Kenya National Highways Authority
Quality Highways, Better Connections
Barabara Plaza, Block A & C, Jomo Kenyatta International Airport (JKIA), Off Airport South Road, along Mazao Road,
P.O Box 49712 - 00100 Nairobi, **Tel** 020 - 4954000 / 0700 423 606 **Email** dg@kenha.co.ke / Website www.kenha.co.ke

REGISTRATON OF PROVIDERS OF LEGAL SERVICES FOR THE PERIOD ENDING 30TH JUNE 2027

TENDER NO. KeNHA/2868/2025

APRIL 2025

CORPORATION SECRETARY/DEPUTY DIRECTOR, HEAD LEGAL SERVICES, **KENYANATIONAL HIGHWAYS AUTHORITY,** **P.O. BOX 49712-00100** **NAIROBI**	**DIRECTOR GENERAL** **KENYA NATIONAL HIGHWAYS AUTHORITY** **P.O. BOX 49712-00100 FAX 0202715483** **NAIROBI**

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INVITATION TO TENDER

PROCURING ENTITY: ..... ***Kenya National Highways Authority***

CONTRACT NAME AND DESCRIPTION: ..... *Registration of Legal Services Providers for the Period Ending 30th June, 2027*

The Authority intends to continuously register eligible legal service providers to be placed in the Authority's panel of Advocates for the period ending 30th June, 2027 and who may from time to time be appointed to provide legal services

1. Qualified and interested tenderers may obtain further information and inspect the prequalification Tender Documents during office hours *[0800 to 1700 hours]* at the address given below (item 10).

2. A complete set of Registraton tender documents may be obtained by interested tenderers from the Kenya National HighwaysAuthority (KeNHA) website: **www.kenha.co.ke** or Public Procurement Information Portal (PPIP) website www.tenders.go.ke free of charge **or** from KeNHA Headquarters Office, Barabara Plaza,2nd Floor Block C Supply Chain Department during normal working hours.

3. Completed Registraton tender document must be deposited in the tender box situated **at KeNHA Headquarters, Barabara Plaza, Jomo Kenyatta International Airport JKIA, Block C, Second (2nd) Floor Supply Chain Department** or delivered to the address below on or before **15th May, 2025 at 11:00 am**. Electronic Tenders will not be permitted.

4. Registraton Tender documents will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Registraton Tender documents will be publicly opened in the presence of the Tenderers' designated representatives who choose to attend at the address below.

5. Late tenders will be rejected.

6. The addresses referred to above are:

Address for obtaining further information and for purchasing tender documents

Deputy Director – Supply Chain Management,
Kenya National Highways Authority,
P. O. Box 49712-00100, Nairobi
Barabara Plaza, Jomo Kenyatta International Airport,
Mazao Road, Off Airport North Road, Block C 2nd Floor
Email: procurement@kenha.co.ke

Opening of the bids will take place on **15th May, 2025 at 11.00 AM** at **Block C, 2nd Floor Board Room, Barabara Plaza, JKIA, Nairobi, Off Mazao Road (Opposite KCAA Headquarters),** in the presence of Tenderers/Representatives who wish to attend.

All submitted Documents may be verified from the issuing agencies, KeNHA Reserves the right to verify all submitted documents.

All interested bidders are required to continually check the Kenya National Highways Authority website: www.kenha.co.ke or Public Procurement Information Portal (PPIP) website www.tenders.go.ke **for any tender addendums or clarifications that may arise before the submission date**

SECTION II- TENDER SUBMISSION CHECKLIST

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

NO.	REQUIREMENTS	Tick Where Provided
A.	Duly Filled, Signed & Stamped Registration submission form.	
B.	Duly filled Confidential Business Questionnaire.	
C.	Copy of the Certificate of the Registration of the Law firm	
D.	Evidence of Physical Address (attach copies of utility bills e.g. electricity/water or lease agreement).	
E.	**Certified** Copies of practicing Certificates of all advocates in the Law firm.	
F.	Letters of Recommendation from at least three (3) corporate clients. (Indicate Contact Person's email and personal telephone No.)	
G.	Audited Accounts for FY 2023 and 2024.	
H.	Copy of valid Tax Compliance Certificate (to be verified online).	
I.	Evidence of the firm's Professional Indemnity Cover for year 2025.	
J.	Law Firm Profile.	
K.	Duly filed Forms clearly indicating preferred areas of practice regions to be considered once successful.	

