

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF NAKURU
DEPARTMENT OF LANDS, HOUSING AND PHYSICAL PLANNING

**TENDER NAME: REQUEST FOR PROPOSAL ON CONSULTANCY SERVICES FOR CADASTRAL
SURVEY SERVICES OF VARIOUS MARKET CENTERS WITHIN NAKURU COUNTY**

RFP NUMBER: CGN/DLHPP/RFP/388/2019-2020

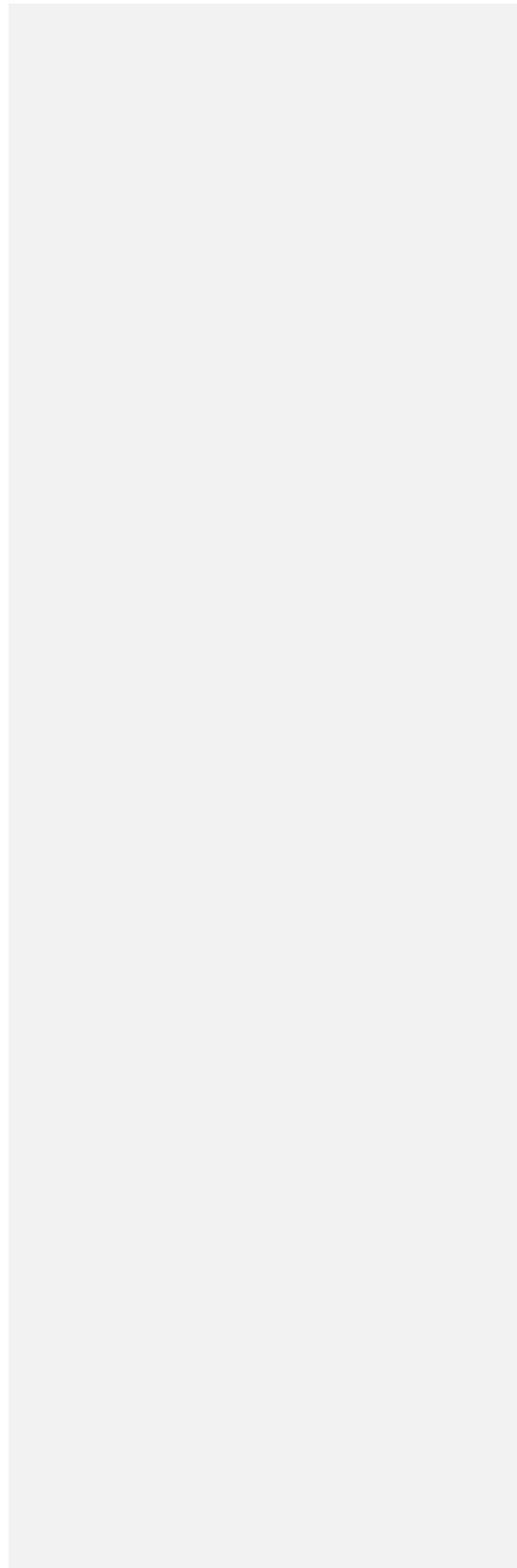
County Government of Nakuru
Ministry of LANDS, HOUSING AND PHYSICAL PLANNING
P.O. BOX 2870-20100
NAKURU

ABBREVIATIONS AND ACRONYMS

| | |
|--------------|--|
| 1. BDS | Bid Data Sheet |
| 2. CC | Conditions of Contract |
| 3. ICPAK | Institute of Certified Public Accountants of Kenya |
| 4. JV | Joint Venture |
| 5. KES | Kenya Shillings |
| 6. PPDA 2005 | Public Procurement and Disposal Act, 2005 |
| 7. PPDR 2006 | Public Procurement and Disposal Regulations, |
| 8. PPOA | Public Procurement and Oversight Authority |
| 9. CGN | County Government of Nakuru |
| 10. KRA | Kenya Revenue Authority |
| 11. LC | Letter of Credit |
| 12. TCC | Tax Compliance Certificate |
| 13. SCC | Special Conditions of Contract |
| 14. VAT | Value Added Tax |
| 15. MR | Mandatory Requirement |

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SECTION I: INVITATION FOR TENDER

DATE: 27TH JANUARY 2020

Tender reference no. NCG/LHPP/RFP/388/2019/2020

Tender Name: REQUEST FOR PROPOSAL ON CONSULTANCY SERVICES FOR CADASTRAL SURVEY SERVICES OF VARIOUS MARKET CENTERS WITHIN NAKURU COUNTY

The County Government of Nakuru of P.O. Box 2870 invites sealed tenders for the **REQUEST FOR PROPOSAL ON CONSULTANCY SERVICES FOR CADASTRAL SURVEY SERVICES OF VARIOUS MARKET CENTERS WITHIN NAKURU COUNTY**

1.2 Interested eligible candidates may obtain further information and inspect REQUEST FOR QUOTATION DOCUMENTS at Supply Chain Management Office, Public Works Building as from 8.00 a.m-1.00 p.m. and 2.00 p.m. -5.00 p.m.

