



KARATINA UNIVERSITY

REGISTRATION OF SUPPLIERS FOR PITCHING OF A-FRAME, DOME TENT, CHAIRS, DAIS, VIDEO COVERAGE FOR GRADUATION CEREMONIES FOR A PERIOD OF THREE YEARS.

COMPANY NAME.....

CATEGORY Number: KarU/R/003/2023-2026

Category Description: Hire of A-Frame/Dome tents with all related graduation accessories.

P.O. BOX 1957 – 10101 KARATINA

TEL: +254 729 721 200 /020217713

EMAIL: procurement@karu.ac.ke

WEBSITE: www.karu.ac.ke

CLOSING DATE:

Tuesday 3rd October, 2023 AT 12:00 noon.

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TENDER NOTICE-INVITATION TO REGISTER AS SUPPLIERS

REGISTRATION OF SUPPLIERS FOR A PERIOD OF THREE YEARS

Karatina University invites applications from interested eligible firms to register for the supply of the under listed goods, for the period three (3) years.

| S/ No | Tender Description | Eligibility |
|----------|---|-------------|
| 1 | Hire of A-Frame/Dome tents with all related graduation accessories. | Open |

Special/Target Groups are encouraged to apply for this category open to the public. However, all applications for categories open to the public will be subjected to the same evaluation criteria.

Documents, containing detailed instructions and requirements may be downloaded from the Karatina University website www.karu.ac.ke or PPIP portal. Applicants who download the tender and registration documents shall email their names, contact details and tender number to procurement@karu.ac.ke

Completed tender and registration documents in plain sealed envelopes clearly marked with the **Category description** should be deposited in the Tender Box located at the Main Administration Block at Karatina University (Main Campus), Kagochi or be addressed and posted to address below.

**Vice Chancellor, Karatina University P. O. Box 1957 –
10101, Karatina**

so as to be received on or before Tuesday 3rd, October 2023 AT 12:00 noon.

Tender and registration documents will be opened immediately thereafter at **Karatina University's Conference hall** in the presence of bidders or their representatives who wish to be present.

Head, Procurement Department For: VICE CHANCELLOR

PART 1 - APPLICATION PROCEDURES

SECTION I - INSTRUCTIONS TO APPLICANTS

B. General

1. Scope of Application

1.1 The particular type of contract (works, goods, Services required) and its name and description of the contract(s) and its reference number are defined in the table above. If the scope of contract so defined is in multiple contracts, it will be specified in the **PDS** if Registration will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Services are described in Section V (Scope of Works or goods contract).

2. **Source of Funds** to be specified in the PDS, 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 subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Service Commission to inspect all accounts, records and other documents relating to any initial selection process, Registration process, tender submission (incase Registered), 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 Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed.

5 Eligible Applicants

5.1 An Applicant may be a firm that is a private entity, a state-owned enterprise or 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 PDS.

5.2 Public Officers of the Procuring Entity, their Spouses, Child, Parent, Brothers or Sisters. 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 Registered. 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 Registered, 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 Registered, only one Registered Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.
- 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 the Procuring Entity 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 Procuring Entity 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 the Procuring Entity 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, Registered 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
- 5.8 Applicants that are state-owned enterprise or institutions in Kenya may be eligible to Register, compete and be awarded a Contract(s) only if they can establish, in a manner acceptable to the Procuring Entity, 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 the 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 in eligible 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 5.1 (a) above by any country may be applied to that procurement across other countries involved, if the Procuring Entities involved in the procurement so agree.

B. Preparation of Applications

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.

7 Cost of Applications

7.1 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.

8 Language of Application

8.1 The Application as well as all correspondence and documents relating to the Registration exchanged by the Applicant and 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.

9 Documents Comprising the Application

10 Documents Establishing the Eligibility of the Applicant

10.1 To establish its eligibility in accordance with Public service commission, 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).

11 Documents Establishing the Qualifications of the Applicant

11.2 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.

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

11.4 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.

11.5 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 information on its ownership and control.

11.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request.

11.7 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.

11.8 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.

11.9 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,

11.10 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.

11.11 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.

12 Signing of the Application and Number of Copies

12.1 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.

12.2 The Applicant shall submit copies of the signed original Application, in the number specified in the PDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

C. Submission of Applications

13 Sealing and Marking of Applications

13.1 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 the Procuring Entity, in accordance with ITA 17.1; and
- c Bear the specific identification of this Registration process indicated in the PDS 1.1.

