



REPUBLIC OF KENYA

**HOMA BAY
COUNTY GOVERNMENT
OFFICE OF THE GOVERNOR**
HOMA BAY COUNTY HEADQUARTERS
P.O.BOX 469-40300 HOMA BAY – KENYA
E:governor@homabay.go.ke
www.homabay.go.ke



HOMA BAY COUNTY

PREQUALIFICATION NOTICE

NO.	TENDER REF. NO	TENDER DESCRIPTION
1	HB/CTY/OG/01/2019-2020	PROVISION OF LEGAL SERVICES

Homa Bay County Government (“hereinafter referred to as the COUNTY”) invites sealed applications from competent firms for Provision of Legal Services for the years 2019-2020. Interested eligible Law firms are invited to apply for prequalification.

Interested eligible firms should obtain tender documents at the **Homa Bay County Government, Procurement Department, County Headquarters Bld., 1st FLOOR**, during normal working hours upon payment of non-refundable fee of one thousand Kenya shillings. Complete set of tender documents can also be downloaded from the County website www.homabay.go.ke

REQUIREMENTS:

Bidders MUST submit copies of the following

- a) Current Practising Certificate
- b) PIN Certificate
- c) VAT Registration Certificate
- d) Tax Compliance Certificate
- e) Certificate of Registration/Incorporation
- f) Audited accounts for the past four years
- g) Certificate of Clear from Ethics & Anti-Corruption Commission for Partner(s)
- h) Certificate of Clearance from Credit Reference Bureau for Partner(s) / Associates
- i) Inspection Certificate from Law Society of Kenya

Complete Tender documents in plain sealed envelopes indicating Tender Number and Tender description as described in the tender document should be deposited in the Tender Box at the entrance of Homa Bay County Headquarters Office, or be addressed and sent by post/courier services to:-

**Director of Procurement
Homa Bay County Government
P.O. Box 469 - 40300
Homa Bay, Kenya**

So as to be received not later than **THURSDAY 14TH DECEMBER 2018, AT 11:00 AM.**

Bids will be opened immediately thereafter at the County Executive Committee Boardroom, County Headquarters in the presence of bidders or representatives of law firms who choose to attend.

PETER OYOO
DIRECTOR OF PROCUREMENT

INSTRUCTIONS TO TENDERERS

1. (a) Introduction

The County Government of Homa Bay shall pre-qualify and enlist prospective bidders for the Provision of Legal Services from among law firms that will have submitted their bids in accordance with the pre-qualification requirements described herein. The scope of work shall be to render such services of Legal nature as may be requested by the County from time to time through a **Letter of Instruction**.

The prequalification Tender documents and the Tender's response thereof shall be the basis for prequalification. Bidders must familiarize themselves with the requirements described in these documents, including all attachments, and take them into account while preparing their bids.

The County shall not bind itself for the provision any service but shall endeavour to ensure that the prequalified bidders are treated equitably.

It is the County's policy that the bidders observe the highest standards of ethics during selection and execution of such a contract. Any corrupt or fraudulent practice will lead to automatic disqualification or cancellation of the contract.

(b) Terms of Reference / Scope of Legal Services

The legal services being procured include but not limited to: constitutional matters, matters relating to devolution, procurement, and disposal law, International Tax and Trade Law, Public Private Partnerships, Labour Law, Company Law, Commercial Law Civil Litigation, Alternative Dispute Resolution and Practice, Corporate Law, Contracts, **Legislative Drafting**, Land and Environment Law.

The bidders should attach their Law firm's profiles stating the type of cases handled and their success rate in litigation. The firm's should also provide at least two Government departments where the law firm has handled their matters to conclusion.

c) Experience

The Law firms must have proven experience in their areas of expertise. Prospective applicants must have rendered Legal Services to private, public and Government institutions of similar size and complexity for at least four (4) years. Eligible Law Firms must demonstrate relevant experience in handling matters in various courts namely: Supreme Court, Court of Appeal and High Court (especially E&LRC and ELC).

