



TENDER DOCUMENT
FOR
DISPOSAL OF MOTOR VEHICLES & PHOTOCOPIERS

TENDER NO. PPOA/14/2015-2016

SUBMISSION DEADLINE

06th April 2016

**10TH FLOOR, NATIONAL BANK BUILDING, HARAMBEE AVENUE
P.O. BOX 58535 – 00100 TEL: +254 02 3244000**

NAIROBI, KENYA.

E-mail: info@ppoa.go.ke

Website: www.ppoa.go.ke

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Abbreviations and Acronyms

CDS	Contract Data Sheet
EACC	Ethics and Anti Corruption Commission
GCC	General Conditions of Contract
ITF	Invitation for Tender
ITT	Instructions to Tenderers
OIT	Open International Tender
ONT	Open National Tender
PE	Procuring Entity
PIN	Personal Identification Number
PPARB	Public Procurement Administrative Review Board
PPDA 2005	Public Procurement and Disposal Act, 2005
PPDR 2006	Public Procurement and Disposal Regulations, 2006
PPOA	Public Procurement Oversight Authority
PPOAB	Public Procurement Oversight Advisory Board
RFQ	Request for Quotation
SOR	Statement of Requirements
SP	Service Provider
STD	Standard Tender Documents
TDS	Tender Data Sheet
VAT	Value Added Tax



PUBLIC PROCUREMENT OVERSIGHT AUTHORITY

Transforming Procurement

Telephone: +254(020) 3244000, 2213106, 2213107
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National Bank Building, 10th Floor
Harambee Avenue
P.O. Box 58535-00200
NAIROBI
KENYA

When replying please quote:

INVITATION TO TENDER

TENDER NO. PPOA/14/2015-2016: DISPOSAL OF MOTOR VEHICLES & COPIERS

The Public Procurement Oversight Authority invites sealed tenders from eligible candidates to purchase motor vehicles on 'as is and where is' basis. The disposable items are further described as follows:

Motor Vehicles

Car Registration	Car Make and Model	General Details	Valuation Kshs	Condition
KAW 960Z	Mercedes Benz Elegance Saloon Car E200K	i. Year of Manufacture: 2007 ii. Registration Date: 10-July-2007 iii. Mileage: 17,210 Kms iv. Rating: 1796cc v. Fuel: Petrol vi. Duty Paid vii. Colour: Silver	1,850,000	Serviceable
KAY 036V	Mitshubishi K74 Double Cabin Van	i. Year of Manufacture: 2006 ii. Registration Date: 9-July-2007 iii. Mileage: 068133 Kms iv. Rating: 2500cc v. Fuel: Diesel vi. Duty Paid vii. Colour: Silver	750,000	Serviceable
KAW 961Z	Nissan X-trail Station wagon	i. Year of Manufacture: 2007 ii. Registration Date: 09-July-2007 iii. Mileage: 110,894 Kms iv. Rating: 2498cc v. Fuel: Petrol vi. Duty Paid vii. Colour: T/Grey	1,094,621	Serviceable

Photo Copiers

Item	Make	Details	Valuation (Kshs)	Condition
Photocopier	Kyocera 8030	Sno. AJK 3004006	160,463.22	Serviceable
Photocopier	Toshiba -E-Studio 600	Sno. CQA 614143	150,559.53	Serviceable
Photocopier	Kyocera 8030	Sno. AJH 3003986	160,463.22	Serviceable
Photocopier	Kyocera 8030	Sno. AJH 3003990	160,463.22	Serviceable

Interested eligible candidates may download the bid document from *the PPOA website* www.ppoa.go.ke or from the IFMIS *website* supplier.treasury.go.ke **FREE OF CHARGE**. The disposable items may be viewed upon arrangements with Mr. James Kihara or Mr. Mwangi Gitonga or Jibril Ahmed of PPOA 10th Floor.