1.3 Bidding documents with detailed specifications may be obtained from the **Kenya Supplier Portal; supplier.treasury.go.ke** or from the county website; www.nakuru.go.ke **for free of charge.**

1.4 Prices quoted should be net inclusive of all taxes, must be in Kenya shillings and shall remain valid for 120 days from the closing date of tender.

1.5 Completed tender documents are to be uploaded online vide negotiation number.....through the IFMIS supplier portal - **supplier.treasury.go.ke and also MUST SUBMIT an Original and a copy to the tender box located at the county headquarters** so as to be received on or before **MONDAY, 10TH FEBRUARY 2020 AT 10.00 a.m.**

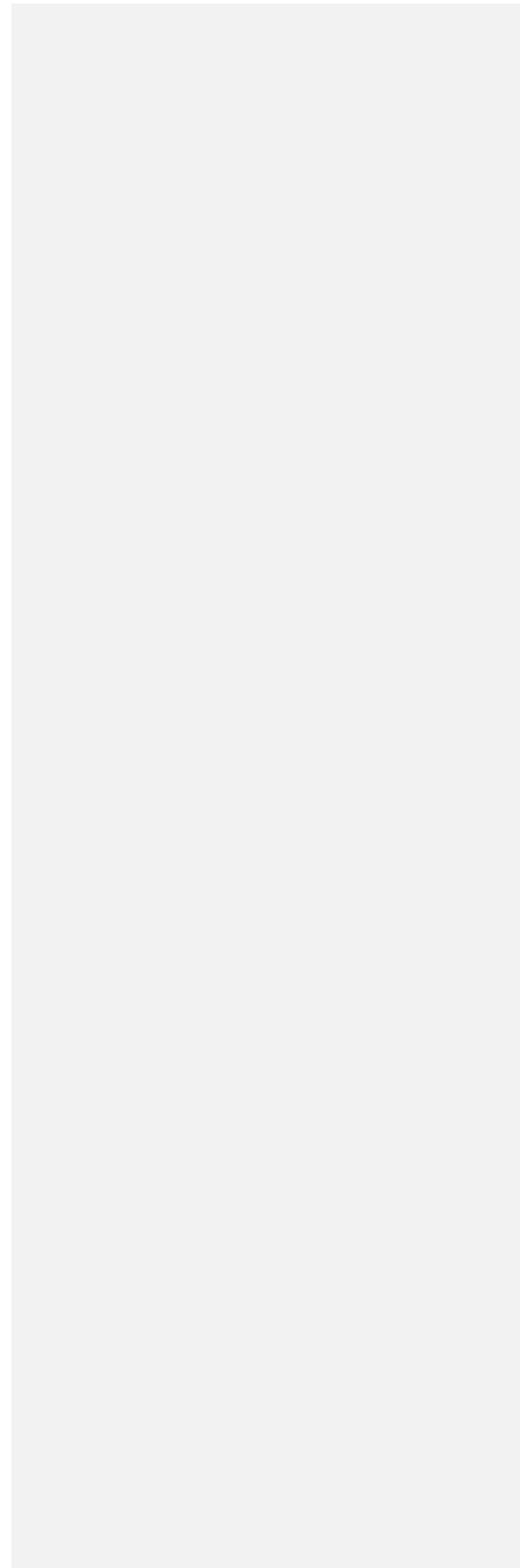
1.6 Tenders will be opened immediately thereafter in the presence of the candidates or their representatives who choose to attend at the County Boardroom, County Government Headquarter Building.

**COUNTY SECRETARY
NAKURU COUNTY GOVERNMENT**

SECTION II - INFORMATION TO CONSULTANTS

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SECTION II - INFORMATION TO BIDDERS

2.1 Introduction

- 2.1.1 The consultants are invited to submit Preliminary and technical proposal for consulting services required
- 2.1.2 In the assignment where the procuring entity intends to apply standard conditions of engagement and scales of fees for professional services, which scale of fees, will have been approved by a relevant authority, a technical proposal only may be invited and submitted by the consultants. In such a case the highest ranked firm in the technical proposals shall be invited to negotiate a contract on the basis of the set scale of fees. The technical proposals will be the basis for contract negotiations and ultimately for a signed contract with the selected firm.
- 2.1.3 The consultants must familiarize themselves with local conditions as regards the assignment and take them into account in preparing their proposals. To obtain adequate information on the assignment and on the local conditions, consultants are encouraged to liaise with the County Government of Nakuru regarding any information that they may require before submitting a proposal.
- 2.1.4 The client will provide the inputs and services specified in the special conditions of contract needed to assist the consultant to carry out the assignment.
- 2.1.5 The cost of preparing the proposal and negotiating the contract including any visit to the procuring entity are not reimbursable as a direct cost of the assignment. The procuring entity is not bound to accept any of the proposals submitted.
- 2.1.6 The County Government of Nakuru employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender.