13.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above

14 Deadline for Submission of Applications

14.1 Applicant should drop their tender document at tender box located in main campus. Applications shall be received by the

Procuring Entity at the address and no later than the deadline indicated in the PDS. When so specified in the PDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **PDS**.

14.2 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.

15 Late Applications

15.1 The Procuring Entity reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS**. 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 **PDS**. 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 **PDS**.

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.

D. 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 The Procuring Entity 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 PDS, a margin of preference shall not apply in the Tendering process resulting from this Registration.

24 Nominated Subcontractors

24.1 Unless otherwise stated in the PDS, 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").

24.2 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. The Procuring Entity, 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.

E. Evaluation of Applications and Registration of Applicants

25 Evaluation of Applications

25.1 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 min or deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.

25.2 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 PDS as can be met by Specialized Subcontractors, in which case:

- i) 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 qualifications of the Applicant for the purpose of the evaluation.

Unless the Applicant has been determined Registered 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.

25.3 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 Register 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.

25.4 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.

25.5 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.

26 Procuring Entity's Right to Accept or Reject Applications

26.1 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.

27 Registration of Applicants

27.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will

be Registered by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been Registered or conditionally Registered. In addition, those Applicants who have been disqualified will be informed separately.

28.32 Applicants that have not been Registered 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 Procuring Entity shall invite Tenders from all the Applicants that have been Registered or conditionally Registered.

28.2 Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity 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

29.1 Any change in the structure or formation of an Applicant after being Registered 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 Register the Applicant) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a Registered 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 the Procuring Entity, the change may result in a substantial reduction

in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Invitation to Tender.

30 Procurement Related Complaints and Administrative Review

31.1 The procedures for making a Procurement-related Complaint are as specified in the PDS.

31.2 A request for administrative review shall be made in the form provided.

SECTION II - REGISTRATION DATA SHEET (PDS)

| Reference ITC Clause | to PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS |
|---|--|
| A. General | |
| ITA 1.1 | <p>The Procuring Entity is: Karatina University, P.O. Box 1957-10101 Karatina.</p> <p>The identification of the Invitation for Registration is: Registration of Suppliers and Service Providers for supply of goods.</p> <p>The particular type of contract is: <i>Goods, Works and Services specified in the Invitation to apply for Registration</i></p> <p>The application is for Registration of Suppliers for supply of goods and Service Providers and provision of services.</p> <p>Registration will be based on <i>individual contracts</i></p> |
| ITA 2 | The Source of funds shall be : Government of Kenya |
| ITA 5.2 | Maximum number of members in the JV shall be: Not applicable |
| B. Contents of the Registration Document | |
| ITA 8.1 | <p>For clarification purposes, the Procuring Entity's address is:</p> <p style="text-align: center;">VICE CHANCELLOR, KARATINA UNIVERSITY,P.O. BOX 1957- 10101 KARATINA.</p> <p>Physical Address: Karatina University, Main Campus Procurement Department Tel. Number 0729721200, 020 2176713</p> <p>Email Address: procurement@karu.ac.ke</p> |
| ITA 8.2 | <p>A pre-application meeting will be held on: Not applicable at _____</p> <p>A pre-arranged Site visit will be held on : Not applicable At _____</p> |
| ITA 8.3 | <p>Questions and requests for clarification made in writing or by email shall reach the Procuring Entity not later than 29th September 2023.</p> |

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| ITA 8.5 | Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page _____ Not Applicable _____ (Web page of the <i>Procuring Entity</i>). |
| ITT 9.2 | Addendum issued shall be published at the website _____ www.karu.ac.ke _____ |
| ITA 8.2 | Pre-Application Meeting will be held: [Yes/No] <i>No</i> [If Yes, please add the address, date and time of the meeting] |

