



# KIBABII UNIVERSITY

## REGISTRATION AND UPDATING OF SUPPLIERS FOR GOODS, SERVICES AND WORKS FOR FINANCIAL YEARS 2024-2025 & 2025-2026

**CLOSING DATE: FRIDAY, 14<sup>TH</sup> JUNE 2024 AT 10.00AM**

**COMPANY NAME.....**

**CATEGORY APPLIED FOR:.....**

**CATEGORY NO/TENDER NO.....**

**CATEGORY DESCRIPTION.....**

**IF SPECIAL GROUP PLEASE INDICATE BELOW:**

**WOMEN**

**YOUTH**

**PERSON WITH DISABILITIES**

**KIBABII UNIVERSITY  
P.O BOX 1699 – 50200 BUNGOMA  
EMAIL: [procurement@kibu.ac.ke](mailto:procurement@kibu.ac.ke)  
WEBSITE: [www.kibu.ac.ke](http://www.kibu.ac.ke)**

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# INVITATION TO REGISTER AS SUPPLIERS

## REGISTRATION AND UPDATING OF SUPPLIERS FOR 2024-2025 AND 2025-2026 FINANCIAL YEARS

### REGISTRATION REFERENCE NO.: VARIOUS CATEGORIES

1. The Kibabii University (KIBU) intends to register interested eligible firms for the supply of the goods, works and services listed in Section III under (a) **“Requirements for Registration of Suppliers for Financial Year 2024-2025 and 2025-2026”**.
2. Registration/Tender documents with detailed information shall be viewed and downloaded from [www.kibu.ac.ke](http://www.kibu.ac.ke) and [www.tenders.go.ke](http://www.tenders.go.ke) websites **free of charge**. Interested eligible firms may obtain further information from the Kibabii University's Procurement Office, Main Campus, Bungoma- Chwele Road during office hours from 0900 to 1600 hours.
3. **Special groups** i.e. Youth, Women and Persons living with Disability (PWDs) who have been duly registered with the National Treasury (or County Governments) must show proof of registration. Special groups firms who meet criteria set for other categories **open to the public** are encouraged to apply. **However, all applications for categories open to the public will be subjected to the same evaluation criteria without regard for preference or reservation.**
4. Those wishing to be registered **in more than one category** will be required to download additional registration documents **for each category**.
5. Completed Registration Documents are to be enclosed in plain sealed envelopes, marked with the respective Category name and Reference Number and be deposited in the Tender Box provided at the Administration Block, Ground Floor addressed to:-

**The Vice Chancellor**  
**Kibabii University**  
**P.O BOX 1699-50200 –Bungoma**  
*[Email.vc@kibu.ac.ke](mailto:Email.vc@kibu.ac.ke)*

so as to be received on or before **Friday 14<sup>th</sup> June, 2024 at 10.00 am**.

6. Applications for Registration will be opened immediately thereafter in the **Senate Boardroom**, in the presence of candidates'/ representatives, who choose to attend. Any canvassing or giving of false information will lead to automatic disqualification.
7. Late applications will be rejected.
8. Address where to submit Applications

**KIBABII UNIVERSITY**  
**P. O. BOX 15653 – 50200, BUNGOMA**  
**BUNGOMA-CHWELE ROAD**  
**MAIN CAMPUS, TENDER BOX AT ADMINISTRATION BLOCK AT THE GROUND FLOOR,**

## **SECTION I - INSTRUCTIONS TO APPLICANTS (ITA)**

### **A. General**

#### **1. Scope of Application**

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

#### **2. Source of Funds**

- 2.1 To be specified in the RDS, if deemed necessary.

#### **3. Fraud and Corruption**

- 3.1 The Government of Kenya requires compliance with its Anti-Corruption laws and its prevailing sanctions policies and procedures.
- 3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents (where declared or not), subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Procurement Regulatory Authority (PPRA) to inspect all accounts, records and other documents relating to any initial selection process, Registration process, tender submission (in case prequalified), proposal submission, and contract performance (in the case of award), and to have them audited by auditors appointed by the PPRA.

#### **4 Collusive practices**

- 4.1 Kibabii University requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination” annexed to the Form of applicant.

#### **5 Eligible Applicants**

- 5.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1 and 5.2. An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9 or any combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the Registration process, tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Members of a joint venture may not also make an individual tender, be a subcontractor in a separate tender or be part of another joint venture for the purposes of the same Tender. The maximum number of JV members shall be specified in the RDS.
- 5.2 Public Officers of Kibabii University, their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse, their business associates or agents and firms/organizations in which they have a substantial or controlling interest shall not be eligible to be prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.
- 5.3 A firm may apply for Registration both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.

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

5.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2.

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

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

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

5.7 An Applicant that has been debarred shall be ineligible to be initially selected for, prequalified for, tender for, propose for, or be awarded a contract during such period of time as the PPRA shall have determined. The list of debarred firms and individuals is available at [www.ppra.go.ke](http://www.ppra.go.ke)

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

5.9 An Applicant shall not be under sanction of debarment from Tendering by the PPRA as the result of the execution of a Tender/Proposal–Securing Declaration.