2.2 Clarification and amendment to the RFP documents

- 2.2.1 Firm may request clarification of any of the RFP documents not later than three (3) days before the deadline for the submission of the proposals. Any request for clarification must be sent in writing by post, fax or email to the County Government of Nakuru address indicated in the special conditions of contract. County Government of Nakuru will respond by post, fax or

email to such requests and will send written copies of the response (including an explanation of the query but without identifying the source of inquiry) to all firm invited to submit proposals.

- 2.2.2 At any time before the deadline for submission of the proposals, County Government of Nakuru may for any reason; either at its own initiative or in response to a clarification requested by an intended firm amend the RFP. Any amendment shall be issued in writing, fax or email to all invited firm and will be binding on them. The County Government of Nakuru may at its discretion extend the deadline for the submission of the proposals.
- 2.2.3 Clarification of tenders shall be requested by the tenderer to be received by the procuring entity not later than 2 days prior to the deadline for submission of tenders.
- 2.2.4 The procuring entity shall reply to and clarifications sought by the tenderer within 1 day of receiving the request to enable the tenderer to make timely submission of its tender.

2.3 Preparation of proposals

- 2.3.1 The consultant's firm proposal shall be written in English language.
- 2.3.2 In preparing the Technical proposal, the consultants firms are expected to examine the documents consisting the RFP in detail. Material deficiencies in providing the information requested may result in rejection of a proposal.
- 2.3.3 While preparing the Technical proposal, the firm must give particular attention to the following:
 - (a) If the firm considers that it does not have all the expertise required for the assignment to its discretion may suggest in the proposals other firms who will assist in the assignment but they will not be party to the contract for the purpose of the performance of the assignment. The firm will not propose other firm invited to submit proposals for the assignment. Any firm in contravention of this requirement shall automatically be disqualified.
 - (b) For all the staff who will be involved in the exercise of the proposals to consultant must indicate their responsibility in the assignment and also the staff time as necessary.
 - (c) The curriculum vitae (CV) of the staff proposed must be submitted with the proposal.

2.3.4 The Technical proposal shall provide the following information;

- (a) The firm CV and a brief of any recent experience of assignment of a similar nature. For each assignment the brief should indicate the profiles of staff involved and the firm's involvement.
- (b) Any comments or suggestions on the Terms of Reference and a list of service and facilities requested to be provided by the procuring entity.
- (c) A description of the methodology and work plan for performing the proposed assignment.
- (d) Any additional information requested in the special conditions of contract.

2.4 Submission, Receipt and opening of proposals

2.5.1 The technical proposal (if required) shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the firm. Any such corrections must be initialed by the firm.

2.5.2 For each proposal the firm shall prepare the proposals in the number of copies indicated in the special conditions of contract. Each Technical proposal shall be marked “ORIGINAL” or “COPY” as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall govern.

2.5.3 The original and all copies of the Technical proposal shall be placed in a sealed envelope clearly marked “TECHNICAL PROPOSAL. Both envelopes shall be placed in an outer envelope and sealed. This outer envelope shall bear the procuring entities address and other information indicated in the appendix to the instructions to consultants and clearly marked “DO NOT OPEN before MONDAY 10TH FEBRUARY 2020 (bid closing date)

2.5.4 The completed Technical proposal must be delivered at the submission address on or before the time and date of the submission of the proposals indicated ABOVE . Any proposals received later than the closing date for submission of proposals shall be rejected. For this purpose the inner envelope containing the technical proposals will bear the address of the firm submitting the proposals.

2.5.5 After the deadline for submission of proposals the outer envelope and the technical proposals shall be opened immediately by the opening committee. and shall remain sealed and in the custody of a responsible officer of the procuring entity up to the time set for opening them.

2.6 Evaluation of the Proposal (General)

2.6.1 From the time the proposals are opened to the time of the contract award, if any firm wishes to contact the procuring entity on any matter relating to his/her proposal, he/ she should do so in writing at the address indicated in the appendix to the instructions to consultants. Any effort by a firm to influence the County Government of Nakuru staff in the evaluation of proposals companion proposals may result in the rejection of the firm proposal.

