



**Rural Electrification and Renewable Energy Corporation**

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P.O. 34585 – 00100  
**NAIROBI, KENYA**

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**REQUEST FOR QUOTATION FOR SUPPLY AND  
INSTALLATION OF CHAIN LINK FENCE, PALISADE  
GATE AND KEY WEATHER PROOF PADLOCKS FOR  
KITUI ENERGY CENTRE**

**REQUEST FOR QUOTATIONS NO (RFX NO). 1000000908**

**FEBRUARY, 2023**

## REQUEST FOR QUOTATIONS (RFQ)

**To:** Geokawi Investment Limited P O BOX 51107 -00100, Nairobi  
Cemex Construction Ltd P O BOX 15580 – 00100 Nairobi  
Syosset Ltd P O BOX 3435 – 30100 Eldoret  
Niwai Resources Ltd P O BOX 79250 – 00100 Nairobi  
Albran Engineering Services Ltd P O BOX 301 – 50102 Molo  
Starlights Precision Ltd P O BOX 625 – 00100 Thika  
Mopawa Investment Limited P O BOX 1513 – 00100 Thika  
Simora Group Ltd P O BOX 3344 – 00100 Nairobi  
Finton Logistics Limited P O BOX 10983 – 00100 Nairobi  
Ancaro Enterprises P O BOX 58249 – 00100 Nairobi  
Masimba Sons Enterprises Ltd P.O. Box 3 - 40202 Keroka  
Renima Engineering Ltd P.O. Box 265 - 20106 Molo  
Syosset Limited P O Box 3435 -30100 Eldoret  
Ancaro Enterprises P O Box 58249 – 00100 Nairobi  
**From:** Rural Electrification & Renewable Energy Corporation  
Ground Floor, Kawi House South C  
P O BOX 34585 – 00100  
**NAIROBI, KENYA**

### RFX NO. 1000000908

1. The **Rural Electrification & Renewable Energy Corporation** invites you to submit quotations for Supply and Installation of Chain Link Fence, Palisade gate and Key Weather proof padlocks for Kitui Energy Centre indicated in detail in “Table A. Schedule of Requirements and Specifications”. The quotation shall follow the instructions and documents in this RFQ document and shall be in English Language. Tenderers may obtain further information during **office hours** between **8:00am to 5:00pm** at the address given above
2. Quotations shall be submitted in accordance with the instruction. The quotations are to be saved as PDF documents marked with the Tender Number and Description and submitted through the REREC E-Procurement Web Portal found on the REREC website ([www.rerec.co.ke](http://www.rerec.co.ke)) so as to be received on or before the dates in the schedule above
3. Enquiries regarding this quotation may be addressed to the procurement office via [tenders@rerec.co.ke](mailto:tenders@rerec.co.ke) email.
4. Any resulting contract shall be subject to the terms and conditions detailed in Part 3: Contract.
5. Please inform by email or express mail the undersigned within **two (2) days** of receipt of this RFQ if you will not be submitting a quotation.

### **Address for Submission of Quotations.**

Rural Electrification & Renewable Energy Corporation  
Ground Floor,  
Kawi House South C  
P.O. 34585 – 00100  
**NAIROBI, KENYA**

Yours sincerely,

Designation: **Chief Executive Officer**

Signature: .....

## PART 1: INSTRUCTIONS TO TENDERERS

1. **Tenderers are advised to read carefully** these instructions and the Conditions of Contract in Part 3: Contract, before preparing the quotation. The standard forms in this RFQ may be photocopied for completion but the Tenderer is responsible for their accurate reproduction. The term Tenderer shall mean the firm or person invited to submit a quotation. The term Quotation herein shall mean the quotation submitted as usually understood in public procurement.
2. **Validity of Quotations:** The quotation will be held valid for **Ninety (90) days** from the date of submission.
3. **The Quotation shall consist of** completed Tables A, B and C and the Form of Quotation all indicated in Part 2 of this Request for Quotations, and documents to evidence Eligibility and Conformity to Technical Specifications.
4. **Sealing and Marking of Quotations:** The quotations are to be saved as PDF documents marked with the Tender Number and Description and submitted through the REREC E-Procurement Web Portal found on the REREC website ([www.rerec.co.ke](http://www.rerec.co.ke)) so as to be received on or before the dates in the schedule above.
5. **Submission of Quotations:** Quotations, and any alternatives if allowed as per Item 11 below, should be submitted to the address below, on or before the date and time indicated in sub-item 4 below. Late quotations will be rejected.