2. Pre-qualification Instruction

- a. The attached questionnaire forms are to be completed by prospective bidders.
- b. The pre-qualification application forms must be filled and fully signed. **Any incomplete application will lead to immediate dis-qualification.**
- c. Submission of applications for pre-qualification must be received in sealed envelopes, marked as described in the Pre-qualification Notice herein. All the information requested for pre-qualification shall be in the English Language.
- d. It is hereby understood and agreed that the pre-qualification data on a prospective bidder is to be used by the County in determining, according to its sole judgment and discretion, the qualification of the prospective bidder to perform in respect to the required legal services.
- e. Prospective bidders will not be qualified unless in the judgment of the County, they possess capability, experience, qualified personnel available and satisfactorily execute the contract for the services required.

3. Qualification Criteria

- a. **Experience:** - prospective bidder shall have extensive experience in the provision of Legal Services, willingness, competence and capacity to service the contract.
- b. Prospective Law Firms must possess all the mandatory documents as detailed herein.
- c. Applicants should have a **minimum of 4 years experience of active Legal practice.**

d. Financial Status

The Law Firm financial condition will be determined by:-

- Audited accounts for the last four (4) years to demonstrate the soundness of their financial position.
- Latest one year bank statement(s)
- Letter of Reference from the bankers regarding the firm's credit position.
- Clearance Certificate from the Credit Reference Bureau for the Law Firm's **ALL** Partners / Associates.

Eligible Law Firms **MUST** submit these documents and the bidder will be pre-qualified on the satisfactory nature of the information given.

e. Past performance

Past performance will be given due consideration in pre-qualifying bidders.

Letters of reference from past clients should be availed as documentary evidence of contract executed where applicable.

f. Firm's History

The following information should be included:

- a) Period for which the law firm has been in operation
- b) Number of Partners and their standing in the bar.
- c) Number of Associates and their standing in the bar.
- d) Number of paralegal staff (if any)
- e) Number of support staff.
- f) Whether the firm is a member of an international consortium of lawyers or member of international legal bodies e.g. the International Bar association, East Africa Law Society, International Commission of Jurists (ICJ), Commonwealth Bar Association etc. Whether the lawyers have been invited as panelists or speakers in any of these bodies.

g. Litigation

The bidder should provide accurate information on any litigation or arbitration or complaints pending or determined before any Committee or any other Forum against

- (a) Law Firm or any Advocates in the Law firm
- (b) The County, which prospective bidder is handling. The firms should disclose if they are engaged in past or pending litigation against the County and the nature of the litigation to avoid conflict of interest.

The County reserves the right to carry out an independent investigation to verify the accuracy of the information so provided.

h. Facilities

The firm should demonstrate that it possess vital facilities including but not limited to a modern legal library, access to online law reports, computers, internet connectivity and other legal resources.

i. Payment of Fees/Costs

The selection will consider law firms that offer the right balance of value for money as measured by the quality of legal services offered. Estimated budgets of the costs

from the law firms will be encouraged. Law firms will be required to identify ways in which legal costs for any significant or complex cases can be mitigated.

The payment of fees will be based, as may be agreed, either on:

- a) The provisions of the Advocates Remuneration Order
- b) A flat fee for agreed work based on the value of the subject matter; or
- c) Negotiated or cap on the fees.

j. Ability to work closely with the County Legal Office

The selected law firms will be required to work closely with the County Government’s in-house lawyers and legal staff.

k. Monitoring and Evaluation

The Law firms must agree to be monitored through regular County Government satisfaction surveys in order to ensure that they maintain high standards of services and give regular reports to the Head of County Legal Services.

l. Sworn statement

Application must include a sworn statement by the bidder attesting the accuracy of the information given.

m. Pre-qualification Criteria

Required Information	Form Type
1. Registration Documentation	CA - 1
2. Prequalification data	CA - 2
3. Supervisory personnel and experience	CA - 3
4. Financial position	CA - 4
5. Litigation History	CA - 5
6. Confidential Questionnaire	CA - 6
7. Sworn statement	CA – 7

4. Submission, Receipt, and Opening of Proposals

- a. The original and copy of tender shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the firm itself. Any such corrections must be initialed by the persons or person authorized to sign the tender documents.
- b. If there are any discrepancies between the original and the copy of the pre-qualification documents, the original shall govern.