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SECTION III: - INFORMATION TO TENDERERS (ITT)

2.1 Introduction

2.1.1 KeNHA will pre-qualify and enlist prospective Tenderers for the provision of Legal Services from among those who will have submitted their Registration documents in accordance with the Registration requirements to undertake the assignments described herein.

2.1.2 The Registration of legal service providers does **not** constitute a retainer.

2.1.3 The Registration Tender document and the Tenderers response thereof shall be the basis for Registration. Tenderers must familiarize themselves with the requirements described in this document including all attachments and take them into account while preparing their response.

2.1.4 Tenderers will be informed in writing of the results of their application.

2.1.5 Tenderers will meet all costs associated with preparation and submission of their respective applications.

2.1.6 Tenderers who have previously been on the KeNHA panel of Advocates should also apply for reconsideration.

2.1.7 It is KeNHA's policy to require Tenderers to observe the highest standards of ethics and professionalism in the procurement process and upon prequalification. In pursuance of this policy, KeNHA:

a) Defines, for the purpose of this provision, the terms set forth below:
    i. ***"Corrupt practice"*** means the offering, giving, receiving or soliciting of anything of value to influence the action of an officer of the Procurement Entity/Purchaser/Employer in the Registration process; and
    ii. ***"Fraudulent practice"*** means a misrepresentation of facts in order to influence the Registration process to the detriment of the Purchaser/Employer, and includes collusive practices among Tenderers (prior to or after submission of Tenders) designed to establish prices at artificial, non-competitive levels and to deprive the Procurement Entity of the benefits of free and open competition.
b) Will reject a Tender for Registration if it determined that a Tenderer has engaged in corrupt or fraudulent activities in competing for the tender in question;
c) Will declare a Tenderer ineligible, for Registration if at any time it determines that Tenderer has engaged in corrupt or fraudulent practices in competing for, or in executing, a similar tender; and
d) Will have the right to examine financial or other records relating to the performance of such services to determine capability;
e) Will have the right to inspect the business premises of the Tenderer.

2.1.8 Tenderers shall furnish information as described in the Registration tender document.

2.1.9 Tenderers shall be aware of the provisions on fraud and corruption stated in herein after.

2.2 Professional Qualifications

The Advocates must be active members of the Law Society of Kenya with current Practicing Certificates. They should not have any pending disciplinary cases. Due diligence will be carried out to ensure that they have not been disbarred.

2.3 Professional Insurance Indemnity

They must have taken out a Professional Insurance Indemnity of not less than **Kshs.50,000,000.00** subject to an upward review depending on the brief at hand.

2.4 Expertise

The Law firms must be ranked highly by their peers as well as have proven experience of the issues in question. While it is important for the lead partners to be experienced the qualification of other members of the firm who will be performing the majority of the legal services should also be of high standard. This includes associates, research assistants and paralegals.

2.5 Scope of Legal Services

2.5.1 The legal services being procured include but not limited to: Civil Litigation and Practice, Commercial Law, Construction Law, Public Procurement and Disposal Law, Labour Law, Constitutional Law, Arbitration & Alternative Dispute Resolution Law and Practice, Tax Law, Land Law & Conveyancing, Public Private Partnership Law, International Law, Project Finance, and Environmental Law.

2.5.2 The law firms should attach their profiles stating the type of cases/matters handled and their success rate in litigation and commercial transactions. The profile should indicate experience in handling matters before the different courts and Tribunals including Arbitrations and Adjudications handled.

2.5.3 The firms should also provide a list of clients together with recommendation on proven expertise handled which should include government departments and parastatals, international companies and private organizations; and the types of matters handled.

2.6 Firm's History

The following information should be included:

- Period for which the law firm has been in operation;
- Number of partners and their standing in the bar;
- Number of Associates and their standing in the bar;
- Number of pupils;

- Number of paralegal staff;
- Number of support staff;
- Areas of Practice & Specialization including regional preference;
- Whether the firm is a member of an international consortium of lawyers or members of international legal bodies.

2.7 Facilities

The firm should possess facilities like a modern legal library, access to online law reports or other legal resources, computers, internet connectivity etc to enable them provide adequate services and facilitate real-time communication.

2.8 Payment of Fees/Costs

2.8.1 KeNHA will consider law firm's that offer the right balance of value for money as measured by the quality of legal service offered. Law firms will be required to identify ways in which legal costs for any significant or complex matter can be mitigated and be willing to negotiate on the same.

