TENDER NO.:

KWS/RT/PREQ/152/2025-2026

PRE-QUALIFICATION DOCUMENT

FOR

TENDERS FOR WATER PAN WORKS FUNDED UNDER

THE GOVERNMENT OF KENYA (GOK)

FOR THE YEAR 2025/2026

IN

RIMOI NATIONAL GAME RESERVE

MAY 2026

(OPEN TO ALL)

Closing Date: Tuesday, 2nd June 2026 at 1000hrs EAT

KENYA WILDLIFE SERVICE,
P.O.BOX 40241 – 00100. NAIROBI.
www.kws.go.ke

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INVITATION TO APPLY FOR PREQUALIFICATION

PRE-QUALIFICATION OF CONTRACTORS FOR WATER PANS 2025/2026

Ref No: KWS/RT/PREQ/152/2025-2026

1. The **Kenya Wildlife Service (KWS)** intends to prequalify contractors for **the excavation of water pans funded under the GoK for the Financial Year 2025/2026.** The works are planned for implementation in Rimoi National Game Reserve.

2. It is expected that the **Invitation to Tender** will be made in **June 2026.** Tendering will be conducted through the **Restricted Tendering Method** procedures **using a standardised tender document and will be open to all applicants who prequalify.**

3. Qualified and interested applicants may obtain further information during office hours **0800 Hrs – 1700 Hrs.** at the address given below.

4. Prequalification document may be viewed and downloaded for free from the website **www.kws.go.ke.**

5. Applications for prequalification should be submitted by postal service, or hand/courier delivery, in clearly marked envelopes and delivered to the address given below **Tuesday, 2nd June 2026 at 1000hrs EAT.**

6. Late applications will be rejected.

7. Address where to submit Applications

Kenya Wildlife Service

(1) **Physical address for hand Courier Delivery** Shall be the office of Deputy Director Supply Chain Management located at Simba Court 1st Floor Kenya Wildlife Service Headquarters located along Lang'ata Road.

(2) **Postal address** is Kenya Wildlife Service Headquarters located along Lang'ata Road, P. O. Box 40241-00100, NAIROBI, KENYA.

(3) **The contact person** is the Deputy Director Supply Chain Management, Kenya Wildlife Service, Telephone number 0202379407 and Email hps@kws.go.ke.

DIRECTOR GENERAL

Date: **28TH MAY 2026**

PART 1 - APPLICATION PROCEDURES

SECTION I - INSTRUCTIONS TO APPLICANTS (ITA)

A. General

1. Scope of Application

1.1 The name of the Procuring Entity inviting for applications is defined in the **PDS.** The particular type of contract (works, goods or Non-Consulting Services required) and its name and description of the contract(s) and its reference number are defined in the **PDS.** If the scope of contract so defined is in multiple contracts, it will be specified in the **PDS** if prequalification will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non-Consulting 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 agents (where declared or not), subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Procurement Regulatory Authority (PPRA) to inspect all accounts, records and other documents relating to any initial selection process, prequalification process, tender submission(incase prequalified),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 The Procuring Entity requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination" annexed to the Form of applicant.

5 Eligible Applicants

5.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1and 5.2. An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9 or any combination of such entities in the form of 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 prequalification 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 Sister. 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 prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.

5.3 A firm may apply for prequalification both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, 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 prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.

5.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2.

An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. sub-contractors or suppliers for any part of the Contract including related Non-Consulting Services.

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 prequalification. 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 prequalification 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 prequalification, ITT process and execution of the Contract.

5.7 An Applicant that has been debarred shall be ineligible to be initially selected for, prequalified 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 prequalify, compete and be awarded a Contract(s) only if they can establish, in a manner accept able 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 of ITA 5.1 (a) above by any country may be applied to that procurement a cross other countries involved, if the Procuring Entities involved in the procurement so agree.

6.3 Any goods, works and production processes with characteristics that have been declared by the relevant national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

B. Contents of the Prequalification Documents

7 Sections of Prequalification Document

7.1 This Prequalification Document consists of parts1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

PART 1 - Prequalification Procedures

i) **Section I**- Instructions to Applicants (ITA)
ii) **Section II** - Prequalification Data Sheet (PDS)
iii) **Section III** - Qualification Criteria and Requirements
iv) **Section IV**- Application Forms
v) **Section V** – Beneficial Ownership Disclosure Form
vi) **Section VI** – Eligible Countries
vii) **Section VII** – Fraud and Corruption

PART 2 - Works, Goods, or Non-Consulting Services Requirements

i) **Section VIII** - Scope of Works

7.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.

7.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document.

8 Clarification of Prequalification Documents, site visit(s) and Pre-Application Meeting

8.1 An Applicant requiring any clarification of the Prequalification Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated in the **PDS.** The Procuring Entity will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Procuring Entity shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **PDS**. Should the Procuring Entity deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure under ITA 8. And in accordance with the provisions of ITA 17.2.

8.2 The Applicant, at the Applicant's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the application. The costs of visiting the Site shall be at the Applicant's own expense. The Procuring Entity shall specify in the **PDS** if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the **PDS** if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre- application meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.

8.3 The Applicant is requested to submit any questions in writing, to reach the Procuring Entity not later than the period specified in the **PDS** before the submission date of applications.

8.4 Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the prequalification documents. Minutes shall not identify the source of the questions asked.

8.5 The Procuring Entity shall also promptly publish anonymized (*no names*) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified **in the PDS**. Any modification to the Prequalification Documents that may become necessary as a result of the pre-arranged site visit and those of the pre-application meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to PDS 8 and not through the minutes of the pre-application meeting. Non-attendance at the pre-

arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

9 Amendment of Prequalification Document

9.1 At any time prior to the deadline for submission of Applications, the Procuring Entity may amend the Prequalification Document by issuing an Addendum.

9.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all Applicants who have obtained the Prequalification Document from the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the PDS.

9.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Procuring Entity may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

C. Preparation of Applications

10 Cost of Applications

10.1 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 prequalification process.