### **Address for Submission of Quotations.**

The quotations are to be saved as PDF documents marked with the Tender Number and Description and submitted through the REREC E-Procurement Web Portal found on the REREC website ([www.rea.co.ke](http://www.rea.co.ke)) so as to be received on or before the dates in the schedule above

**Date of Submission: 2<sup>nd</sup> March, 2023**

**Time of Submission: 10:00 am (Kenya time).**

6. **Opening of Quotations:** Quotations will be opened immediately after the closing date and time specified in item 5 (4) above, by at least three appointed officials of the Procuring Entity.
7. **Tenderer Eligibility:** Tenderer must submit Documentary evidence to show His/her eligibility to be awarded a contract to cover each of the following among others:

Submission of Certificate of Incorporation of the Business, Copy of E-PIN Certificate with VAT and Income Tax Obligations, Submission of company Valid Tax Compliance Certificate, Submission of Valid NCA 8 and above for building works and current practicing licenses, Submission of a (CR12/CR13) form from Registrar of Companies, not more than Three (3) months old from tender closing dates and certified by a Commissioned by Commissioner of Oaths or a Magistrate of the Kenyan Judiciary, Copy of Business Permit in the County of Operation , A written Power of Attorney, commissioned by commissioner of oaths, or a

Magistrate of the Kenyan Judiciary signed and stamped by company directors including the specimen signature of the person Authorized to sign documents of the bidder, Submission of AGPO Certificate with Director's IDs, Verification of submission of Professional Qualification and Curriculum Vitae for two (2) Technicians with Trade Test in building and Construction and Metal fabrication respectively and Diploma in Building and Construction for Project supervisor, Submission of Detailed Mobilization Plan & Detailed Construction Schedule. This should be clear and demonstrate/indicate for each activity for a period not exceeding 6 weeks, Details of experience and past performance on similar works within the past three years and details of current work on hand and other contractual commitments on fencing works and fabrications works. The tenderer to attach at least three (3) major clients where similar works have been done (Provide copies of contract/PO or recommendation letters from clients whose work have been completed/ Ongoing) and the Tenderer shall also complete attached forms to confirm eligibility and non-existence of a conflict of interest in relation to this procurement requirement by signing the attached Forms.

8. Invitation not transferable: This invitation is not transferable to other firms or individuals not so invited.
9. **Goods Eligibility:** Tenderer must submit as evidence documents to show the country of origin of any goods to be supplied or incorporated in the work or services
10. **Technical Specifications:** Documentary evidence to show that the goods meet the technical specifications.
11. **Alternative Quotations:** Tenderers are **not permitted** to submit alternative quotations for goods/alternative technical solutions for specified parts of the Works or Services. Only the alternatives, if any, of the Tenderer with the winning quotation conforming to the basic technical requirements shall be considered by the Procuring Entity.
12. **Currency:** Quotations shall be priced in Kenya Shillings. Quotations in other currencies will be rejected if not allowed.

The Procuring Entity **shall not allow quotations** in foreign currency.

13. **Evaluation of Quotations:** The evaluation of quotations will be conducted using the procedure set out below:
  - (a) Bidder documents/Attachments have been submitted in the Collaboration folder of the SAP SRM System. Bidders shall not attach their documents at any other Tab of the Portal. Attachments placed elsewhere in the portal shall be declared non-responsive and the attachments shall not be evaluated
  - (b) Confirmation that the bidder's prices appear during tender opening. The entered prices in the Items Tab of the SRM Portal must be same as the prices in the Tender form/price schedules and the same prices are read out during opening.
  - (c) Submission of bidder's site survey forms dully signed before date of submission (site survey form annexed to this RFQ).

