



NATIONAL OIL CORPORATION OF KENYA

**PRE-QUALIFICATION
OF CONTRACTORS FOR
CONSTRUCTION, CIVIL MAINTENANCE,
BRANDING AND SIGNAGE WORKS FOR
SERVICE STATIONS
FOR FINANCIAL YEARS
2017/18 and 2018/19
NOCK/PRC/03(1226)**

**NATIONAL OIL CORPORATION OF KENYA
KAWI HOUSE, SOUTH C
RED CROSS ROAD, OFF POPO ROAD
P.O. BOX 58567-00200
NAIROBI**

Email: tenders@nockkenya.co.ke

Website: www.nationaloil.co.ke

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1 SECTION I – INVITATION FOR PREQUALIFICATION

Tender No. (NOCK/PRC/03(1226) 2016-2017

Tender Name: *Prequalification of contractors for Construction, Civil Maintenance, Branding and Signage works for service stations.*

1. National Oil Corporation of Kenya (**National Oil**) hereinafter referred as “Procuring entity” invites sealed tenders from interested and eligible candidates for prequalification of ***contractors for Construction, Civil Maintenance, Branding and Signage works for service stations on a framework Contract of two years for the following Lots;***
 - **Lot 1:-Demolition, Construction and or Reconstruction of Petrol stations**
 - **Lot 2:-Civil works maintenance repairs in service stations**
 - **Lot 3:-Branding/painting of service stations.**
 - **Lot 4:-Signage (M.I.D, Ahead Signs, In and Out Signs)**
2. To be eligible to tender, in addition to the requirements given, the tenderer if previously contracted by National Oil to offer similar services, **must not** have had any negative evaluation for poor performance.
3. Prequalification is open to contractors registered in various institutions as provided in the Appendix.
4. Interested candidates may view/obtain/download the tender documents at www.nationaloil.co.ke
Procurement Department
National Oil Corporation – Kawi House, South C,
Red Cross Road off Popo Road
P.O Box 58567 – 00200
NAIROBI
Email: tenders@nockkenya.co.ke
5. The complete prequalification document is downloaded from the National Oil Corporation website www.nationaloil.co.ke free of charge. Bidders who download the prequalification document from the website **MUST** register the names and contact details of their firms on the email tenders@nockkenya.co.ke for record and any further clarifications and addenda.
6. Mandatory documents for each category of contractors is as highlighted in the appendix and must accompany the submission as they will form the preliminary evaluation where non-submission of any of the documents will lead to disqualification from the process.

7. Applications for pre-qualification must be submitted in plain sealed envelopes **indicating clearly the Lot tendered for, and clearly labeled “PRE-QUALIFICATION OF CONTRACTORS FOR CONSTRUCTION, CIVIL MAINTENANCE, AND BRANDING AND SIGNAGE WORKS FOR SERVICE STATIONS. NOCK/PRC/03/ (1226) – DO NOT OPEN BEFORE 7th JUNE 2017 AT 1000HRS (EAST AFRICA TIME)”**.

**THE AG. CHIEF EXECUTIVE OFFICER
NATIONAL OIL CORPORATION OF KENYA
KAWI HOUSE, SOUTH C
RED CROSS ROAD, OFF POPO ROAD,
P.O. BOX 58567-00200 NAIROBI**

and be deposited in the tender box provided at:

**THE RECEPTION, 1ST FLOOR
NATIONAL OIL CORPORATION OF KENYA
KAWI HOUSE, SOUTH C
RED CROSS ROAD, OFF POPO ROAD
P.O. BOX 58567-00200
NAIROBI**

to be received on or before **7th June 2017 Time: 1000hrs East Africa Time**

8. 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.
9. Bidders are required to submit documentation in line with clause the Appendix to Instructions to Tenderers of the tender documents (clause 2.9).
10. Bidders are required to submit a duly filled and signed Letter of application (Section III) and any other forms as given in section IV.

AG CHIEF EXECUTIVE OFFICER

2 SECTION II – INSTRUCTIONS TO CANDIDATES

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2.1 Scope of Tender

2.1.1 National Oil Corporation of Kenya (National Oil) hereinafter referred to as the procuring entity intends to prequalify contractors for **Construction, Civil maintenance, Branding and Signage works for Service Stations for the financial years 2017/18 and 2018/19**. It is expected that prequalification applications will be submitted to be received by the procuring entity **not later than 7th JUNE 2017 at 1000hrs (East Africa Time)**.

Note Description of the works will be given in sufficient details with the location, nature and complexity of the works in the tender documents for each procurement/contract which will give in specific details the bill of quantities.

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 as per the specific type of works and will be sent to the successfully prequalified suppliers.