11 Language of Application

11.1 The Application as well as all correspondence and documents relating to the prequalification 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.

12 Documents Comprising the Application

12.1 The Application shall comprise the following:

a. Application Submission Letter, in accordance with ITA 13.1;

b. Eligibility: documentary evidence establishing the Applicant's eligibility, in accordance with ITA 14.1;

c. Qualifications: documentary evidence establishing the Applicant's qualifications, in accordance with ITA 15; and

d. Any other document required as specified in the PDS.

12.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application.

13 Application Submission Letter

13.1 The Applicant shall complete an Application Submission Letter as provided in Section IV (Application Forms). This Letter must be completed without any alteration to its format.

14 Documents Establishing the Eligibility of the Applicant

14.1 To establish its eligibility in accordance with ITA 4, 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).

15 Documents Establishing the Qualifications of the Applicant

15.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV (Application Forms).

15.2 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.

15.3 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.

15.4 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.

15.5 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 in formation on its ownership and control.

15.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changes to the information which was provided by the Applicant under ITT 6.3. The obligations to require this information shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or management of the contract.

15.7 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.

15.8 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.

15.9 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,

15.10 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.

15.11 If an Applicant submits information pursuant to these requirements that is incomplete, in accurate 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.

16 Signing of the Application and Number of Copies

16.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA11 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.

16.2 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.

D. Submission of Applications

17 Sealing and Marking of Applications

17.1 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 thespecificidentificationofthisprequalificationprocessindicatedinthePDS1.1.

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

18 Deadline for Submission of Applications

18.1 Applicants may either submit their Applications by mail or by hand. 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.**

18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification 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.

19 Late Applications

19.1 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.

E. Procedures for Evaluation of Applications

21 Confidentiality

21.1 Information relating to the Applications, their evaluation and results of the prequalification shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification 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 prequalification in accordance with ITA 28, any Applicant that wishes to contact the Procuring Entity on any matter related to the prequalification 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 Prequalification 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 prequalification.

25 Nominated Subcontractors

25.1 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").

25.2 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.

F. Evaluation of Applications and Prequalification of Applicants

26 Evaluation of Applications

26.1 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.

26.2 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 Applicantmaybeaddedtothequalificationsoftheapplicantforthepurposeoftheevaluation.
Unless the Applicant has been determined prequalified 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 prequalification but before the tender submission deadline in accordance with ITA 30.

26.3 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 prequalify 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.

26.4 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.

26.5 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.

27 Procuring Entity's Right to Accept or Reject Applications

27.1 The Procuring Entity reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

28 Prequalification of Applicants

28.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.

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

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

30.1 Any change in the structure or formation of an Applicant after being prequalified 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 prequalify 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 prequalified 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.

31 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 - PREQUALIFICATION DATA SHEET (PDS)

Reference to ITA Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO APPLICANTS (ITA)
A. General	
ITA 1.1	The Procuring Entity is: **Kenya Wildlife Service (KWS)** **P.O. Box 40241-00100** **NAIROBI** The identification of the Invitation for Prequalification is: **Prequalification for Tenders for Excavation of Water Pan Funded under the GoK for the year 2025/2026.** The particular type of contracts are on **Water Pans.** The application is for **Excavation of Water pan Works under FY 2025/2026**.
ITA 2	The Source of funds shall be the **GoK**
ITA 5.1	The application for prequalification shall be open to all eligible local Contractors registered with the National Construction Authority (**NCA 6 and above Water works or Roadworks NCA 6 and above)** who shall have a valid practicing license for the registered category.
ITA 5.2	Maximum number of members in the JV shall be: **None**
ITA 5.5	The prequalification is open to: Local Contractors
B. Contents of the Prequalification Document	
ITA 8.1	For clarification purposes, the Procuring Entity's address is: **Director General,** **Attention: Deputy Director, Supply Chain Management (SCM)** **Kenya Wildlife Service** **P.O. Box 40241-00100** **NAIROBI** Physical Address: **Simba Court 1st Floor KenyaWildlife Service Headquarters along Lang'ata Road** Telephone: **0202379407** Electronic mail address: **hps@kws.go.ke** Web page: **www.kws.go.ke**
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach the Procuring Entity not later than **one (1) day prior** to submission of the prequalification documents.
ITT 9.2	Addendum issued shall be published at the website **www.kws.go.ke**

ITA 8.2	Pre-Application Meeting will be held: **No**
C. Preparation of Applications	
ITA 12.1 (d)	The submitted prequalification document MUST be **TAPE/BOOK BOUND (Spiral Bound or other forms of binding will not be accepted)** and **MUST** be arranged in the format and order provided below: 1. Invitation to Apply for Prequalification 2. Instruction to Applicants 3. Pre-qualification Data Sheet 4. Application Submission Letter 5. Copy of Certificate of Incorporation/Registration 6. Copy of Current Form CR12 7. Copy of Valid Tax Compliance Certificate 8. National Construction Authority practising license (NCA 6 and above Water works or Roadworks NCA 6 and above) 9. **Form ELI – 1.1** – Applicant Information Form 10. Organizational Chart 11. List of Board of Directors 12. Beneficial Ownership Details (Beneficial Ownership Disclosure Form) 13. **Form ELI – 1.2** – Applicant's JV Information Form 14. **FORM CON-2** – Historical Contract Non-Performance, and Pending Litigation and Litigation History 15. Financial Situation and Performance (**Form FIN – 3.1**) 16. Audited Financial Accounts (last three years) 17. Average Annual Construction Turnover (**Form FIN – 3.2**) 18. Financial Resources (**Form FIN – 3.3**) 19. General Construction Experience (**Form Exp – 4.1**) 20. Specific Construction and Contract Management Experience [**Form Exp – 4.2(a)]** 21. Construction Experience in Key Activities [**Form Exp – 4.2(b)]** 22. **Appendix 1**: Fraud and Corruption 23. Addendum (a) All copies of documents MUST be certified by the **Commissioner for Oaths**. The certifications by the commissioner for oaths **MUST** be original bearing the original stamp, signature and the date of certification. The certifications should not be older than one month from date of submission. Computer generated documents such as Tax Compliance Certificate, NCA Practising Certificate, etc. need not be certified by a Commissioner of Oaths. Such documents can be verified using a QR code scanner or a unique document number.
ITA 15.2(b)	The source for determining exchange rates is*:* **Exchange rate is not applicable.** **Currency of use is Kenya Shillings (KSh.)**
ITA 16.2	In addition to the **ORIGINAL**, the number of copies to be submitted with the Application is: No Copy is Required Only **ONE (1)** Original Submission is required.
D. Submission of Applications	
ITA 17.1	(1) The deadline for Application submission is: **Tuesday, 2nd June 2026 at 1000hrs EAT 2026 at 1000hrs EAT** (2) **Name of Procuring Entity - Kenya Wildlife Service** (3) Postal Address: P.O Box 40241-00100, Nairobi, **(Attention Director General)**