- (d) Submission of Certificate of Incorporation of the Business, Copy of E-PIN Certificate with VAT and Income Tax Obligations.
- (e) Submission of company Valid Tax Compliance Certificate.
- (f) Submission of Valid NCA 8 and above for building works and current practicing licenses.
- (g) Submission of a (CR12/CR13) form from Registrar of Companies, not more than Three (3) months old from tender closing dates and certified by a Commissioned by Commissioner of Oaths or a Magistrate of the Kenyan Judiciary.
- (h) Copy of Business Permit in the County of Operation.
- (i) A written Power of Attorney, commissioned by commissioner of oaths, or a Magistrate of the Kenyan Judiciary signed and stamped by company directors including the specimen signature of the person Authorized to sign documents of the bidder.
- (j) Submission of AGPO Certificate with Director's IDs.
- (k) Verification of submission of Professional Qualification and Curriculum Vitae for two (2) Technicians with Trade Test in building and Construction and Metal fabrication respectively and Diploma in Building and Construction for Project supervisor
- (l) Submission of Detailed Mobilization Plan & Detailed Construction Schedule. This should be clear and demonstrate/indicate for each activity for a period not exceeding 6 weeks.
- (m) Details of experience and past performance on similar works within the past three years and details of current work on hand and other contractual commitments on fencing works and fabrications works. The tenderer to attach at least three (3) major clients where similar works have been done (Provide copies of contract/PO or recommendation letters from clients whose work have been completed/ Ongoing)
- (n) The Tenderer shall also complete attached forms to confirm eligibility and non-existence of a conflict of interest in relation to this procurement requirement by signing the attached Forms. Self-Declaration Form should be commissioned by commissioner of oaths, or a Magistrate of the Kenyan Judiciary
- (o) Technical examination to determine goods/Works eligibility, compliance with technical specifications and commercial responsiveness. Quotations failing this stage will be rejected and not considered in next stage.
- (p) Confirmation that the contractor has no REREC pending works beyond the project implementation period provided in the contract. This is a mandatory fulfillment and a bidder who fails on this parameter shall be deemed non responsive.
- (q) Financial comparison of quotations to determine the lowest evaluated quotation.
- (r) The Tenderer shall chronologically serialize all pages of the tender document submitted.

14. **Lowest Evaluated Quotation:** The lowest evaluated quotation shall be recommended for award of contract.
15. **Award of contract:** Award of contract shall be by placement of a Letter of Acceptance or Local Purchase Order in accordance with Part 3: Contract. The currency of award and payment shall be currency in which the quotation was submitted. Unsuccessful tenderers who responded will be notified of the accepted quotation, indicating the name and the amount of the accepted quotation
16. **Right to Reject:** The Procuring Entity reserves the right to accept or reject any quotation or to cancel the quotation process and reject all quotations at any time prior to contract award.

## **QUOTATION AND QUALIFICATION DOCUMENTS**

### **INSTRUCTIONS TO TENDERER.**

*Tenderer must complete and submit as part of the Form of quotation.*

- (i) SCHEDULE OF REQUIREMENTS TABLE
- (ii) FORM FOR DISCLOSURE OF INTEREST
- (iii) CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION
- (iv) SELF-DECLARATION FORM

**FORM OF QUOTATION** [To be completed by Tenderer]

<b>Quotation Addressed to (Procuring Entity)</b>	
Date of Quotation	
Quotation Reference Number:	
Subject of Quotation	