- c. Applicants shall not contact the County on the matter relating to their Pre-qualification Document from the time of opening to the time the evaluation is finalized and official communication is sent to them. Any effort by the Applicant to influence the County before the evaluation will result in the rejection of the application.
- d. From the time the bids are opened to the time the contract is awarded, if any applicant wishes to contact the County on any matter related to the tender, they should do so in writing to the address indicated in the notice.

5 General Terms

5.1 Only firms that have been pre-qualified under this procedure will be invited to provide the services as and when required as aforesaid.

5.2 The County reserves the right to:

- (a) Amend the scope and value of any services to be provided ;
- (b) Reject or accept any application without assigning any reason thereof; and
- (c) Cancel the pre-qualification process and reject all applications.
- (d) The County shall neither be liable for any such actions nor be under any obligation to inform the Applicant of the ground for taking such actions.
- (e) County is not bound to issue a Letter of Instructions or to invite a bid from all or any of the Pre-qualified Law Firms.

6 Evaluation Criteria (Evaluation Categories)

Firms will be categorized in three categories listed hereunder after which detailed evaluation criteria herein below will be applied for each firm under each category separately :-

Category 1 – firms with one partner / associate

Category 2 – firms with two partners / associates

Category 3 – firms with three or more partners

EVALUATION CRITERIA

A. MANDATORY REQUIREMENTS

NO.	EVALUATION REQUIREMENT	CRITERIA/PARAMETER
1.	Copy of Certificate of registration/incorporation	2 marks for document and 0 mark for failure to submit document.
2.	Inspection Certificate from Law Society of Kenya	2 marks for document and 0 mark for failure to submit document.
3.	Copy of firm’s valid Certificate of Tax Compliance.	1 mark for document and 0 mark for none

4.	Copy of firm`s Valid VAT	1 mark for document and 0 mark for none
5.	Copy of PIN Registration Certificates	1 mark for document and 0 mark for none
6.	Clearance Certificate from Anti-corruption and Ethics Commission	1 mark for every Commission certificate for each partner/Associate (maximum of three partners/associates) attached (max of 3marks); 0 mark for non-compliance
7.	Copies of current (2018) Practicing Certificates of Partners and Associate	1 mark each for every Partner/Associate (maximum of three partners/associates) if all current practicing certificates for all are attached (max of 3marks); 0 marks for non-compliance
8.	Clearance Certificate from Credit Reference Bureau (CRB) for all Partners / Associates in the Law Firm	1 mark each for positive reference for maximum of three partners (max of 3 marks); 0 mark for qualified, negative preference or non-compliance
9.	Most recent four years audited Accounts	4 marks for consistent liquidity/stability and 0 mark for inconsistent liquidity
	<p>NB:</p> <ol style="list-style-type: none"> 1. County reserves the right to verify authenticity of any document provided herein 2. Bids that do not contain all the above mandatory requirements will be declared non responsive and shall not be evaluated further. 	

B. DETAILED EVALUATION MATRIX

	Pre-qualification data		Max. score %
1.	Check Firm Profile showing <ol style="list-style-type: none"> a) Number of partners and standing in the bar b) Number of Associates and standing in the Bar c) Number of pupils d) Number of paralegal staff & number of support staff; <p>NB: Attach supporting documents</p>	1 mark per Partner up to a maximum of 3 partners; 1 mark per Associate for a maximum of 3 Associates; 1 mark per pupil up to a maximum of 2; 2 marks for all support staff	10
2.	Firm`s main office and branch network	-If the firm`s main office is within Homa Bay Municipality is 3marks. -A branch office in Homa Bay is 1 mark. -Any other office (main or branch) outside Homa Bay Municipality) is 1	4