Completed tender documents must be enclosed in plain sealed envelopes marked as “TENDER NO. PPOA/12/2015-2016 for the DISPOSAL OF MOTOR VEHICLES & COPIERS” addressed to The Director-General, Public Procurement Oversight Authority, P. O. Box 58535 – 00200, NAIROBI and should be deposited in the Tender Box located at 10th Floor, NBK Building, Harambee Avenue during normal working hours so as to be received on or before, 06th April, 2016 at 10.00 a.m.

Tenders will be opened immediately thereafter in the presence of the tenderers representatives who choose to attend the opening at the Board Room, 10th floor, National Bank Building, Harambee Avenue.

All Tenders must be filled in accordance with the Instructions to Tenderers. Prices quoted must be net, must be in Kenya Shillings and should remain valid for 120 days after date of tender opening/ closing of the tender.

**DIRECTOR GENERAL
PUBLIC PROCUREMENT OVERSIGHT AUTHORITY**

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SECTION II-INSTRUCTION TO TENDERERS

2.1 Eligible Tenderers

2.1.1 This Invitation for Tenders is open to all tenderers eligible as described in the **TDS**.

2.1.2 PPOA's employees, committee members, board members and their relatives (spouse and children) are not eligible to participate in the tender **unless where specifically allowed under section 131 of the Act.**

2.2 Cost of Tendering

2.2.1 The tenderer shall bear all costs associated with the preparation and submission of its tender, and PPOA, shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the disposal process.

2.2.2 The tender document shall be down loaded from *the PPOA website* www.ppoa.go.ke or from the IFMIS *website* supplier.treasury.go.ke **FREE OF CHARGE**

2.2.3 PPOA allows the tender document to be viewed free of charge from the above indicated websites before submission.

2.3 The Tender Document

2.3.1 The tender document which should be read in conjunction with any addenda issued in accordance with ITT comprises the documents listed below and any addenda issued in accordance with clause 2.5 of **TDS**.

- a) Invitation to tender
- b) Instructions to tenderers
- c) Schedule of items
- d) Conditions of Tender
- e) Tender Forms:
 - (i) Form of tender
 - (ii) Confidential Business questionnaire Form
 - (iii) Tender deposit form
 - (iv) Letter of notification of award to successful bidder
 - (v) Letter of notification of award to the unsuccessful bidders
 - (vi) Integrity declaration form
 - (vii) Non-debarment statement
 - (viii) Request for Review Form- RB1

2.3.2 The tenderer is expected to examine all instructions, forms and terms in the tender documents. Failure to meet all the requirements of the tender will be at the tenderer's risk and may result in the rejection of its tender.

2.4 Clarification of Documents

2.4.1 A prospective tenderer requiring any clarification of the tender document may notify PPOA in writing or by post at the entity's address indicated in the **TDS**. PPOA will respond in writing to any request for clarification of the tender documents, which it receives not later than SEVEN (7) days prior to the deadline for the submission of tenders, prescribed by PPOA.

2.4.2 Written copies of the Procuring entities response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers that have purchased the tender document.

2.4.3 PPOA shall reply to any clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.

2.5 Amendment of Documents

2.5.1 At any time prior to the deadline for submission of tenders, PPOA, for any reasons, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tender documents by issuing an addendum.

2.5.2 All prospective candidates that have received the tender documents will be issued with the addendum in writing or by post and will be binding on them.

2.5.3 In order to allow prospective tenderers reasonable time in which to take the addendum into account in preparing their tenders, PPOA, at its discretion, may extend the deadline for the submission of tenders.

2.6 Tender Prices and Currencies

2.6.1 The tenderer shall indicate on the appropriate Price Schedule the unit prices and total tender price of the items it proposes to purchase under the contract

2.6.2 Prices quoted by the tenderer shall be fixed during the tender validity period and not subject to variation on any account. A tender submitted with an adjustable price quotation will be treated as non responsive and will be rejected

2.6.3 The Price quoted shall be in the currency specified in the **TDS**

2.7 Tender deposit

2.7.1 The tenderer shall provide a deposit for every item tendered for. The amount and form of the deposit is as specified in the **TDS**.