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|--------------------------------|--|
| Reference to ITC Clause | PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS |
| A. General | |
| C. Preparation of Applications | |
| ITA 12.1 (d) | The Applicant shall submit with its Application, the following additional documents: Asper the eligibility criteria |
| ITA 15.2(b) | The source for determining exchange rates is The Central Bank of Kenya |
| ITA 16.2 | In addition to the original, the number of copies to be submitted with the Application is: One |
| D. Submission of Applications | |
| ITA 17.1 | The deadline for Application submission is: Date: Tuesday 3rd October 2023 AT 12:00 Noon Completed tender documents are to be enclosed in plain sealed envelopes, marked with the tender number and name and be deposited in the Tender Box at the Administration Block at the Main Campus Kagochi Karatina University and addressed to: - VICE CHANCELLOR, KARATINA UNIVERSITY, P.O. BOX 1957-10101 KARATINA. |
| | Bid document to be deposited in the Tender Box located at the Administration Block at the Main Campus Kagochi - Karatina. Bulky tenders to be delivered to the Procurement Office at Main campus Kagochi Karatina for registration. Opening of the bid documents will be done immediately thereafter in the presence of applicants or their representatives who choose to attend. Date and time for submission of Tenders: Date: Tuesday 3rd October 2023 AT 12:00 Noon. Tenderers shall not submit tenders electronically. |
| ITA 18.1 | Late Applications will be returned unopened to the Applicants. |
| ITA 19.1 | The Procuring Entity will not accept late applications. |
| ITA 20.1 | The opening of the Applications shall be at Date: Tuesday 3rd October 2023 AT 12:00 Noon. , at the Karatina University Conference . |
| ITA 20.2 | [The following provision should be included and the required corresponding information inserted only if Applicants have the option of submitting their Applications electronically. Otherwise omit.] |

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| | The electronic Application opening procedures shall be: NOT APPLICABLE [Insert a description of the electronic Application opening procedures.] |
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| E. Procedures for Evaluation of Applications | |
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| ITA 24.1 | A margin of preference SHALL NOT APPLY |
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| ITA 25.1 | At this time the Procuring Entity [insert “intends” or “does not intend”] to execute certain specific parts of the Works by sub-contractors selected in advance. SHALL NOT APPLY [If the above states “intends” list the specific parts of the works and the respective subcontractors] DOES NOT INTEND |
|----------|--|

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| ITA 25.2 | The parts of the Works for which the Procuring Entity permits Applicants to propose Specialized Subcontractors are designated as follows: |
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|--------------------------------|---|
| Reference to ITC Clause | PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS |
|--------------------------------|---|

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|-------------------|--|
| A. General | |
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| | <p>_____</p> <p>For the above-designated parts of the Works that may require Specialized Subcontractors, the relevant qualifications of the proposed Specialized Subcontractors will be added to the qualifications of the Applicant for the purpose of evaluation. SHALL NOT APPLY</p> |
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| 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:</p> <p>For the attention: Title/position: <i>Vice Chancellor</i> Procuring Entity: <i>Karatina University</i> Email address: procurement@karu.ac.ke</p> <p>In summary, at this stage, a Procurement-related Complaint may challenge any of the following: the terms of the Registration Documents; and the Procuring Entity’s decision not to Register an Applicant.</p> |
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SECTION III - QUALIFICATION CRITERIA AND REQUIREMENTS

1. This section contains all the methods, criteria, and requirements that the Procuring Entity 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. The Procuring Entity 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.

EVALUATION AND QUALIFICATION CRITERIA

SECTION V - EVALUATION CRITERIA

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

EVALUATION CRITERIA

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

| No | MANDATORY REQUIREMENTS | COMPLIANCE (YES/NO) |
|----|--|---------------------|
| 1 | Valid Certificate of Incorporation/Business Registration (Attach copy) | YES/NO |
| 2 | KRA PIN certificate | YES/NO |
| 3 | Valid Tax Compliance Certificate | YES/NO |
| 4 | Provide at least 1 LPOs/LSO, award letter or Contracts to which the company has done similar supplies in the last 5 years. | YES/NO |
| 5 | Form 1. Duly filled disclosure of interest form | YES/NO |
| 6 | Form 2: Duly filled Certificate of independent tender determination form | |
| 7 | Form 3: Duly filled Self-Declaration form | YES/NO |
| 8 | Form 4: Dully Filled Letter of Registration | |
| 9 | Form 5: Duly filled confidential business questionnaire | YES/NO |
| 10 | Responsive (Yes or 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 FOR DISCLOSURE OF INTEREST-Interest of the Firm in KARATINA UNIVERSITY .