2.2 Submission of Application

2.2.1 Applications for prequalification shall be submitted in plain sealed envelopes marked with the tender name and reference number (as given in the invitation for prequalification of suppliers) and be deposited in the **tender box placed at 1st Floor, KAWI House, South C Red Cross Road, Off Popo Road , Nairobi** or be addressed to

**AG. CHIEF EXECUTIVE OFFICER
NATIONAL OIL CORPORATION OF KENYA
KAWI HOUSE, SOUTH C
RED CROSS ROAD, OFF POPO ROAD
P.O. BOX 58567-00200
NAIROBI**

so as to be received on or before 7th June 2017 at 1000hrs (East Africa Time). Late submissions will not be accepted.

2.2.2 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.

2.2.3 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.

2.2.4 A consultations and clarifications meeting will be held at (*place, date and time*) at which applicants may request clarifications of the prequalification document. Attendance of this meeting will be voluntary.

2.3 Eligible Candidates

2.3.1 This invitation for pre-qualification is open to all candidates who are 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 unless where specially allowed under section 131 of the Act.

2.3.3 All terms 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 contact) 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 following minimum criteria:

- a) average annual turnover as main contractor (defined as billing for works in progress and completed) over the last *five* (5) years of:
 - Lot 1 : Kshs. 40,000,000 (Forty Million)
 - Lot 2 and 4 : Kshs. 6,000,000 (Six Million)
 - Lot 3 : Kshs: 1,500,000 (One Million five hundred Thousand)

b) Successful experience as prime contractor in execution of at least five projects of a nature and complexity similar to the proposed contract within the *five* (5) years. This experience should include but not limited to specifications provided in each category as in the Appendix

2.4.4 Personnel capabilities. The applicant must have suitably qualified personnel to fill the various positions highlighted in each of the categories as below:

LOT 1: DEMOLITION, CONSTRUCTION AND/OR RECONSTRUCTION OF PETROL STATIONS

Position	Total experience (min. years)	In similar works (min. years)
Project Manager	15	10
Clerk of works/Site Supervisor/Foreman	7	5
Civil Engineer	7	5
Plumber(s)	5	5
Electrician(s)	5	5

LOT 2: CIVIL WORKS MAINTENANCE REPAIRS IN SERVICE STATIONS

Position	Total experience (min. years)	In similar works (min. years)
Project Manager	10	7
Clerk of works/Site Supervisor/Foreman	5	3
Civil Engineer	5	3
Plumber(s)	5	5
Electrician(s)	5	5

LOT3& 4: BRANDING AND SIGNAGE SERVICE STATIONS

Position	Total experience (min. years)	In similar works (min. years)
Project Manager	10	7
Site Supervisor	5	5
Safety	5	3

2.4.5 Equipment capabilities. The applicant should own, or have assured access (through hire, lease, purchase agreement, or other means) key items of equipment in full good working order, and must demonstrate that, based on known commitments they will be available for use in the proposed contract. These are as highlighted in the specific category requirements.

2.4.6 Financial position. The applicant shall demonstrate that he has access to, or has available, liquid assets, unencumbered real assets, lines of credit and other financial means sufficient to meet their cash flow for a period of six (6) months, estimates as provided below:

- Lot 1: Kshs. 10,000,000 (Ten Million)
- Lot 2 and 4 : Kshs. 1,000,000 (One Million only)
- Lot 3 : Kshs: 1,000,000 (One Million only)

2.4.7 The audited Accounts for the last *two* 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.

2.4.8 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 *30 %* of all the qualifying criteria in paras' 2.4.3 and 2.4.6 above.
 - ii) The other partners shall meet individually not less than *10 %* of all the qualifying criteria given in para. 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 para 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 liability 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 dis-qualification 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.

2.9 APPENDIX TO INSTRUCTIONS TO CANDIDATES

Notes on the appendix to instructions to Candidates

The appendix to candidates to tenderers is intended to assist the procuring entity in providing specific information which may not be adequately covered by the clauses in the instructions to candidates.

Please note the following guidelines:

A contractor may choose to prequalify for more than one category except in the following scenarios:

- All currency/LPO and project values in this documents shall refer to the Kenya Shilling as the reference currency
- A contractor prequalifying for category 1 may do so for category 2, however the reverse is not applicable. In case of the former scenario, a contractor must submit documents for both categories.
- **A contractor can only apply for pre-qualification in Lot 3 OR 4 and Not both.**

Lot 1: DEMOLITION, CONSTRUCTION AND/OR RECONSTRUCTION OF PETROL STATIONS	
1	<p>Mandatory Requirements:</p> <ul style="list-style-type: none"> i. Copy of Certificate of Incorporation or Registration ii. Copy of a valid Registration Certificate from National Construction Authority (NCA) Category 1, 2, 3, and 4 iii. Copy of valid NCA practicing licence iv. A copy of a valid Tax Compliance Certificate v. Duly filled and Signed Confidential Business Questionnaire vi. Audited Accounts for two (2) years: 2014/15 & 2015/16 financial years, vii. Duly filled, signed and stamped Bidders Declaration and Integrity Pact.
2.	<p>Evaluation Criteria:</p> <ul style="list-style-type: none"> a. Years of Experience in general construction: <ul style="list-style-type: none"> • 0-5 Years – 1 Marks