1. We have examined and have no reservations to the Request for Quotation document, and understand its full content and intent.
2. In compliance with your request for quotations dated \_\_\_\_\_, referenced above, we offer to \_\_\_\_\_ (*specify one of supply goods, complete the works or provide the services*) to cover and conform to our pricing listed in the attached in Table B. Quotation Submission TABLE at a total price of Kenya Shillings \_\_\_\_\_ (in words)
3. We confirm that we are eligible to participate in public procurement and meet the eligibility criteria specified in Part 1: **INSTRUCTIONS TO TENDERERS**.
4. We also confirm that the \_\_\_\_\_ (*goods to be supplied/works to be constructed/services to be provided (select one)*) conform to the **SCHEDULE OF REQUIREMENTS TABLE** below and in conformity with technical specifications listed in PART 2: **SCHEDULE OF REQUIREMENTS** of this RFQ Document.
5. We undertake to adhere by the Code of Ethical Conduct for Suppliers, Contractors and Service Providers, copy available from the **PPRA website** during the procurement process and the execution of any resulting contract.
6. We confirm that the prices quoted are fixed and firm for the duration of the validity period and performance of the contract and will not be subject to revision or variation.
7. The validity period of our quotation is: \_\_\_\_\_ days from the time and date of the submission deadline (*number to be same as in the instructions to Tenderers*).
8. We confirm we are not submitting any other Quotation as an individual or firm, and we are not participating in any other Quotation as a Joint Venture member or as a subcontractor.
9. We, along with any of our subcontractors, suppliers, Engineer, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to a temporary suspension or a debarment imposed by the Public Procurement Regulatory Authority or any other entity of the Government of Kenya, or any international organization.

10. We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf engages in any type of Fraud and Corruption.
11. We hereby certify and confirm that the Quotation is genuine, non-collusive and made with the intention of accepting the contract if awarded. To this effect we have signed the “Certificate of Independent Quotation Determination” attached below.
12. We, the Tenderer, have completed fully and signed the **FORM FOR DISCLOSURE OF INTEREST**- interest of the firm in the Procuring Entity, attached below.

The Delivery/Completion period offered is: \_\_\_\_\_ days from date of acceptance of Quotation.

Quotation Authorized by:

Name and designation \_\_\_\_\_

Signature \_\_\_\_\_



**i) SCHEDULE OF REQUIREMENTS TABLE**

*(Procuring Entity will complete the list of items to be same as those on Part 2 Table A. Schedule of Requirements and Technical Specifications and tenderer should complete columns D).*

<b>KITUI ENERGY CENTRE BOQ FOR CHAIN LINK FENCE AND OTHER ASSOCIATED WORKS</b>					
<b>S/No</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Rate Ksh VAT Incl</b>	<b>Amount in Ksh VAT Incl</b>
1.00	Clear site off grass, Shrubs, and small trees not exceeding 600mm girth and grub up roots and burn debris along the chain link fence	SM	1,800.00		
2.00	<b><u>Demolition</u></b>				
	Carefully remove cart away resulting debris( as directed by the engineer) 2400mm high vandalized chain link fence above ground level consisting of 125 x125 x 300mm precast concrete posts at 3.0 m including all excavations, formwork and disposals	LM	600.00		
3.00	Provide all materials and install 2400mm high chain link fence above ground level consisting of 125 x 125 x3000mm overall cranked precast concrete post (mix 1:2:4) to BS 1722 post with 450mm long cranks at 3.0m centres reinforced with 4No. 8mm diameter high tensile bars including 6mm diameter stirrups at 300mm centres complete with 14 1/2 gaige X 6strand galvanized barbed wire fencing and motised in mass concrete surround 1:3:6 including all excavations, formwork and disposal.	LM	600.00		
4.00	Extra over ditto for 100 x 100 mm precast concrete struts 2600mm long at every 50m interval.	NO	12.00		

