

MULTIMEDIA UNIVERSITY OF KENYA



MMU IS ISO 9001:2015 CERTIFIED

REGISTRATION OF SUPPLIERS FOR GOODS, SERVICES AND WORKS THE FOR FINANCIAL YEARS 2022-2024

COMPANY NAME.....

CATEGORY APPLIED FOR:

Category No/Tender No.....

Category Description.....

P.O. Box 15653-00503, NAIROBI
Telephone: [+254] 0 20 – 2071391/2/3
0724-257083/ 0735-900008
Email: procurement@mmu.ac.ke
vc@mmu.ac.ke
WEBSITE: www.mmu.ac.ke

CLOSING DATE:
WEDNESDAY, 27TH APRIL 2022 AT 10.30AM

TABLE OF CONTENTS

INVITATION TO REGISTER AS SUPPLIERS	3
SECTION I - INSTRUCTIONS TO APPLICANTS (ITA)	4
1. Scope of Application	4
3. Fraud and Corruption	4
4. Collusive practices	4
5. Eligible Applicants	4
6. Eligibility.....	5
7. Sections of Registration Document	6
PART 1 - Registration Procedures	6
PART 2 - Works, Goods, or Non-Consulting Services Requirements	6
8. Clarification of Registration Documents, site visit(s) and Pre-Application Meeting	6
9. Amendment of Registration Document	7
10. Cost of Applications	7
11. Language of Application	7
12. Documents Comprising the Application	7
13. Application Submission Letter	8
14. Documents Establishing the Eligibility of the Applicant	8
15. Documents Establishing the Qualifications of the Applicant.....	8
16. Signing of the Application and Number of Copies	9
17. Sealing and Marking of Applications.....	9
18. Deadline for Submission of Applications.....	9
19. Late Applications	9
20. Opening of Applications	10
21. Confidentiality.....	10
22. Clarification of Applications	10
23. Responsiveness of Applications	10
24. Margin of Preference	10
25. Nominated Subcontractors	10
26. Evaluation of Applications.....	11
27. Procuring Entity's Right to Accept or Reject Applications	11
28. Registration of Applicants.....	11
28. Invitation to Tender	12
29. Changes in Qualifications of Applicants.....	12
31. Procurement Related Complaints and Administrative Review	12
SECTION II – REGISTRATION DATA SHEET (RDS)	13
SECTION III - QUALIFICATION CRITERIA AND REQUIREMENTS.....	14
(a) REQUIREMENTS FOR REGISTRATION OF SUPPLIERS FOR FYs 2022-2024.....	14
(b) EVALUATION CRITERIA	18
SECTION IV- APPLICATION FORMS	20
FORM 1: FOR DISCLOSURE OF INTEREST- Interest of the Firm in MULTIMEDIA UNIVERSITY	20
FORM 2: CERTIFICATE OF INDEPENDENT TENDER DETERMINATION	22
FORM 3: SELF-DECLARATIONFORM.....	23
FORM 4: LETTER OF REGISTRATION.....	24
FORM 5: TENDERER'S ELIGIBILITY - CONFIDENTIAL BUSINESS QUESTIONNAIRE.....	26
FORM 6: MANUFACTURER'S AUTHORIZATION FORM.....	28
FORM FOR REVIEW (r.203 (1)).....	29

INVITATION TO REGISTER AS SUPPLIERS

REGISTRATION OF SUPPLIERS FOR 2022-2024 FINANCIAL YEARS

Registration Reference No.: **VARIOUS CATEGORIES**

1. The Multimedia University of Kenya (MMU) intends to register interested eligible firms for the supply of the goods, works and services listed in Section III under (a) “**Requirements for Registration of Suppliers for FY 2022-2024**”.
2. Registration/Tender documents with detailed information shall be viewed and downloaded from **www.mmu.ac.ke** and **www.tenders.go.ke** websites **free of charge**. Interested eligible firms may obtain further information from the MMU’s Procurement Office, Main Campus, Magadi Road (just before Ongata Rongai) during office hours from 0900 to 1600 hours.
3. **Special groups** i.e. Youth, Women and Persons living with Disability (PwDs) who have been duly registered with the National Treasury (or County Governments) must show proof of registration. Special groups firms who meet criteria set for other categories **open to the public** are encouraged to apply. **However, all applications for categories open to the public will be subjected to the same evaluation criteria without regard for preference or reservation.**
4. Those wishing to be registered **in more than one category** will be required to download additional registration documents **for each category**.
5. Completed Registration Documents are to be enclosed in plain sealed envelopes, marked with the respective Category name and Reference Number and be deposited in the Tender Box provided at the Administration Block, Ground Floor or be addressed to:-