2.7.2 Failure to deposit the required amount for any item tendered for will lead to disqualification of the bid except for reservation groups.

2.7.3 Unsuccessful Tenderer's tender deposit will be discharged or returned as promptly as possible as but not later than Seven (7) days after the expiration of the period of tender validity prescribed by PPOA.

2.7.4 The successful Tenderer's tender deposit will be credited to his bid price so that it forms part of the amount of the bid and the tender will be required to pay the bid price less the deposit security.

2.7.5 The tender deposit may be forfeited:

- a. if a tenderer withdraws its tender during the period of tender validity specified Clause 2.8 of the ITT.

- b. in the case of a successful tenderer, if the tenderer fails to pay the balance of the bid price within the specified period.

2.8 Validity of Tenders

2.8.1 Tenders shall remain valid for **120 days** or as specified in the **TDS** after date of tender opening prescribed by PPOA, pursuant to paragraph 2.10 Tender valid for a shorter period shall be rejected by PPOA as non responsive.

2.8.2 In exceptional circumstances, PPOA may solicit the Tenderer's consent to an extension of the period of validity. The request and the responses thereto shall be made in writing. The tender deposit provided under paragraph 2.7 shall also be suitably extended. A tenderer may refuse the request without forfeiting its tender deposit. A tenderer granting the request will not be required nor permitted to modify its tender.

2.9. Viewing of Tender Items

2.9.1 Prospective bidders are advised to view the items, stores/equipment in liaison with PPOA before they bid for each lot. This will enable them to arrive at the most reasonable and competitive bids. Bids are based on AS WHERE IS CONDITION and the conditions of the items are not warranted by the seller.

2.10 Sealing and Marking of Tenders

2.10.1 The tenderer shall seal the tender and mark it with the number and name of the tender and **"DO NOT OPEN BEFORE, 06th April, 2016 at 10.00 a.m.**

2.11 Deadline for Submission of Tenders

2.10.2 2.11.1. Tenders must be received by PPOA at the address specified in the **TDS** not later than **06th April, 2016 at 10.00 a.m.**

2.11.2 PPOA may, at its discretion, extend this deadline for the submission of tenders by amending the tender documents in accordance with paragraph 2.5 in which case all rights and obligations of PPOA and tenderers previously subject to the deadline will thereafter be subject to the deadline as extended.

2.12 Modifications And Withdrawals Of Tenders

2.12.1 Modification of tenders

2.12.1.1 The tenderer may modify or withdraw its tender after the tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by PPOA prior to the deadline prescribed for submission of tenders.

2.12.1.2 The Tenderer's modification or withdrawal notice shall be prepared, sealed, marked, and dispatched in accordance with the provisions of paragraph 2.9.1. A withdrawal notice may also be sent by fax but followed by a signed confirmation copy, postmarked not later than the deadline for submission of tenders.

2.12.1.3 No tender may be modified after the deadline for submission of tenders

2.12.2 Withdrawals and tenders

2.12.2.1 No tender may be withdrawn in the interval between the deadline for submission of tenders and the expiration of the period of tender validity specified by the tenderer. Withdrawal of a tender during this interval may result in the tenderer's forfeiture of its tender deposit, pursuant to paragraph 2.7.5

2.13 Opening of Tenders

2.10.3 PPOA will open all tenders in the presence of tenderers' representatives who choose to attend at 2.11.1. Tenders must be received by PPOA at the address specified in the **TDS** not later than **06th April, 2016 at 10.00 a.m.**

2.13.1 . and in the location specified in the invitation to tender. The tenderers or representatives who are present shall sign a register evidencing their attendance.

2.13.2 The tenderers' names, tender modifications or withdrawals, tender prices, and the presence or absence of requisite tender deposit and such other details as PPOA, at its discretion, may consider appropriate, will be announced at the opening.