5.00	Supply and install chain link fence to the already existing concrete post including 6mm diameter stirrups at 300mm centres complete with 14 1/2 gauge x 6 strand galvanized barbed wire fencing and mortised in mass concrete surround 1:3:6 including all excavation.	LM	500.00		
6.00	Vibrated reinforced concrete class 25/20 to concrete columns for gate installation.	CM	6.00		
7.00	Supply and install one leaf steel palisade gate including building in lugs and jamb to concrete columns.	NO	6.00		
8.00	Supply RS PRO key weather proof padlocks	NO	8.00		
<b>GRAND TOTAL</b>					

Signature: \_\_\_\_\_

Seal/Stamp

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Authorized for and on behalf of (*specify name of tenderer*) \_\_\_\_\_

Date: \_\_\_\_\_

**NB.**

- i. Bidders shall dully fill the price schedule form.
- ii. Filled BQ is subject to site visit on official working days and its Mandatory requirement
- iii. The award of the contract shall be the lowest evaluated bidder.
- iv. Grand Total Prices should be transferred to SRM Portal

**I. FORM FOR DISCLOSURE OF INTEREST - Interest of the Firm in the Procuring Entity.**

- i) Are there any person/persons in Rural Electrification & Renewable Energy Corporation who has/have an interest or relationship in this firm?  
Yes/No.....

If yes, provide details as follows.

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

**ii) Conflict of interest disclosure**

	<b>Type of Conflict</b>	<b>Disclosure YES OR NO</b>	<b>If YES provide details of the relationship with Tenderer</b>
1	Tenderer is directly or indirectly 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 the Procuring Entity 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 the Procuring Entity who are directly or indirectly involved in the		

	Type of Conflict	Disclosure YES OR NO	If YES provide details of the relationship with Tenderer
	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 the Procuring Entity 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 the Procuring Entity throughout the quotation process and execution of the Contract?		

**iii) 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)

## **II. CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION**

I, the undersigned, in submitting the accompanying Letter of quotation to the \_\_\_\_\_ *[Name of Procuring Entity]* for: \_\_\_\_\_ *[Name and number of quotation]* 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 quotation in response to this request for quotations;
  - b) could potentially submit a quotation in response to this request for quotations 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 quotation 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, a quotation; or
  - d) the submission of a quotation which does not meet the specifications of the request for quotations; 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 quotation have not been, and will not be, knowingly disclosed by the Tenderer, directly or indirectly, to any competitor, prior to the date and time of the official quotation opening, or of the awarding of the Contract, whichever comes first, unless otherwise required by law or as specifically disclosed pursuant to paragraph (5)(b) above.

Name \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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

**i) SELF-DECLARATION FORM**

We, the Tenderer \_\_\_\_\_ (*insert name*) submitting our Quotation in respect of Quotation No \_\_\_\_\_ for \_\_\_\_\_ (*insert quotation 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 quotation:

- 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 quotation as defined and/or described in the following:
  - i) the RFQ for the above Quotation;
  - ii) Kenya's Public Procurement and Asset Disposal Act, 2015) and its attendant Regulations;
  - iii) Kenya's Anti-Corruption and Economic Crimes Act, 2013; and
  - iv) any such other Acts or Regulations of Government of Kenya;
- b) have not offered/will not offer any inducement to any member of the board, management, staff and/or employees and/or agents of ..... (*name of the procuring entity*);
- c) have not engaged/will not engage in any collusive or corrosive practice with other tenderers participating in the subject quotation;
- 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 quotation*]

**Name of the person duly authorized to sign the quotation on behalf of the Tenderer:** ..... [*Insert complete name of person duly authorized to sign the quotation*]

**Title of the person signing the Quotation:** ..... [*Insert complete title of the person signing the quotation*]

**Signature of the person named above:** ..... [*Insert signature of*

*person whose name and capacity are shown above]*

**TECHNICAL SPECIFICATIONS**

The Rural Electrification and Renewable Energy Corporation (REREC), is a state corporation established under Section 43 of the Energy Act, 2019. The Corporation main mandate is to promote renewable energy and accelerate rural electrification throughout the country in order to provide electricity to all Kenyans as well as contribute towards sustainable socio-economic development of the country in the attainment of Vision 2030 and Big 4 agenda. The specific functions of the Corporation are articulated in Section 43 of the Act. In order to achieve the Corporation mandate the corporate has to develop conducive working environment. REREC is therefore seeking to undertake Installation works of Chain Link Fence, Palisade gate and Key Weather proof padlocks. for Kitui Energy Centre as stipulated in scope of works above;