2.8.2 The payment of fees will be based on the Advocates Remuneration Order, capped or as may be agreed between the firm and KeNHA. The mode of billing shall be as per the terms of the **Service Level Agreement** between the firm and KeNHA and subject to prior agreement between the firm and KeNHA

2.9 Litigation against KeNHA

The firm should disclose if they are engaged with past or pending litigation against KeNHA whether directly or indirectly and the nature of the litigation in order to avoid conflict of interest. The firm should declare any conflict of interest as and when such interest arises.

2.10 Ability to Work Closely with KeNHA Legal Services Department

The selected law firms will be required to work closely with the Corporation Secretary/Deputy Director, Head, Legal services and officers within the Department.

To ensure effective communication, the selected firms are required to put in place the necessary mechanism to facilitate continuous communication and to ensure timely feedback/reporting on the progress of matters being handled. Quarterly reports will be required in respect of litigation matters to be submitted no later than the first week of every quarter.

2.11 Monitoring and Evaluation

The selected law firms must agree to be monitored through regular client satisfaction surveys in order to ensure that they maintain high standards of service. The firms must give regular reports to KeNHA. The Law firms must enter into Service Level Agreements with the Authority once they are formally instructed.

2.12 Amendments/Clarifications of Registration documents

At any time prior to the deadline for submission of Tenders, the Procuring Entity may amend the Tendering document by issuing addenda.

Any addendum issued shall be part of the tendering document and shall be communicated in writing to all who have obtained the tendering document from the Procuring Entity. The Procuring Entity shall also promptly publish the addendum on the Procuring Entity's webpage.

To give prospective Tenderers reasonable time in which to take an addendum into account in preparing their Tenders, the Procuring Entity shall extend, as necessary, the deadline for submission of Tenders,

Tenderers may request a clarification on the Tender Registration document up to **Seven (7) days** before the Tender submission date. Any request for clarification must be sent in writing by postal mail or electronic mail to the KeNHA's address *procurement@kenha.co.ke* The Procuring Entity publish its responses at the website: www.kenha.co.ke and www.tenders.go.ke.

2.1.3 Preparation of Tender Documents

2.13.1 Tenderers are requested to submit a Tender written in English language.

2.13.2 Tenderers are expected to examine the documents comprising this Request for pre - qualification in detail. Material deficiencies in providing the information requested may result in rejection of a Tender.

2.13.3 Tenderers are required to meet the Registration criteria stipulated hereinafter. Those who do not meet the requirements need not submit tenders. Only tenders, which fulfill these requirements, will be considered for detailed evaluation.

2.13.4 The Registration documents shall not include any financial proposal information other than audited accounts for the last two (2) years.

2.14 Period of Validity

The request for Registration must remain valid for the period ending **30th June, 2027** from the date of submission. KeNHA will make best effort to complete the evaluation and communicate within this period.

2.15 Qualification Criteria

Registration will be based on meeting all the requirements at the mandatory stage and having achieved the minimum score required at technical evaluation stage as set out in the Evaluation Criteria to pass in the criteria set.

2.16 Submission, Receipt, and Opening of Registrations

2.16.1 The original Registration Document shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the applicant. Any such corrections must be initialed by the person or persons who sign (s) the Registration Document.

2.16.2 The Registration document should be prepared and submitted **Only (1) Original** document for each company in a plain sealed envelope marked:
Tender Number and Tender Description and dropped into the registration box at Barabara Plaza, JKIA , Block C Second floor.

2.17 Registration documents

2.17.1 Submission Time:

The submission of the Registration Document shall be **as specified in the tender notice.**

2.17.2 Registration document

The submissions will be opened on a quarterly basis

2.17.3 KeNHA will examine the submissions to determine completeness, general orderliness and sufficiency in responsiveness.

2.17.4 Applicants must paginate their registration document consistent with the table of contents to facilitate ease of reference during evaluation.

2.17.5 Applicants shall not contact KeNHA on the matter relating to their Registration Document from the time of opening to the time the evaluation is finalized unless official communication is sent to them. Any effort by the Applicant to influence KeNHA in the Pre- Qualification Document evaluation shall result in the rejection of their application.

2.17.6 Registration will be based on meeting the following minimum criteria regarding the Applicant's legal status, general and particular experience, personnel and financial position as demonstrated by the responses in the attached forms.

2.17.8 The Applicants should have registered offices and KeNHA reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said services.

2.17.9 Applicants who qualify according to the selection criteria will be required to offer various legal services as and when required up to 30th June, 2027.

2.17.10 KeNHA reserves the right to accept or reject any or all Registration Documents without the obligation to assign any reason(s) for its decision thereof.