2.6.2 Financial Proposal shall be requested from the responsive consultants, after the technical evaluation is concluded or finalized.

2.7 Evaluation of Technical Proposals

2.7.1 The evaluation committee appointed by the procuring entity to evaluate the proposals shall carry out the evaluation of technical proposals following the criteria set out in the terms of reference based on the following points criteria

EVALUATION CRITERIA

MANDATORY TENDER REQUIREMENTS

The tenderer must provide the following information and/or copies of the following documents:

1. PIN/VAT Certificate
2. Certificate of Incorporation or business registration certificate
3. Attaché Certified Cr 12 (Certified By Attorney Or Commissioner Of Oath)
4. Registration and valid license by the professional body for the lead consultants
5. Valid Tax Compliance certificate (Current Certificates)
6. Letters of reference from four (4) major clients for whom similar assignments have been undertaken for the last 10 years;
7. Audited accounts for the last three years
8. List and contact details of the organization for which similar consultancies have been undertaken over the three (3) years;
9. Valid business license

NB: Bids that do not contain all the above mandatory requirements will be declared non responsive and shall not be evaluated further.

TECHNICAL REQUIREMENTS

Table 1

The following criteria will be used in the evaluation of all potential suppliers, as follows;

| No | Evaluation attribute | Weighting score | maximum score |
|-----------|-----------------------------|--|----------------------|
| 1. | Past Projects | Experience (as per table 3 past projects & tor 8 ... <ul style="list-style-type: none">• General experience• Specific experience | 20 |
| | Technical Capacity | List of consulting team with description of proposed role <ul style="list-style-type: none">• Proposed team lead, , Lands surveyor, and team members as per (table 2 personnel and tor's number 11-19) | 20 |
| | Quasi proposal | Implementation methodology | 10 |
| | Time of service | Period of consultancy Additional Benefits Post consultancy benefits | 5 |
| | Financial strength | Audited accounts for the last three years Ability to implement the assignment financially as per table 4 | 15 |

Technical Capacity

Table 2 - Personnel

| Item | Description | Details (Each Evaluator to Record here the Exact Qualifications) | Point Scored | Max. Point |
|---|--|--|--------------|------------|
| I. | Key Personnel (Attach evidence) | | | 20 |
| | Team Leader -licensed surveyor | | | 12 |
| | <ul style="list-style-type: none"> Holder of Bachelor's degree or higher in land survey or higher diploma in land survey | | 2 | |
| | <ul style="list-style-type: none"> Registration with institution of surveyors Registration Board with a valid practicing license | | 1 | |
| | <ul style="list-style-type: none"> Total Work Experience (Over 7 years = 4 points, 5-7 years =3 points, 3-5 years= 2 point, below 3 years = 1 points) | | 4 | |
| | <ul style="list-style-type: none"> Similar Work Experience (Over 5 years = 2 points, 3 – 5 years = 1 point, below 3 years = 0 points) | | 2 | |
| | <ul style="list-style-type: none"> Experience in position of team leader/project manager in similar projects(3 projects = 3 points, 2 projects = 2 points, 1 project=1 point) | | 3 | |
| | registered land surveyor (2 No) | | | 8 |
| | Holder of Bachelor's degree or higher in land survey or higher diploma in land survey | | | 1 |
| | Registration with land surveyors Registration Board with a valid practicing license | | | 2 |
| | Total Work Experience (Over 5 years = 4 points, 3-5 years =3 points, 3-2 years= 2 point, below2 years = 1 points) | | | 3 |
| | Similar Work Experience (Over 5 years = 2 points, 3 – 5 years = 1 point, below 3 years = 0 points) | | | 2 |
| | Assistant land surveyors (2No.) | | | 6 |
| <ul style="list-style-type: none"> Holder of a degree in land survey or diploma in land survey | | | 2 | |

| | | | | | | |
|--|--|----|----|----|----|----|
| | <ul style="list-style-type: none"> Total Work Experience of at least 2 years | | | 2 | | |
| | <ul style="list-style-type: none"> Membership to a recognized institution of surveyors of Kenya | | | 2 | | |
| | Land Surveyor | | | | | |
| | <ul style="list-style-type: none"> Bachelors in land Survey, or geomatic and geospatial engineering | | | 1 | | |
| | Total Work Experience (Over 5 years = 2 points, 5 – 10 years = 1 points, below 5 years = 0 points) | | | 2 | 7 | |
| | <ul style="list-style-type: none"> Registration with land surveyors board of Kenya | | | 1 | | |
| | <ul style="list-style-type: none"> Relevant practicing license | | | 1 | | |
| | <ul style="list-style-type: none"> Similar Work Experience (Over 5 years = 2 points, 3 – 5 years = 1 point, below 3 years = 0 points) | | | 2 | | |
| | /Cartographer (2 No) | | | | | |
| | <ul style="list-style-type: none"> Diploma in cartography | | | 2 | | |
| | <ul style="list-style-type: none"> Total work experience -5 years and above 1 year experience in physical planning services (over 10 years =2 points ,5-10 years =1 below 5 years 0 points) | | | 2 | 5 | |
| | <ul style="list-style-type: none"> Proof of Experience in computer software in computing and physical planning services. | | | 3 | | |
| | • | | | | | |
| | • | 40 | 40 | 40 | | |
| | • | | | | | |
| | | | | | 40 | 40 |