2.13.3 PPOA will prepare minutes of the tender opening.

2.14 Clarification of tenders

2.14.1 To assist in the examination, evaluation and comparison of tenders PPOA may, at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.

2.14.2 Any effort by the tenderer to influence PPOA in PPOA's tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

2.15 Evaluation and Comparison of Tenders

2.15.1 PPOA will examine the tenders to determine whether they are complete, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non responsive, will be rejected by PPOA. Other evaluation parameters are as specified in the **TDS**.

2.15.2 PPOA will evaluate and compare the tenders, which have been determined to be substantially responsive.

2.15.3 The tender evaluation committee shall evaluate the tender within 14 days of the validity period from the date of opening the tender.

2.16 Award Criteria

2.16.1 PPOA will award the contract to the successful tenderer(s) whose tender has been determined to be substantially responsive and has been determined to be the highest evaluated tender, subject to the reserves price.

2.17 Notification of Award

2.17.2 Prior to the expiration of the period of tender validity, PPOA will notify the successful tenderer in writing that its tender has been accepted.

2.17.3 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

2.17.4 In the event the successful bidder fails to pay for the item(s) awarded to it, PPOA shall notify, under Clause 2.17.2, the person who had submitted the second highest.

2.17.5 A Tenderer who claims to have suffered or risks suffering loss or damage or injury as a result of breach of a duty imposed on a Procuring Entity by the PPDA, 2015 or PPDR, 2006 may lodge a Request for Review at the Public Procurement Administrative Review Board.

2.17.6 The Tenderer shall submit an application for review in the number of copies and pay fees as prescribed by regulations within fourteen (14) days of the Tenderer/Tenderer becoming or should have become aware of the circumstances giving rise to the complaint or dispute.

2.17.7 Any application for administrative review shall be submitted in writing to the Secretary, Public Procurement Administrative Review Board on Form RB 1 (which forms part of this bid document, and which may be downloaded from the PPOA website) at the following address:-

The Secretary,
Public Procurement Administrative Review Board,
10th Floor, National Bank House
P.O. Box 58535-00200,
NAIROBI, Kenya.
Tel: +254 (0) 20 324 4000
Email: info@ppoa.go.ke
Website: www.ppoa.go.ke

2.17.8 The format for the application for administrative review shall include:

- i. Reasons for the complaint, including any alleged breach of the PPDA and /or its attendant Regulations;
- ii. An explanation of how the provisions of the aforementioned Act and Regulations in a) or provision has been breached or omitted, including the dates and name of the responsible public officer, where known;
- iii. Statements or other evidence supporting the complaint where available as the applicant(tenderer) considers necessary in support of its request;
- iv. Remedies sought; and
- v. Any other information relevant to the complaint.

2.18 Contacting PPOA

2.18.1 No tenderer shall contact PPOA on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded. Any effort by a

tenderer to influence PPOA in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of the tenderer's tender.

- 2.18.2 A Tenderer who claims to have suffered or risks suffering loss or damage or injury as a result of breach of a duty imposed on a Procuring Entity by the PPDA, 2015 or PPDR, 2006 may lodge a complaint at the Public Procurement Oversight Authority at any time within a tendering or contractual period at the following address:-

The Director General,
Public Procurement Oversight Authority
11th Floor National Bank Building,
Harambee Avenue
P.O. Box 58535-00200
NAIROBI, Kenya.
Tel: +254 (0) 20 324 4000
Fax: +254 (0) 20 2213105, 3244377, 3244277
email: info@ppoa.go.ke, complaints@ppoa.go.ke
Website: www.ppoa.go.ke

TENDER DATA SHEET (TDS) TO INSTRUCTIONS TO TENDERERS

The following information for sale of boarded assets, stores and equipment shall complement, supplement or amend the provisions of the instructions to tenderers. Whenever there is a conflict between the provisions of the instructions to tenderers and the provisions of the **TDS**, the provisions of the **TDS** herein shall prevail over those of the instructions to tenderers.