2.18 Litigation

Applicants must disclose any current litigation against KeNHA and briefly describe the nature of the litigation.

2.19 Evaluation Criteria

The points given to evaluation criteria are provided in the evaluation matrix below.

EVALUATION CRITERIA

1. PART I - PRELIMINARY REQUIREMENTS (MANDATORY)

NO.	REQUIREMENTS	YES/ NO
A.	Duly Filled, Signed & Stamped Registration submission form.	
B.	Duly filled and signed Confidential Business Questionnaire.	
C.	A copy of the Certificate of Registration of the Law firm.	
D.	Evidence of Physical Address (attach copies of utility bills e.g. electricity/water or lease agreement).	
E.	**Certified** Copies of practicing Certificates of all advocates in the Law firm.	
F	Attach CV's of Partners, Associates and Consultants if any	
G.	Letters of Recommendation from at least three (3) corporate clients. (Indicate Contact Person's email and personal telephone No.)	
H.	Audited Accounts for FY 2023 and 2024.	
I.	Copy of **valid** Tax Compliance Certificate (to be verified online).	
J.	Evidence of the firm's Professional Indemnity Cover for the year 2025.	
K.	Law Firm Profile.	
L.	Duly filled Section III -XI Forms clearly indicating preferred areas of practice regions to be considered once successful.	
M	Any Alteration/corrections must be initialed or countersigned by the person or persons who sign (s) the Registration Document.	

PART II - TECHNICAL CRITERIA

NO.	REQUIREMENTS	PARAMETER	SCORE (Points)
A	Experience in advising public institutions or large commercial enterprises. Attach evidence (Award 2 marks for each letter or evidence attached). **(Maximum of 8 points).**	-	**8**
B	Value of Professional Indemnity	Kshs. 100 Million and Over	**20**
		Kshs. 50- 99 Million	**15**
		Kshs. 30- 49 Million	**10**
C	**Capacity & Period of Operation of Firm**		
	C1. Firm Profile & Experience		
	Qualifications and competence/areas of practice of Key professional staff (attach respective CVs for each with above details)	**Masters in Law held by Partner(s) and/or Associate.**	**8**
		Senior Partner(s)	
		Over 10 years' experience	**5**
		5-10 years	**4**
		Less than 5 years.	**2**
	C2. Number of Key Staff		
	Number of Partners	3 and above	**12**
		2	**6**
		1	**3**
	Number of Associates	3 and above	**9**
		2	**6**
		1	**4**
	Number of Support staff	5 and above	**3**
		3	**2**
		1	**1**
D	Major Litigation briefs successfully handled (Attach any of the following evidence: Letter of Instruction, Judgment or Part of Pleadings showing the value of the claim/subject matter)	Subject Matter Over Kshs. 100 Million	**15**
		Kshs. 50 - 99 Million	**10**
		Kshs. 30 - 49 Million	**5**
		Kshs. 30 Million and below	**1**
E	Briefs handled before other tribunals - Adjudication, Arbitration, Public Procurement Review Board, Mediation (Award three (3) marks for each matter).	_	**15**
F	Audited financial statements for 2023 and 2024 or where the firm has been in operation for less than two (2) years, Certified Management Accounts.	_	**5**
Total			**100**

Each responsive proposal will be given a score. A proposal shall be rejected if it does not respond to important aspects of the Criteria or if it fails to achieve the minimum score indicated. The pass mark shall be a minimum score of **70 points**.

2.9 Confidentiality

Information relating to evaluation of proposals and recommendations concerning awards shall not be disclosed to the Tenderers who submitted the proposals or to other persons not officially concerned with the process, until the winning firm has been notified that it has been prequalified for the services.

2.10 Notification of Registration

2.10.1 KeNHA will promptly notify the successful Candidates.

2.10.2 The selected Candidates will be expected to commence any allocated assignment on receipt of any instructions from KeNHA.

2.10.3 Upon Registration, KeNHA does not bind itself to assign any case to any of the pre - qualified firms/ lawyers but shall endeavor to ensure equitable distribution of the available briefs among the prequalified firms/lawyers taking into account the experience, qualification and geographical location of the individual firms and geographical areas of preference

SECTION IV: PREFERRED AREAS OF PRACTICE

Please indicate as appropriate the areas of specialization of practice where you wish to be considered for provision of legal services.