The Vice Chancellor
Multimedia University of Kenya
P.O BOX 15653-00503 –NAIROBI
Email.vc@mmu.ac.ke

so as to be received on or before **Wednesday April 27, 2022 at 10:30 am**.

6. Applications for Registration will be opened immediately thereafter in the **MMU Main Conference Hall**, in the presence of candidates’/ representatives, who choose to attend. Any canvassing or giving of false information will lead to automatic disqualification.
7. Late applications will be rejected.
8. Address where to submit Applications

MULTIMEDIA UNIVERSITY OF KENYA
P. O. BOX 15653 – 00503, NAIROBI
MAGADI ROAD (before Ongata Rongai)
MAIN CAMPUS, TENDER BOX AT ADMINISTRATION BLOCK AT THE GROUND FLOOR,
RECEPTION AREA

12/04/2022

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 Registration Documents (**RDS**). 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 **RDS**. If the scope of contract so defined is in multiple contracts, it will be specified in the **RDS** if Registration 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 RDS, 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, Registration process, tender submission (in case 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 5.1 and 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 Registration 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 RDS.

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 Registration 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 Registration 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 Registration. 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 Registration 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 Registration, 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 Registration Documents

7 Sections of Registration Document

7.1 This Registration Document consists of parts 1 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 - Registration Procedures

- i) Section I- Instructions to Applicants (ITA)
- ii) Section II - Registration Data Sheet (RDS)
- iii) Section III - Qualification Criteria and Requirements
- iv) Section IV- Application Forms

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

- i) Section VII- Scope of Works, Goods, or Non-Consulting Services

- 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 Registration 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 Registration Document and to furnish with its Application all information or documentation as is required by the Registration Document.

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

- 8.1 An Applicant requiring any clarification of the Registration Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated in the **RDS**. 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 Registration Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **RDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **RDS**. Should the Procuring Entity deem it necessary to amend the Registration 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 **RDS** if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the **RDS** 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 **RDS** 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 Registration 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 RDS**. Any modification to the Registration 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 RDS 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 Registration Document

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

9.2 Any Addendum issued shall be part of the Registration Document and shall be communicated in writing to all Applicants who have obtained the Registration Document from the Procuring Entity. The Procuring

Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the RDS.

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 Registration process.

11 Language of Application

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

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 RDS. 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 information 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, inaccurate 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 ITA 11 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 RDS, 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 the specific identification of this Registration process indicated in the RDS 1.1.

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 RDS. When so specified in the RDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **RDS**.

18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Registration 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 **RDS**. 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 **RDS**. 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 **RDS**.
- 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 Registration shall not be disclosed to Applicants or any other persons not officially concerned with the Registration process until the notification of Registration 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 Registration in accordance with ITA 28, any Applicant that wishes to contact the Procuring Entity on any matter related to the Registration 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 Registration 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 **RDS**, a margin of preference shall not apply in the Tendering process resulting from this Registration.

25 Nominated Subcontractors

- 25.1 Unless otherwise stated in the **RDS**, 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 Registration 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 RDS 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 Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation.
- 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 Registration 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 Registration process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

28 Registration 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 Registration, 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 RDS.
- 31.2 A request for administrative review shall be made in the form provided.