	<ul style="list-style-type: none"> • > 5-10 Years – 2 Marks • > 10 years–3 Marks <p>b. No. of years of specific experience in Construction of facilities in the oil and gas industry inclusive of service station:</p> <ul style="list-style-type: none"> • 0-5 Years – 1 Marks • > 5-10 Years – 2 Marks • > 10 years– 3 Marks <p>c. No. of Clients, provide evidence by recommendation letters:</p> <ul style="list-style-type: none"> • 0-2 Clients – 1 Marks • >2-4 Clients – 3 Marks • >5 clients– 6 Marks <p>Cost of contract sum/projects undertaken, provide evidence of LPOs for works done accompanied by a recommendation letters:</p> <ul style="list-style-type: none"> • 10 Million -35 Million – 1 Marks • > 35Million-60 Million – 3 Marks • >60 Million – 6 Marks <p>d. Demonstrate relevant experience in five projects in each of the sections outlined below in provision of similar works in Demolition and Construction works of Service Stations undertaken in the last 5 years as outlined below. Provide the following information for each of the five projects:</p> <ul style="list-style-type: none"> • Year – 1 Mark • Name of Client – 1 Mark • Scope : Brief Description of all works shall include but not limited to major machine earthworks, basement/roof water proofing, concrete works, mechanical and Electrical works (Canopy Fabrication and lighting works), pavements/driveway, paintworks, petrol station drainage/storm water disposal and survey works – 3 marks • Status (Completed/Ongoing) – 3 marks <p>If the project is complete, a copy of certificate of completion and recommendation letter MUST be provided.</p> <p>If on-going, a copy of the last two valuation/interim certificate, valuations and recommendation letters MUST be provided.</p>	<p>3 Marks</p> <p>3Marks</p> <p>6 Marks</p> <p>6 Marks</p>
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	<p>All Recommendation letter must contain: LPO no and amount, specific scope, Client contact person, number and address/mobile for cross reference checks. (Without these items, contractor earns zero marks in item (d) above)</p> <p>Total for (d) = 8 marks per project X 5 No.</p> <p>e. List of equipment for each category below for the performance of the works. Evidence of ownership or otherwise (e.g. lease agreements or certificate of ownership) must be provided. Verification will be done, where the client physically views and inspects the equipment.</p> <ul style="list-style-type: none"> • Excavation – 1 mark(s) • Compactor – 1 Mark(s) • Concrete works – 1 Mark(s) • Vehicles – 1 Mark(s) • Others(Specify) – 1 Mark(s) <p>f. CVs, qualifications and experience of key site management and technical personnel outlined below, including proof of Membership certificate(s) of statutory and other affiliation/bodies/associations.</p> <ul style="list-style-type: none"> • Site Manager/Supervisor: Min. 10 years’ experience in similar works – 4 Marks • Site Supervisor/COW/Foreman: Min 5 years’ Experience in similar works – 2 Marks • Civil Engineer: Min. 5 years’ experience – 1 Mark(s) • Plumber(s): Min 5 years’ experience – 0.5 Marks • Electrician(s): Min 5 years’ experience – 0.5Marks • Mason(s) – 0.5Marks • Carpenter(s) – 0.5Marks • Steel Fixer(s) – 0.5Marks • Welder(s) - 0.5Marks 	<p>40 Marks</p> <p>5 Marks</p> <p>10 Marks</p>
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	<p>g. Evaluation of the copies of audited accounts – reports on the financial standing of the candidate, for the last two years. This is to bring out the financial strength of the tenderer. – 2 Marks</p> <p>h. Clearly demonstrate and present the Environment Health & Safety (EHS) policy of the company (2 marks) and list of Personal Protective Equipment (PPE)-3 Marks</p>	<p>2 Marks</p> <p>5 Marks</p>
	TOTAL	80 MARKS
LOT 2: CIVIL WORKS MAINTENANCE REPAIRS IN SERVICE STATIONS		
1	<p>Mandatory Requirements:</p> <p>i. Copy of Certificate of Incorporation or Registration</p> <p>ii. Copy of a Valid Registration Certificate from National Construction Authority (NCA) Category 1,2,3,4,5 and 6</p> <p>iii. A copy valid NCA practicing license</p> <p>iv. Duly Filled and signed Confidential Business Questionnaire.</p> <p>v. A copy of a valid Tax Compliance Certificate</p> <p>viii. Audited Accounts for two (2) years: 2014/15 & 2015/16 financial years,</p> <p>vi. Duly filled , signed and stamped Bidders Declaration and Integrity Pact.</p>	
2	<p>Evaluation Criteria:</p> <p>a. Years of Experience:</p> <ul style="list-style-type: none"> • 0-5 Years – 1 Mark • >5-10 Years – 3 Marks • 10 years and above – 6 Marks <p>b. No. of Clients, provide evidence by recommendation letters:</p> <ul style="list-style-type: none"> • 0-2 Clients – 1 Marks • >2-4 Clients – 3 Marks • >4 clients – 6 Marks 	<p>6 Marks</p> <p>6 Marks</p>