TDS Clause Number	ITT Clause Number	Amendments of, and Supplements to, Clauses in the Instruction to Tenderers
1	2.1.1	This Invitation for Tenders is open to all tenderers be they individuals, sole proprietors, partnerships, companies or any other form.
	2.2.2	There is no price to be changed for the electronic tender document as contained in the Invitation to Tender.
	2.3.1	The tender document shall be read in conjunction with any addenda.
	2.4.1	A prospective tenderer requiring any clarification of the tender document may notify PPOA in writing or by post at the entity's address: The Director General, Public Procurement Oversight Authority 11 th Floor National Bank Building, Harambee Avenue P.O. Box 58535-00200 NAIROBI, Kenya. Tel: +254 (0) 20 324 4000 Fax: +254 (0) 20 2213105, 3244377, 3244277 email: info@ppoa.go.ke , complaints@ppoa.go.ke
	2.6.3	The Price quoted shall be in Kenya Shillings
	2.7	The tenderer shall provide a refundable deposit of at Kshs. 50,000.00 per vehicle and Kshs. 10,000.00 per Copier in the form of cash deposited or Bankers Cheque payable to the Director General, Public Procurement Oversight Authority, National Bank Ltd, NBK Building, Harambee Avenue, A/C No. 01003006585400. The tender deposit shall be forfeited: a. if a tenderer withdraws its tender during the period of tender validity specified Clause 2.8 of the ITT. b. in the case of a successful tenderer, if the tenderer fails to pay the balance of the bid price within 14 days of award of .
	2.8	Tenders shall remain valid for 120 days .
	2.11	Tenders must be received by PPOA at the following address: Be deposited in the Tender Box located at 10 th Floor, NBK Building, Harambee Avenue during normal working hours or addressed to The Director-General, Public Procurement Oversight Authority, P. O. Box 58535 – 00200, NAIROBI so as to be received on or before 06th April, 2016 at 10.00 a.m.
2	2.15.1	2.16 Evaluation and Comparison of Tenders 2.16.1 PPOA will examine the tenders to determine whether they are complete, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non

		<p>responsive, will be rejected by PPOA. Other evaluation parameters are as specified in the TDS.</p> <p>2.16.2 PPOA will evaluate and compare the tenders, which have been determined to be substantially responsive.</p> <p>2.16.3 The tender evaluation committee shall evaluate the tender within 15 days of the validity period from the date of opening the tender.</p> <p>Evaluation Criteria</p> <p>The following requirements must be met by the tenderer notwithstanding other requirements in the tender document:-</p> <p>a) Mandatory Requirements (MR)</p> <table border="1" data-bbox="537 646 1536 1003"> <thead> <tr> <th data-bbox="537 646 646 751">No.</th> <th data-bbox="646 646 1336 751">Requirements</th> <th data-bbox="1336 646 1536 751">Responsive or Not Responsive</th> </tr> </thead> <tbody> <tr> <td data-bbox="537 751 646 789">MR1</td> <td data-bbox="646 751 1336 789">Must Fill the Price Schedule in the format provided</td> <td data-bbox="1336 751 1536 789"></td> </tr> <tr> <td data-bbox="537 789 646 863">MR2</td> <td data-bbox="646 789 1336 863">Must Fill the Form of Tender in the Format provided</td> <td data-bbox="1336 789 1536 863"></td> </tr> <tr> <td data-bbox="537 863 646 900">MR3</td> <td data-bbox="646 863 1336 900">MUST Fill Tender deposit form</td> <td data-bbox="1336 863 1536 900"></td> </tr> <tr> <td data-bbox="537 900 646 1003">MR4</td> <td data-bbox="646 900 1336 1003">Must provide and attach a Banker's cheque or original bank deposit slip of Kshs. 50,000.00 per vehicle or Kshs. 10,000 per copier</td> <td data-bbox="1336 900 1536 1003"></td> </tr> </tbody> </table> <p>At this stage, the tenderer's submission will either be responsive or non responsive. The non responsive submissions will be eliminated from the entire evaluation process and will not be considered further.</p> <p><i>The contract will be awarded to the person/ firm with the highest financial quote/ bid as indicated in the Form of Tender.</i></p>	No.	Requirements	Responsive or Not Responsive	MR1	Must Fill the Price Schedule in the format provided		MR2	Must Fill the Form of Tender in the Format provided		MR3	MUST Fill Tender deposit form		MR4	Must provide and attach a Banker's cheque or original bank deposit slip of Kshs. 50,000.00 per vehicle or Kshs. 10,000 per copier	
No.	Requirements	Responsive or Not Responsive															
MR1	Must Fill the Price Schedule in the format provided																
MR2	Must Fill the Form of Tender in the Format provided																
MR3	MUST Fill Tender deposit form																
MR4	Must provide and attach a Banker's cheque or original bank deposit slip of Kshs. 50,000.00 per vehicle or Kshs. 10,000 per copier																
Others:		<p>The Car/copier shall only be handed over to the winning Tenderer on completion of payment at the awarded amount.</p> <p>Authorized Representatives and Address. For the Client: Authorized Representative: Mr. James Kihara, Manager, Human Resources & Administration Public Procurement Oversight Authority 11th Floor, National Bank Building, Harambee Avenue P.O. Box 58535 – 00200 NAIROBI Telephone: + 254 (20) 3244000, Facsimile: +254(020) 2213105, 3244377, 3244277 E-mail: kiharakj@ppoa.go.ke</p> <p>For the Tenderer: Authorized Representative:</p>															