Commented [E01]: Spelling mistake

Commented [E02]: Spelling

Past Projects

Table 3

Attach proof e.g. certified copies of contract agreements, completion certificates etc

| Category | Description | Compliance Details (Details Provided) {Evaluator to record} | Number of Compliances | Awarded score per compliance | Total Awarded Score | Maximum score | |
|---|--|---|-----------------------|------------------------------|---------------------|----------------|--------------|
| | | | | | | Per compliance | Per category |
| 1 (a) | <ul style="list-style-type: none"> • General experience under contracts in the role of contractor, subcontractor, or management contractor for the last 3 (years) years prior to the applications submission deadline each with a value of at least KShs. 2,000,000(Max. 4projects). | | | 1 | | 4 | 20 |
| 1 (b) | <ul style="list-style-type: none"> • Specific Experience (max 3 projects in the category): | | | | | 16 | |
| | <ul style="list-style-type: none"> i. Projects of similar nature, complexity and magnitude in the last 3 years | | | 4 | | | |
| | <ul style="list-style-type: none"> ii. Project of similar nature but of lower value than the one in consideration | | | 3 | | | |
| | <ul style="list-style-type: none"> iii. No completed project of similar nature | | | 0 | | | |
| Total Score on Experience in Past Projects | | | | | | 20 | 20 |

FINANCIAL REPORT

Table 4

| Category | Requirement | Provided Details {Evaluator to Record the | Awarded score | Maximum Score per Section | Maximum Score per category |
|----------|---|---|---------------|---------------------------|----------------------------|
| I. | Audited financial report (last three (3) years) | | | | 15 |
| | • Turnover per year greater or equal to 5 times the cost of the project | | | 10 | |
| | • Turnover per year greater or equal to 3 times the cost of the project | | | 6 | |
| | • Turnover per year greater or equal to the cost of the project | | | 4 | |
| | • Turnover per year below the cost of the project. | | | 2 | |
| | | | | | |

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The pass mark to qualify to the financials is 70% of the technical points

1. METHODOLOGY AND INTERPRETATION OFR TERMS OF REFENCE, (10) POINTS
2. DETAILED WORK PLAN (10)
3. CURRENT PHYSICAL AND LAND USE PLANNING CONSULTANCY SERVICES FOR THE LEAD CONSULTANT ANDASSOCIATE EXPERTS (10) POINTS
4. MEMBERSHIP WITH A MINIMUM OF FIVE YEARS OF EXPERIENCE-LEAD CONSULTANTS ANS ASSOCIATE MUST BE REGISTERED WITH THE REGULATING BODIES (15) POINTS
5. DEMONSTRATE AVAILABILITY OF APPROPRIATE SKILLS AMONG STAFF (15) POINTS
6. DEMONSTRATE EXPERIENCE IN HAVING UNDERTAKEN THREE (3) SIMILAR ASSIGNMENTS UNDER SIMILAR CONDITIONS (15) POINTS
7. DESCRIPTION OF AT LEAST ONE SIMILAR ASSIGNMENT WITHIN THE LAST FIVE YEARS. CLIENT REFENCE SHOULD BE PROVIDED (15) POINTS
8. ORGANIZATIONAL CHART AND COMPANY PROFILE (10) POINTS

- 2.7.2 Any proposal which will be examined and found not to comply with all the requirements for submission of the proposals will be declared non responsive. All the proposals found to have complied with all the requirements for submission of proposal shall be declared responsive by the evaluation committee
- 2.7.3 Each responsive proposal will be given a technical score (ST). Any technical proposal which fails to achieve the total minimum score indicated in the appendix to the information to tenderers shall be rejected at this stage and will not proceed to the next stage of evaluation. The respective financial proposal will be returned to the firm unopened.

SECTION III - TERMS OF REFERENCE (TOR)

3.1. PREAMBLE

1.0 BACKGROUND: THE COUNTY GOVERNMENT OF NAKURU WISHES TO PROCURE CADASTRAL SURVEYS FOR VARIOUS MARKET CENTRES WITHIN NAKURU COUNTY.