	<p>c. Cost of contract sum/projects undertaken, provide evidence of LPOs for works done and recommendations:</p> <ul style="list-style-type: none"> • 100,000 -500,000 – 1 Marks • >500,000-1,500,000 – 3 Marks • >1,500,000 – 6 Marks <p>d. Demonstrate relevant experience in five projects in each of the sections outlined below in provision of similar works in Civil Maintenance works of Service Stations undertaken in the last 5 years as outlined below. Provide the following information for each of the five projects:</p> <ul style="list-style-type: none"> • Year – 1 Mark • Name of Client – 1 Mark • Scope: Brief Description of all works shall include but not limited to Provision of Service Station forecourt repairs/solutions (Both paving blocks /Concrete works), rehabilitation of storm and foul/grey water drainage and disposal works rehabilitation (manholes /gratings/ Inverted-box drains/culverts / septic tanks/interceptors/ French drains). Also includes minor mechanical and electrical repairs– 3 marks • Status (Completed/Ongoing) – 3 marks <p>If the project is complete, a copy of LPO/agreement/contract and recommendation letter MUST be provided.</p> <p>All Recommendation letter must contain: LPO/agreement/contract with awarded amount, specific scope, Client contact person, number and address/mobile for cross reference checks.</p> <p>(Without these items, contractor earns zero marks in item (d) above) Total for(d) 8marks per project * 5No</p> <p>e. List of equipment for each category below for the performance of the works. Evidence of ownership or otherwise (e.g. lease agreements or certificate of ownership) must be provided. Verification will be done, where the client physically views and inspects the equipment.</p>	<p>6 Marks</p> <p>40 Marks</p>
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	<ul style="list-style-type: none"> • Excavation – 1 marks • Compactor – 1 Marks • Concrete works – 1 Marks • Vehicles –1 Marks • Others(Specify) –1 Marks <p>f. CVs, qualifications and experience of key site management and technical personnel outlined below, including proof of Membership certificate(s) of statutory and other affiliation/bodies/associations.</p> <ul style="list-style-type: none"> • Site Manager/Supervisor: Min. 10 years’ experience in similar works – 4 Marks • Site Supervisor/COW/Foreman: Min 5 years’ Experience in similar works – 2 Marks • Civil Engineer: Min.5 years’ experience – 1 Mark • Plumber(s): Min 5 years’ experience – 0.5 Marks • Electrician(s): Min 5 years’ experience – 0.5Marks • Mason(s) – 0.5Marks • Carpenter(s) – 0.5Marks • Steel Fixer(s) – 0.5Marks • Welder(s) - 0.5Marks <p>g. Evaluation of the copies of audited accounts – reports on the financial standing of the candidate, for the last two years. This is to bring out the financial strength of the tenderer. – 2 Marks</p> <p>h. Clearly demonstrate and present the Environment Health & Safety (EHS) policy of the company (2 mark)and list of Personal Protective Equipment (PPE)-3 Marks</p>	<p>5 Marks</p> <p>10 Marks</p> <p>2 Marks</p> <p>5 Marks</p>
	TOTAL	80 marks
LOT 3: BRANDING/PAINTING OF SERVICE STATIONS		
	Mandatory Requirements:	
	i. Copy of Certificate of Incorporation or Registration	

	<p>ii. A copy of a valid Tax Compliance Certificate.</p> <p>iii. Duly filled and signed Confidential Business Questionnaire.</p> <p>ix. Audited Accounts for two (2) years: 2014/15 &2015/16 financial years,</p> <p>iv. Duly filled ,Signed and Stamped Bidders Declaration and Integrity Pact</p>	
	<p>a. Years of Experience:</p> <p>0-5 Years – 1 Marks >5-10 Years – 3 Marks >10 years – 6 Marks</p> <p>b. No. of Clients, provide evidence by recommendation letters:</p> <p>0-2 Clients – 1 Marks >2-4 Clients – 3 Marks >4 clients and above – 6 Marks</p> <p>c. Cost of contract sum/projects undertaken, provide evidence of LPOs in Kshs. for works done and recommendations:</p> <p>100,000 -500,000 – 1 Marks >500,000-1,500,000 – 3 Marks Above 1,500,000 – 6 Marks</p> <p>d. Demonstrate relevant experience in five projects in each of the sections outlined below in provision of similar works in Branding/Painting works of Service Stations undertaken in the last 5 years as outlined below. Provide the following information for each of the five projects:</p> <ul style="list-style-type: none"> • Year – 1 Mark • Name of Client – 1 Mark • Scope : Brief Description of all works shall include but not limited to Surface preparation, filling of cracks, scheming, paint application on concrete surfaces using base/under coats, emulsion(vinyl and silky),weather guard and super gloss paints. Also experience surface preparation and in spray painting of metal surfaces– 3 marks 	<p>6 Marks</p> <p>6 Marks</p> <p>6 Marks</p>