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

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

## **6 Eligibility**

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

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

- 6.2 When the Works, supply of Goods or provision of non-consulting services are implemented a cross jurisdictional boundary (and more than one country is a Procuring Entity, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1 (a) above by any country may be applied to that procurement a cross other countries involved, if the Procuring Entities involved in the procurement so agree.
- 6.3 Any goods, works and production processes with characteristics that have been declared by the relevant national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

## **B. Contents of the Registration Documents**

### **7 Sections of Registration Document**

- 7.1 This Registration Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

#### **PART 1 - Registration Procedures**

- i) Section I- Instructions to Applicants (ITA)
- ii) Section II - Registration Data Sheet (RDS)
- iii) Section III - Qualification Criteria and Requirements
- iv) Section IV- Application Forms

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

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

- 7.2 Unless obtained directly from the Procuring Entity, Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Registration Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.
- 7.3 The Applicant is expected to examine all instructions, forms, and terms in the Registration Document and to furnish with its Application all information or documentation as is required by the Registration Document.

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

- 8.1 An Applicant requiring any clarification of the Registration Document shall contact the Procuring Entity in writing at the Procuring Entity address indicated in the **RDS**. The Procuring Entity will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Procuring Entity shall forward a copy of its response to all prospective Applicants who have obtained the Registration Document directly from the KIBU, including a description of the inquiry but without identifying its source. If so indicated in the **RDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **RDS**. Should the Procuring Entity deem it necessary to amend the Registration Document as a result of a clarification, it shall do so following the procedure under ITA 8. And in accordance with the provisions of ITA 17.2.
- 8.2 The Applicant, at the Applicant's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the application. The costs of visiting the Site shall be at the Applicant's own expense. The Procuring Entity shall specify in the **RDS** if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the **RDS** if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre- application meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.
- 8.3 The Applicant is requested to submit any questions in writing, to reach the the Procuring Entity not later than the period specified in the **RDS** before the submission date of applications.

- 8.4 Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the Registration documents. Minutes shall not identify the source of the questions asked.
- 8.5 The Procuring Entity shall also promptly publish anonymized (*no names*) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified **in the RDS**. Any modification to the Registration Documents that may become necessary as a result of the pre-arranged site visit and those of the pre-application meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to RDS 8 and not through the minutes of the pre-application meeting. Non-attendance at the pre-arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

## **9 Amendment of Registration Document**

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

## **C. Preparation of Applications**

### **10 Cost of Applications**

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

### **11 Language of Application**

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

### **12 Documents Comprising the Application**

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

### **13 Application Submission Letter**

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

### **14 Documents Establishing the Eligibility of the Applicant**

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

### **15 Documents Establishing the Qualifications of the Applicant**

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

15.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the Kenya Shilling equivalent using the rate of exchange determined as follows: a For construction turnover or financial data required for each Year-Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted).

b Value of single Contract-Exchange rate prevailing on the date of the contract.

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

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

15.5 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which an Applicant may have. There can be no circumstances in which it would be justified for an Applicant to keep information relating to its ownership and control confidential where it is tendering to undertake public sector work and receive public sector funds. Thus, confidentiality will not be accepted by the Procuring Entity as a justification for an Applicant's failure to disclose, or failure to provide required in formation on its ownership and control.

15.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changes to the information which was provided by the Applicant under ITT 6.3. The obligations to require this information shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or management of the contract.

15.7 All information provided by the Applicant pursuant to these requirements must be complete, current and accurate as at the date of provision to the Procuring Entity. In submitting the information required pursuant to these requirements, the Applicant shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.

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

15.9 If information submitted by an Applicant pursuant to these requirements, or obtained by the Procuring Entity (whether through its own enquiries, through notification by the public or otherwise), shows any



conflict of interest which could materially and improperly benefit the Applicant in relation to the procurement or contract management process, then:

- a. If the procurement process is still ongoing, the Applicant will be disqualified from the procurement process,
  - b. If the contract has been awarded to that Applicant, the contract award will be set aside,
- 15.10 The Applicant will be referred to the relevant law enforcement authorities for investigation of whether the Applicant or any other persons have committed any criminal offence.
- 15.11 If an Applicant submits information pursuant to these requirements that is incomplete, inaccurate or out-of-date, or attempts to obstruct the verification process, then the consequences ITT 6.7 will ensue unless the Applicant can show to the reasonable satisfaction of the Procuring Entity that any such act was not material, or was due to genuine error which was not attributable to the intentional act, negligence or recklessness of the Applicant.