		mark.	
	SUPERVISORY PERSONNEL AND PAST EXPERIENCE		
1.	Duly completed supervisory and Experience questionnaire	2 marks for duly completed document and 0 marks for none	2
2.	Experience and Curriculum Vitae of Partners and Associates	If lead partner has over 20 years of standing -8 marks; Between 10-19 years of standing -6 marks; Below 10 years of standing -3 marks; Add 2marks for attached CVs of all Partners and Associates.	10
3.	No. of years the firm served in each of the Firm`s line (s) of specialization including, but not limited to Civil, Traffic and Insurance related matters, Conveyance, Intellectual Property, Labour, Arbitration and others.	8 marks for satisfactory Information; and 0 for Incompleteness	8
4.	No. of years of post-admission experience of the Firm`s partners (other than lead Partner) in handling matter in specified firm`s Specialization	Where 50% of Partners have experience of over 15 years (5marks) 10-14 years (3marks); less than 10 years 0 marks	5
5.	Curriculum Vitae of Associates;	2marks for each CV up to a maximum of three Associates	6
6.	Letter of reference from 5 (5) reputable clients; (listed in part A above) and five (5) Government institution/Parastatal (listed in part A above). Reference letters on client letter heads plus details of contract person;	1 mark for each client letter of reference including the contact person	10

	FINANCIAL POSITION		
1.	Last twelve (12) months current bank statements (up to November 2018) – Office Accounts	5 marks consistent liquidity/stability and 0 marks for negative or inconsistent liquidity	5
2.	List all names of Law Firm`s -bankers -Auditors	1 mark for each name up to a maximum of two (2)	2
3.	Letter of reference from all your Bankers regarding the Law Firm`s credit position	4 marks for a positive reference and 0 marks for a qualified or negative reference	4
4.	Clearance Certificate from Credit Reference Bureau for the Law firm, all	4 marks for positive reference of Firm, all partners and Associates;	4

	Partners and Associates	0 mark for qualified or negative reference for Firm or any of the Partners or Associates	
5.	Threshold of professional Indemnity Cover	Over Kshs. 50 Million – 10 marks Between Ksh 30-50 million –5 marks; Below Kshs 30 Million -0 mark	10
	Confidential questionnaire		
1.	Duly completed Confidential Questionnaire	2 marks for duly completed questionnaire 0 marks for non compliance	2
	LITIGATION HISTORY		
1.	Confirmation of past or pending litigation against the COUNTY handled by the Law Firm, or complaints(s), cases against Law Firm or Law Firm’s Partners / Associates	5 marks if no case; 0 mark if there is present or past case against the COUNTY handled by the Firm, or case / complaint of any nature against any Partners/Associates by the County.	5
	SWORN STATEMENT		
1.	Duly executed sworn statement	2 marks for duly completed sworn statement (Form CA-7); 0 marks for non-compliance	2
	ADDITIONAL BENEFIT		
1.	The Bidder may provide any other Additional benefits(s) it can offer to add value to the COUNTY	Over 5 benefits -6 marks; 3-5 benefits -4marks; 1-2 benefits-2marks and 0 marks for no benefit	6
2	List of five (5) reputable Corporate Clients and Five (5) Governments / Parastatals you have offered Legal Services to in the past Two years.	1 mark if all documents are provided and 0 mark for none or where not all documents are provided	1
3	Letter from Law Society confirming no cases of disciplinary action / complaints of any nature against any/all the partners, associates and other Firm Lawyers Currently pending and/or in the past.	1 mark for document and 0 mark for none	1
4	Proof of physical address i.e. signed lease or signed Letter of offer etc.	1 mark for document and 0 mark for none	1
5	Declaration that the firm has not been debarred under the Public Procurement & Disposal Act 2005	1 mark for statutory Declaration under PP&DA (2005) and 0 marks for none	1
6	Proof of valid professional indemnity Cover of Kshs. 30 million and above	1 mark for document and 0 mark for none	1
Total			100%

NOTE:

1. Evaluation of bids will be conducted based on the tenders` response to compliance with the evaluation criteria.
2. Tenders scoring 80% and above on Part B (Detailed Evaluation matrix) will be pre-qualified
3. The applicant shall submit documents that are current and valid. All documents submitted as copies should be certified as true copies of originals.
4. The COUNTY will examine all applications to determine completeness, general orderliness, and sufficiency in responsiveness. Ensure all the forms have a company stamp.
5. The pre-qualification does not amount to any contractual obligation. The COUNTY shall however endeavor to ensure that pre-qualified firms are treated equitably when opportunities arise.
6. Information relating to evaluation and recommendations concerning pre-qualification shall not be disclosed to the applicants until the pre-qualified firms have been advised accordingly.