SECTION III-SCHEDULE OF ITEMS AND PRICES

PRICE SCHEDULE

Motor Vehicles

Car Registration	Car Make and Model	Quoted Price(Kshs)	Amount of Refundable Deposit	Remarks (Quote cheques or slip)
KAW 960Z	Mercedez Benz Elegance Saloon Car E200K			
KAY 036V	Mitshubishi K74 Double Cabin			
KAW 961Z	Nissan X-trail Station wagon			

Photo Copiers

Item	Make	Details	Quoted Price(Kshs)	Amount of Refundable Deposit	Remarks (Quote cheques or slip)
Copier	Kyocera 8030	Sno. AJK 3004006			
Copier	Toshiba -E- Studio 600	Sno. CQA 614143			
Copier	Kyocera 8030	Sno. AJH 3003986			
Copier	Kyocera 8030	Sno. AJH 3003990			

Authorized Official/Person/Bidder

Name

Signature

date

.....

Stamp.....

SECTION IV-CONDITIONS OF TENDER

- 4.1 A tenderer may tender for each item or each lot and may tender for as many items or lots as he/she wishes.
- 4.2 A tenderer will pay a deposit in advance before the closing date of the tender for each item or lot tendered for as indicated in the schedule of items and prices.
- 4.3 Tenderers who will be awarded any of the items will be required to pay for the items in **7 days** and **not later than 14 days** failure to which the contract award will be cancelled and the deposit forfeited. If there is an administrative review, the review procedures shall be followed.
- 4.4 Tenderers who will not be awarded contracts will be refunded the deposits within fourteen (14) days after notification of the contract awards.
- 4.5 Tenderers will be required to collect the items they have paid for within fourteen **(14) days** after making the payment and completion of release procedures and failure to which storage charges will be charged as indicated in the **CDS** to Conditions of tender.
- 4.6 PPOA will retain confidential reserve prices for all the items. Items tendered for below the reserve price will be retained by PPOA.

Contract Data Sheet to Conditions of Tender

The following information for sale of boarded stores and equipment shall complement, supplement, or amend, the provisions of the conditions of the tender. Whenever there is a conflict between the provisions of the conditions of tender and the provisions of the **CDS**, the provisions of the **CDS** herein shall prevail over those of the conditions of tender.