## **16 Signing of the Application and Number of Copies**

- 16.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.
- 16.2 The Applicant shall submit copies of the signed original Application, in the number specified in the RDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

## **D. Submission of Applications**

### **17 Sealing and Marking of Applications**

- 17.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
- a. Bear the name and address of the Applicant;
  - b. Be addressed to Kibabii University, in accordance with ITA 17.1; and
  - c. Bear the specific identification of this Registration process indicated in the RDS 1.1.
- 17.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

### **18 Deadline for Submission of Applications**

- 18.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by Kibabii University at the address and no later than the deadline indicated in the RDS. When so specified in the RDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **RDS**.
- 18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Registration Document in accordance with ITA 8, in which case all rights and obligations of the Procuring Entity and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

### **19 Late Applications**

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

## **20. Opening of Applications**

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

## **E. Procedures for Evaluation of Applications**

### **21 Confidentiality**

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

### **22 Clarification of Applications**

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

### **23 Responsiveness of Applications**

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

### **24 Margin of Preference**

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

### **25 Nominated Subcontractors**

- 25.1 Unless otherwise stated in the RDS, the Procuring Entity does not intend to execute any specific elements of the works by sub-contractors selected in advance by the Procuring Entity (so-called "Nominated Subcontractors").
- 25.2 The Applicant shall not propose to subcontract the whole of the Works or Goods. The maximum limit of subcontracting permitted under the contract may be specified by the Procuring Entity in the Tendering Document. Kibabii University, in ITA 25.2, may permit the Applicant to propose subcontractors for certain specialized parts of the contract as indicated there in as ("Specialized Subcontractors"). Applicants planning to use such Specialized Subcontractors shall specify, in the Application Submission Letter, the activity(ies) or parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

## **F. Evaluation of Applications and Registration of Applicants**

### **26 Evaluation of Applications**

- 26.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Procuring Entity reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.
- 26.2 Subcontractors proposed by the Applicant shall be fully qualified and meet the minimum specific experience criteria as specified for their parts of the proposed contract for Works or Goods or non-consulting services. The subcontractor's qualifications shall not be used by the Applicant to qualify for the Works or Goods or non-consulting services unless their parts of the Works or Goods or non-consulting services were previously designated by the procuring Entity in the RDS as can be met by Specialized Subcontractors, in which case:  
The Specialized Subcontractors shall meet the minimum qualification requirements specified in Section III, and ii) the qualifications with respect to specific experience of the Specialized Subcontractor proposed by the Applicant may be added to the qualification of the Applicant for the purpose of the evaluation.  
Unless the Applicant has been determined prequalified on its own without taking into account the qualification and experience of the proposed specialized sub-contractor, the tender submitted by the Applicant shall include the same specialized sub-contractor failing which, such tender may be rejected unless a change in the specialized sub-contractor was requested by the Applicant and approved by the Procuring Entity subsequent to Registration but before the tender submission deadline in accordance with ITA 30.
- 26.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Procuring Entity shall prequalify each Applicant for each lot and for a combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements the Eligibility and Qualification Criteria.
- 26.4 Further, in the case of multiple contracts, the Procuring Entity will prepare the Eligibility and Qualification Criteria Form for items 3.1, 3.2, 4.2(a) and 4.2(b) for each Lot, to be completed by applicants.
- 26.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (other than Specialized Subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

### **27 Procuring Entity's Right to Accept or Reject Applications**

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

### **28 Registration of Applicants**

- 28.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.
- 28.2 Applicants that have not been prequalified may write to the Procuring Entity to request, in writing, the grounds on which they were disqualified.

## **28 Invitation to Tender**

- 29.1 Promptly after the notification of the results of the Registration, the Kibabii University shall invite Tenders from all the Applicants that have been prequalified or conditionally prequalified.
- 28.2 Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to Kibabii University in the form and an amount to be specified in the tendering document.
- 28.3 The successful Applicant shall be required to provide a Performance Security as specified in the tendering document.