- **Objective of the Consultancy.** The overall objective of these plans will be to provide an overall registry index plans and authenticated cadastral survey plan for the upcoming market centres. These plans are also expected to facilitate respective plot owners in access land ownership documents including long term leases.
- **Scope of the Work and Methodology.** The scope of services will includes
- Extension of controls and perimeter surveys of the approved centres
- Conduct cadastral surveys as guided by the approved development plans and in accordance with the survey act cap 299 of the laws of Kenya
- Submit the completed survey file and plans to the director of survey for quality checks
- Ensure index map is amended
- Submit authenticated copies of survey plan and sealed registry index map for the centres to chief officer land housing and physical planning

4.0. Outputs

- Cadastral survey plans for the markets

- Sealed registry index maps for the centres
- Area list of the centres

5.0. Expected results

- Sealed registry index map and copies of the authenticated survey plans for specific market centres

7.0 Time Frame

The duration of works will be one financial year

8.0 Submission on Request for Proposal

Submission Details

- Capability statement, including commitment for availability for the entire assignment, demonstrable capacity to undertake the assignment and 10 referees/organizations worked for within the past 10 years carrying out a storm water drainage design.
- General experience under contracts in the role of contractor, subcontractor, or management contractor for the last 6 years prior to the applications submission deadline each with a value of at least KShs. *and above*
- Specific Experience Projects of similar nature, complexity and magnitude in the last 3 years
- Detailed statement on the proposed study, clearly stating the study methodology and data collection methods.
- A detailed work schedule for the study and design indicating activity timeline and assessment duration.
- Updated curriculum vitae of the consultants who will undertake the work that clearly spells out qualifications and experience. Where more than one consultant is to be involved, clearly indicate the overall lead consultant and responsible persons.
- Commitment that the consultants whose CVs are presented and interviewed will be engaged through out if the consultancy is responsive. (County Government of Nakuru and will not accept replacements)

9.0 Duration

- The duration of the assignment will be days.

10.0 Management of the Assignment

The Assignment will be managed by the County surveyor in charge of land survey - County Government of Nakuru, Kenya.

11.0 Consultancy Team

The consultancy team shall provide a profile containing the summary of the firms' general experience, specific experience to the assignment's and summarized listing of the relevant projects completed within the last 10 years, indicating the type of expertise offered and value of Consultancy services provided and completed and proposed methodology.

12.0 Key Personnel

Attach Copies of Certificates and CV's of the proposed Key Personnel as per the TOR Requirement numbering **11-19**. Note: All the CV's MUST be endorsed by the proposed person and counter signed by the appointed representative.

12.1 Licensed land surveyor and Team Leader

The position requires a person who is a registered and licensed land surveyor with a Bachelor's degree or Masters in land surveying with a minimum of 5 years professional experience.

In addition the candidate shall have the following qualifications:

- Registered with the land surveyors Registration Board.
- Minimum requirement of 5 years' post professional registration experience
- Previous experience as a Team Leader on at least 2 similar projects;
- Full working proficiency of both written and spoken English;
- Excellent report writing and communication skills.

13.0 Land Surveyor

He/she should have a Bachelor's degree in land Survey or equivalent with a minimum of 3 years' experience. He/she should be conversant with the use of relevant computer software such as GIS.

NOTE; the specialists are not classified as key experts and therefore their CVs shall not be used in the evaluation of bids. However they must be included in the proposal because they shall form part of the staff requirement in the contract to be signed.

14.0 Other Staff

The Consultant is free to propose any additional expertise it may deem necessary for efficient, competent, comprehensive and timely delivery of the works. Their responsibilities, qualifications and experience, utility schedule (person-week) and remuneration shall be clearly detailed by the consultant. Other assistant technical staff will similarly be proposed.

SECTION IV - TECHNICAL PROPOSAL (TP)

Notes on the Preparation of Technical Proposal

The technical proposal shall be prepared and submitted by the consultants.

It shall contain the following:-

- (a) Submission letter
- (b) Particulars of the consultants including Curriculum vitae (CV)
- (c) Comments and suggestions of the consultant firm on the terms of reference, personnel, facility and other requirements to be provided by the procuring entity.
- (d) Description of the methodology and work plan for performing the assignment
- (e) Any proposed staff to assist in the assignment
- (f) Consultancy services activities time schedule.

(To be prepared by the consultant as appropriate)

SECTION V- FINANCIAL PROPOSAL (FP)

Notes on the Preparation Financial Proposal

The financial proposal shall be prepared and submitted by the consultants. It shall contain the following.

