be offering Printing and Photo copying Services: <ul style="list-style-type: none"> ○ The Printer and Photo Copier should have: <ul style="list-style-type: none"> ▪ Black & White Multifunctional System - Print/Scan/Copy/Optional Fax ▪ Minimum speed of 42 pages per minute. ▪ Network Print and Supported Protocols- TCP/IP (IPv4, IPv6, SSL, HTTPs), IPX/SPX, AppleTalk, NetBEUI
Network Cables	<ul style="list-style-type: none"> ● At least 15 Cat 6 Ethernet patch codes with RJ 45 connectors
Contact Details	<ul style="list-style-type: none"> ● Name. ● Personal or firm's email. ● Phone Number. ● Postal address.
Statutory/ Preliminary Documents and Pagination	<ul style="list-style-type: none"> ● Business Registration Certificate or Company Registration Certificate. ● YAGPO (Youth Access to Government Procurement Opportunities). ● Tax Compliance. ● PIN Certificate.

SPECIFICATIONS THAT THE CYBER CAFÉ BID SHOULD RESPOND TO

Specification	Details
	<ul style="list-style-type: none">• County Single Business Permit (For the County Tendered for. To demonstrate Business operates in the respective county).• Pagination and tape bound of the entire document submitted including attachments.• Must indicate on the sealed envelopes the Huduma Centre tendered for.• Must submit a duly filled form of tender in the prescribed format.• Must submit a duly filled, signed and stamped Confidential Business Questionnaire in the format provided.• Must submit a duly filled Certificate of Independent Tender Determination.• Must submit a duly filled and stamped Form SD1.• Must submit a duly and stamped Form SD2.• Must submit a duly filled disclosure of interest/no conflicts of interest• Firm has submitted the required number of copies of tender document (1 Original and 1 Copy) within the same sealed and marked envelope.

ANNEX 2 CYBER CAFE EVALUATION CRITERIA

CYBER CAFÉ EVALUATION CRITERIA		
Specification	Details	Evaluation Scores/ Notes
1st Stage Evaluation		
Preliminary Evaluation	<p>Bidder/ Tenderer documents to be checked as having the below:</p> <ul style="list-style-type: none"> • Business Registration Certificate or Company Registration Certificate. • YAGPO (Youth Access to Government Procurement Opportunities). • Tax Compliance. • PIN Certificate. • County Single Business Permit (For the County Tendered for. To demonstrate Business operates in the respective county). • Paginated the entire document submitted including attachments and document is tape bound. • Indicate on the sealed envelopes the Huduma Centre tendered for. • Submitted a duly filled form of tender in the prescribed format. • Submitted a duly filled, signed and stamped Confidential Business Questionnaire in the format provided. • Submitted a duly filled Certificate of Independent Tender Determination. • Submitted a duly filled and stamped Form SD1. • Submitted a duly and stamped Form SD2. • Submitted a duly filled disclosure of interest/no conflicts of interest • Submitted the required number of copies of tender document (1 Original and 1 	<p>A bidder to only proceed to 2nd stage evaluation if they have provided ALL statutory/preliminary documents, tender to be fully paginated, tape bound and envelope properly marked and the requested copies provided.</p> <p>Lack of any of the preliminary documentation, partial provision of the statutory/preliminary documents and/or lack of full pagination, tape bounding, marking of the envelope as per the Mandatory eligibility criteria renders the tenderer/bidder non-responsive at the 1st Stage of evaluation.</p> <p>1st Stage Determination being Responsive/ Not Responsive.</p>