	i. Physical address for hand Courier Hand Delivery Shall be deposited in the Tender Box located at, **Kenya Wildlife Service Headquarters, Main Reception, along Lang'ata Road.** ii. Courier delivery shall be registered at the office of **Deputy Director Supply Chain Management located at Simba Court 1st Floor KenyaWildlife Service Headquarters along Lang'ata Road.** (4) Applicants **shall not submit** tenders electronically.
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	The Procuring Entity will/will not accept late applications.
ITA 20.1	The opening of the Applications shall take place at the time and the address for Opening of Tenders provided below: 1. **Tuesday, 2nd June 2026 at 1000hrs EAT 2026 at 1000hrs EAT.** 2. Kenya Wildlife Service Headquarters P.O. Box 40241-00100 Main Reception, Along Lang'ata Road **NAIROBI**
ITA 20.2	There will be no option of submitting applications electronically.
E. Procedures for Evaluation of Applications	
ITA 24.1	A margin of preference shall not apply.
ITA 25.1	The Procuring Entity does not intend to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 25.2	The parts of the Works for which the Procuring Entity permits Applicants to propose Specialized Subcontractors are designated as follows: **None.**
ITA 31.1	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: **DEPUTY DIRECTOR, SUPPLY CHAIN MANAGEMENT** **KENYA WILDLIFE SERVICE** **P.O. Box 40241-00100** **NAIROBI** Email address: **hps@kws.go.ke** In summary, at this stage, a Procurement-related Complaint may challenge any of the following: a) the terms of the Prequalification Documents; and

	b) the Procuring Entity's decision not to prequalify an Applicant.

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.

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirement
				All Members Combined	Each Member	One Member	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA 5.5	Must meet requirement	N/A	N/A	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in accordance with ITA 5.6	Must meet requirement	N/A	N/A	N/A	Application Submission Letter
1.3	Eligibility	Not declared ineligible by not meeting any of the conditions in ITA 5 and 6.	Must meet requirement	N/A	N/A	N/A	Application Submission Letter **Including:** • Duly Certified Copy of Incorporation Certificate • A current copy of Form CR12 not older than 6 months from the date of submission. • Valid Tax Compliance Certificate (TCC) • National Construction Authority practising license (NCA 6 and above Water works or Roadworks NCA 6 and above)
1.4	State-owned Entity in Kenya	Applicant required to meet conditions of ITA 5.9	Must meet requirement	N/A	N/A	N/A	Forms ELI -1.1 and 1.2, with attachments
1.5	United Nations resolution or	Not having been excluded as a result of prohibition in the laws of Kenya or official	Must meet requirement	N/A	N/A	N/A	Forms ELI – 1.1 and 1.2, with attachments

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
				Joint Venture (existing or intended)			
No.	Subject	Requirement	Single Entity	All Members Combined	Each Member	One Member	Submission Requirement
	Laws of Kenya	regulations against commercial relations with Kenya, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 6.1 and 6.2 and Section V.					

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended			Submission Requirement
				All Members Combined	Each Member	One Member	
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract[1] did not occur as a result of contractor's default since **1st January 2022.**	Must meet requirement[1]	N/A	N/A	N/A	Form CON-2 **(fill all fields)**
2.2	Suspension Based on Execution of Tender/Proposal Securing Declaration by the Procuring Entity	Not under suspension based on execution of a Tender/Proposal Securing Declaration pursuant to ITA 5.10.	Must meet requirement	N/A	N/A	N/A	Application Submission Letter
2.3	Pending Litigation	Applicant's financial position and prospective long-term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Applicant	Must meet requirement	N/A	N/A	N/A	Form CON – 2 **(fill all fields)**
2.4	Litigation History	No consistent history of court/arbitral award decisions against the Applicant[2] since **1st January 2022.**	Must meet requirement	N/A	N/A	N/A	Form CON – 2 **(fill all fields)**

[1] Nonperformance, as decided by the Procuring Entity, shall include all contracts where (a) nonperformance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Nonperformance shall not include contracts where Procuring Entitys decision was overruled by the dispute resolution mechanism. Nonperformance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the applicant have been exhausted.

[2] The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any member of a joint venture may result in rejection of the Application.

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	**Subject**	**Requirement**	**Single Entity**	**Joint Venture (existing or intended**			**Submission Requirement**
				All Members Combined	**Each Member**	**One Member**	
3. Financial Situation and Performance							
3.1	Financial Capabilities	(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements **estimated as 20% of the engineer's estimate. Eg. For a tender of KSh. 10,000,000.00, the required finances shall be 10,000,000 x 20% = 2,000,000.00.**	Must meet requirement	N/A	N/A	N/A	**Form FIN – 3.1**, with attachments **including**: • Provide fully filled signed and stamped computations of the financial ratios in **Form FIN – 3.**1. The form **MUST** be signed by the auditor registered with **ICPAK and one of the directors. Attach a valid practicing license for the Auditor.** • Computation shall be made for the following ratios: **Liquidity Ratio - Current Ratio (≥ 1.2)** = Current Assets/ Current Liabilities **Return on Capital Employed (ROCE) ≥5%** = (Earnings Before Interest & Tax (EBIT) / Capital Employed (CA-CL)) x 100%
		(ii) The **Applicant** shall also demonstrate, to the satisfaction of the Procuring Entity, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.	Must meet requirement	N/A	N/A	N/A	
		(iii) The audited balance sheets or, if not required by the laws of Kenya, other financial statements acceptable to the Procuring Entity, for the last *[3]* years shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability.	Must meet requirement	N/A	N/A	N/A	