Clause of the Conditions of tender	Clause of CDS	<i>Particulars of the appendix to Conditions of tender</i>
4.3	Tenderers who will be awarded any items will be required to pay for the items within 14 days but not before 7 days are over after notification of award failure to which the contract award will be cancelled and the deposit forfeited. If there is an administrative review, the review procedures shall be followed.	<i>No storage charges will be charged under this Clause</i>
4.4	Tenderers who will not be awarded contracts will be refunded the deposits within fourteen (14) days after notification of the contract awards.	
4.5	Tenderers will be required to collect the items they have paid for within fourteen (14) days after making the payment and release procedures completed and failure to which storage charges will be charged at a rate of Kshs. 1,000.00 per day	

4.6	The Reserve price is not confidential. PPOA will make a decision on whether to award or not based on the valuation and financial bid/ quote as indicated in the Form of Tender.	
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SECTION V-STANDARD FORMS

Notes on Standard Forms

- 5.1 The form of tender, the confidential business questionnaire form and the tender deposit commitment declaration form must be completed by the tenderers and returned with the tender. Failure to complete any of these forms will lead to the disqualification of the tenderer.

5.1 . FORM OF TENDER

Date: _____
Tender No. _____

To:
.....
[name and address of procuring entity]

Gentlemen and/or Ladies:

1. Having examined the tender documents including Addenda. Nos.[insert numbers]. The receipt of which is hereby duly acknowledged, we the undersigned, offer to purchase and collect all the items offered to us in conformity with the said tender documents for the sum of[total tender amount in words and figures] or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Tender.

2. We undertake, if our Tender is accepted, to pay for and collect the items in accordance with the requirements of the tender.

3. We agree to abide by the tender for a period of[number] days from the date fixed for tender opening of the Instructions to tenderers, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

4. We understand that you are not bound to accept the highest or any tender that you may receive.

Dated this _____ day of _____ 20 _____

[Signature]

[In the capacity of]

Duly authorized to sign tender for and on behalf of _____

5.2. CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

You are requested to give the particulars indicated in Part 1 and either Part 2(a), 2(b) or 2 (c) whichever applied to your type of business

You are advised that it is a serious offence to give false information on this form

<p><i>Part 1 – General:</i></p> <p>Business Name Location of business premises. Plot No..... Street/Road Postal Address Tel No. Fax E mail Nature of Business Registration Certificate No. Maximum value of business which you can handle at any one time – KES. Name of your bankers Branch </p>																												
<p>Part 2 (a) – Sole Proprietor</p>																												
<p>Your name in full Age </p> <p>Nationality Country of origin </p> <p>*Citizenship details</p>																												
<p>Part 2 (b) - Partnership</p>																												
<p>Given details of partners as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 30%;">Name</th> <th style="width: 15%;">Shares</th> <th style="width: 25%;">Nationality</th> <th style="width: 20%;">*Citizenship</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>					Name	Shares	Nationality	*Citizenship	1.	2.	3.	4.
	Name	Shares	Nationality	*Citizenship																								
1.																								
2.																								
3.																								
4.																								

Part 2 (c) – Registered Company

Private or Public

.....

State the nominal and issued capital of company-

Nominal KES.

.....

Issued KES.

.....

Given details of all directors as follows

	Name	Nationality	*Citizenship Details
Shares			
1.
.....			
2.
.....			
3.
.....			
4.
.....			
5.
.....			
.....			

Part 2 (d) – Co-operative Society

Given details of Central Management Committee Members as follows:

	Name	Nationality	*Citizenship
Details	Designation		
1.
.....			
2.
.....			
3.
.....			
4.
.....			
5.
.....			
6.
.....			