## **29 Changes in Qualifications of Applicants**

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

## **31 Procurement Related Complaints and Administrative Review**

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

## SECTION II – REGISTRATION DATA SHEET (RDS)

Reference to ITC Clause	<b>PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS</b>
<b>A. General</b>	
ITA 1.1	<p>The Procuring Entity is: - <b>KIBABII UNIVERSITY, P.O BOX 1699-50200, BUNGOMA</b>  <b>E-MAIL; <a href="mailto:procurement@kibu.ac.ke">procurement@kibu.ac.ke</a></b>  <b>WEBSITE: <a href="http://www.kibu.ac.ke">www.kibu.ac.ke</a></b></p> <p>The identification of the Invitation for Registration is: <b>VARIOUS CATEGORIES</b></p> <p>The application is for Registration of Suppliers for supply of goods, Service Providers and Contractors.</p> <p>Registration will be based on individual contracts</p> <p>The particular type of Registration is on: <b>VARIOUS CATEGORIES</b></p>
ITA 5.2	Maximum number of members in the JV shall be: <b>NOT APPLICABLE</b>
<b>B. Contents of the Registration Document</b>	
ITA 8.1	For clarification purposes, Kibabii University's address is: <a href="mailto:procurement@kibu.ac.ke">procurement@kibu.ac.ke</a>
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach Kibabii University not later than <b>Seven (7) days from closing date.</b>
ITT 9.2	Addendum issued shall be published at the website <a href="http://www.kibu.ac.ke">www.kibu.ac.ke</a>
<b>C. Preparation of Applications</b>	
ITA 12.1 (d)	The Applicant shall submit with its Application, the following additional documents: <b><i>(NOT APPLICABLE)</i></b>
ITA 15.2(b)	The source for determining exchange rates is <b><i>[NOT APPLICABLE]</i></b>
ITA 16.2	In addition to the original, the number of copies to be submitted with the Application is: <b><i>ONE COPY</i></b>
<b>D. Submission of Applications</b>	
ITA 17.1	The deadline for Application submission is: <b>Friday 14<sup>th</sup> June 2024 at 10.00am</b>
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	Kibabii University will not accept late applications.
ITA 20.1	The opening of the Applications shall be at <b>Friday 14<sup>th</sup> June 2024 at 10.00, Kibabii University, Senate Board Room.</b>
<b>E. Procedures for Evaluation of Applications</b>	
ITA 25.1	At this time Kibabii University <b><i>does not intend</i></b> to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 31.1	<p>An Applicant wishes to make a Procurement-related Complaint, the Applicant should submit its complaint in writing (by the quickest means available, that is either by hand delivery or email), to the address below;</p> <p><b>Vice Chancellor</b>  <b>Kibabii University (KIBU)</b>  <b>P.O BOX 1699-50200 –BUNGOMA</b>  <b><i>Email.vc@kibu.ac.ke</i></b></p>

### SECTION III – QUALIFICATION CRITERIA AND REQUIREMENTS

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

#### (a) REQUIREMENTS FOR REGISTRATION OF SUPPLIERS FOR 2024-2025 & 2025-2026

	Category Reference No.	Category Name	Eligibility (Open/Reserved)
<b>A – SUPPLY OF GOODS</b>			
1	KIBU/REG/1/2024 -2026	Supply and Delivery of Beef, Fish, Chicken, Eggs and Allied Products	Reserved AGPO Registered
2	KIBU/REG/2/2024 – 2026	Supply and Delivery of Dry foodstuffs, Milk, Mineral Water, Soft Drinks and other Packaged Drinks	Open
3	KIBU/REG/3/2024 – 2026	Supply and Delivery of Green Grocery, Vegetables and Fruits	Reserved AGPO Registered
4	KIBU/REG/4/2024 – 2026	Supply and Delivery of Firewood and Charcoal	Open
5	KIBU/REG/5/2024 – 2026	Supply and Delivery of General Office Stationery	Open
6	KIBU/REG/6/2024 – 2026	Supply and Delivery of Tonners and Cartridges	Open
7	KIBU/REG/7/2024 – 2026	Supply and Delivery of Cleaning materials, Detergents, Disinfectant and Sundry items	Reserved AGPO Registered
8	KIBU/REG/8/2024 -2026	Supply and Delivery of Computers, Printers, Photocopiers, Computer Accessories and Computer Software's	Open
9	KIBU/REG/9/2024 – 2026	Supply and Delivery of Furniture, Fittings and Equipment	Open
10	KIBU/REG/10/2024 – 2026	Supply and Delivery of Hardware and Plumbing, Building Materials – Sand, Ballast, Timber and Allied Materials, Electrical Materials and Fittings	Open
11	KIBU/REG/2024 – 2026	Supply, Delivery, Installation, Servicing and Maintenance of Fire Fighting Equipment	Open
12	KIBU/REG/12/2024 – 2026	Supply and Delivery of Medical Drugs, Dressing, Infusion, Medical Laboratory Equipment, reagents and Related Materials.	Open
13	KIBU/REG/13/2024 – 2026	Supply and Delivery of Science Laboratory Chemicals, Reagents, Equipments, Capital Equipment and Glassware	Open
14	KIBU/REG/14/2024 – 2026	Supply and Delivery of Staff Uniform, protective wears, footwear and beddings	Reserved AGPO Registered
15	KIBU/REG/15/2024 – 2026	Supply of office refurbishment and furnishing e.g curtains, wall pictures, blinds, carpets	Open
16	KIBU/REG/16/2024 – 2026	Supply and Delivery of farm Inputs, Equipment & Related Items e.g seedlings, beehives	Open

17	KIBU/REG/17/2024 – 2026	Supply and Delivery of Games Sportswear and related equipment	Open
18	KIBU/REG/18/2024 – 2026	Supply and Delivery of Hospitality Equipment i.e. Cutlery, Crockery and Kitchen Equipment.	Open
19	KIBU/REG/19/2024 – 2026	Supply, Delivery of Academic Gowns & other Regalia	Open
20	KIBU/REG/20/2024 – 2026	Supply and Delivery of Fridges, Freezers, Dispensers, Cookers and other appliances	Open
21	KIBU/REG/21/2024 – 2026	Supply and Delivery of Text Books and Journals	Open
22	KIBU/REG/22/2024 – 2026	Supply, Delivery, Installation, Commissioning and Maintenance of Telecommunication Equipment, PABX Systems and Related Equipment	Open
23	KIBU/REG/23/2024 – 2026	Supply, Delivery, Installation Maintenance Of Water Pumps	Open
24	KIBU/REG/24/2024 - 2026	Supply, Delivery and Installation of Security Gadgets and Equipment.	Open
25	KIBU/REG/25/2024 – 2026	Supply and Delivery of Lubricants and LPG Gas ( <b>Have current License from Energy &amp; Petrol Regulatory Authority</b> )	Open