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended			Submission Requirement
				All Members Combined	Each Member	One Member	
							• Audited Accounts. • All pages of the Audited Accounts MUST be initialized and stamped by a practicing auditor registered with ICPAK. • All pages of the Audited Accounts MUST also be initialized and stamped by one of the directors. • The Auditor's practicing membership number MUST be indicated in the Annual Audited Accounts and a copy of the valid practicing license attached. Validity of the practicing license shall be checked against the ICPAK Portal.
3.2	Average Annual Construction Turnover	The minimum average annual construction turnover shall be calculated as total certified payments received for contracts in progress and/or completed within the last 3 years, divided by 3 years. This will be computed from attached Letters of Award, Taking Over Certificates, Final Completion Certificates and any other documentation that is evidence of Certification/Completion of Works.	Must meet requirement	N/A	N/A	N/A	**Form FIN – 3.2** Including: • Valid certified copies (commissioner of oaths) of Letters of Award, Taking Over Certificates, Final Completion

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	**Subject**	**Requirement**	**Single Entity**	**Joint Venture (existing or intended**			**Submission Requirement**
				All Members Combined	**Each Member**	**One Member**	
		For the planned works under this prequalification, **this will be calculated as the engineers estimate times 2.5 to determine eligibility. For example, for a tender of value KSh. 10,000,000.00, the required average annual construction turnover shall be 10,000,000.00 x 2.5 = 25,000,000.00.**					Certificates, etc. The date of certification shall not be older than one (1) month from the date of submission.
4. Experience							
4.1 (a)	General Construction Experience	Experience under construction contracts in the role of prime contractor, JV member, subcontractor, or management contractor for at least **the last three (3) years**, **starting 1st January 2022**.	Must meet requirement	N/A	N/A	N/A	**Form EXP – 4.1** Including: Valid certified copies (commissioner of oaths) of Letters of Award, Taking Over Certificates, Final Completion Certificates, etc. The date of certification shall not be older than one (1) month from the date of submission.
4.2 (a)	Specific Construction & Contract Management Experience	(i) A minimum number of **Two (2)** similar contracts specified below that have been satisfactorily and substantially[3] completed as a prime contractor, joint venture member [4], management contractor or subcontractor between **1st January 2022** and Application submission deadline:	Must meet requirement	N/A	N/A	N/A	**Form EXP 4.2(a)** Including: Valid certified copies (commissioner of oaths) of Letters of Award, Taking Over Certificates, Final Completion Certificates, etc. The date of certification shall not be older than one (1) month from the date of submission.

[3] Substantial completion shall be based on 80% or more works completed under the contract.

[4] For contracts under which the Applicant participated as a joint venture member or sub-contractor, only the Applicant's share, by value, and role and responsibilities shall be considered to meet this requirement.

Eligibility and Qualification Criteria			Compliance Requirements				Document/ Form
No.	**Subject**	**Requirement**	**Single Entity**	**Joint Venture (existing or intended**			**Submission Requirement**
				All Members Combined	**Each Member**	**One Member**	
4.2 (b)		For the above and any other contracts [substantially completed and under implementation] as prime contractor, joint venture member, or sub-contractor between **1st January 2022** and Application submission deadline, a minimum construction experience in the following key activities successfully completed: 1. Bush clearing (light or heavy) 2. Earthworks, 3. Excavation, 4. Compaction, 5. Hydraulic structures, 6. Concrete works, 7. Stone masonry/gabions, 8. HDPE lining, 9. and drainage works.	Must meet requirements	N/A	N/A	N/A	Form EXP – 4.2 (b)

SECTION IV- APPLICATION FORMS

Application Submission Letter

Date: .....*[insert day, month, and year]*
Reference No. and title: ..... *[insert ITT number and title]*

To: .....*[insert full name of Procuring Entity]* We, the undersigned, apply to be prequalified for the referenced ITT and declare that:

a) No reservations: We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s), issued in accordance with ITA 8: *[insert the number and issuing date of each addendum]*.

b) No conflict of interest: We have no conflict of interest in accordance with ITA 5.7;

c) Eligibility: We (and our subcontractors) meet the eligibility requirements as stated ITA 5, we have not been suspended by the Procuring Entity based on execution of a Tender/Proposal-Securing Declaration in accordance with ITA 5.8;

Suspension and Debarment: We, along with any of our subcontractors, suppliers, consultants, 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 PPRA. Further, we are not ineligible under the Kenya laws or official regulations or pursuant to a decision of the United Nations Security Council;

State-owned enterprise or institution: [*select the appropriate option and delete the other*] [*We are not a state-owned enterprise or institution*] / [*We are a state-owned enterprise or institution but meet the requirements* of ITA5.9];

f) Subcontractors and Specialized Subcontractors: We, in accordance with ITA 24.2 and 25.2, plan to subcontract the following key activities and/or parts of the works or supply contracts: .....
[Insert any of the key activities identified in Section III-4.2 (a)or(b) or 4.3(a) or (b) which the Procuring Entity has permitted under the Prequalification Document and which the Applicant intends to subcontract along with complete details of the Specialized Subcontractors, their qualification and experience]

(g) Commissions, gratuities, fees: We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding Tendering process or execution of the Contract:

Name of Recipient	Address	Reason	Amount
[insert full name for each occurrence]	*[insert street/ number/city/country]*	*[indicate reason]*	*[specify amount currency, value, exchange rate and KENYA SHILLING equivalent]*
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If no payments are made or promised, add the following statement: "No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application]

(h) Not bound to accept: We understand that you may cancel the prequalification process at any time and thatyouareneitherboundtoacceptanyApplicationthatyoumayreceivenortoinvite the prequalified Applicants to Tender for the contract subject of this Prequalification process, without incurring any liability to the Applicants, in accordance with ITA 26.1.

