CENTRAL BANK OF KENYA
RECEIVED
17 NOV 2026
GOVERNOR'S OFFICE
OFFICE OF THE GOVERNOR
HAKI KUU YA KENYA

→DD/HOP
Pls progress + see M/O
17/11/2026

247/11

PM-431/2026-2027

MEMO

DATE: 17TH NOVEMBER 2026

To:	GOVERNOR ① Cancellation is approved. ② See me. Gen. 17/11/26
Thro':	DIRECTOR, GENERAL SERVICES DEPARTMENT Supported & forwarded SMu 17/11/2026

PROFESSIONAL OPINION: CANCELLATION OF EXPRESSION OF INTEREST (EOI) FOR PROVISION OF ENTERPRISE RESOURCE PLANNING SYSTEM AND IMPLEMENTATION SERVICES FOR CENTRAL BANK OF KENYA, EOI NO. CBK/EOI/066/2026-2027

Information Technology Department had requested for Provision of Enterprise Resource Planning System and Implementation Services for the Bank. Consequently, an expression of Interest was published on **www.tenders.go.ke** and **www.centralbank.go.ke** on 30th October 2026 and was scheduled to open on 26th November 2026.

However, Public Procurement Regulatory Authority (PPRA) vide their letter Ref No. PPRA/5/50 VOL. XV (5) dated 4th November 2026 advised that the tender be cancelled since the standard tender document used was for the Expression of Interest instead of the Pre-Qualification or National Open Tender Method. The Regulator advised that the system should be procured through National Open Tender or Pre-qualification using the Standard Tender Document for procurement of Information Technology as the envisaged system was complex and specialized. The Bank had used Procurement of Consultancy services method, adapting the expression of interest notice which is a procedure reserved for services predominantly intellectual in nature.

The Head of Procurement Division reviewed the directive and noted that the procurement process was conducted using an Expression of Interest (EOI) documentation as guided by Sections 118 and 119 of the Public Procurement and Asset Disposal Act, 2015, which expressly recognise the EOI process and provided for the Accounting Officer to prepare the invitation notice. In preparing the documentation, the HOP reviewed the Standard Procurement Documents published by the Public Procurement Regulatory Authority (PPRA) but did not identify a standalone Standard Tender Document specifically prescribed for the preparation and invitation of Expressions of Interest. Since the Regulator has guided that the tender be cancelled, the Head of Procurement recommends compliance with the Regulator's advice on cancellation of the subject tender.

The **Governor** is therefore requested to consider and approve cancellation of the procurement proceedings for Expression of Interest (EOI) for Provision of Enterprise Resource Planning System and Implementation Services for the Central Bank of Kenya. The procurement proceeding will be retendered using the appropriate standard tender document.

Professional Opinion given by:

Name of the Procurement Professional	Designation	Signature	Date
M. H. TUYA	For: Deputy Director, Head of Procurement Division		17/11/2026

Attachments: PPRA Letter
/MMJ

09/11

⇒ DD/HOP
For your Urgent Attention
10/11/2026.

10 NOV 2026

PPRA
PUBLIC PROCUREMENT REGULATORY AUTHORITY
UPHOLDING PROCUREMENT STANDARDS

PPRA/5/50/ VOL. XV (5)

4th November, 2026

URGENT
GSD
HOD
See me.
Gn. 10/11/26

The Governor
Central Bank of Kenya
Haile Selassie Avenue
P.O. Box 60000-00200
NAIROBI
Email: comms@centralbank.go.ke

REQUEST FOR EXPRESSION OF INTEREST NO. CBK/EOI/066/2026-2027 FOR PROVISION OF ENTERPRISE RESOURCE PLANNING SYSTEM AND IMPLEMENTATION SERVICES

Reference is made to the above Request for Expression of Interest (EOI), which the Central Bank of Kenya (the Bank) published on the Public Procurement Information Portal (PPIP) with a closing date of **17th November 2026 at 10.30 a.m.**

The Authority in exercise of its mandate under the Public Procurement and Asset Disposal Act, 2015 (the Act) is to monitor compliance with the public procurement legal and regulatory framework, reviewed the EOI document and identified the following issues requiring your attention and corrective action:

1. **Procurement method and standard document:** The Bank seeks a single integrated Enterprise Resource Planning and Enterprise Performance Management platform, comprising software licences, cloud hosting, integration, data migration, training and support for about 1,500 staff (pages 4 to 8). This is the supply and installation of an information system. The Bank has instead used the procurement of consultancy services method, adapting the expression of interest notice and Forms TECH-1, TECH-2 and TECH-7 of the Authority's Standard Request for Proposals for consulting services, and proposes selection by Quality Based Selection, under which price is not a basis of award. The selection procedure is reserved for services that are advisory or of a predominantly intellectual nature, and the system should be procured through open tender or pre-qualification were justified as complex and specialized, using the **Standard Tender Document for Procurement of Information Technology**. The approach is contrary to **Sections 58(1), 70(2), 91(2) and 116(1) of the Act** and removes price competition from a system whose licences and support will be paid for over several years, contrary to **Section 3(h) of the Act**.

2. **Evaluation criteria:** The shortlisting criteria are not objective and quantifiable as required by **Section 80(3)(a) of the Act**, and go beyond the eligibility and qualifications that an expression of interest may test under **Sections 119(2)(c) and 121(1)**. In particular:

(a) Criteria T2, T3, T5, and T7, which carry 60 of the 100 marks, have no sub-criteria or scoring scale. Marks are awarded for quality of responses, evidence, approach, track record, and a detailed implementation plan, leaving scores to the discretion of individual evaluators.

(b) T1 does not define a comparable implementation or say how the stated preference for central banks, financial regulators, and public-sector bodies is scored. It counts experience over seven 7) years, while Form TECH-2 counts ten (10);

(c) T4 awards 15 marks for key experts without any minimum qualification, experience or certification. The standard document excludes key experts from shortlisting, and the e-Procurement lead named in the criterion carries no marks;

(d) T6 scores an indicative five-year Total Cost of Ownership (Section 4.3) at shortlisting, under a method that excludes price, while the hosting and licence-portal elements it names carry no marks;

(e) Section 4 makes Sections 4.1, 4.3, 4.4 and 4.5 further mandatory requirements that are not in the Stage 1 table, so responsiveness is tested against criteria in two places;

(f) MR 7 does not state what evidence of local presence will be required, and MR 8 sets an average annual turnover of Kshs.500 million with no estimated value disclosed to justify the threshold; and

(g) The 75 per cent pass mark makes no provision for the minimum shortlist of six firms, or three where fewer than six apply, required by **Section 121(3) of the Act**.

3. **Access to information:** Section 1 of the Terms of Reference and Submission Instruction 6 make details of the Bank's current system available only at one-to-one appointments with applicants who sign a non-disclosure agreement, and the preparation of submissions must be given to all candidates in writing and on equal terms, so that no candidate, including any incumbent provider, gains an advantage, as required by **Sections 58(2) and 70(3) of the Act**.

4. **Other conditions:** Submission Instruction 2 (page 10) excludes electronic submission, contrary to **Section 70(6)(e)(v) of the Act**. Form TECH-1 retains unfilled placeholders and refers to a financial proposal in a separate envelope, which is not necessary at this stage.

Meanwhile, following a review of our capacity building levy records, we note that the Bank has remitted the statutory levy amounting to **Kshs.2,007,946.00**. We take this opportunity to commend the Bank for fulfilling its statutory obligations under the Public Procurement Capacity Building Levy Order, 2023 (Legal Notice No. 206 of 2023). The Authority urges the Bank to maintain full and timely compliance to avoid the sanctions prescribed under the said Legal Notice.

In view of the above and pursuant to Section 43(8) of the Act, you are required to discontinue the current process before the closing date of 17th November 2026 and re-advertise the procurement through open tender, or by pre-qualification where justified under Section 93 of the Act, using the Standard Tender Document for Procurement of Information Technology, with objective and quantifiable evaluation criteria, a disclosed pass mark, an award basis under Section 86(1) of the Act and information on the existing system made available to all candidates,

addressing any other non-compliance that may come up as you review the subject tender.

Subsequently, inform the Authority with documentary evidence of the corrective action taken, and the procurement plan and budget provision for the system, by **12th November, 2026**.

The Accounting Officer is reminded of the responsibility under **Section 44 of the Act** to ensure that all procurement processes undertaken by the Bank comply with the Act, the applicable Regulations, standard procurement documents and directives issued by the Authority.

Thomas Otieno
FOR: DIRECTOR GENERAL