<b>A Item No</b>	<b>B Description of Goods/works/services</b>	<b>C Quantity</b>	<b>D Total Price in Ksh VAT inclusive</b>
1	Supply and Installation of Chain Link Fence, Palisade gate and Key Weather proof padlocks for Kitui Energy Centre	1	
<b>TOTAL in Ksh VAT Incl.</b>			

Signature: \_\_\_\_\_

Seal/Stamp: \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Authorised for and on behalf of (*specify name of tenderer*) \_\_\_\_\_

Date \_\_\_\_\_

**NB.**

- v. Bidders shall dully fill the price schedule form.
- vi. Filled BQ is subject to site visit on official working days and its Mandatory requirement
- vii. The award of the contract shall be the lowest evaluated bidder.



## **PART 3: CONTRACT**

### **CONTRACT AGREEMENT**

(1) THIS CONTRACT AGREEMENT is made \_\_\_\_\_ (*specify date*).

Between \_\_\_\_\_  
*[Insert complete name of Procuring Entity]*, and having its principal place of Business at \_\_\_\_\_

\_\_\_\_\_ and  
*[Insert address of Procuring Entity]*

\_\_\_\_\_ and having its principal place of business at \_\_\_\_\_  
*[Insert name of Supplier, or contractor or service provider]*

\_\_\_\_\_.  
*[Insert address of Supplier, contractor or service provider]*.

(2) WHEREAS the Procuring Entity invited quotations for the Supply of Goods/works/services (*select one*) described in Table B, i.e.

\_\_\_\_\_ and has accepted a Quotation by the Tenderer \_\_\_\_\_ in the sum of \_\_\_\_\_ of \_\_\_\_\_  
*[insert Contract Price in words and figures]* (hereinafter called “the Contract Price”).

(3) NOW THIS AGREEMENT WITNESSED AS FOLLOWS:

1. This Contract Agreement includes the following documents:

(a) Table A. SCHEDULE OF REQUIREMENTS AND TECHNICAL SPECIFICATIONS

(b) Table B. QUOTATIONSUBMISSION TABLE

(c) FORM OF QUOTATION

(d) Conditions of Contract

2. In consideration of the payments to be made by the Procuring Entity to the *Supplier/contractor/service provider* as hereinafter mentioned, the *Supplier/contractor/service provider* hereby covenants with the Procuring Entity to provide the Goods/works/services and to remedy defects therein in conformity in all respects with the provisions of the Contract.

3. The Procuring Entity hereby covenants to pay the *Supplier/Contractor/service provider* (*select one*) in consideration of the provision of the Goods/works/services (*select one*) and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.

(4) In WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Kenya.

**For and on behalf of the Procuring Entity**

Signed: \_\_\_\_\_ [insert signature]  
in the capacity of \_\_\_\_\_ [insert title or other appropriate designation]

in the presence of \_\_\_\_\_ [insert identification of official witness]

**For and on behalf of the Supplier/Contractor/Service Provider** (*select one*)

Signed \_\_\_\_\_ [insert signature of authorized  
representative(s) of the Supplier]

in the capacity of \_\_\_\_\_ [insert title or other appropriate designation]

in the presence of \_\_\_\_\_ [insert identification of official witness]

**CONDITIONS OF CONTRACT**

**1. Language**

The Contract as well as all correspondence and documents relating to the Contract exchanged by the Supplier/Contractor/Service Provider (*select one*) Provider and the Procuring Entity, shall be written in the English Language.

**2. Eligibility**

The goods shall have the nationality of an eligible country. All Goods and Related Services to be supplied under the Contract shall have their origin in Eligible Countries.