(i) True and correct: All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed.....*[insert signature(s)of an authorized representative(s)of the Applicant]*

Name .....*[insert full name of person signing the Application]*

In the capacity of ..... *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of: Applicant's

Name..... *[insert full name of Applicant or the name of the JV]*

Address ..... *[insert street number/town or city/country address]*

Dated on .....*[insert day number]* day of *[insert month]*, *[insert year]*

Form ELI -1.1 - Applicant Information Form

Date: ..... *[insert day, month, year*]

Application No. and title: ..... *[insert ITT number and title]*

Page.....*[insert page number]* of *[insert total number]* pages

Applicant's name *[insert full name]*
In case of Joint Venture (JV), name of each member: *[insert full name of each member in JV]*
Applicant's actual or intended country of registration: *[indicate country of Constitution]*
Applicant's actual or intended year of incorporation: *[indicate year of Constitution]*
Applicant's legal address [in country of registration]: *[insert street/ number/ town or city/ country]*
Applicant's authorized representative information Name: *[insert full name]* Address: *[insert street/ number/ town or city/ country]* Telephone/Fax numbers: *[insert telephone/fax numbers, including country and city codes]* E-mail address: *[indicate e-mail address]*
1. Attached are copies of original documents of ☐ Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 5.6. ☐ In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 5.3. ☐ In case of state-owned enterprise or institution, in accordance with ITA 5.9 documents establishing: Legal and financial autonomy Operation under commercial law Establishing that the Applicant is not under supervision of the Procuring Entity 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI-1.2 - Applicant's JV Information Form

[The following form is additional to Form ELI–1.1., and shall be completed to provide information relating to each JV member (incase the Applicant is a JV) as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this prequalification]

Date: ..... *[insert day, month, year]*

Application No. and title: ..... *[insert ITT number and title]*

Page.....*[insert page number]* of *[insert total number]* pages

Applicant name: *[insert full name]*
Applicant's JV Member's name: *[insert full name of Applicant's JV Member]*
Applicant's JV Member's country of registration: *[indicate country of registration]*
Applicant JV Member's year of constitution: *[indicate year of constitution]*
Applicant JV Member's legal address in country of constitution: *[insert street/ number/ town or city/ country]*
Applicant JV Member's authorized representative information Name: *[insert full name]* Address: *[insert street/ number/ town or city/ country]* Telephone/Fax numbers: *[insert telephone/fax numbers, including country and city codes]* E-mail address: *[indicate e-mail address]*
1. Attached are copies of original documents of ☐ Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 5.6 ☐ In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Procuring Entity, in accordance with ITA 5.9. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON 2 - Historical Contract Non-Performance, and Pending Litigation and Litigation History

Applicant's Name:_____

Date:_____

Tender Name. and Title:_____

Non-Performed Contracts in accordance with Section III, Qualification Criteria and Requirements

☐ Contract non-performance did not occur since 1st January _____*[insert year]* specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.

☐ Contract(s) not performed since 1st January _____*[insert year]* specified in Section III, Qualification Criteria and Requirements, requirement 2.1

Year	**Non- performed portion of contract**	**Contract Identification**	**Total Contract Amount (current value, currency, exchange rate and KENYA SHILLING equivalent)**
[insert year]	*[insert amount and percentage]*	Contract Identification: *[indicate complete contract name/ number, and any other identification]* Name of Procuring Entity: *[insert full name]* Address of Procuring Entity: *[insert street/city/country]* Reason(s) for nonperformance: *[indicate main reason(s)]*	*[insert amount]*

Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements

☐ No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3.

☐ Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3 as indicated below.

Year of dispute	**Amount in dispute (currency)**	**Contract Identification**	**Total Contract Amount (currency), USD Equivalent (exchange rate)**
insert year]	*[insert amount]*	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Procuring Entity: *[insert full name]* Address of Procuring Entity: *[insert street/city/country]* Matter in dispute: *[indicate main issues in dispute]* Party who initiated the dispute: *[indicate "Procuring Entity" or "Contractor"]* Status of dispute: *[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]*	*[insert amount]*

Litigation History in accordance with Section III, Qualification Criteria and Requirements

☐ No Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4.

☐ Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4 as indicated below.

Year of award	**Outcome as percentage of Net Worth**	**Contract Identification**	**Total Contract Amount (currency), USD Equivalent (exchange rate)**
[insert year]	*[insert percentage]*	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Procuring Entity: *[insert full name]* Address of Procuring Entity: *[insert street/city/country]* Matter in dispute: *[indicate main issues in dispute]* Party who initiated the dispute: *[indicate "Procuring Entity" or "Contractor"]* Reason(s) for Litigation and award decision *[indicate main reason(s)]*	*[insert amount]*

Form FIN – 3.1

Financial Situation and Performance (as per the attached Audited Accounts)

Applicant's Name: _____

Date: _____

Tender No. and Title: _____

Financial Data

Type of Financial information in Kenya Shillings		**Historic information for previous 3 years**		
		(amount in Kenya Shillings)		
		2022	**2023**	**2024**
Statement of Financial Position (Information from Balance Sheet)				
Total Assets (TA)				
Total Liabilities (TL)				
Total Equity/Net Worth (NW)				
Current Assets (CA)				
Current Liabilities (CL)				
Working Capital (WC)				
Information from Income Statement				
Total Revenue (TR)				
Profits Before Taxes (PBT)				
Cash Flow Information				
Cash Flow from Operating Activities				
Financial Ratios	**Liquidity Ratio - Current Ratio** =Current Assets/Current Liabilities			
	Return on Capital Employed (ROCE) = (Earnings Before Interest & Tax (EBIT)/ Capital Employed (TA-CL)) x 100%			

Registered Auditor Name: _____ Director Name: _____

Practicing Number: _____ Signature & Stamp: _____

Signature & Stamp: _____ Date: _____

Date: _____

Financial documents

The Tenderer and its parties shall provide copies of financial statements for **3 years** pursuant to Section III, Evaluation and Qualifications Criteria, Sub-factor 3.1. The financial statements shall:

a) reflect the financial situation of the Tenderer or incase of JV member, and not an affiliated entity (such as parent company or group member).
b) be independently audited or certified in accordance with local legislation.
c) be complete, including all notes to the financial statements.
d) correspond to accounting periods already completed and audited.