SECTION II – REGISTRATION DATA SHEET (RDS)

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
ITA 1.1	<p>The Procuring Entity is: MULTIMEDIA UNIVERSITY OF KENYA P.O BOX 15653-00503, NAIROBI TEL: 0703042000 WEBSITE: www.mmu.ac.ke</p> <p>The identification of the Invitation for Registration is: VARIOUS CATEGORIES</p> <p>The application is for Registration of Suppliers for supply of goods, Service Providers and Contractors.</p> <p>Registration will be based on individual contracts</p> <p>The particular type of Registration is on: VARIOUS CATEGORIES</p>
ITA 5.2	Maximum number of members in the JV shall be: NOT APPLICABLE
B. Contents of the Registration Document	
ITA 8.1	For clarification purposes, the Procuring Entity's address is: procurement@mmu.ac.ke
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach the Procuring Entity not later than Seven (7) days from closing date.
ITT 9.2	Addendum issued shall be published at the website www.mmu.ac.ke
C. Preparation of Applications	
ITA 12.1 (d)	The Applicant shall submit with its Application, the following additional documents: <i>(NOT APPLICABLE)</i>
ITA 15.2(b)	The source for determining exchange rates is <i>[NOT APPLICABLE]</i>
ITA 16.2	In addition to the original, the number of copies to be submitted with the Application is: ONE COPY
D. Submission of Applications	
ITA 17.1	The deadline for Application submission is: Wednesday 27th April 2022 at 10.30am
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	The Procuring Entity will not accept late applications.
ITA 20.1	The opening of the Applications shall be at Wednesday 27th April 2022 at 10.30, MMU Main Conference Hall
E. Procedures for Evaluation of Applications	
ITA 25.1	At this time the Procuring Entity <i>does not intend</i> to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 31.1	<p>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 the address below;</p> <p>Vice Chancellor Multimedia University of Kenya (MMU) P.O BOX 15653-00503 –NAIROBI <i>Email.vc@mmu.ac.ke</i></p>

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.

(a) REQUIREMENTS FOR REGISTRATION OF SUPPLIERS FOR FYs 2022-2024

1. GOODS				
No	Category Number	Item Description	Special Condition (where applicable)	Target Group
1	MMU/RE/ST/01/22-23/23-24	Supply and Delivery of General Stationery.		Reserved to Women
2	MMU/RE/PP/02/22-23/23-24	Supply and Delivery of Printing Press papers incl. Bond, Bank and Art papers		Open
3	MMU/RE/TC/03/22-23/23-24	Supply and Delivery of Toners and Cartridges	Proof of Dealership /Manufacturers Authorization	Open
4	MMU/RE/CL/04/22-23/23-24	Supply and delivery of computers, Laptops & Accessories, computer hardware / software, Servers & ICT related equipment	Proof of Dealership/ Manufacturers Authorization	Open
5	MMU/RE/FF/05/22-23/23-24	Supply and Delivery of Office furniture/fittings and office equipment		Open
6	MMU/RE/TT/06/22-23/23-24	Supply and Delivery of Tyres, Tubes, Batteries and accessories.		Open
7	MMU/RE/EE/07/22-23/23-24	Supply and Delivery of Electronic Equipment & Accessories (Cameras, voice recorders, barcode scanners, cell phones etc.)	Proof of Dealership/ Manufacturers Authorization	Open
8	MMU/RE/PM/08/22-23/23-24	Supply and Delivery of Designed or branded Promotional Materials (T-shirts, caps carrier bags banners, wrist bands, umbrellas etc).		Reserved to Youth
9	MMU/RE/NM/09/22-23/23-24	Supply and Delivery of Networking materials and Equipment.	Valid Certificate from ICT Authority	Open
10	MMU/RE/SU/10/22-23/23-24	Supply and Delivery of Staff uniform e.g. Dust coats, protective clothing, staff uniforms etc.		Reserved to Women
11	MMU/RE/CM/11/22-23/23-24	Supply and Delivery of Cleaning Materials and Sundries e.g. Detergents, Bleaching agents, Disinfectant etc.		Reserved to PWDs
12	MMU/RE/LD/12/22-23/23-24	Supply and Delivery of Laundry Detergents and Chemicals		Open