7 Sealing and making of Bids.

The inner envelopes should be clearly marked as follows:

ORIGINAL TENDER	A	HB/CTY/OG/01/2019-2020
COPY OF TENDER	B	HB/CTY/OG/01/2019-2020

The envelopes shall then be sealed in an outer envelope. The inner and outer envelope shall be addressed to:

**Director of Procurement
Homa Bay County Government
P.O. Box 469 -40300
Homa Bay.**

Letter of Application

(Letterhead paper of the Applicant, full postal address,
telephone no., fax, email address, and cable address)
Date:

To: **Director of Procurement
Homa Bay County Government
P.O. Box 469 – 40300
Homa Bay**

Dear Sir,

1. Being duly authorized to represent and act on behalf of hereinafter referred to as “the Applicant”), and having reviewed and fully understood all the pre-qualification information provided, the undersigned hereby apply to be pre-qualified by yourselves to render such Legal Services to Homa Bay County Government as and when the need arises.
2. Attached to this letter are copies of original documents arranged in the following order:
 - (a) CA-1: Registration documents –(Mandatory)
 - (b) CA-2: Pre-qualification Data duly filled
 - (c) CA-3: Experience of the personnel of the law firm form dully filled with adequate and necessary evidence.
 - (d) CA-4: Law Firm’s financial details and Professional Indemnity Cover
 - (e) CA-5: Litigation History
 - (f) CA-6: Confidential Business questionnaire
 - (g) CA-7: Sworn statement
 - (h) Any other requirement as applicable (refer to the Evaluation Matrix for guidance) e.g. firms profile, copies of admission certificates of all Lawyers, Inspection Certificate and Clearance Certificate from Law Society of Kenya, Credit Reference Bureau, firm’s statutory declaration that firm has not been barred under Public Procurement and Disposal Act 2005, proof of valid indemnity cover etc.
3. The COUNTY and its authorized representatives reserve the right to conduct any enquiries or investigations to verify the statements, document, and information submitted in connections with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and requested by yourselves to verify statement and information provided in this application, or which regard to the resources, experience and competence of the Applicant.
4. The COUNTY and its authorized representatives may contact the following persons for further information:-

General and managerial enquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Personnel inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Technical inquires	
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Contact 1	Telephone 1
Contact 2	Telephone 2

Financial enquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

5. This application is made in the full understanding that:
- (a) Before engagement of pre-qualified applicants, the COUNTY is entitled to carry out verification of all information submitted for pre-qualification;
 - (b) The COUNTY reserves the right to:
 - Amend the scope of value of any contract.
 - Select the firms to be invited to offer services and submit proposals;
 - Reject and accept any application ; and
 - Cancel the pre-qualification process and reject all applications.

The COUNTY shall neither be liable for any such actions nor be under obligation to inform the Applicant of the grounds for them.

The COUNTY is not bound to issue Letters of Instructions to all or any of the Pre-qualified Law Firms.

- 6. We confirm that in the event that a letter of instruction is served on any Law Firm, the resulting agreement will be signed and will be legally binding.
- 7. The undersigned declare that the statements made and the information provided in this Tender is true.

Signed
Name
In the capacity of
For and on behalf of(name of Applicant)
Official seal/stamp of the Applicant

REGISTRATION DOCUMENTATION

These mandatory registration/statutory documents shall be provided by all the bidding firms:

- i. Copy of the Certificate of Registration of the Firm
- ii. Inspection Certificate from Law Society of Kenya
- iii. Clearance certificate from Anti Corruption Ethics Commission
- iv. Copy of current Tax Compliance Certificate from Kenya Revenue Authority for the firm. The validity will be verified using the KRA checker.
- v. Copies of PIN certificate and VAT registration certificate for the firm
- vi. Proof of **firm`s** physical address i.e. signed valid agreement for lease or accepted letter of Lease or Agreement or proof of ownership of business premises.
- vii. Letters from the Law Society confirming that all the lawyers of the Firm have no pending or have not in the past had disciplinary action against them.
- viii. Sworn statutory declaration that the firm has not been debarred under the Public Procurement and Disposal Act, 2005.
- ix. Copies of admission and practicing certificate of all Partners and Associates.
- x. Proof of valid indemnity cover for Legal Services as indicated in this Tender document.
- xi. Clearance certificate from Credit Reference Bureau for all Partners and the Associates in the Law Firm.