Attached are copies of financial statements [1] for the_____years required above; and complying with the requirements

Form FIN - 3.2

Average Annual Construction Turnover

Applicant's Name: _____

Date:_____

Tender No. and Title:

_____

Annual turnover data (construction only)*			
Year	**Amount Currency**	**Exchange rate**	**Kenya Shilling equivalent**
[indicate year]	*[insert amount and indicate currency]*		
**Average Annual Construction Turnover ** **			

* See Section III, Qualification Criteria and Requirements, **3.2.**

Note:

****The Annual Average Construction Turnover shall be determined from attached Letters of Award, Taking Over Certificates/Final Completion Certificates or any other relevant documentation that is evidence of completion.**

FORM FIN – 3.3

Sources of Finance and Financial Resources

Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cashflow demands of the subject contractor contracts as specified in **Section III, Evaluation and Qualification Criteria**.

No.	Source of Financing	Amount (Kenya Shilling equivalent)
1		
2		
3		

Form EXP - 4.1

General Construction Experience

Applicant's Name:

_____

Date: _____

Tender No. and title:

_____

Page _____ of _____ pages

Starting Year	Ending Year	Contract Identification	Role of Tenderer
		Contract name: _____ Brief Description of the Works and Services performed by the Tenderer: _____ Amount of contract: _____ Name of Procuring Entity: _____ Address: _____	
		Contract name: _____ Brief Description of the Works and Services performed by the Tenderer: _____ Amount of contract: _____ Name of Procuring Entity: _____ Address: _____	
		Contract name: _____ Brief Description of the Works and Services performed by the Tenderer: _____ Amount of contract: _____ Name of Procuring Entity: _____ Address: _____	

- **Attach evidence of Letters of Award & Taking Over Certificates/Final Completion Certificates/Completion Letters or any other documentation that is evidence of completion.**

Form EXP - 4.2(a)

Specific Construction and Contract Management Experience

Applicant's Name: _____

Date: _____

Tender No. and Title: _____

Similar Contract No.	**Information**			
Contract Identification				
Award date				
Completion date				
Role in Contract	Prime Contractor ☐	Member in JV ☐	Management Contractor ☐	Sub-contractor ☐
Total Contract Amount			Kenya Shillings	
If member in a JV or sub-contractor, specify participation in total Contract amount				
Procuring Entity's Name:				
Address: Telephone/fax number E-mail:				

- **Attach evidence of Letters of Award & Taking Over Certificates/Final Completion Certificates/Completion Letters or any other documentation that is evidence of completion.**

Form EXP - 4.2(a) (cont.) –

Specific Construction and/or Contract Management Experience (cont.)

Similar Contract No.	**Information**
Description of the similarity in accordance with Sub-Factor 7 b (iii) of Section III:	
1. Amount (*indicate amount of contract under similar experience*)	
2. Physical size of required Works and Services items (e.*g.1,000 m^2 of heavy grading undertaken, 20 metre drift constructed. Etc.*)	
3. Complexity (*e.g., similar, more complex, less complex etc.*)	
4. Methods/Technology (e.g. *labor based/machine based*)	
5. Construction rate for key activities (*e.g. 2 kms graded per day, 20 metres culvert constructed per day etc.*)	
6. Other Characteristics	

Note:

- Applicants **MUST** complete **FORM EXP -4.2(a) in full** (*fill, sign and stamp*) for each previously executed Contract relating to road construction or maintenance.

Form EXP - 4.2(b)

Construction Experience in Key Activities

- **Refer to Part 2 (Works Requirements) for Key Project Activities.**

Applicant's Name:_____

Date:_____

Tenderer's JV Member Name:_____

Sub-contractor's Name[2] (as perITT34):_____

Tender No. and title:_____

All Sub-contractors for key activities must complete the information in this form as per ITT 34 and Section III, Evaluation and Qualification Criteria, Sub-Factor 4.2.

1. **Key Activity No. _____ (***e.g: 1,2,3…):* _____ *(e.g. heavy grading, graveling, culvert construction etc.)*

	Information			
Contract Identification				
Award date				
Completion date				
Role in Contract	Prime Contractor ☐	Member in JV ☐	Management Contractor ☐	Sub-contractor ☐
Total Contract Amount			**Kenya Shilling**	
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year	Total quantity in the contract (i)	Percentage Participation (ii)		Actual Quantity Performed (i) x (ii)
Year 1				
Year 2				
Year 3				
Year 4				
Year 5				
Procuring Entity's Name:				
Address: Telephone/fax number E-mail:				

Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	Information

- **Refer to Part 2 (Works Requirements) for Key Project Activities.**

SECTION V: 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.:

Name of the Tender Title/Description:

[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 Indirectly---------- % of shares	Directly…… …….% of voting rights Indirectly---------- % 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)					
	Nationality					
	Date of birth *[dd/mm/yyyy]*					
	Postal address					
	Residential address					
	Telephone number					
	Email address					
	Occupation or profession					
2.	Full Name		Directly------	Directly……		

	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)**
	National identity card number or Passport number		----- % of shares Indirectly---------- % of shares	…….% of voting rights Indirectly---------- % 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……
	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) I 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 Applicant:

Name of the person duly authorized to sign the Tender (Power of Attorney) on behalf of the Tenderer:

Designation of the person signing the Tender:

Signature of the person named above: _____

Dated this _____ *[insert date of signing]* **day of** _____ *[Insert month],* _____*[insert year]*

[*Bidder's Official Stamp*]

Tender Reference No.:

Tender Name:

V) We hereby provide the following beneficial ownership information:

i) Details of beneficial ownership

Identity of Beneficial Owner	**Directly or indirectly holding 25% or more of the shares (Yes / No)**	**Directly or indirectly holding 25 % or more of the Voting Rights (Yes / No)**	**Directly or indirectly having the right to appoint a majority of the board of the directors or an equivalent governing body of the Consultant (Yes / No)**
[include full name (last, middle, first), nationality, country of residence]			

OR

ii) We declare that there is no Beneficial Owner meeting one or more of the following conditions:

- *Directly or indirectly holding 25% or more of the shares.*
- *Directly or indirectly holding 25% or more of the voting rights.*
- *Directly or indirectly having the right to appoint a majority of the board of directors or equivalent governing body of the Consultant.*

OR

iii) We declare that we are unable to identify any Beneficial Owner meeting one or more of the following conditions. *[If this option is selected, the Applicant shall provide explanation on why it is unable to identify any Beneficial Owner]*

- *Directly or indirectly holding 25% or more of the shares. Directly or indirectly holding 25% or more of the voting rights.*
- *Directly or indirectly having the right to appoint a majority of the board of directors or equivalent governing body of the Consultant.*

Name of the Applicant:

Name of the person duly authorized (power of attorney) to sign the Tender on behalf of the Tenderer:

Designation of the person signing the Tender:

Signature of the person named above: _____

Dated this _____ *[insert date of signing]* **day of** _____ *[Insert month]*, _____*[insert year]*

[*Bidder's Official Stamp*]

SECTION VI – ELIGIBILITY OF APPLICANTS

This section should be read in conjunction with ITA 5 of Instructions to Applicants:

1. An Applicant may be a firm that is a private entity, a state-owned enterprise or an institution subject to ITA 5.9
2. The invitation for Applications is open to all Eligible Applicants as defined in the Public Procurement & Asset Disposal Act, 2015 and the Regulations (2020), except as provided hereinafter.
3. Applicants shall satisfy all relevant licensing and/or registration requirements with the appropriate statutory bodies in Kenya.

4. Local Contractors must show evidence that they are registered National Construction Authority practising license (NCA 6 and above Water works or Roadworks NCA 6 and above) Categories in Kenya.
5. An Application shall not have a conflict of interest. All Applicants found to have a conflict of interest shall be disqualified. An Applicant may be considered to have a conflict of interest with one or more parties in this Prequalification process, if they:
   a) Are associated or have been associated in the past, directly or indirectly with a firm or any of its affiliates which have been engaged by the Procuring Entity to provide consulting services for the preparation of the design, specifications and other documents to be used for the procurement of the works to be purchased under this Invitation for Applications.
   b) have controlling shareholders in common; or
   c) receive or have received any direct or indirect subsidy from any of them; or
   d) have the same legal representative for purposes of this Application; or
   e) have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the Application of another Applicant, or influence the decisions of the Procuring Entity regarding this Prequalification process; or
   f) submit more than one Application in this Prequalification process: or
   g) Participated as a consultant in the preparation of the design or technical specifications of the goods and related services that are the subject of the Application.

6. Applicants shall not be under a declaration of ineligibility for corrupt and fraudulent practices issued by the Government of the Republic of Kenya.
7. Government owned enterprises in the Republic of Kenya or outside shall not be permitted to apply or submit a proposal.

SECTION VII – FRAUD & CORRUPTION

APPENDIX 1-FRAUD AND CORRUPTION

(Appendix 1 shall not be modified)

1. Purpose

1.1 The Government of Kenya's Anti-Corruption and Economic Crime laws and their sanction's policies and procedures, Public Procurement and Asset Disposal Act *(no. 33 of 2015)* and its Regulation, and any other Kenya's Acts or Regulations related to Fraud and Corruption, and similar offences, shall apply with respect to Public Procurement Processes and Contracts that are governed by the laws of Kenya.

2. Requirements

2.1 The Government of Kenya requires that all parties including Procuring Entities, Tenderers, (applicants/proposers), Consultants, Contractors and Suppliers; any Sub-contractors, Sub-consultants, Service providers or Suppliers; any Agents (whether declared or not); and any of their Personnel, involved and engaged in procurement under Kenya's Laws and Regulation, observe the highest standard of ethics during the procurement process, selection and contract execution of all contracts, and refrain from Fraud and Corruption and fully comply with Kenya's laws and Regulations as per paragraphs 1.1 above.

2.2 Kenya's public procurement and asset disposal act *(no. 33 of 2015)* under Section 66 describes rules to be followed and actions to be taken in dealing with Corrupt, Coercive, Obstructive, Collusive or Fraudulent practices, and Conflicts of Interest in procurement including consequences for offences committed. A few of the provisions noted below highlight Kenya's policy of no tolerance for such practices and behavior:

1) a person to whom this Act applies shall not be involved in any corrupt, coercive, obstructive, collusive or fraudulent practice; or conflicts of interest in any procurement or asset disposal proceeding;

2) A person referred to under subsection (1) who contravenes the provisions of that sub-section commits an offence;

3) Without limiting the generality of the subsection (1) and (2), the person shall be—
   a) disqualified from entering into a contract for a procurement or asset disposal proceeding; or
   b) if a contract has already been entered into with the person, the contract shall be voidable;

4) The voiding of a contract by the procuring entity under subsection (7) does not limit any legal remedy the procuring entity may have;

5) An employee or agent of the procuring entity or a member of the Board or committee of the procuring entity who has a conflict of interest with respect to a procurement—
   a) shall not take part in the procurement proceedings;
   b) shall not, after a procurement contract has been entered into, take part in any decision relating to the procurement or contract; and
   c) shall not be a subcontractor for the bidder to whom was awarded contract, or a member of the group of bidders to whom the contract was awarded, but the subcontractor appointed shall meet all the requirements of this Act.