	Category Number	Item Description	Special Condition (where applicable)	Target Group
13	MMU/RE/SP/13/22-23/23-24	Supply and Delivery of Swimming Pool Chemicals, Equipment and Accessories.		Open
14	MMU/RE/PP/14/22-23/23-24	Supply and Delivery of Petroleum Products and other consumables e.g. fuel, bulk gas, 50kg cylinder gas etc.	Current License from Energy & Petrol Regulatory Authority	Open
15	MMU/RE/DF/15/22-23/23-24	Supply and Delivery of Dry Food Stuffs.		Open
16	MMU/RE/DC/16/22-23/23-24	Supply and Delivery of Cereals		Reserved to Women
17	MMU/RE/MW/17/22-23/23-24	Supply and Delivery of Mineral Water, Soft Drinks and Packed Juices		Open
18	MMU/RE/PP/18/22-23/23-24	Supply and Delivery of Poultry Products eg. Eggs and Capon		Reserved to Women
19	MMU/RE/BB/19/22-23/23-24	Supply and Delivery of Beef and Beef Products		Open
20	MMU/RE/FV/20/22-23/23-24	Supply and Delivery of Fresh Juices, Fruits and Vegetables		Reserved to Women
21	MMU/RE/WS/21/22-23/23-24	Supply and Delivery of Alcoholic drinks e.g. Wines and Spirits.		Open
22	MMU/RE/MM/22/22-23/23-24	Supply and Delivery of Milk and Milk Products		Reserved to Youth & PWDs
23	MMU/RE/BC/23/22-23/23-24	Supply and Delivery of Bread and related Confectioneries		Reserved to Youth
24	MMU/RE/GS/24/22-23/23-24	Supply and Delivery of Local Granulated Sugar.		Reserved to Women
25	MMU/RE/SB/25/22-23/23-24	Supply and Delivery of Sausages, Bacon and Pork Products.		Open
26	MMU/RE/FF/26/22-23/23-24	Supply and Delivery of Whole Fish and Fish Products		Open
27	MMU/RE/FC/27/22-23/23-24	Supply and Delivery of Split Firewood , Wood & Briquette Charcoal		Open
28	MMU/RE/HM/28/22-23/23-24	Supply and Delivery of Building Hardware Materials incl. Sand, Stones & ballast		Open
29	MMU/RE/PL/29/22-23/23-24	Supply and Delivery of Plumbing Materials and accessories.		Open
30	MMU/RE/EM/30/22-23/23-24	Supply and Delivery of Electrical Materials and Fittings.		Open
31	MMU/RE/MD/31/22-23/23-24	Supply and Delivery of Medical Drugs, Lab Reagents and Related Materials.		Open
32	MMU/RE/ME/32/22-23/23-24	Supply and Delivery of Medical Laboratory equipment		Open

	Category Number	Item Description	Special Condition (where applicable)	Target Group
33	MMU/RE/SU/33/22-23/23-24	Supply and Delivery of Sports Uniforms, items, Equipment and accessories.		Open
34	MMU/RE/CC/34/22-23/23-24	Supply and Delivery of Cutlery, Crockery and Kitchen Equipment.		Open
35	MMU/RE/PU/35/22-23/23-24	Supply and Delivery of Chemistry Laboratory Consumables, Production Unit Reagents, Apparatus & Packaging Materials		Open
36	MMU/RE/EL/36/22-23/23-24	Supply and Delivery of Engineering Laboratory and Workshop Consumables		Open
37	MMU/RE/SE/37/22-23/23-24	Supply and Installation of Solar Equipment	Valid License from Energy & Petrol Regulatory Authority	Open
38	MMU/RE/LB/38/22-23/23-24	Supply and Delivery of Library books and other publications.		Open
39	MMU/RE/OL/39/22-23/23-24	Supply and Delivery of Laboratory Equipment and related Accessories/appliances for the Directorate of National Institute for Optics and Lasers		Open
2. SERVICES				
40	MMU/RE/HA/40/22-23/23-24	Provision of Hotel Accommodation, Seminar Facilities and Catering Services.		Open
41	MMU/RE/MV/41/22-23/23-24	Repair & Maintenance of Motor Vehicles	Garages/Dealers approved by the Chief Mechanical & Transport Engineer (CMTE)	Open
42	MMU/RE/PH/42/22-23/23-24	Provision of Production of Photography and Video, Documentaries, TV and Radio Infomercial Services.		Reserved to Youth
43	MMU/RE/EM/43/22-23/23-24	Provision of Event Management Services, Tents, Chairs, Stage Assembly Sound (P.A) Services and Interior Décor services.		Reserved to Youth & Women
44	MMU/RE/LS/44/22-23/23-24	Provision of Legal Services.	Valid membership of Professional Body (LSK)	Open
45	MMU/RE/TC/46/22-23/23-24	Provision of Training/consultancy services on corporate governance, risk management and audit		Open
46	MMU/RE/CR/47/22-23/23-24	Maintenance of Air conditioning Units & Refrigerator		Open
47	MMU/RE/RC/48/22-23/23-24	Repair, maintenance and servicing of Radio Communication Equipment	Valid License from CAK	Open