**3. Notices**

Any notice given by one party to the other pursuant to the Contract shall be in writing.

**4. Governing Law**

The Contract shall be governed by and interpreted in accordance with the Laws of Kenya, unless otherwise specified hereunder.

**5. Settlement of Disputes**

The Procuring Entity and the Supplier/Contractor/Service (*select one*) shall make every effort to resolve amicably by direct informal negotiation any disagreement or dispute arising between them under or in connection with the Contract. If the parties have failed to resolve their dispute or difference by such mutual consultation, either the Procuring Entity or the Supplier/Contractor/Service (*select one*) may give notice to the other party of its intention to commence arbitration. The dispute shall be referred to adjudication or arbitration in accordance

with the laws of Kenya.

#### **6. Supplier/Contractor/Service Provider Responsibilities**

The Supplier/Contractor/Service Provider (*select one*) shall supply all the Goods included in the Schedule of Requirements.

#### **7. Contract Price**

Prices charged by the Supplier/Contractor/Service Provider (*select one*) under the Contract shall not vary from the prices quoted by the Supplier/Contractor/Service Provider (*select one*) in its quotation.

#### **8. Terms of Payment**

The Contract Price shall be paid One hundred (100) percent of the Contract Price as follows (*select one*):

- i. The credit period shall be thirty (30) days from satisfactory delivery, inspection and acceptance of the items and submission of invoice together with other required and related documents.*
- ii. Payment shall primarily be through REREC's cheque or Real Time Gross Settlement (RTGS) or telegraphic transfer. Where applicable, a copy of a valid Performance Security, stamped, certified as authentic by REREC, shall form part of the documents to be presented to REREC before any payment is made. The terms shall be strictly on Delivered and Duty Paid (DDP) basis.*
- iii. Suppliers who request LC shall be issued with letter of credit subject to the requirements*

#### **9. Inspections and Tests**

The Supplier/Contractor/Service Provider (*select one*) shall at its own expense and at no cost to the Procuring Entity carry out all such tests and/or inspections of the Goods, works or Services to confirm their conformity to technical specifications.

#### **10. Warranty**

The Supplier warrants that all the Goods are new, unused, and of the most recent or current models, and that they incorporate all recent improvements in design and materials, unless provided otherwise in the contract.

**FORM NO. 4 BENEFICIAL OWNERSHIP DISCLOSURE FORM**

**(Amended and issued pursuant to PPRA CIRCULAR No. 02/2022)**

***INSTRUCTIONS TO TENDERERS: DELETE THIS BOX ONCE YOU HAVE COMPLETED THE FORM***

*This Beneficial Ownership Disclosure Form (“Form”) is to be completed by the successful tenderer pursuant to Regulation 13 (2A) and 13 (6) of the Companies (Beneficial Ownership Information) Regulations, 2020. In case of joint venture, the tenderer must submit a separate Form for each member. The beneficial ownership information to be submitted in this Form shall be current as of the date of its submission.*

*For the purposes of this Form, a Beneficial Owner of a Tenderer is any natural person who ultimately owns or controls the legal person (tenderer) or arrangements or a natural person on whose behalf a transaction is conducted, and includes those persons who exercise ultimate effective control over a legal person (Tenderer) or arrangement.*

Tender Reference No.: \_\_\_\_\_ [insert identification no] Name of the Tender Title/Description: \_\_\_\_\_  
 \_\_\_\_\_ [insert name of the assignment] to: \_\_\_\_\_ [insert complete name of Procuring Entity]

In response to the requirement in your notification of award dated \_\_\_\_\_ [insert date of notification of award] to furnish additional information on beneficial ownership: \_\_\_\_\_ [select one option as applicable and delete the options that are not applicable]

i) We here by provide the following beneficial ownership information.