CYBER CAFÉ EVALUATION CRITERIA		
Specification	Details	Evaluation Scores/ Notes
	Copy) within the same sealed and marked envelope.	
1st Stage Determination being Responsive/ Not Responsive.		
2nd Stage Evaluation		
Technical Proposal	<ul style="list-style-type: none"> • Provide a detailed proposal demonstrating: <ul style="list-style-type: none"> ○ Business case: <ul style="list-style-type: none"> ▪ Objectives ▪ Approach ▪ Benefits ▪ Future business ideas ○ Setup of a Cyber Café and auxiliary services, namely: <ul style="list-style-type: none"> ▪ General Cyber Café Services which include: Surfing/internet access, printing, scanning, photocopying (colour and black and white), lamination, binding of documents, passport photo taking and any other Cyber Café Services. ▪ Stationary bureau ▪ Miniature refreshment and snack shop ▪ Mobile money services ▪ Mobile banking services ○ How to offer Government services: <ul style="list-style-type: none"> ▪ General information on Government services ▪ Self-service and Government assisted services ○ Team Structure of personnel who will be running the cyber 	75% distributed as follows: <ul style="list-style-type: none"> • Business case: 15% • Setup of a Cyber Cafe and auxiliary services 20% • How to offer Government services: 25% • Team Structure of personnel who will be running the cyber: 15%

CYBER CAFÉ EVALUATION CRITERIA		
Specification	Details	Evaluation Scores/ Notes
Personal Computers (PCs)	<ul style="list-style-type: none"> • Personal Computer (PCs) with minimum specifications as follows: <ul style="list-style-type: none"> ○ Processor- Intel Core Processor- Intel Core i5 (6th Generation) 6500/3.2GHz or higher ○ System Memory-6GB SDRAM; Transfer rates of up to 1600MT/s ○ Minimum Storage Sub System-500GB 7200 RPM SATA or 128 GB SSD Hard Drive ○ Hard Drive; DVD Super Multi Rewriter ○ Display/Graphics-20" Diagonal HD Antiglare LED - Backlit (1366*768) ○ Application Software-Microsoft Office® 2013 Professional ○ Kaspersky Internet Security Software (Latest) ○ Operating System-Genuine Windows® 10 Professional 64bit ○ I/O Interface-3 USB ports 	<p>10%</p> <p>Details of PCs that will be installed meeting this specification</p>
Printing Services	<ul style="list-style-type: none"> • The Cyber Cafe will be offering Printing and Photo copying Services: <ul style="list-style-type: none"> ○ The Printer and Photo Copier should have: <ul style="list-style-type: none"> ▪ Black & White Multifunctional System - Print/Scan/Copy/Optional Fax ▪ Minimum speed of 42 pages per minute. ▪ Network Print and Supported Protocols- TCP/IP (IPv4, IPv6, SSL, HTTPs), IPX/SPX, AppleTalk, NetBEUI 	<p>10%</p> <p>Details of Printing and Photo copying equipment that will be installed and meeting this specification</p>
Network Cables	<ul style="list-style-type: none"> • At least 15 Cat 6 Ethernet patch codes with RJ 45 connectors 	<p>5%</p> <p>Details of Network Cables that will be utilized</p>
<p>2nd Stage Determination – The Pass mark is 80%. The award will be made to the proposal with the highest technical scores above the pass mark.</p>		

SECTION III: - TERMS OF REFERENCE

3.1 Background

Huduma Kenya Programme is a Vision 2030 Flagship Project established vide Gazette Notice No. 2177 of 4th April 2014 to transform the Public Service by among others developing integrated 'one-stop-shop' Service Delivery channels for citizens' convenient access to Government services. Huduma Kenya Secretariat (HKS) continues to engage with Ministries, Departments, Agencies and Counties (MDACs) to deploy their services in Huduma Service Delivery platforms and to provide quality services to Citizens. To achieve this mandate, HKS has so far operationalized the following Huduma Service Delivery Platforms: 53 Huduma Centres in all the 47 Counties, Huduma Contact Centre, Huduma Mashinani and Huduma electronic unified front-end platforms in order to provide quality services to Citizens.

In this regard, there are auxiliary online services offered in the Huduma Centres through Cyber Cafes' that are exclusively reserved for youth owned enterprises. These Cyber Cafes are on boarded through a competitive public procurement process and to which they are awarded tenders to operate Cyber Cafes within Huduma Centres.

3.2 Objectives

The objective of the setting up of the Cyber Cafés in Huduma Centres is to:

- a. Provide customers with a facility to access online Government Services; and
- b. To also empower the youth by creating employment through a preferential Access to Government Procurement Opportunities.