- (a) Submission letter indicating total fees
- (b) Summary of costs
- (c) Breakdown of fees per activity i.e
- (d) Breakdown of reimbursable costs or expenses per activity
- (e) Miscellaneous expenses

(To be prepared by the consultant as appropriate)

SECTION VI - STANDARD CONTRACT FORM

INDIVIDUAL PROFESSIONAL CONSULTANTS

(Lump-sum payment)

The contract form shall be completed by the procuring entity after the award of the contract and negotiation of the contract. It will be signed by both parties pursuant to the information to consultant's clause 2.10.2

SECTION VI - STANDARD CONTRACT FORM

1. STANDARD CONTRACT FORM

**INDIVIDUAL PROFESSIONAL CONSULTANTS
(Lump-sum payments)**

This Agreement, [hereinafter called “the Contract”) is entered into this _____ [insert starting date of assignment], by and between.

_____ [Insert Client’s name] of [or whose registered office is situated at] _____ [insert Client’s address] (hereinafter called “the Client”) of the one part AND

_____ [Insert Consultant’s name] of [or whose registered office is situated at] _____ [insert Consultants address] (hereinafter called “the Consultant”) of the other part.

WHEREAS the Client wishes to have the Consultant perform the services [hereinafter referred to as “the Services”, and

WHEREAS the Consultant is willing to perform the said Services,

NOW THEREFORE THE PARTIES hereby agree as follows:-

1. **Services**
 - (i) The Consultant shall perform the Services specified in Appendix A, “Terms of Reference and Scope of Service, “which is made an integral part Of this Contract.
 - (ii) The Consultant shall provide the personnel listed Appendix B, “Consultant’s Personnel,” to perform the Services.
 - (iii) The Consultant shall submit to the Client the reports in the form and within the time periods specified in Appendix C, “ Consultant’s Reporting Obligations.”

(Appendices A, B, and C to be prepared as appropriate)

2. **Term** The Consultant shall perform the Services during the

period commencing on _____ [insert starting date] and through to _____ [insert completion date], or any other period(s) as may be subsequently agreed by the parties in writing.

3. **Payment**
- A. **Ceiling**
For Services rendered pursuant to Appendix A, the Client shall pay the Consultant an amount not to Exceed _____ [insert amount]. This amount has been established based on the understanding that it includes all the Consultant's costs and profits as well as any tax obligation that may be imposed on the Consultant.
- B. **Schedule of Payments**
The schedule of payments is specified below (Modify in order to reflect the output required as described in Appendix C.)
- Kshs. _____ upon the Client's receipt of the Draft report, acceptable to the Client; and
- Kshs. _____ upon the Client's receipt of the Final report, acceptable to the Client.
- | | |
|-------|-------|
| Kshs. | Total |
|-------|-------|
- C. **Payment Conditions**
Payment shall be made in Kenya Shillings unless otherwise specified not later than thirty (30) days following submission by the Consultant of invoices in duplicate to the Coordinator designated in Clause 4 here below. If the Client has delayed payments beyond thirty (30) days after the due date hereof, simple interest shall be paid to the Consultant for each day of delay at a rate three Percentage points above the prevailing Central Bank of Kenya's average rate for base lending.
4. **Project Administration**
- A. **Coordinator**
The Client designates _____ [insert name] as Client's Coordinator; the Coordinator will be responsible for the Coordination of activities under this Contract, for acceptance and approval of the reports and of

other deliverables, by the Client and for receiving and approving invoices for payment.

- B. Reports
The reports listed in Appendix C, “Consultant’s Reporting Obligations,” shall be submitted in the Course of the assignment and will constitute the basis for the payments to be made under paragraph 3.

- 5. **Performance Standards** The Consultant undertakes to perform the Services with the highest standards of professional and ethical competence and integrity. The Consultant shall promptly replace any employees assigned under this Contract that the Client considers unsatisfactory.
- 6. **Confidentiality** The Consultant shall not, during the term of this Contract and within two years after its expiration

Disclose any proprietary or confidential Information relating to the Services, this Contract Or the Client’s business or operations without the Prior written consent of the Client.
- 7. **Ownership of Material** Any studies, reports or other material, graphic, software or otherwise prepared by the Consultant for the Client under the Contract shall belong to and remain the property of the Client. The Consultant may retain a copy of such documents and software.
- 8. **Consultant Not to be Engaged in certain Activities** The Consultant agrees that during the term of this Contract and after its termination the Consultant and any entity affiliated with the Consultant shall be disqualified from providing goods, works or services (other than the Services and any continuation thereof) for any project resulting from or closely related to the Services.
- 9. **Insurance** The Consultant will be responsible for taking out any appropriate insurance coverage.
- 10. **Assignment** The Consultant shall not assign this Contract or sub-contract any portion of it without the Client’s prior written consent.