### B – WORKS AND SERVICES

26	KIBU/REG/26/2024 – 2026	Provision of Legal Services ( <b>Valid membership of Professional Body (LSK)</b> )	Open
27	KIBU/REG/27/2024 – 2026	Provision of Publishing and Printing Services	Open
28	KIBU/REG/28/2024 – 2026	Repair, Maintenance and Servicing of ICT Equipment, i.e. Photocopier, Printers, Computers and other related equipment	Reserved AGPO Registered
29	KIBU/REG/29/2024 – 2026	Provision and Maintenance of ICT Networking and Infrastructure and Installation Services ( <b>Valid Certificate /License form ICT Authority.</b> )	Open
30	KIBU/REG/30/2024 – 2026	Provision of Event Organizing Services (including Tents, Chairs, Tables, Public Address Systems, decorations and related items)	Open
31	KIBU/REG/31/2024 – 2026	Provision of Specialized Repair and Servicing of Motor Vehicles and Supply and Delivery of Motor Vehicles Tyres, Tubes and Batteries	Open
32	KIBU/REG/32/2024 – 2026	Repair, Servicing and Maintenance of Laboratory Equipment	Open
33	KIBU/REG/33/2024 – 2026	Provision of Landscaping Services.	Open
34	KIBU/REG/34/2024 – 2026	Provision of Consultancy Services on Environment Impact Assessment and Environment Audit	Open
35	KIBU/REG/35/2024 – 2026	Provision of various Small Works: including repair & maintenance of Building, capentry, masonry Construction, General Civil Works, Electrical Works and Plumbing	Reserved AGPO Registered
36	KIBU/REG/36/2024 – 2026	Provision of Asset Tagging Services	Reserved AGPO Registered
37	KIBU/REG/37/2024 – 2026	Provision of Hotels, Conference Facilities and Hospitality Services in Kisumu, Busia, Malaba, Bungoma, Eldoret,	Open

		Mombasa, Nakuru, Naivasha and Nairobi	
38	KIBU/REG/38/2024 – 2026	Provision of Cleaning and Laundry Services <b>(Must attach evidence of laundry service business)</b>	Open
39	KIBU/REG/39/2024 – 2026	Provision of Repair, Servicing, Maintenance of Heavy Duty Generator and Lawn Mowers	Open
40	KIBU/REG/40/2024 – 2026	Provision of Repair, Servicing and Maintenance of Cold Rooms	Open
41	KIBU/REG/41/2024 – 2026	Provision of Calibration Services for Weighing Machines and Medical Equipment	Open
42	KIBU/REG/42/2024 – 2026	Pre-qualification of Electrical, Electronic, E-scrap Disposal Companies and Agents	Open
43	KIBU/REG/43/2024 – 2026	Prequalification of Specialized Doctors	Open
44	KIBU/REG/44/2024 – 2026	Prequalification of Level 4 Hospitals for In and Out Patient Services	Open
45	KIBU/REG/45/2024 – 2026	Prequalification of Licensed Surveyors	Open
46	KIBU/REG/46/2024 – 2026	Provision of Valuation & Estate Agency Services <b>(Attach valid practicing Certificate)</b>	Open
47	KIBU/REG/47/2024 – 2026	Provision of Auctioneering Services <b>(Registered firms with Valid practicing certificate/license by the Auctioneers Licensing Board)</b>	Open
48	KIBU/REG/48/2024 – 2026	Provision of Occupational Health Safety, First Aid and firefighting Training Services. <b>(Attach Valid License approved by the Directorate of Occupational Health Services.)</b>	Open
49	KIBU/REG/49/2024 – 2026	Provision of Consultancy for Governance Audit and Training	Open
50	KIBU/REG/50/2024 – 2026	Provision of Human Resource Consultancy services, training, strategic planning and capacity building <b>(Attach valid practicing certificate in area of expertise)</b>	
51	KIBU/REG/51/2024	Repair, servicing and maintenance of kitchen machines and equipment (Refrigerators, Freezers, LPG Gas system and other Related items)	Open
52	KIBU/REG/52/2024 – 2026	Provision of Air Travel Services <b>(IATA/KATA registered firms only)</b>	Open
53	KIBU/REG/53/2024 – 2026	Repair and Maintenance of office furniture and fittings	Open
54	KIBU/REG/54/2024 – 2026	Provision of Team building facilitation services	Open
55	KIBU/REG/55/2024 – 2026	Provision of services in communication – brand survey, voice over services, documentary film services, bulky sms services	Open



## **EVALUATION CRITERIA**

Kibabii University will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.