NB: Failure to submit any of the above mandatory requirements will lead to **Automatic Disqualification.**

FORM CA - 2

PRE-QUALIFICATION DATA SUPPLIER INFORMATION

Legal name of firm

Post office addressCODE.....

Road / Street

City / Country

Land Line Telephone No.(s)

Person to contact

Cell Phone No.

2. Organization & Business information Partnership (if Applicable)

.....

Names of Partners

.....

.....

-

3. Branches of firm (if any)
-

4. Under present management since
5. Bank reference and Address
6. Enclosed copy of the firm profile indicating details of the partners, associates and other support staff and also indicating main fields of practice.

FORM CA -3

SUPERVISORY PERSONNEL AND PAST EXPERIENCE

- A.** Attach copies of detailed curriculum vitae of all Partners and all Associates in the firm.
- B.** Names of at least ten (10) reputable corporate clients dealt with in the past three (3) years, at least five (5) of which must be from Government bodies or from Parastatals, Non Governmental Organizations, Community Based Organizations or Faith Based Organizations.
- 1. i.** Name of client (Organization)
- ii.** Address
- iii.** Telephone No.
- iv.** Contact Person
- 2. i.** Name of client (Organization)
- ii.** Address
- iii.** Telephone No.
- iv.** Contact Person
- 3. i.** Name of client (Organization)
- ii.** Address
- iii.** Telephone No.
- iv.** Contact Person
- 4. i.** Name of client (Organization)

- ii. Address
 - iii. Telephone No.
 - iv. Contact Person
5. i. Name of client (Organization)
- ii. Address
 - iii. Telephone No.
 - iv. Contact Person

NB: applicants shall attach current dated (not older than one month) letters of recommendation from clients listed above.

FORM CA -4

FINANCIAL STATEMENT & PROFESSIONAL INDEMNITY COVER

Attach the following:-

1. Two (2) copies of the firm`s bank statement for the past twelve months (Applicants to separate/ differentiate Office bank account from Client bank account)
2. Proof of professional Indemnity Cover for at least Kshs 30 million and above.
3. Certified Copies of the last four years Audited Accounts.
4. Name, address, telephone, fax email contacts and name, title of the contact person for your banker(s) and your Auditor.
5. Letter for the Banker on credit worthiness of Law Firm.

FORM CA -5

LITIGATION HISTORY

Name _____
 Applicant: _____

Applicant should provide information on:-

Physical Address: Town

Building Floor

Plot No. Street / Road

Postal Address Postal/ Country Code:.....

Telephone No`s Fax No`s

Email Address

Website

Contact Person (*full names*)*Direct/Mobile No`s*

TitlePower of Attorney (**Yes /No**), if **Yes**, attach written documents

Nature of business

--

Value of largest single assignment you have undertaken to date (**US\$ or Kshs**).....

Was this successfully undertaken? **Yes/No**..... If **Yes**, attach reference)

Name(s) of your banker(s).....

Branche(s) Tel No`s.....

Part 2 (a) – Sole Proprietor

Full names

Nationality Country of Origin.....

*Citizenship Details

Company Profile(Attach brochures or annual reports in case of Public Companies)

Part 2 (b) – Partnerships

Give details of partners as follows:

<u>Full Names</u>	<u>Nationality</u>	<u>Citizenship Details</u>	<u>Shares</u>
1.
2.
3.
4.

Company profile(Attach brochures)

Part 2 (c) – registered company

Private or Public
Company Profile (Attach brochure or annual reports in case of Public Companies, state the nominal and issued capital of the Company)
Nominal capital in Kshs.....
Issued capital in Kshs
List of top shareholders and distribution of shareholding in the company (max of 5 shareholders)

<u>Full Names</u>	<u>Nationality</u>	<u>Citizenship Details</u>	<u>Shares</u>
1.
2.
3.
4.
5.