The required Cyber Cafe will be in: (1) Taita Taveta (2) Marsabit (3) Makueni (4) Lamu (5) Isiolo

3.3 Qualification of Firms

The Ministry is seeking to select qualified youth owned enterprises to operate the Cyber Cafes in the Huduma

Centres. The subject selection process is exclusively reserved for the **YOUTH**. "Youth" means a person who has attained the age of eighteen years and has not attained the age of thirty-five years and includes a company, association or body of persons, corporate or incorporated in which at least seventy percent of shareholders are persons who have attained the age of eighteen years and have not attained the age of thirty five years.

To qualify, a firm must provide a detailed proposal on how to Operate the Cyber Café. The proposal must detail:

a) **The Business case:**

- a) Objectives
- b) Approach
- c) Benefits
- d) Future business ideas

b) **Setup of a Cyber cafe and auxiliary services, namely:**

- a) General Cyber Café Services which include: Surfing/internet access, printing, scanning, photocopying (colour and black and white), lamination, binding of documents, passport photo taking and any other Cyber Café Services.
- b) Other Auxiliary Services i.e. Stationary bureau, Miniature refreshment and snack shop, Mobile money services, Mobile banking services.

c) Providing Access to Government services:

- a) General information on Government services
- b) Self-service and Government assisted services
- c) Team Structure of personnel who will be running the cyber.
- d) Deployment of Machines and Equipment
- e) Deployment of Personal Computers (PCs) with the required minimum specifications.
- f) Printing Services with the required minimum specifications.

d) Bidder Information

- a) Personal or firm's email.
- b) Phone Number.
- c) Postal address.

3.4 Period of Contract

The successful applicants will enter into a three-year agreement with the Huduma Kenya Secretariat.

SECTION IV - TENDERING FORMS

1. FORM OF TENDER

(Amended and issued pursuant to PPRA CIRCULAR No. 02/2022)

INSTRUCTIONS TO TENDERERS

- i) All italicized text is to help the Tenderer in preparing this form.*
- ii) The Tenderer must prepare this Form of Tender on stationery with its letterhead clearly showing the Tenderer's complete name and business address. Tenderers are reminded that this is a mandatory requirement.*
- iii) Tenderer must complete and sign CERTIFICATE OF INDEPENDENT TENDER DETERMINATION and the SELF DECLARATION FORMS OF THE TENDERER as listed under (s) below.*

Date of this Tender submission:.....[insert date (as day, month and year) of Tender submission]

Tender Name and Identification:.....[insert identification]

Alternative No.:.....[insert identification No if this is a Tender for an alternative] To: [Insert complete name of Procuring Entity]

- a) **No reservations:** We have examined and have no reservations to the tendering document, including Addenda issued in accordance with Instructions to Tenderers (ITT 8);
- b) **Eligibility:** We meet the eligibility requirements and have no conflict of interest in accordance with ITT 4;
- c) **Tender-Securing Declaration:** We have not been debarred by the Authority based on execution of a Tender- Securing Declaration or Tender Securing Declaration in Kenya in accordance with ITT 4.8;
- d) **Conformity:** We offer to provide design, supply and installation services in conformity with the tendering document of the following: [insert a brief description of the IS Design, Supply and Installation Services];
- e) **Tender Price:** The total price of our Tender, excluding any discounts offered in item (f) below is: [Insert one of the options below as appropriate]

[Option 1, in case of one lot:] Total price is: [insert the total price of the Tender in words and figures, indicating the various amounts and the respective currencies];

Or

[Option 2, in case of multiple lots:] (a) Total price of each lot [insert the total price of each lot in words and figures, indicating the various amounts and the respective currencies]; and (b) Total price of all lots (sum of all lots) [insert the total price of all lots in words and figures, indicating the various amounts and the respective currencies];