Applicants will be required to comply with ALL mandatory requirements as follows:

No	MANDATORY REQUIREMENTS - AGPO GROUP	COMPLIANCE (YES/NO)
	<b>GENERAL REQUIREMENTS</b>	
1	Copy of Valid Certificate of Incorporation/Business Registration	YES/NO
2	Current/Valid Tax Compliance Certificate for the group/enterprise as obtained from the KRA portal (Attach copy)	YES/NO
3	Copy of Valid Business Permit/License	YES/NO
4	Copies of Valid AGPO Registration Certificates for Special Groups (Youth, Women & PWDs)	YES/NO
5	Current CR12 Showing the shareholding of the firm where applicable.	YES/NO
6	Form 1. Duly filled, signed and stamped Disclosure of Interest Form	YES/NO
7	Form 2: Duly filled, signed and stamped Certificate of Independent Tender Determination Form	YES/NO
8	Form 3: Duly filled, signed and stamped Self-Declaration form	YES/NO
9	Form 4: Duly filled, signed and stamped Letter of registration	YES/NO
10	Form 5: Duly filled, signed and stamped Confidential Business Questionnaire	YES/NO
11	Documents should be bound and serially numbered from first to last page	YES/NO
	<b>MANDATORY REQUIREMENTS- GENERAL GROUP/OPEN</b>	
12	Copy of Valid Certificate of Incorporation/Business Registration	YES/NO
13	Current/Valid Tax Compliance Certificate for the group/enterprise as obtained from the KRA portal (Attach copy)	YES/NO
14	Copy of Valid Business Permit/License	YES/NO
15	Current CR12 Showing the shareholding of the firm where applicable	YES/NO
16	Provide at least 3 LPOs/Contracts to which the company has done similar supplies in the last 5 years.	YES/NO
17	Financial statements for the year 2022 and 2023 Certified by Registered Auditors	YES/NO
18	Form 1. Duly filled, signed and stamped Disclosure of Interest Form	YES/NO
19	Form 2: Duly filled, signed and stamped Certificate of Independent Tender Determination Form	YES/NO
20	Form 3: Duly filled, signed and stamped Self-Declaration form	YES/NO
21	Form 4: Duly filled, signed and stamped Letter of registration	YES/NO
22	Form 5: Duly filled, signed and stamped Confidential Business Questionnaire	YES/NO
23	Documents should be bound and serially numbered from first to last page	YES/NO
	<b>SPECIAL CONDITIONS (for specific categories as indicated)</b>	
24	Copies of Valid AGPO Registration Certificates for Special Groups (Youth, Women & PWDs) owned firms for <b>RESERVED Categories Only</b>	YES/NO
25	Valid License from Energy & Petrol Regulatory Authority ( <b>Categories 29 only</b> )	YES/NO
26	Valid membership of Professional Body (LSK) for legal services ( <b>Category 30 only</b> )	YES/NO
27	Valid License/Approval by the Directorate of Occupational Health Services ( <b>Category 52 only</b> )	YES/NO
28	Valid License from Auctioneers Licensing Board ( <b>Category 52 only</b> )	YES/NO
29	Valid NCA certificate for Provision of Small Works for relevant works: Building Construction, General Civil Works, Electrical Works & Plumbing ( <b>Category 39 only</b> )	YES/NO

<b>30</b>	Valid trading licence for laundry service business ( <b>Category 40 only</b> )	YES/NO
<b>31</b>	Valid NCA Certificate for provision of small works: Building, Construction, General Civil Works ( <b>Category 39 only</b> )	YES/NO
<b>32</b>	Valid Certificate /License form ICT Authority. ( <b>Category 33 only</b> )	YES/NO
<b>33</b>	IATA/KATA registered firms for provision of Air Travel agency and related services ( <b>Category 56 only</b> )	YES/NO

**NB:** Bidders must meet **ALL** applicable mandatory requirements to qualify.

*(The Evaluation Committee will verify the information submitted by applicants and may visit the physical premises of the applicants. This will form part of the evaluation process).*

**Declaration (For the Tenderer only)**

(The tenderer is expected to state categorically whether he/she will/will not accept to be evaluated on the above criteria)

**Q. Will you accept your bid to be evaluated based on the above criteria and abide by them during the entire period of the tender?** *(Tick appropriately below)*

No

Yes

**Official Stamp .....****Sign.....**

## SECTION IV- APPLICATION FORMS

### FORM 1: FOR DISCLOSURE OF INTEREST- Interest of the Firm in KIBABII UNIVERSITY

- i) Are there any person/persons in **KIBABII UNIVERSITY** who has/have an interest or relationship in this firm? Yes/No.....

If yes, provide details as follows.