Part 2 (d) – Debarment

I/We declare that I/We have not been debarred from any procurement process and shall not engage in any fraudulent or corrupt acts with regards to this tender or any other tender by the COUNTY and any other Public or Private institutions.

Full Names

Signature

Dated this Day of2018

In the capacity of

Duly authorized to sign tender for and on behalf of

Part 2 (e) – Non-conviction for Professional misconduct

I/We, (Name(s) of Director (s)):-

- a).....
- b)
- c)
- d)

have not been convicted of any offence relating to professional misconduct or the making of false statements or misrepresentations as to qualifications to enter into a procurement contract within a period of three (3) years preceding the commencement of this procurement.

Signed
For and on behalf of M/S
In the capacity of
Duly authorized to sign tender for and on behalf of
Dated this Day of2018

Suppliers` / Company`s Official Rubber Stamp

Part 2 (f) – Conflict of Interest

I/We, the undersigned state that I/We have no conflict of interest in relation to this procurement:

- a).....
- b)
- c)
- d)

For and on behalf of M/S
In the capacity of
Duly authorized to sign tender for and on behalf of
Dated this Day of2018

Suppliers` / Company`s Official Rubber Stamp

Part 2 (g) – Interest in the Firm:

Is there any person / persons in the COUNTY or any other Public institutions who has interest in the Firm? Yes/No?.....(Delete as necessary).

If yes, state the name of the person

.....
(Name)

.....
(Signature)

Part 2 (h) – Experience

Please list herebelow similar nature of provision of legal services your firm has offered to corporate clients in the last three (3) years

<u>Company Name</u>	<u>Country</u>	<u>Contract/ Order No</u>	<u>Value</u>
1.
2.
3.

Contact person (Full Names) Email Address
Cell Phone No.(Notes: The person should be at the level of

director)*Attach certified copies of the following documents

- a) Previous orders from companied supplied before
- b) Certificate of Incorporation/ Registration
- c) Tax Compliance Certificate (for local suppliers)
- d) VAT certificate (for local suppliers)
- e) Audited financial statement s /Accounts for the last four (4) years
- f) Valid Trade License (for local suppliers)
- g) The power of Attorney

***the above documents should be submitted if they are applicable to bidder.**

Part 2 (i) – Declaration

I/We, the undersigned state and declare that the above information is correct and I/We give Postal Corporation of Kenya authority to seek any other references concerning my/our company from whatever sources deemed relevant e.g. Office of the Registrar of companies, Bankers, etc

Full Names

Signature

Dated this Day of2018

In the capacity of

Duly authorized to sign tender for and on behalf of

Suppliers` / Company`s Official Rubber Stamp.....

FORM CA -7

SWORN STATEMENT

Having studied the pre-qualification information for the above project We/I hereby state that:

- a) The information furnished in on our application is accurate to the best of our knowledge.

b) That in case of being pre-qualified we acknowledge that this grants us the right to participate in due time in the submission of tenders or quotation (s) on the basis of provision in the quotation or tender documents.

Applicant Firm's Name:

.....

Represented by:

.....

Designation:

.....

Signature (and firm's Stamp)

IN THE PRESENCE OF COMMISSIONER FOR OATHS

_____ (Stamp and Date)

ANTI-CORRUPTION DECLARATION/COMMITMENT/PLEDGE

(In the matter of Public Procurement Sections 40, 41 & 42 of the PPDA Act 2005)

I/We/M/s

of P.O. Boxdeclare that I/We recognize that Public Procurement is based on a free, fair and competitive tendering process which should not be open to abuse.

I/Wedeclare that I/We will not offer or facilitate, directly or indirectly, any inducement or reward to any member of the Executive, Management and/ staff of the COUNTY GOVERNMENT OF HOMA BAY in connection with Tender No. for the PROVISION OF LEGAL SERVICES or in the subsequent performance of the contract if I am / we are successful.

Declaration made by Lead Partner or Authorized Representative

Name

Designation

Signature Date.....

Declared at

Before me

Name

Signature..... Date

COMMISSIONER FOR THE OATHS (STAMP)