	Category Number	Item Description	Special Condition (where applicable)	Target Group
48	MMU/RE/KL/49/22-23/23-24	Repair and Maintenance of Kitchen Machines & Equipment e.g. Ovens, Refrigerators, cookers etc.		Open
49	MMU/RE/LM/50/22-23/23-24	Repair and Maintenance of Laundry Machines and Equipment		Open
50	MMU/RE/ML/51/22-23/23-24	Provision and Servicing and Maintenance of Medical Laboratory Equipment.		Open
51	MMU/RE/OH/52/22-23/23-24	Provision of Occupational Health, Safety, First Aid and Firefighting Training Services	Valid License/ Approval by the Directorate of Occupational Health Services	Open
52	MMU/RE/JS/53/22-23/23-24	Repair and Maintenance of Jacuzzi, Sauna and Swimming Pool equipment.		Open
53	MMU/RE/AM/53/22-23/23-24	Provision of Valuation of Assets, Asset Tagging / marking and Labeling.	Valid License from Institution of Surveyors and Valuers	Open
54	MMU/RE/AR/54/22-23/23-24	Provision of Air Tickets and Travel Services.	(IATA / KATA registered firm only)	Open
55	MMU/RE/BW/55/22-23/23-24	Repair, maintenance and servicing of Boreholes.	Valid license from Water Resources Management Authority (WARMA)	Open
56	MMU/RE/AU/56/22-23/23-24	Provision of Auctioneering services	Valid license by the Auctioneers Licensing Board	Open
57	MMU/RE/BS/57/22-23/23-24	Provision of Branding Services for motor vehicle and related services		Open
58	MMU/RE/PS/58/22-23/23-24	Provision of security Printing Services	Licensed security printers Only	Open
59	MMU/RE/MC/59/22-23/23-24	Calibration of Machines & Equipment		Open
60	MMU/RE/EQ/60/22-23/23-24	Repair and servicing of Faculty of Engineering Laboratory and Workshop Machinery and Equipment		Open
61	MMU/RE/SQ/61/22-23/23-24	Repair and Servicing of Faculty of Science Laboratory Machinery & Equipment		
62	MMU/RE/IB/62/22-23/23-24	Provision of Insurance Brokerage Services	Registration/Valid License by Insurance Regulatory Authority (IRA) Membership of Association of Insurance Brokers (AIB)	Open

3. WORKS

	Category Number	Item Description	Special Condition (where applicable)	Target Group
63	MMU/RE/MW/62/22-23/23-24	Provision of Small Works (Building Construction, General Civil Works, Electrical Works & Plumbing)	Valid NCA certificate (NCA 7 and above) for relevant works	Reserved to Youth
64	MMU/RE/IR/63/22-23/23-24	Provision of Installation, Repair and Maintenance Services for Cold room and Boilers.	NCA registered firms in the relevant category only	Open
65	MMU/RE/IU//64/22-23/23-24	Provision of Installation and Upgrading of Local Area Network	Valid License from ICT Authority	Open

(b) EVALUATION CRITERIA

Multimedia University of Kenya will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.