- (f) **Discounts:** The discounts offered and the methodology for their application are:
- i) The discounts offered are: *[Specify in detail each discount offered.]* ii) The exact method of calculations to determine the net price after application of discounts is shown below: *[Specify in detail the method that shall be used to apply the discounts];*
- g) **Tender Validity Period:** Our Tender shall be valid for the period specified in TDS ITT 19.1 (as amended if applicable) from the date fixed for the Tender submission deadline (specified in TDS ITT 23.1 (as amended if applicable), and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- h) **Performance Security:** If our Tender is accepted, we commit to obtain a Performance Security in accordance with the tendering document;
- i) **One Tender per Tenderer:** We are not submitting any other Tender (s) as an individual Tenderer, and we are not participating in any other Tender (s) as a Joint Venture member, and meet the requirements of ITT 4.3, other than alternative Tenders submitted in accordance with ITT 13;
- j) **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 in eligible under Laws of Kenya or official regulations or pursuant to a decision of the United Nations Security Council;
- k) **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 ITT 4.7];*
- l) **Commissions, gratuities and fees:** We have paid, or will pay the following commissions, gratuities, or fees with respect to the Tendering process or execution of the Contract: *[insert complete name of each Recipient, its full address, the reason for which each commission or gratuity was paid and the amount and currency of each such commission or gratuity]*

Name of Recipient	Address	Reason	Amount

(If none has been paid or is to be paid, indicate "none.")

- m) **Binding Contract:** We understand that this Tender, together with your written acceptance thereof included in your Form of Acceptance, shall constitute a binding contract between us, until a formal contract is prepared and executed;
- n) **Not Bound to Accept:** We understand that you are not bound to accept the lowest evaluated cost Tender, the Best Evaluated Tender or any other Tender that you may receive; and
- o) **Fraud and Corruption:** We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf engages in any type of Fraud and Corruption.

Name of the Tenderer: **[insert complete name of person signing the Tender]*

- p) **Collusive practices:** We hereby certify and confirm that the tender is genuine, non-collusive and made with the intention of accepting the contract if awarded. To this effect we have signed the "Certificate of Independent Tender Determination" attached below.

- q) **Code of Ethical Conduct:** We undertake to adhere by the Code of Ethical Conduct for Persons Participating in Public Procurement and Asset Disposal Activities in Kenya, copy available from www.pppra.go.ke during the procurement process and the execution of any resulting contract.
- r) **Beneficial Ownership Information:** We commit to provide to the procuring entity the Beneficial Ownership Information in conformity with the Beneficial Ownership Disclosure Form upon receipt of notification of intention to enter into a contract in the event we are the successful tenderer in this subject procurement proceeding.
- s) We, the Tenderer, have duly completed, signed and stamped the following Forms as part of our Tender:
- i) Tenderer's Eligibility; Confidential Business Questionnaire – to establish we are not in any conflict to interest.
 - ii) Certificate of Independent Tender Determination – to declare that we completed the tender without colluding with other tenderers.
 - iii) Self-Declaration of the Tenderer–to declare that we will, if awarded a contract, not engage in any form of fraud and corruption.
 - iv) Declaration and commitment to the code of ethics for Persons Participating in Public Procurement and Asset Disposal Activities in Kenya. Further, we confirm that we have read and understood the full content and scope of fraud and corruption as in formed in “**Appendix1-Fraud and Corruption**” attached to the Form of Tender.

Name of the person duly authorized to sign the Tender on behalf of the Tenderer: ***[insert complete name of person duly authorized to sign the Tender]*

Title of the person signing the Tender: *[insert complete title of the person signing the Tender]*

Signature of the person named above: *[insert signature of person whose name and capacity are shown above]* **Date signed** *[insert date of signing]* **day of** *[insert month], [insert year].*

(1) TENDERER'S ELIGIBILITY-CONFIDENTIAL BUSINESS QUESTIONNAIRE

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) Tenderer's details**

	ITEM	DESCRIPTION
1	Name of the Procuring Entity	
2	Reference Number of the Tender	
3	Date and Time of Tender Opening	
4	Name of the Tenderer	

5	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.
6	Current Trade License Registration Number and Expiring date	
7	Name, country and full address (<i>postal and physical addresses, email, and telephone number</i>) of Registering Body/Agency	
8	Description of Nature of Business	
9	Maximum value of business which the Tenderer handles.	
10	State if Tenders Company is listed in stock exchange, give name and full address (<i>postal and physical addresses, email, and telephone number</i>) of state which stock exchange	

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.