	<ul style="list-style-type: none"> • Status (Completed/Ongoing) – 3 marks <p>If the project is complete, a copy of LPO and recommendation letter MUST be provided.</p> <p>All Recommendation letters must contain: LPO no and amount, specific scope, Client contact person, number and address/mobile for cross reference checks.</p> <p>(Without these items, contractor earns zero marks in item (d) above) Total for(d) 8marks per project * 5No</p> <p>e. List of equipment owned for the performance of the works. Evidence of ownership or otherwise (e.g. lease agreements or certificate of ownership) must be provided. Verification will be done, where the client physically views and inspects the equipment.</p> <ul style="list-style-type: none"> • 2 No. Spray guns – 3 Marks • Assorted paint application tools(Rollers/brushes/any other hand tools) – 1.5marks • 2 No. Compressors – 3 marks • Min. Two no scaffold sets – 3 Marks • Others(Specify)- 1.5Marks <p>f. CVs, qualifications and experience of key site management and technical personnel outlined below, including proof of Membership certificate(s) of statutory and other affiliation/bodies/associations.</p> <ul style="list-style-type: none"> • Site Manager/Supervisor: Min. 10 years’ experience in similar works – 1.5 Marks • Site Supervisor/COW/Foreman: Min 5 years’ Experience in similar works –1.5 Marks • Safety Officer/Marshall – 1.5 Marks 	<p>40 Marks</p> <p>12 Marks</p> <p>4.5 Marks</p> <p>2 Marks</p> <p>3.5 Marks</p>
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	<p>g. Evaluation of the copies of audited accounts – reports on the financial standing of the candidate, for the last two years. This is to bring out the financial strength of the tenderer. – 2 Marks</p> <p>h. Clearly demonstrate and present the Environment Health & Safety (EHS) policy of the company (1.5 marks) and list of Personal Protective Equipment (PPE Safety equipment: Overalls, helmet, harness, dust coats, gloves, safety shoes) - 2marks</p>	
	TOTAL MARKS	80
Lot 4 : SIGNAGE (M.I.D, AHEAD SIGNS, IN AND OUT SIGNS)		
	<p>Mandatory Requirements:</p> <p>i. Copy of Certificate of Incorporation or Registration</p> <p>ii. A copy of a valid Tax Compliance Certificate</p> <p>iii. Duly filled, and Signed Confidential Business Questionnaire</p> <p>iv. Audited Accounts for two (2) years: 2014/15 & 2015/16 financial years,</p> <p>v. Duly Filled, Signed and Stamped Bidders Declaration and Integrity Pact.</p>	
	<p>a. Years of Experience: 0-5 Years – 1 Marks >5-10 Years – 3 Marks >10 years – 6 Marks</p> <p>b. No. of Clients, provide evidence by recommendation letters: 0-2 Clients – 1 Marks >2-4 Clients – 3 Marks >4 clients – 6 Marks</p> <p>c. Cost of contract sum/projects undertaken, provide evidence of LPOs in for works done and recommendations: 100,000 -500,000 – 1 Marks >500,000-1,500,000 – 3 Marks >1,500,000 – 6 Marks</p> <p>d. Demonstrate relevant experience in five projects in each of the sections outlined below in provision of similar works in Station</p>	<p>6 Marks</p> <p>6 Marks</p> <p>6 Marks</p>