	<b>Names of Person</b>	<b>Designation in KIBABII UNIVERSITY</b>	<b>Interest or Relationship with Tenderer</b>
1			
2			
3			

#### Conflict of interest disclosure

	<b>Type of Conflict</b>	<b>Disclosure YES OR NO</b>	<b>If YES provide details of the relationship with Tenderer</b>
1	Tenderer is directly or indirectly controlled by or is under common control with another tenderer.		
2	Tenderer receives or has received any direct or indirect subsidy from another tenderer.		
3	Tenderer has the same legal representative as another tenderer		
4	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 KIBABII UNIVERSITY 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 KIBABII UNIVERSITY who are directly or indirectly involved in the preparation of the Registration document or specifications of the Contract, and/or the Quotation/Tender evaluation process of such contract.		

	Type of Conflict	Disclosure YES OR NO	If YES provide details of the relationship with Tenderer
8	Tenderer has a close business or family relationship with a professional staff of KIBABII UNIVERSITY who would be involved in the implementation or supervision of the Contract.		
9	Has the conflict stemming from such relationship stated in item 7 and 8 above been resolved in a manner acceptable to KIBABII UNIVERSITY throughout the quotation/tender process and execution of the Contract?		

**Certification**

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

Full Name \_\_\_\_\_

Title or Designation \_\_\_\_\_

*(Signature)*

*(Date)*

## FORM 2: CERTIFICATE OF INDEPENDENT TENDER DETERMINATION

I, the undersigned, in submitting the accompanying Letter of quotation/tender to the  
\_\_\_\_\_ [Kibabii University] for: \_\_\_\_\_

[Name and number of tender] 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:

1. I have read and I understand the contents of this Certificate;
2. I understand that the Tenderer will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am the authorized representative of the Tenderer with authority to sign this Certificate, and to submit the quotation on behalf of the Tenderer;
4. For the purposes of this Certificate and the quotation, 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 registration tender;
  - b) Could potentially submit a tender in response to this registration tender based on their qualifications, abilities or experience;
5. The Tenderer discloses that [check one of the following, as applicable]:
  - a) The Tenderer has arrived at the tender independently from, and without consultation, Kibabii University, agreement or arrangement with, any competitor;
  - b) the Tenderer has entered into consultations, Kibabii University, agreements or arrangements with one or more competitors regarding this request for quotations, 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, co Kibabii University, agreements or arrangements;
6. In particular, without limiting the generality of paragraphs(5)(a) or(5)(b) above, there has been no consultation, co Kibabii University, agreement or arrangement with any competitor regarding:
  - a) prices;
  - b) methods, factors or formulas used to calculate prices;
  - c) the intention or decision to submit, or not to submit, the tender;
7. In addition, there has been no consultation, Kibabii University, 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;
8. 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 quotation 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.

Name\_ Title \_\_\_\_\_

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

### **FORM 3: SELF-DECLARATION FORM**

We, the Tenderer \_\_\_\_\_ (*insert name*) submitting our tender in respect of registration tender No for \_\_\_\_\_ (*insert registration tender Title Description*) for \_\_\_\_\_ (*Kibabii University*)

#### **DECLARE AS FOLLOWS:**

That, We the Tenderer including any entity or individual that directly or indirectly controls, is controlled by or is under common control with us, and any subcontractors, suppliers, project managers, consultants, manufacturers, service providers, agents, individuals, or any other party involved or to be involved for any part of the processes of procurement and contract execution related to the above tender:

- a) have not engaged/will not engage in any corrupt or fraudulent practices in the processes of procurement and contract execution related to the above tender as defined and/or described in the following:
  - i) the registration tender for the above tender;
  - ii) Kenya's Public Procurement and Asset Disposal Act, 2015 and its attendant Regulations;
  - iii) Kenya's Anti-Corruption and Economic Crimes Act, 2013; and
  - iv) Any such other Acts or Regulations of Government of Kenya;
- b) Have not offered/will not offer any inducement to any member of the board, management, staff and/or employees and/or agents of..... (*Kibabii University*);
- c) Have not engaged/ will not engage in any collusive or corrosive practice with other tenderers participating in the subject tender;
- d) have not been sanctioned or debarred by any entity from participation in public procurement proceedings of Kenya.

That, what is deponed to herein above is true to the best of our knowledge, information and belief.

**Name of the Tenderer** ..... [*Insert complete name of tenderer signing the 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*]

## FORM 4: LETTER OF REGISTRATION

Registration Category Ref No.....

To The Vice Chancellor,  
Kibabii University,

P.O. Box 1699 – 50200, Bungoma.