	Names 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.

	Names 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/have an interest or relationship in this firm? Yes/ No.....

If yes, provide details as follows.

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

ii) **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 controls, is 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	Tender has a 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 the 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	Tenderer would be providing goods, works, non-consulting services or consulting services during 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 throughout the tendering process and execution of the Contract.		

f) **Certification**

On behalf of the Tenderer, I certify that the information given above is complete, current and accurate as at the date of submission.

Full Name___

Title or Designation_

(Signature) (Date)

1) CERTIFICATE OF INDEPENDENT TENDER DETERMINATION

I, the undersigned, in submitting the accompanying Letter of Tender to the _____
 _____[Name of

Procuring Entity] for: _____[Name and number
 of tenders] in response to the request for tenders made by: __[Name of Tenderer] do hereby make
 the following statements that I certify to be true and complete in every respect:

I certify, on behalf of _____[Name of Tenderer] that:

i).	I have read and I understand the contents of this Certificate;
ii).	I understand that the Tender will be disqualified if this Certificate is found not to be true and complete in every respect;
iii).	I am the authorized representative of the Tenderer with authority to sign this Certificate, and to submit the Tender on behalf of the Tenderer;
iv).	For the purposes of this Certificate and the Tender, I understand that the word “competitor” shall include any individual or organization, other than the Tenderer, whether or not affiliated with the Tenderer, who: a) Has been requested to submit a Tender in response to this request for tenders; b) could potentially submit a tender in response to this request for tenders, based on their qualifications, abilities or experience;
v).	The Tenderer discloses that [check one of the following, as applicable]: a) The Tenderer has arrived at the Tender independently from, and without consultation, communication, agreement or arrangement with, any competitor; b) the Tenderer has entered into consultations, communications, agreements or arrangements with one or more competitors regarding this request for tenders, and the Tenderer discloses, in the attached document(s), complete details thereof, including the names of the competitors and the nature of, and reasons for, such consultations, communications, agreements or arrangements;

vi).	<p>In particular, without limiting the generality of paragraphs (5) (a) or (5) (b) above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:</p> <p>a) prices;</p> <p>b) methods, factors or formulas used to calculate prices;</p> <p>c) the intention or decision to submit, or not to submit, a tender; or</p> <p>d) the submission of a tender which does not meet the specifications of the request for Tenders; except as specifically disclosed pursuant to paragraph (5) (b) above;</p>
vii).	<p>In addition, there has been no consultation, communication, agreement or arrangement with any competitor regarding the quality, quantity, specifications or delivery particulars of the works or services to which this request for tenders relates, except as specifically authorized by the procuring authority or as specifically disclosed pursuant to paragraph (5) (b) above;</p>
viii)	<p>The terms of the Tender have not been, and will not be, knowingly disclosed by the Tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening, or of the awarding of the Contract, whichever comes first, unless otherwise required by law or as specifically disclosed pursuant to paragraph(5)(b) above.</p>

Name _____

Title_

Date _____

[Name, title and signature of authorized agent of Tenderer and Date]

(3) SELF-DECLARATION FORMS

FORM SD1

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

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

1. THAT I am the Company Secretary/ Chief Executive/Managing Director/Principal Officer/Director of

..... (*insert name of the Company*) who is a Bidder in respect of **Tender No.....** for..... (*insert tender title/description*) for..... (*insert name of the Procuring entity*) and duly authorized and competent to make this statement.

2. THAT the aforesaid Bidder, its Directors and subcontractors have not been debarred from participating in procurement proceeding under Part IV of the Act.

3. THAT what is deponed to here in above is true to the best of my knowledge, information and belief.

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

Bidder Official Stamp

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

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

Bidder Official Stamp

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 activities in Kenya 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.....