6) An employee, agent or member described in subsection (1) who refrains from doing anything prohibited under that subsection, but for that subsection, would have been within his or her duties shall disclose the conflict of interest to the procuring entity;

7) If a person contravenes subsection (1) with respect to a conflict of interest described in subsection (5) (a) and the contract is awarded to the person or his relative or to another person in whom one of them had a director indirect pecuniary interest, the contract shall be terminated and all costs incurred by the public entity shall be made good by the awarding officer. Etc.

2.3 In compliance with Kenya's laws, regulations and policies mentioned above, the Procuring Entity:

a) Defines broadly, for the purposes of the above provisions, the terms set forth below as follows:

i) "corrupt practice" is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;

ii) "fraudulent practice" is any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain financial or other benefit or to avoid an obligation;

iii) "collusive practice" is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;

iv) "coercive practice" is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;

v) "obstructive practice" is:

- deliberately destroying, falsifying, altering, or concealing of evidence material to theinvestigation or making false statements to investigators in order to materially impede investigation by Public Procurement Regulatory Authority (PPRA) or any other appropriate authority appointed by Government of Kenya into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation; or

- acts intended to materially impede the exercise of the PPRA's or the appointed authority's inspection and audit rights provided for under paragraph 2.3 e. below.

b) Defines more specifically, in accordance with the above procurement Act provisions set forth for fraudulent and collusive practices as follows:

"fraudulent practice" includes a misrepresentation of fact in order to influence a procurement or disposal process or the exercise of a contract to the detriment of the procuring entity or the tenderer or the contractor, and includes collusive practices amongst tenderers prior to or after tender submission designed to establish tender prices at artificial non-competitive levels and to deprive the procuring entity of the benefits of free and open competition.

c) Rejects a proposal for award[1] of a contract if PPRA determines that the firm or individual recommended for award, any of its personnel, or its agents, or its sub-consultants, sub-contractors, service providers, suppliers and/ or their employees, has, directly or indirectly, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;

d) Pursuant to the Kenya's above stated Acts and Regulations, may sanction or recommend to appropriate authority(ies) for sanctioning and debarment of a firm or individual, as applicable under the Acts and Regulations;

e) Requires that a clause be included in Tender documents and Request for Proposal documents requiring (i) Tenderers (applicants/proposers), Consultants, Contractors, and Suppliers, and their Sub-contractors, Sub- consultants, Service providers, Suppliers, Agents personnel, permit the PPRA or any other appropriate authority appointed by Government of Kenya to inspect[2] all accounts, records and other documents relating to the procurement process, selection and/or contract execution, and to have them audited by auditors appointed by the PPRA or any other appropriate authority appointed by Government of Kenya; and

f) Pursuant to Section 62 of the above Act, requires Applicants/Tenderers to submit along with their Applications/Tenders/Proposals a "Self-Declaration Form" as included in the procurement document declaring that they and all parties involved in the procurement process and contract execution have not engaged/will not engage in any corrupt or fraudulent practices.

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[1] *For the avoidance of doubt, a party's ineligibility to be awarded a contract shall include, without limitation, (i) applying for pre-qualification, expressing interest in a consultancy, and tendering, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and (ii) entering into an addendum or amendment introducing a material modification to any existing contract.*

[2] *Inspections in this context usually are investigative (i.e., forensic) in nature. They involve fact-finding activities undertaken by the*

Investigating Authority or persons appointed by the Procuring Entity to address specific matters related to investigations/audits, such as evaluating the veracity of an allegation of possible Fraudand Corruption, through the appropriate mechanisms. Such activity includes but is not limited to: accessing and examining a firm's or individual's financial records and information, and making copies thereof as relevant; accessing and examining any other documents, data and information (whether in hard copy or electronic format) deemed relevant for the investigation/audit, and making copies thereof as relevant; interviewing staff and other relevant individuals; performing physical inspections and site visits; and obtaining third party verification of information.

PART 2 – WORKS REQUIREMENTS

SECTION VIII - SCOPE OF WORKS

1. Description of the Works Contracts

The Kenya Wildlife Service (KWS) was established by an Act of Parliament, the Wildlife Conservation and Management Act (CAP 376) No. 16 of 1989, with the overall mandate to conserve and manage wildlife in Kenya, now repealed to Wildlife Conservation and Management Act, 2013, as a state corporation currently under the Ministry of Tourism and Wildlife.

In line with its strategic goals of achieving a flourishing wildlife population and resilient ecosystems with rich biodiversity, the Service intends to undertake the construction of planned water pans during the Financial Year 2025/2026.

The proposed works are aimed at enhancing water availability for wildlife, reducing Human-Wildlife Conflict, and mitigating the adverse impacts of Climate Change within protected areas. Accordingly, the Service intends to procure the construction works for the planned water pans in Rimoi National Reserve

National Construction Authority practising license (NCA 6 and above Water works or Roadworks NCA 6 and above)

The scope of the works mainly entails site clearance, excavations, earthworks, drainage works, and waterproofing of water pans in the respective Parks and Reserves for a contract period of two (2) months.
The planned activities shall include, but not be limited to, the following:

i. Site clearance and setting out works
ii. Excavation and shaping of water pans
iii. Construction of embankments and compacted earthworks
iv. Construction of inlet, outlet, and drainage structures
v. Waterproofing and lining of water pans where applicable
vi. Construction of spillways and erosion control measures
vii. Hauling, spreading, and compaction of selected materials
viii. Rehabilitation and restoration of disturbed areas
ix. Environmental, health, and safety compliance during construction; and
x. Any other ancillary works necessary for the successful completion of the project

The detailed Bill of Quantities for each Contract shall be availed to pre-qualified Contractors in line with the provisions of the Public Procurement and Asset Disposal Act, 2015 (Cap. 412C).

Request For Review

FORM FOR REVIEW (r.203 (1))

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO…….OF…….….20……...

BETWEEN

……...…….APPLICANT

AND

……RESPONDENT (Procuring Entity)

Request for review of the decision of the…… (Name of the Procuring Entity of ……dated the…day of …….20…….in the matter of Tender No……..…of ……..20….. 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 of ……....20……

SIGNED

Board Secretary