Dear Sir,

1. Having examined the application documents including Addenda Nos. ....of which is hereby duly acknowledged, we the undersigned, offer to supply and deliver to Kibabii University and as may otherwise.... be directed,... (Category). And conformity with the said application documents all or part of the items/services in this category or such other items that may be required and are within our capability to supply.
2. We undertake if our application is acceptable to deliver goods/services with accordance with the delivery schedule in the schedule of requirement or official order signed by authorized officer(s) of the university
3. We agree to abide by this application for the period of processing the applications and prepared and executed, this application together with written acceptance thereof shall constitute a binding agreement between us.
4. We understand:-
  - a) That this is not a tender or quotation but an application for consideration to be registered as Multimedia University's suppliers for goods/services included or related to this category during the period of two (2) years.
  - b) That you are not bound to accept this application or any that you may receive.
5. We have attached to this letter are copies of original documents of:
  - a) Valid Certificate of Incorporation/Business Registration
  - b) PIN Certificate
  - c) Certificate of registration (AGPO Certificate) (where applicable) of youth, women & PWD owned enterprises issued by the National Treasury/Other (Attach copy)
  - d) Valid Tax Compliance Certificate
  - e) Current form CR12 (for companies) and identity documents (National ID's or Passports) for the directors/proprietor (Copy)
  - f) Financial Statements for 2019 and 2021 (does not apply to firms under AGPO)
  - g) Duly filled, signed and stamped Disclosure of Interest Form
  - h) Duly filled, signed and stamped Certificate of Independent Tender Determination Form
  - i) Duly filled, signed and stamped Self-Declaration Form
  - j) Duly filled, signed and stamped Letter of Registration
  - k) Duly filled, signed and stamped Confidential Business Questionnaire
  - l) Duly filled, signed and stamped Manufacturer's Authorization Form as applicable
  - m) Documents should be bound and serially numbered from first to last page
6. We make this application with the full understanding that;
  - a) Bids by registered applicants will be subject to verification of all information submitted.



- b) Multimedia University reserves the right to accept or reject any application, cancel the registration process and reject all applications.
- c) Request for quotations and bids will only be called from registered bidders who meet the requirements.

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

**Sign and stamp**.....

**In the presence of: Name**..... **Sign** .....

**Designation** .....**Date** .....

## FORM 5: TENDERER'S ELIGIBILITY - CONFIDENTIAL BUSINESS QUESTIONNAIRE

### Instruction to Tenderer

Tender is instructed to complete the particulars required in this Form. Tenderer is further reminded that it is an offence to give false information on this Form.

### Tenderer's Details

	ITEM	DESCRIPTION
1	Name of procuring Entity	
2	Reference Number of the Tender	
3	Name of the Tenderer	
4	Date and Time of Tender Opening	
5	Full address and Contact Details of the Tenderer	Country
		City
		Location
		Building
		Floor
		Postal Address
		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 full name and full address ( <i>postal and physical address, email and telephone number</i> ) of state which stock exchange	

### General and Specific Details

a) **Sole Proprietor**, provide the following

details. Name in full \_\_\_\_\_

Age \_\_\_\_\_

Nationality \_\_\_\_\_

Country of Origin \_\_\_\_\_

Citizenship \_\_\_\_\_

b) **Partnership**, provide the following details.

	<b>Name of Partners</b>	<b>Nationality</b>	<b>Citizenship</b>	<b>% Shares Owned</b>
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
<b>8</b>				

c) **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

	<b>Name of Directors</b>	<b>Nationality</b>	<b>Citizenship</b>	<b>% Shares Owned</b>
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
<b>8</b>				

**FORM 6: MANUFACTURER’S AUTHORIZATION FORM**

*[The tenderer shall require the Manufacturer to fill in this Form in accordance with the instructions indicated. This letter of authorization should be on the letterhead of the Manufacturer and should be signed by a person with the proper authority to sign documents that are binding on the Manufacturer. The tenderer shall include it in its Tender, if so indicated in the RDS.]*

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

ITT No.:.....*[insert number of ITT process]* Alternative

No.:.....*[insert identification No if this is a Tender for an alternative]*

To: ..... *Kibabii University*] WHEREAS

We..... *[insert complete name of Manufacturer]*, who are official manufacturers of.....*[insert type of goods manufactured]*, having factories at *[insert full address of Manufacturer's factories]*, do hereby authorize *[insert complete name of tenderer]* to submit a Tender the purpose of which is to provide the following Goods, manufactured by us..... *[insert name and or brief description of the Goods]*, and to subsequently negotiate and sign the Contract.

We hereby extend our full guarantee and warranty in accordance with Clause 28 of the General Conditions of Contract, with respect to the Goods offered by the above firm.

Signed:..... *[Insert signature(s) of authorized representative(s) of the Manufacturer]*

Name:.....*[Insert complete name(s) of authorized representative(s) of the Manufacturer]*

Title: .....*[Insert title]*

Dated on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ *[insert date of signing]*

**Request For Review**

**FORM FOR REVIEW (r.203 (1))**

**PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

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

**BETWEEN**

..... **APPLICANT**

**AND**

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

Request for review of the decision of the..... Kibabii University of.....dated the...day of  
.....20.....in the matter of Tender No.....of .....20..... for..... (Tender description).

**REQUEST FOR REVIEW**

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

- 1.
- 2.

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

- 1.
- 2.

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

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FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board  
on .....day of  
.....20.....

**SIGNED**

**Board Secretary**