	<p>signage works of Service Stations undertaken in the last 5 years as outlined below. Provide the following information for each of the five projects:</p> <ul style="list-style-type: none"> • Year – 1 Mark • Name of Client – 1 Mark • Scope : Brief Description of all works shall include but not limited to Design conception and/or review of all signage, Fabrication, installation, servicing/rehabilitation works of old/worn out signage and painting/use of any other equivalent materials for direction/word art/artwork. Also experience surface preparation and in spray painting of metal surfaces– 3 marks • Status (Completed/Ongoing) – 3 marks If the project is complete, a copy of LPO and recommendation letter MUST be provided. <p>All Recommendation letters must contain: LPO no and amount, specific scope, Client contact person, number and address/mobile for cross reference checks. (Without these items, contractor earns zero marks in item (d) above) Total for(d) 8marks per project * 5No</p> <p>e. List of equipment owned for the performance of the works. Evidence of ownership or otherwise (e.g. lease agreements or certificate of ownership) must be provided. Verification will be done, where the client physically views and inspects the equipment.</p> <ul style="list-style-type: none"> • 2 No. Spray guns – 3 Marks • Assorted paint application tools(Rollers/brushes/any other hand tools) – 1.5marks • 2 No. Compressors – 3 marks • Min. Two no scaffold sets – 3 Marks • Others(Specify)- 1.5Marks <p>f. CVs, qualifications and experience of key site management and technical personnel outlined below, including proof of Membership certificate(s) of statutory and other affiliation/bodies/associations.</p>	<p>40 Marks</p> <p>12 Marks</p>
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	<ul style="list-style-type: none"> • Site Manager/Supervisor: Min. 10 years’ experience in similar works – 1.5 Marks • Site Supervisor/COW/Foreman: Min 5 years’ Experience in similar works –1.5 Marks • Safety Officer/Marshall – 1.5 Marks <p>g. Evaluation of the copies of audited accounts – reports on the financial standing of the candidate, for the last two years. This is to bring out the financial strength of the tenderer. – 2 Marks</p> <p>h. Clearly demonstrate and present the Environment Health & Safety (EHS) policy of the company (1.5 marks) and list of Personal Protective Equipment (PPE Safety equipment: Overalls, helmet, harness, dust coats, gloves, safety shoes)-2 marks</p>	<p>4.5 Marks</p> <p>2 Marks</p> <p>3.5 Marks</p>
	TOTAL MARKS	80
<p>To be considered responsive for prequalification for Supply of Construction, Civil Maintenance, Branding and Signage Works of Petrol Stations, the tenderer should have a minimum score of 60 points out of the 80 points and above for any category chosen.</p> <p>Only tenderers scoring the minimum 60 points and have passed the preliminary evaluation will be successfully prequalified to Supply of Building and Construction Works including Building repair works for the financial years 2017/18 and 2018/19.</p> <p>Ethics</p> <p>It is a requirement that both the Procuring entity and prospective suppliers of goods, services and works observe the highest standards of ethics during the procurement and execution of contracts.</p> <p>In pursuance of this policy, the Procuring entity requires that all bidders concerned take measures to ensure that no transfer of gifts, payments or other benefits to officials of the Procuring entity and/or procurement/management staff with decision making responsibility or influence occurs. In this regard, the Procuring entity will require all tenderers to sign, as part of the tender documents, an Integrity Pact (Section 4 – Standard forms). Non-delivery of the Bidders Declaration and Integrity Pact (Section 4 – Standard forms) duly undersigned by the chief executive or legal representative of the tendering party will result in exclusion of the bid/quotation from the procurement process.</p>		

3 SECTION III – LETTER OF APPLICATION

Notes on letter of application

The letter of application will be prepared by the applicant and will follow the form presented herein.

The letter of application will be prepared on the letterhead paper of the applicant or partner responsible for a joint venture and will include full postal address, telephone numbers, fax number and Email address.

The letter of application will be signed by duly authorized representatives of the applicant.

Any clause which does not apply to the applicant in the letter of application herein shall be deleted by the applicant.

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 Building and Construction Works including Building repair works for the financial years 2017/18 to 2018/19.

Ref No.	Tender name
NOCK/PRC/03(1226)	Prequalification for Contractors for Construction, civil Maintenance ,Branding and Signage Works for Service Stations –

2. Attached to this letter are copies of original documents defining
 - a) the Applicant’s legal status
 - b) the principal place of business and
 - c) 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).
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. Your Agency and its authorized representatives may contact the following persons for further information.

General and managerial inquiries	
<i>Contract 1:</i>	<i>Telephone 1:</i>
<i>Contract 2:</i>	<i>Telephone 2:</i>

Personnel inquiries	
<i>Contract 1:</i>	<i>Telephone 1:</i>
<i>Contract 2:</i>	<i>Telephone 2:</i>

Technical inquiries	
<i>Contract 1:</i>	<i>Telephone 1:</i>
<i>Contract 2:</i>	<i>Telephone 2:</i>

Financial inquiries	
<i>Contract 1:</i>	<i>Telephone 1:</i>
<i>Contract 2:</i>	<i>Telephone 2:</i>

5. 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
6. 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.
7. 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 liability of all partners in the event the contract is awarded to us.
8. 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)

4 SECTION IV - STANDARD FORMS

Table of Contents

Form No.	Name	Page
1.	General information	
2.	General experience record	
2 A	Joint Venture summary	
3.	Particular experience record	
3A	Details of contracts of similar nature and complexity	
4.	Summary sheet current contract commitments/works in progress	
5.	Personnel capabilities	
5A	Candidate summary	
	Confidential Questionnaire form	
6.	Equipment capability	
7.	Financial capability	
	Declaration form (Bidder's Declaration and Integrity Pact)	
8.	Litigation History	
9.	Request for Review	

SECTION IV - STANDARD FORMS

Notes on completion of Standard Forms

Application Form 1 - *General information*

This form is to be completed by all applicants. Where the applicant proposes to use sub-contractors the information should be supplied in this format. Where there is a joint venture, each partners shall complete the form

Application Form 2 - *General Experience Record*

This form is to be completed by all applicants. Separate sheets should be used for each partner of a joint venture. Applicants are not required to enclose testimonials, certificates or publicity materials with their applications.

Application Form 2A - *Joint Venture Summary*

This form is to be completed by joint venture applicants only.

Application Form 3 - *Particular Experience Record*

This form is to be completed by all applicants meeting the requirement set out in the instructions to candidates. Separate sheets shall be used for each member of or joint venture. Complimentary information will be given on application Form 3A.