	Part 2 (e) – Reservations
	Reservations Category (Tick): Youth/PWD/Women
	Name/Co.....
	Details of ownership by name 1.....Age.....
	2.....
	Age.....
	3.....
	Age.....
	4.....:Age.....
	Attach the relevant Registration Certificate of this category.
<p>We, the undersigned declare that</p> <p>(a) The information contained in and attached to this form is true and accurate as of the date of Tender submission</p> <p><i>Or [delete statement which does not apply]</i></p> <p>(b) The originally submitted pre-qualification information remains essentially correct as of date of submission</p> <p>Authorized Signature: _____</p> <p>Name and Title of Signatory: _____</p> <p>Name of Tenderer: _____</p> <p>Address: _____</p> <p>Date Signature of Candidate </p>	

*If a Kenya Citizen, indicate under “Citizenship Details” whether by Birth, naturalization or registration.

5.3 TENDER DEPOSIT COMMITMENT DECLARATION FORM

*Tender No. PPOA/14/2015-2016: DISPOSAL OF MOTOR VEHICLES & COPIERS

*As indicated in the schedule of items and prices, we do confirm that we have put deposits for the items tendered for as supported by the attached copies of receipts/ Bankers Cheque as follows:-

Item/Serial No.	Item Description	Deposit Kshs.	Bankers Cheque/Deposit Slip No. and Date

Authorizing Official/person/bidder _____

(name)

(signature)

(Date)

5.4. LETTER OF NOTIFICATION OF AWARD

Address of Procuring Entity

To: _____

RE: Tender No. _____

Tender Name _____

This is to notify that the contract/s stated below under the above mentioned tender have been awarded to you.

1. Please acknowledge receipt of this letter of notification signifying your acceptance.
2. The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
3. You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

(FULL PARTICULARS) _____

SIGNED FOR ACCOUNTING OFFICER

5.5. LETTER OF NOTIFICATION TO UNSUCCESSFUL BIDDERS

[to be printed on the Letterhead of PPOA]

[date]

To: *[name and address of the Supplier]*

Re: Letter of notification to Unsuccessful Bidders

This is to inform you in that your offer in relation to *[tender name and number]* has been determined to be unsuccessful upon evaluation. We intend to make a contract with *[name of successful tenderer]* for *[amount]*. Your tender security / tender securing declaration will be discharged.

Thank you for your participation in the tendering process.

Yours

(Name of Accounting Officer)
Accounting Officer/Head of Procuring Entity

5.6. INTEGRITY DECLARATION

(Sections 38, 40, 41, 42 & 43 of the PPD Act, 2005)

I/We/Messrs..... of
Street/avenue, Building, P. O. BoxCode, of (town),
..... (Nationality), Phone E-mail declare that Public
Procurement is based on a free and fair competitive tendering process which should not
be open to abuse.

I/We declare
that I/We will not offer or facilitate, directly or indirectly, any inducement or reward to
any public officer, their relations or business associates, in connection with

Tender name:

Tender No.

For/or in the subsequent performance of the contract if I/We am/are successful.

Dated this day of 20.....

Authorized Signature..... Official Stamp
.....

Name and Title of
Signatory.....

5.7. NON-DEBARMENT STATEMENT

(Sections 35 PPD Act, 2005)

I/We/Messrs..... of
Street/avenue,Building, P. O. BoxCode, of
(town), (Nationality), Phone.... E-mail
declare that I/We /Messrs are not debarred
from participating in public procurement by the Public Procurement Oversight Authority
pursuant to section 115 of the Public Procurement and Disposal Act, 2005.

Dated this day of 20.....

Authorized Signature..... Official Stamp
.....

**Name and Title of
signatory.....**

5.8. REQUESTS FOR REVIEW FORM

FORM RB 1

REPUBLIC OF KENYA

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 PPOA*) ofdated the...day of20.....in the matter of Tender No.....of20...

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical address.....Fax 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.
- etc.

By this memorandum, the Applicant requests the Board for an order/orders that: -

- 1.
- 2.
- etc

SIGNED(Applicant)

Dated on.....day of/...20...

FOR OFFICIAL USE ONLY

Lodged with the Secretary Public Procurement Administrative Review Board on day of20.....

SIGNED
Board Secretary