No.	Areas of Practice & Legal knowledge	Names of Personnel attached to the area of practice	Brief of any recent experience in an assignment of the specific nature (not more than 3 years
1	Judicial Review		
2	Conveyancing		
3	Company & Commercial Law		
4	Intellectual Property Law		
5	Public Private Partnership/ PPP Committee Petition		
6	Insurance Claims		
7	Public Procurement & Disposal Law/ PPARB Request for Review		
8	Environmental and Land Court Environmental Tribunal		
9	Constitutional and Human Rights		
10	General Civil Litigation		
11	Criminal Law		
12	Adjudication/ Arbitration		
13	Any relevant Law concerning construction		

Any others: Please specify ..... ……..
Firms are free to indicate all the Areas

SECTION V: - REGISTRATION SUBMISSION FORM

To Date: _____

Director General
Kenya National Highways Authority
Barabara Plaza, JKIA
P.O. Box 49712-00100
NAIROBI, KENYA

Dear Sir,

We/I, the undersigned, offer to provide the required services in accordance with your instructions and we hereby submit our Registration Document.

Our Application is binding to us and if found acceptable we shall be pleased to be included in the list of pre-qualified firms.

We understand you are not bound to accept any application you receive.

Yours sincerely,

Authorised Signature ……

Name and Title of Signatory ……

Telephone No ……

Name of Tenderer …….

Address: ……

Stamp: ……..

SECTION VI - CONFIDENTIAL REGISTRATION BUSINESS QUESTIONNAIRE FORM

You are requested to give the particulars indicated in Part 1; either Part 2(a), 2(b) or 2 (c) whichever applies to your type of business; and Part 3. You are advised that it is a serious offence to give false information on this form.

a) Tenderer's details

	ITEM	**DESCRIPTION**
1	Name of the Procuring Entity	
2	Reference Number of the Tender	
3	Date and Time of Tender Opening	
4	Name of the Tenderer	
5	Full Address and Contact Details of the Tenderer.	1. Country 2. City 3. Location 4. Building 5. Floor 6. Postal Address 7. Telephone No 8. Name and email of contact person.
6	**Current Trade** License Registration Number and Expiring date	
7	Name, country and full address (*postal and physical addresses, email, and telephone number*) of Registering Body/Agency	
8	Description of Nature of Business	
9	Maximum value of business which the Tenderer handles.	
10	State if Tenders Company is listed in stock exchange, give name and full address (*postal and physical addresses, email, and telephone number*) of state which stock exchange	

General and Specific Details

b) Sole Proprietor, provide the following details.

Name in full_____ Age_____

Nationality_____ Country of Origin_____

Citizenship _____

c) **Partnership,** provide the following details

	Names of Partners	**Nationality**	**Citizenship**	**% Shares owned**
1				
2				
3				

d) Registered Company, provide the following details.

i) Private or public Company _____

ii) State the nominal and issued capital of the Company: -

Nominal Kenya Shillings (Equivalent)_____ Issu

iii) Give details of Directors as follows.

	Names of Director	Nationality	Citizenship	% Shares owned
1				
2				
3				

(e) DISCLOSURE OF INTEREST-Interest of the Firm in the Procuring Entity.

i) Are there any person/persons in.....(*Name of Procuring Entity)* who has/have an interest or relationship in this firm?
Yes/No.....

If yes, provide details as follows.

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

ii) Conflict of interest disclosure

	Type of Conflict	Disclosure YES OR NO	If YES provide details of the relationship with Tenderer
1	Tenderer is directly or indirectly controlled by or is under common control with another tenderer.		
2	Tenderer receives or has received any direct or indirect subsidy from another tenderer.		
3	Tenderer has the same legal representative as another tenderer		
4	Tender has a relationship with another tenderer, directly or through common third parties, that puts it in a position to influence the tender of another tenderer, or influence the decisions of the Procuring Entity regarding this tendering process.		
5	Any of the Tenderer's affiliates participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of the tender.		

	Type of Conflict	Disclosure YES OR NO	If YES provide details of the relationship with Tenderer
6	Tenderer would be providing goods, works, non-consulting services or consulting services during implementation of the contract specified in this Tender Document.		
7	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity who are directly or indirectly involved in the preparation of the Tender document or specifications of the Contract, and/or the Tender evaluation process of such contract.		
8	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity who would be involved in the implementation or supervision of the such Contract.		
9	Has the conflict stemming from such relationship stated in item 7 and 8 above been resolved in a manner acceptable to the Procuring Entity throughout the tendering process and execution of the Contract.		

(f) Certification

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

Full Name_____

Title or Designation_____

(Signature) (Date)

SECTION VII: Experience

Please list here below at least 3 major companies/ clients you have acted for in the last two (2) years.