11. **Law Governing Contract and Language** Kenya and the language of the Contract shall be English language
12. **Dispute Resolution** Any dispute arising out of the Contract which cannot be amicably settled between the parties shall be referred by either party to the arbitration and final decision of a person to be agreed between the parties. Failing agreement to concur in the appointment of an Arbitrator, the Arbitrator shall be appointed by the chairman of the Chartered Institute of Arbitrators, Kenya branch, On the request of the applying party.

For the Client

For the Consultant

Full name _____

Full name _____

Title _____

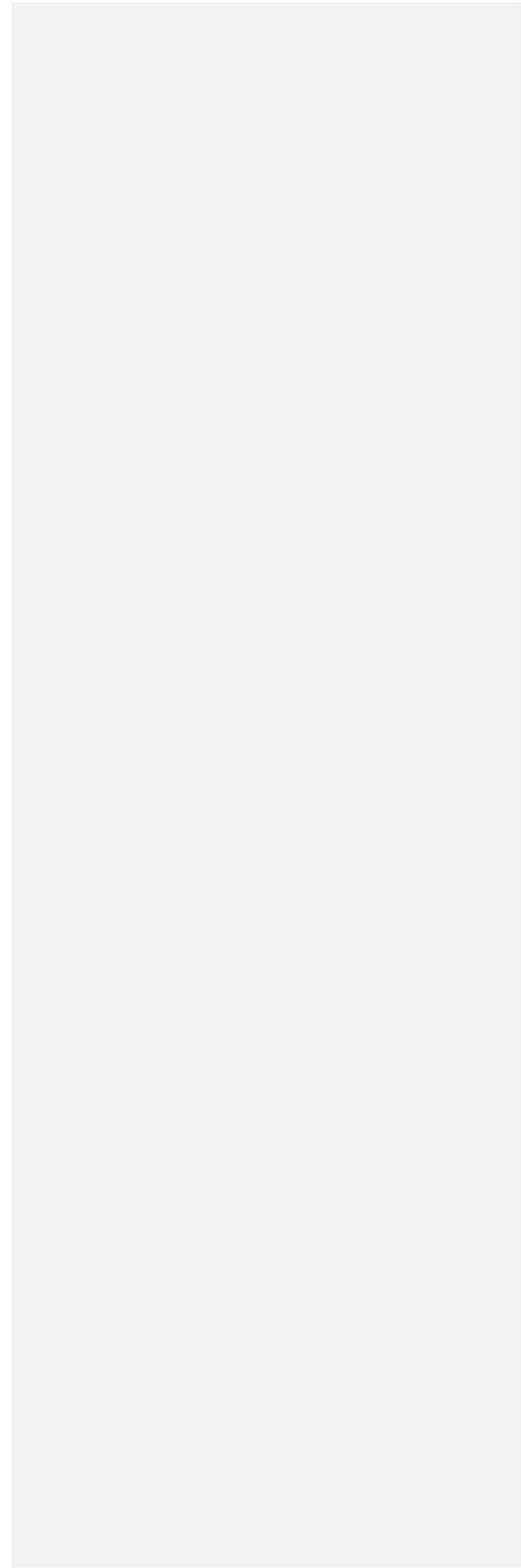
Title _____

Signature _____

Signature _____

Date _____

Date _____



CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

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 E mail 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 <input type="checkbox"/> Citizenship details <input type="checkbox"/> |
| | Part 2 (b) Partnership |
| | Given details of partners as follows: 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 | | | |
| Name | | Nationality | Citizenship Details |
| Shares | | | |
| Date | | Signature of Candidate | |

If a Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or registration.

if Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration.

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...

ANTI-CORRUPTION DECLARATION/COMMITMENT/PLEDGE

(In the Matter of Public Procurement Sections 40,41 & 42 of the PPDA Act 2005)

I/We/M/s

of P.O. Boxdeclare that I/We reCounty Government of Nakurunize that

Public Procurement is based on a free, fair and competitive tendering process

which should not be open to abuse.

I/We.....declare that I/We will not offer or facilitate,

directly or indirectly, any inducement or reward to any member of

the Board, Management and/or staff of County Government of Nakuru in connection with tender/Quotation No. -----

TENDER/QUOTATION FOR THE -----

County Government of Nakuru in the tender, or in the subsequent performance of the contract if I/We am/are successful.

Signed by.....CEO or Authorized Representative.

Name.....

Designation.....

Designation.....

Signature..... Date.....

Declared at

Before me.....

Name.....

Signature.....Date

COMMISSIONER FOR OATHS