

FIRST SCHEDULE
THRESHOLD MATRIX

THRESHOLDS MATRIX FOR CLASS A PROCURING ENTITIES

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
International Open tender (s 71 of the Act)	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	The Accounting Officer	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
National Open tender (s 54(2) of the Act)	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	When using this method the minimum expenditure that requires advertising is KES. 6,000,000/- below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES. 6,000,000 below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES. 3,000,000 below which may use alternative advertising methods	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Restricted tender Under s 73(2) of the Act	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
	The minimum level of expenditure is KES. 2,000,000 below this threshold use request for quotations	The minimum level of expenditure is KES. 4,000,000 below this threshold use request for quotations	The minimum level of expenditure is KES. 2,000,000 below this threshold use request for quotations	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Request for proposals (s 76(1) of the Act)	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Direct Procurement under s 74(2) and (3) of the Act	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee or Procurement committee where expenditure is below KES. 500,000	The Accounting Officer or Head of the User Department where expenditure is below KES. 500,000	Evaluation, negotiations, inspection and acceptance committee
Request for quotations (s 88 of the Act)	Maximum level of expenditure under this method is KES. 2,000,000	Maximum level of expenditure under this method is KES. 4,000,000	Maximum level of expenditure under this method is KES. 2,000,000	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	Minimum level of expenditure under this method is KES. 30,000 per procurement per item	Minimum level of expenditure under this method is KES. 50,000 per procurement per item	Maximum level of expenditure under this method is KES. 30,000 per procurement per item	Head of the User Department	Procurement committee where expenditure is below KES. 500,000	Head of the User Department where expenditure is below KES. 500,000	Evaluation, negotiations, inspection and acceptance committee
Low value procurement(s 90 of the Act)	Maximum level of expenditure under this method is KES. 30,000 per procurement per item	Maximum level of expenditure under this method is KES. 50,000 per procurement per item	Maximum level of expenditure under this method is KES. 30,000 per procurement per item	Head of the User Department	User Department	The Head of the Procurement Unit	Stores officer
	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	Head of the User Department	User Department	The Head of the Procurement Unit	Stores officer

THRESHOLDS MATRIX FOR CLASS B PROCURING ENTITIES

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
International Open tender (s 71 of the Act)	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	The Accounting Officer	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee.
National Open tender (s 54(2) of the Act)	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	When using this method the minimum expenditure that requires advertising is KES 5,000,000/- below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES 5,000,000/- below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES 3,000,000/- below which may use alternative advertising methods	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Restricted tender Under s. 73 (2) of the Act	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender Committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	The minimum level of expenditure is KES 1,500,000 below this threshold use request for quotations	The minimum level of expenditure is KES 3,000,000 below this threshold use request for quotations	The minimum level of expenditure is KES 1,500,000 below this threshold use request for quotations	Head of the User Department	Tender Committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Request for proposals s 76(1) of the Act	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Request for quotations (s 88 of the Act)	Maximum level of expenditure under this method is KES 1,500,000	Maximum level of expenditure under this method is KES 3,000,000	Maximum level of expenditure under this method is KES 1,500,000	Head of the User Department	Tender committee or Procurement committee where	The Accounting Officer or Head of the User	Evaluation, negotiations, inspection and acceptance

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method		expenditure is below KES 500,000	Department where expenditure is below KES 500,000	
Direct procurement Under s. 74 (2) and (3) of the Act.	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee or Procurement committee where expenditure is below KES 500,000	The Accounting Officer or Head of the User Department where expenditure is below KES 500,000	Evaluation, negotiations, inspection and acceptance committee
Low value procurement (s 90 of the Act)	Maximum level of expenditure under this method is KES 10, 000/- per procurement per item	Maximum level of expenditure under this method is KES 10, 000/- per procurement per item	Maximum level of expenditure under this method is KES 10, 000/- per procurement per item	Head of the User Department	User department	The Head of the Procurement Unit	Stores officer

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	Head of the User Department	User department	The Head of the Procurement Unit	Stores officer

THRESHOLDS MATRIX FOR CLASS C PROCURING ENTITIES

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Informational Open tender (s 71 of the Act)	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	The Accounting Officer	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
National Open tender (S54 (2) of the Act)	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
	When using this method the minimum expenditure that requires advertising is KES 4,000,000/- below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES 4,000,000/- below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES 2,000,000/- below which may use alternative advertising methods	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Restricted tender Under 73 (2) of the Act	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
	The minimum level of expenditure is KES 500,000. Below this threshold request for quotations	The minimum level of expenditure is KES 500,000. Below this threshold request for quotations	The minimum level of expenditure is KES 500,000. Below this threshold request for quotations	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Request for proposals (s. 76(1) of the Act)	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Request for quotations (s 88 of the Act)	Maximum level of expenditure under this method is KES 500,000	Maximum level of expenditure under this method is KES 500,000	Maximum level of expenditure under this method is KES 500,000	Head of the User Department	Tender committee or Procurement committee where expenditure is below KES.100,000	The Accounting Officer or Head of the User Department where expenditure is below KES.100,000	Evaluation, negotiations, inspection and acceptance committee
Direct procurement Under 74 (2) and (3) of the Act.	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	The Accounting Officer Head of the User Department initiates procurement whose expenditure is below KES. 200,000	Tender committee Procurement committee awards for procurement whose expenditure is below KES. 200,000	The Accounting Officer or Head of the User Department where expenditure is below KES. 200,000	Evaluation, negotiations, inspection and acceptance committee

Procurement Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Low value procurement (s 90 of the Act)	Maximum level of expenditure under this method is KES 5,000 per procurement per item	Maximum level of expenditure under this method is KES 5,000 per procurement per item	Maximum level of expenditure under this method is KES 5,000 per procurement per item	Head of the User Department	User Department	The Head of the Procurement Unit	Stores officer
	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	Head of the User Department	User Department	The Head of the Procurement Unit	Stores officer

6. The Fourth Schedule of the principal Regulations is amended by deleting Part II and substituting therefor the following new Part -

Part II

FEES FOR REVIEWS

1. Administrative fee KES 5,000

2. Upon filing a request for review, the fees payable shall be as follows-

Amount of Tender	Fees
1. Tenders of Ascertainable Value	
(a) Does not exceed KES. 2,000,000	1% subject to a minimum of KES. 20,000/-
(b) Exceeds KES. 2,000,000/- but not over KES. 50,000,000/-	The fees for KES. 2,000,000 plus an additional fee of 0.25% on the amount above KES. 2,000,000
(c) Exceeds KES. 50,000,000/-	The fees for tender sum of KES. 50,000,000 plus an additional fee of 0.025% on the amount above KES. 50,000,000/- subject to a maximum fee of KES. 200,000/-
2. Pre-qualification and other Unquantified Tenders	KES. 40,000/-
(i) Any other Tenders	Subject to a minimum of KES. 20,000/- and a maximum of KES. 40,000/-
3. Upon request of an adjournment to a party by the Board	KES. 10,000/-
4. Filing preliminary objection	KES. 5,000/-
5. Fee to accompany the review of Director General's order (s.106 (3))	KES. 40,000/-
6. Filing fees on each request for a review on debarment order (s. 117(3))	KES. 40,000/-
7. The Secretary may demand additional fee if the fee paid at the time of filing is less than that ascertained to be chargeable.	

Made on the 18th June, 2013.

HENRY ROTICH,
Cabinet Secretary for the National Treasury.