NO	Company Name	Country	Contract/Order No.	Value	Contact: Email & Mobile No.
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					

NB: Attach evidence of experience

SECTION VIII CERTIFICATE OF INDEPENDENT TENDER DETERMINATION

I, the undersigned, in submitting the accompanying Letter of Tender to the_____ *[Name of Procuring Entity]* for:_____ *[Name and number of 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 Tender 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 Tender on behalf of the Tenderer;
4. For the purposes of this Certificate and the Tender, I understand that the word "competitor" shall include any individual or organization, other than the Tenderer, whether or not affiliated with the Tenderer, who:
    a) Has been requested to submit a Tender in response to this request for tenders;
    b) could potentially submit a tender in response to this request for tenders, based on their qualifications, abilities or experience;
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, communication, agreement or arrangement with, any competitor;
    b) The Tenderer has entered into consultations, communications, agreements or arrangements with one or more competitors regarding this request for tenders, and the Tenderer discloses, in the attached document(s), complete details thereof, including the names of the competitors and the nature of, and reasons for, such consultations, communications, agreements or arrangements;
6. In particular, without limiting the generality of paragraphs (5) (a) or (5) (b) above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
    a) prices;
    b) methods, factors or formulas used to calculate prices;
    c) the intention or decision to submit, or not to submit, a tender; or
    d) the submission of a tender which does not meet the specifications of the request for Tenders; except as specifically disclosed pursuant to paragraph (5) (b) above;
7. In addition, there has been no consultation, communication, agreement or arrangement with any competitor regarding the quality, quantity, specifications or delivery particulars of the works or services to which this request for tenders relates, except as specifically authorized by the procuring authority or as specifically disclosed pursuant to paragraph (5) (b) above;
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 tender opening, or of the awarding of the Contract, whichever comes first, unless otherwise required by law or as specifically disclosed pursuant to paragraph (5) (b) above.

Name ……..
Title…….
Date and signature of authorized agent of tenderer……..

SECTION IX – STATUTORY DECLARATION

REPUBLIC OF KENYA

IN THE MATTER OF OATHS AND STATUTORY DECLARATION ACT CHAPTER 15 OF THE LAWS OF KENYA AND
IN THE MATTER OF THE PUBLIC PROCUREMENT AND DISPOSAL ACT, 2015.

I, …… of P. O. Box …… being a resident of…… in the Republic of Kenya do hereby make oath and state as follows: -

1. THAT I am the…… (Managing Partner/ /Senior Partner) of ……..(Name of the Law Firm) which is a Candidate in respect of Tender Number …… to render legal services to Geothermal Development Company Limited and duly authorized and competent to make this Affidavit.

2. THAT the aforesaid Firm has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agents of KeNHA, which is the procuring entity.

3. THAT the aforesaid Candidate, its servant(s) and/or agent(s) have not been offered and will not offer any inducement to any member of the Board, Management, Staff and/or employee(s) and/or agent(s) of KeNHA.

4. THAT the aforesaid Candidate, its servant(s) and/or agent(s) have not been debarred from any procurement process.

5. THAT what is deponed to hereinabove is true to the best of my knowledge information and belief.

SWORN at ……. by the said }
……..…….. }
on this ……. day of ……..... 20… } DEPONENT
}
Before me }
Commissioner for Oaths }

SECTION X: TEAM COMPOSITION SUMMARY AND TASK ASSIGNMENTS

1. Partner(s)

No	Name	Position	Area of Practice
1.			
2.			
3.			
4.			
5.			

2. Associates, Support Staff and Consultants

NO	Name	Position	Area of Practice
1.			
2.			
3.			
4.			
5.			
6.			
7.			

SECTION XI: FORMAT OF CURRICULUM VITAE (CV) FOR PROPOSED PROFESSIONAL STAFF

Position: _____

Name of Advocate: _____

Date of Birth: _____

Years of Practice: _____

Years with Firm: _____ Nationality: _____

Membership in Professional Societies:

_____

Key Qualifications:

[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations].

Education:

[Summarize college/university and other specialized education of staff member, giving names of schools, dates attended and degree[s] obtained.]

Employment Record:

[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments.]

Certification:

I, the undersigned, certify that these data correctly describe me, my qualifications, and my experience.

_____ Date: _____ *[Signature of staff member]*

_____ *Date;* _____

[*Signature of authorised representative of the firm*]

Full name of staff member: _____

Full name of authorized representative: _____