Application Form 3A - *Details of Contracts of similar nature and complexity*

This form shall be completed by all applicants and will contain similar works completed by the applicant or a member of a joint venture

Application Form 4 - *Summary sheet. Contract commitments/work in progress*

This form is to be completed by all applicants including each member of a joint venture. It shall contain the current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Application Form 5 - *Personnel Capabilities*

This form is to be completed by all applicants. It shall include specific positions essential to contract implementation. The applicants shall provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience shall be supplied on Form 5A

Application Form 5A - *Candidate Summary*

This form is to be completed by all applicants. The information provided will complement information on Form 5. A separate form shall be used for each personnel

Application Form 6 - *Equipment Capability*

This form is to be completed by all applicants. It should provide adequate information to demonstrate clearly that the applicant has the capability to meet the requirements for each and all items of equipment listed in the instructions to candidates. A separate form shall be prepared for each item of equipment or for alternative equipment proposed by the applicant.

Application Form 7 - *Financial Capability*

This form shall be completed by every applicant and each member of a joint venture. It should contained financial information to demonstrate that they meet the requirements stated in the instructions to candidates. If necessary separate sheets should be used to provide complete banker information. A copy of the audited balance sheet if available should be attached. The information should include the summary of actual assets and liabilities for the last five years.

Application Form 8 - *Litigation History*

This form is to be completed by all applicants including each member of a joint venture. It should provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution. A separate sheet should be used for each member of a joint venture

Form RB1 - *Request for Review*

This form is only to be filled by the tenderer when aggrieved by the Procuring Entity and submitted to the Review Board at anytime during the tender process but not later than 14 days after date of notification of award

APPLICATION FORM (1)

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 (2)

GENERAL EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

Annual turnover data (Construction only)		
Year	Turnover	Kshs.
1.		
2.		
3.		
4.		
5.		

APPLICATION FORM (2A)

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 (3)

PARTICULAR EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

APPLICATION FORM (4)

**SUMMARY SHEET: CURRENT CONTRACT
COMMITMENTS/WORK IN PROGRESS**

Name of Applicant or partner of a joint venture

Name of contract	Value of outstanding work Kshs.	Estimated completion date
1.		
2.		
3.		
4.		
5.		
6.		

APPLICATION FORM (5)

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 (5A)

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

CONFIDENTIAL BUSINESS QUESTIONNAIRE

You are requested to give the particulars indicated in Part 1 and either Part 2 (a), 2(b) or 2(c) whichever applied to your type of business. You are advised that it is a serious offence to give false information on this form.

Part 1 General Business Name Location of Business Premises Plot No.,..... Street/Road..... Postal address Tel No. Fax Email Nature of Business Registration Certificate No..... Maximum value of business which you can handle at any one time – Kshs. Name of your bankers Branch																							
Part 2 (a) – Sole Proprietor Your name in full..... Age..... Nationality..... Country of Origin..... Citizenship details																							
Part 2 (b) – Partnership Given details of partners as follows <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Name</th> <th style="width: 25%;">Nationality</th> <th style="width: 25%;">Citizenship details</th> <th style="width: 25%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>				Name	Nationality	Citizenship details	Shares	1.	2.	3.	4.
Name	Nationality	Citizenship details	Shares																				
1.																				
2.																				
3.																				
4.																				
Part 2 (c) – Registered Company Private or Public State the nominal and issued capital of company Nominal KShs. Issued KShs. Given details of all directors as follows <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Name</th> <th style="width: 25%;">Nationality</th> <th style="width: 25%;">Citizenship details</th> <th style="width: 25%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>				Name	Nationality	Citizenship details	Shares	1.	2.	3.	4.
Name	Nationality	Citizenship details	Shares																				
1.																				
2.																				
3.																				
4.																				
Date.....		Signature of Candidate.....																					

APPLICATION FORM (6)

EQUIPMENT CAPABILITIES

Name of Applicant

Item of equipment		
Equipment information	1. Name of manufacturer	2. Model and power rating
	3. Capacity	4. Year of manufacturer
Current status	5. Current location	
	6. Details of current commitments	
Source	7. Indicate source of the equipment * Owned * Rented * Leased * Specially manufactured	

Omit the following information for equipment owned by the Applicant or partner

Owner	8. Name	
	9. Address of owner	
	Telephone	Contact name and title
	Fax	Email
	Agreements	
Details or rental/lease/manufacture agreements specific to the project		

**APPLICATION FORM (7)
FINANCIAL CAPABILITY**

Name of Applicant or partner of a joint venture

Banker	Name of banker
	Address of banker
 Telephone Contact name and title
	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				

BIDDER’S DECLARATION AND INTEGRITY PACT

BIDDER’S DECLARATION

We/I the undersigned, in the capacity of for[*name of the company/firm/individual*] certify that the **bidder is not in any of the following situations:**