**Details of beneficial ownership**

	Details of all Beneficial Owners	% of shares a person holds in the company Directly or indirectly	% of voting rights a person holds in the company	Whether a person directly or indirectly holds a right to appoint or remove a member of the board of directors of the company or an equivalent governing body of the Tenderer (Yes / No)	Whether a person directly or indirectly exercises significant influence or control over the Company (tenderer) (Yes / No)
1.	Full Name	Directly----- --- % of shares	Directly..... .....% of voting rights	1. Having the right to appoint a majority of the board of the directors or an equivalent governing body of the Tenderer: Yes ----No---- 2. Is this right held directly or indirectly?:  Direct..... ...  Indirect..... .....	1. Exercises significant influence or control over the Company body of the Company (tenderer) Yes ----No---- 2. Is this influence or control exercised directly or indirectly?  Direct.....  Indirect.....
	National identity card number or Passport number				
	Personal Identification Number (where applicable)	Indirectly----- ---- % of shares	Indirectly----- ---% of voting rights		
	Nationality				
	Date of birth [dd/mm/yyyy]				
	Postal address				
	Residential address				
	Telephone number				
Email address					

	Occupation or profession					
2.	Full Name		Directly----- --- % of shares	Directly..... .....% of voting rights	1. Having the right to appoint a majority of the board of the directors or an equivalent governing body of the Tenderer: Yes ----No---- 2. Is this right held directly or indirectly?:  Direct..... ...  Indirect..... .....	1. Exercises significant influence or control over the Company body of the Company (tenderer) Yes ----No---- 2. Is this influence or control exercised directly or indirectly?  Direct.....  Indirect.....
	National identity card number or Passport number		Indirectly----- ---- % of shares	Indirectly----- ---% of voting rights		
	Personal Identification Number (where applicable)					
	Nationality(ies)					
	Date of birth [dd/mm/yyyy]					
	Postal address					
	Residential address					
	Telephone number					
	Email address					
	Occupation or profession					
3.  e.t. c						

ii) Am fully aware that beneficial ownership information above shall be reported to the Public Procurement Regulatory Authority together with other details in relation to contract awards and shall be maintained in the Government Portal, published and made publicly available pursuant to Regulation 13(5) of the Companies (Beneficial Ownership Information) Regulations, 2020.(Notwithstanding this paragraph Personally Identifiable Information in line with the Data Protection Act shall not be published or made public). *Note that Personally Identifiable Information (PII) is defined as any information that can be used to distinguish one person from another and can be used to deanonymize previously anonymous data. This information includes National identity card number or Passport number, Personal Identification Number, Date of birth, Residential address, email address and Telephone number.*

iii) In determining who meets the threshold of who a beneficial owner is, the Tenderer must consider a natural person who in relation to the company:

- (a) holds at least ten percent of the issued shares in the company either directly or indirectly;
- (b) exercises at least ten percent of the voting rights in the company either directly or indirectly;

(c) holds a right, directly or indirectly, to appoint or remove a director of the company; or

(d) exercises significant influence or control, directly or indirectly, over the company.

iv) What is stated to herein above is true to the best of my knowledge, information and belief.

*Name of the Tenderer: .....\*[insert complete name of the Tenderer]\_\_\_\_\_*

*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]*

*Designation 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]*

*Date this..... [Insert date of signing] day of..... [Insert month], [insert year]*

**Bidder Official Stamp**

ANNEX 1: SITE SURVEY FORM



ADMINISTRATION DEPARTMENT

REF NO: .....

DATE: .....

RE: SITE SURVEY FORM

This is to confirm that .....

(Name of Representative) of .....

(Company Name)

P.O. BOX ..... did a site survey for the Supply and Installation of Chain Link Fence, Palisade gate and Key

Weather proof padlocks for 1000000908 at Kitui Energy Centre, Kitui Town

Name of Representative: .....

Name of Site visited .....

Company Name:-.....

Company Seal/Stamp

REREC REPRESENTATIVE

Name: .....

Sign.....

Company Stamp

Site visit should be done from 23rd February, 2023 to 28th February, 2023