Applicants will be required to comply with ALL mandatory requirements as follows:

No	MANDATORY REQUIREMENTS	COMPLIANCE (YES/NO)
GENERAL REQUIREMENTS		
1	Copy of Valid Certificate of Incorporation/Business Registration	YES/NO
2	Current/Valid Tax Compliance Certificate for the group/enterprise as obtained free of charge from the KRA portal (Attach copy)	YES/NO
3	Financial statements for the year 2019 and 2020 Certified by Registered Auditors (does not apply to firms under AGPO)	YES/NO
4	Form 6: CR12 not issued earlier than 6 months from tender opening date (attach copies of National Identity card of listed Directors) and national ID for sole proprietors	YES/NO
5	Provide at least 3 LPOs/Contracts to which the company has done similar supplies in the last 5 years.	YES/NO
6	Form 1. Duly filled, signed and stamped Disclosure of Interest Form	YES/NO
7	Form 2: Duly filled, signed and stamped Certificate of Independent Tender Determination Form	YES/NO
8	Form 3: Duly filled, signed and stamped Self-Declaration form	YES/NO
9	Form 4: Duly filled, signed and stamped Letter of registration	YES/NO
10	Form 5: Duly filled, signed and stamped Confidential Business Questionnaire	YES/NO
11	Documents should be bound and serially numbered from first to last page	YES/NO
SPECIAL CONDITIONS (for specific categories as indicated)		
12	Copies of Valid AGPO Registration Certificates for Special Groups (Youth, Women & PWDs) owned firms for RESERVED categories only	YES/NO
13	Proof of dealership/Manufacturers' Authorization (categories 3, 4 and 7 only) Template attached	YES/NO
14	Valid certificate/License from ICT Authority (category 9 & 65only)	YES/NO
15	Valid License from Energy & Petrol Regulatory Authority (categories 14 & 37 only)	YES/NO
16	Approval by Chief Mechanical & Transport Engineer (CMTE) Ministry of Transport and Infrastructure (category 41 only)	YES/NO
17	Valid membership of Professional Body (LSK) for legal services (category 44 only)	YES/NO
18	Valid License from the Communication Authority of Kenya (CA) (category 47 only)	YES/NO
19	Valid License/Approval by the Directorate of Occupational Health Services (category 51 only)	YES/NO
20	Valid License from Institution of Surveyors and Valuers (ISK) (category 53)	YES/NO

21	IATA /KATA registered firms for Provision of Air Travel agency and related Services (category 54 only)	YES/NO
22	Valid License from Water Resources Management Authority (WARMA) (category 55 only)	YES/NO
23	Valid License from Auctioneers Licensing Board (category 56 only)	YES/NO
24	License for security printing (category 58 only)	YES/NO
25	Valid NCA certificate for Provision of Small Works for relevant works: Building Construction, General Civil Works, Electrical Works & Plumbing (category 63 only)	YES/NO
26	Relevant NCA registration for Installation, Repair and Maintenance Services for Cold Room and Boilers (category 64 only)	YES/NO
27	Registration/Valid License by Insurance Regulatory Authority (IRA) Membership of Association of Insurance Brokers (AIB) (category 65 only)	

NB: Bidders must meet **ALL** applicable mandatory requirements to qualify.

(The Evaluation Committee will verify the information submitted by applicants and may visit the physical premises of the applicants. This will form part of the evaluation process).

Declaration (For the Tenderer only)

(The tenderer is expected to state categorically whether he/she will/will not accept to be evaluated on the above criteria)

Q. Will you accept your bid to be evaluated based on the above criteria and abide by them during the entire period of the tender? *(Tick appropriately below)*

No

Yes

Official Stamp**Sign**.....

SECTION IV- APPLICATION FORMS

FORM 1: FOR DISCLOSURE OF INTEREST- Interest of the Firm in MULTIMEDIA UNIVERSITY

- i) Are there any person/persons in **MULTIMEDIA UNIVERSITY** who has/have an interest or relationship in this firm? Yes/No.....

If yes, provide details as follows.