- 1 Bankruptcy; are the subject of proceedings for a declaration of bankruptcy, or of an order for compulsory winding up or administration by court, or of any other similar proceedings;
- 2 Payments to us have been suspended in accordance with the judgment of a court other than a judgment declaring bankruptcy and resulting, in accordance with our national laws, in the total or partial loss of the right to administer and dispose off our property;
- 3 Legal proceedings have been instituted against us involving an order suspending payments and which may result, in accordance with our national laws, in a declaration of bankruptcy or in any other situation entailing the total or partial loss of the right to administer and dispose of our property;
- 4 Are being wound up, or our affairs are being administered by court, or have entered into an arrangement with creditors, or have suspended business activities or are subject to an injunction against running business by a court of law;
- 5 Have been convicted by a final judgment of any crime or offence concerning our/my professional conduct;
- 6 Are guilty of serious misrepresentation with regard to information required for participation in an invitation to tender or execution of a tender already awarded; and
- 7 Are in breach of contract on another contract with the Government of Kenya or other local or international contracting authority or foreign government.
- 8 Have been convicted of an offence concerning our/my professional conduct by a court of law, or found guilty of grave professional misconduct;
- 9 Have not fulfilled obligations relating to payments of taxes or statutory contributions.

If the bidder is in any of the above listed situations, kindly attach documents giving details of the situation.

Names in full: [.....]

Signature:[.....]

Duly authorized to sign this bid on behalf of (bidder’s name):

[.....]

Place and date: [.....]

Stamp of the firm/company:

INTEGRITY PACT

Bidder's Oath to fulfill the Integrity Pact

Accepting that transparent business management and fair public administration are key to social development and national competitiveness, and in an effort to purge corruption and apply sanctions to corrupt businesses, and in full support of the worthy goals of this Integrity Pact, concerning the present tender for: _____, all personnel of _____ and its sub-contractors and agents hereby agree that:

1. We shall not conduct any unethical business practices, such as bid-rigging for the sake of a particular bidder to win the bid, or price-fixing. If proven as a fact that we have engaged in bid-rigging for the sake of a particular bidder to win the bid, we shall accept to be prohibited from submitting bids placed by National Oil Corporation of Kenya (herein referred to as NATIONAL OIL) for a period of two (2) years. If proven that we have discussed with other bidders in a bid to fix a price, or rigged a bid for a particular bidder to win the bid, we shall accept the prohibition from submitting bids placed by NATIONAL OIL for a period of two (2) years. If any unethical behaviour is tantamount to a fraudulent practice, we accept that such a case may be handed over to the authorities for investigation and possible prosecution.
2. In the process of bidding, or concluding or execution of a contract, we shall not offer any bribe, gifts, entertainment or any other undue benefits directly or indirectly to related officials, and in case it is proved that we have violated any terms of this Integrity Pact in relation with a bid, or concluding or execution of a contract, or offered bribes for favours in a contract, to win a contract, or facilitate payment which should not have been forthcoming, we shall accept the prohibition from submitting a bid placed by NATIONAL OIL for a period of two (2) years. If proven as a fact that we have offered bribes to NATIONAL OIL or related officials for favours regarding a bid or contract to a bidder or a winning bidder, or for the purpose of faulty execution of the objectives of a contract, we shall accept the prohibition from submitting bids placed by NATIONAL OIL for a period of two (2) years. If proven that we have offered bribes to NATIONAL OIL or related officials in relation to bidding, or concluding or execution of a contract, we shall accept the prohibition from submitting bids placed by NATIONAL OIL for a period of two (2) years.
3. In case it is proven that we have offered bribes to a related official or a NATIONAL OIL official regarding a bid, or concluding or execution of a contract, we shall accept the cancellation of the contract, and shall not file any civil, administrative or criminal appeals.
4. We shall make our best effort to institute a Company Code of Conduct that prohibits bribery, bid rigging/fixing or any other corrupt practices in business relations with officials and NATIONAL OIL, and a company regulation that prohibits any retaliatory acts toward anyone reporting inside corruption.

5. In addition, I confirm on behalf of the bidder that the details included in the bidders profile and experience sheet and our quotation are correct to the best of my knowledge and belief. In addition, we authorize, NATIONAL OIL to seek information from any source to confirm our compliance with the requirements of this Integrity Pact.
- 6 The bidder authorizes NATIONAL OIL, to seek information from any source, including publication of the name of the bidder to confirm that the bidder is compliant with the requirements of this Integrity Pact.

We shall fulfill this Integrity Pact as a solemn oath made on the basis of mutual trust, and, if and when we win a bid, we shall sign and fulfill the above as a “Special Condition of Contract,” and not file any civil, administrative or criminal appeals regarding any of the above terms.

Dated: _____

Signed by: _____
(Chief Executive/Managing Director)

Full Name printed: _____

5. Profits before taxes				
6. Profits after taxes				

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

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.

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 of20.....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 an order/orders that: -

- 1.
- 2.
- etc

SIGNED(Applicant)

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

FOR OFFICIAL USE ONLY

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

SIGNED
Board Secretary