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

If yes, provide details as follows.

| | Names of Person | Designation in KARATINA UNIVERSITY | Interest or Relationship with Tenderer |
|---|------------------------|---|---|
| 1 | | | |
| 2 | | | |
| 3 | | | |

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 controls, is 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 | Quotation has a relationship with another tenderer, directly or through common third parties, that puts it in a position to influence the quotation of another tenderer, or influence the decisions of KARATINA UNIVERSITY regarding this quotation 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 quotation. | | |
| 6 | Tenderer would be providing goods, works, non-consulting services or consulting services during implementation of the contract specified in this Quotation Document. | | |
| 7 | Tenderer has a close business or family relationship with a professional staff of KARATINA UNIVERSITY who are directly or indirectly involved in the preparation of the Quotation document or specifications of the Contract, and/or the Quotation evaluation process of such contract. | | |
| 8 | Tenderer has a close business or family relationship with a professional staff of KARATINA 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 KARATINA UNIVERSITY throughout the quotation process and execution of the Contract? | | |

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)

CERTIFICATE OF INDEPENDENT TENDER DETERMINATION

I, the undersigned, in submitting the accompanying Letter of quotation 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 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, 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 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, 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, the tender;
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 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]

e, title and signature of authorized agent of Tenderer and Date]

SELF-DECLARATIONFORM

We, the Tenderer _____ (*insert name*) submitting our tender in respect of registration tender No_for _____ (*insert registration tender Title Description*) for _____ (*insert Name of Procuring Entity*)

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'sPublicProcurementandAssetDisposalAct,2015) and its attendant Regulations;
 - iii) Kenya'sAnti-CorruptionandEconomicCrimesAct,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..... (*Name of KARATINA 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*]

LETTER OF REGISTRATION

To The Vice Chancellor,
University,

P.O. Box 1957 – 10101, Karatina

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 Karatina 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 Karatina 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) Valid Tax Compliance Certificate
 - d) Duly filled, sign and stamp as required disclosure of interest form
 - e) Duly filled, sign and stamp as required Certificate of independent tender determination form
 - f) Duly filled, sign and stamp as required Self-Declaration form
 - g) Duly filled, sign and stamp as required Letter of registration
 - h) Duly filled, sign and stamp as required confidential business questionnaire
- 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) Karatina 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**

CONFIDENTIAL BUSINESS QUESTIONNAIRE

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

Applicants are advised to fill this form as required since the details will be used for registration/qualification

| <p>Part 1 – General: Business Name Location of business premises. Plot No..... Street/Road Postal Address Tel No. 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</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|-------|-------------|---------------------|--------|--|------|-------------|---------------------|--------|----|-------|-------|-------|-------|----|-------|-------|-------|-------|----|-------|-------|-------|-------|----|-------|-------|-------|-------|----|-------|-------|-------|-------|
| <p>Part 2 (a) – Sole Proprietor Your name in full Age Nationality Country of origin • Citizenship details</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Part 2 (b) Partnership Given details of partners as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 20%;">Name</th> <th style="width: 20%;">Nationality</th> <th style="width: 20%;">Citizenship Details</th> <th style="width: 10%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table> | | | | | | Name | Nationality | Citizenship Details | Shares | 1. | | | | | 2. | | | | | 3. | | | | | 4. | | | | | | | | | |
| | Name | Nationality | Citizenship Details | Shares | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>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</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 20%;">Name</th> <th style="width: 20%;">Nationality</th> <th style="width: 20%;">Citizenship Details</th> <th style="width: 10%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>5.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table> | | | | | | Name | Nationality | Citizenship Details | Shares | 1. | | | | | 2. | | | | | 3. | | | | | 4. | | | | | 5. | | | | |
| | Name | Nationality | Citizenship Details | Shares | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 5. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Date Signature of Candidate</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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

INDICATE CREDIT PERIOD: DAYS

PART 2 - GOODS OR SERVICES REQUIREMENTS

SECTION V - SCOPE OF GOODS REQUIRED

| S/ No | Tender Description | Eligibility |
|------------------|---|--------------------|
| 1 | Hire of A-Frame/Dome tents with all related graduation accessories. | Open |

Request for Review

FORM FOR REVIEW (r.203 (1))

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD APPLICATION
NO.....OF.....20..... BETWEENAPPLICANT

AND

.....RESPONDENT (Procuring Entity)

Request for review of the decision of the..... (Name of the Procuring Entity ofdated the...day of20.....in the matter of Tender No.....of20..... 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.....

FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on day of20.....

SIGNED

Board Secretary