	Names of Person	Designation in MULTIMEDIA UNIVERSITY	Interest or Relationship with Tenderer
1			
2			
3			

Conflict of interest disclosure

	Type of Conflict	Disclosure YES OR NO	If YES provide details of the relationship with Tenderer
1	Tenderer is directly or indirectly controlled by or is under common control with another tenderer.		
2	Tenderer receives or has received any direct or indirect subsidy from another tenderer.		
3	Tenderer has the same legal representative as another tenderer		
4	Tenderer has a relationship with another tenderer, directly or through common third parties that puts it in a position to influence the tender of another tenderer, or influence the decisions of MULTIMEDIA UNIVERSITY regarding this tendering process.		
5	Any of the Tenderer's affiliates participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of the tender.		
6	Tenderer would be providing goods, works, non-consulting services or consulting services during implementation of the contract specified in this Tender Document.		
7	Tenderer has a close business or family relationship with a professional staff of MULTIMEDIA UNIVERSITY who are directly or indirectly involved in the preparation of the Registration document or specifications of the Contract, and/or the Quotation/Tender evaluation process of such contract.		

	Type of Conflict	Disclosure YES OR NO	If YES provide details of the relationship with Tenderer
8	Tenderer has a close business or family relationship with a professional staff of MULTIMEDIA UNIVERSITY who would be involved in the implementation or supervision of the Contract.		
9	Has the conflict stemming from such relationship stated in item 7 and 8 above been resolved in a manner acceptable to MULTIMEDIA UNIVERSITY throughout the quotation/tender process and execution of the Contract?		

Certification

On behalf of the Tenderer, I certify that the information given above is correct.

Full Name _____

Title or Designation _____

(Signature)

(Date)

FORM 2: CERTIFICATE OF INDEPENDENT TENDER DETERMINATION

I, the undersigned, in submitting the accompanying Letter of quotation/tender to the _____ *[Name of Procuring Entity]* for: _____

[Name and number of tender] in response to the request for tenders made by: _____ *[Name of Tenderer]* do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of _____ *[Name of Tenderer]* that:

1. I have read and I understand the contents of this Certificate;
2. I understand that the Tenderer will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am the authorized representative of the Tenderer with authority to sign this Certificate, and to submit the quotation on behalf of the Tenderer;
4. For the purposes of this Certificate and the quotation, I understand that the word "competitor" shall include any individual or organization, other than the Tenderer, whether or not affiliated with the Tenderer, who:
 - a) Has been requested to submit a tender in response to this registration tender;
 - b) Could potentially submit a tender in response to this registration tender based on their qualifications, abilities or experience;
5. The Tenderer discloses that [check one of the following, as applicable]:
 - a) The Tenderer has arrived at the tender independently from, and without consultation, communication, agreement or arrangement with, any competitor;
 - b) the Tenderer has entered into consultations, communications, agreements or arrangements with one or more competitors regarding this request for quotations, and the Tenderer discloses, in the attached document(s), complete details thereof, including the names of the competitors and the nature of, and reasons for, such consultations, communications, agreements or arrangements;
6. In particular, without limiting the generality of paragraphs(5)(a) or(5)(b) above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - a) prices;
 - b) methods, factors or formulas used to calculate prices;
 - c) the intention or decision to submit, or not to submit, the tender;
7. In addition, there has been no consultation, communication, agreement or arrangement with any competitor regarding the quality, quantity, specifications or delivery particulars of the works or services to which this request for tenders relates, except as specifically authorized by the procuring authority or as specifically disclosed pursuant to paragraph(5)(b) above;
8. The terms of the tender have not been, and will not be, knowingly disclosed by the Tenderer, directly or indirectly, to any competitor, prior to the date and time of the official quotation opening, or of the awarding of the Contract, whichever comes first, unless otherwise required by law or as specifically disclosed pursuant to paragraph(5)(b) above.

Name_ Title_____

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

FORM 3: SELF-DECLARATIONFORM

We, the Tenderer _____ (*insert name*) submitting our tender in respect of registration tender No for _____ (*insert registration tender Title Description*) for _____ (*insert Name of Procuring Entity*)

DECLARE AS FOLLOWS:

That, We the Tenderer including any entity or individual that directly or indirectly controls, is controlled by or is under common control with us, and any subcontractors, suppliers, project managers, consultants, manufacturers, service providers, agents, individuals, or any other party involved or to be involved for any part of the processes of procurement and contract execution related to the above tender:

- a) have not engaged/will not engage in any corrupt or fraudulent practices in the processes of procurement and contract execution related to the above tender as defined and/or described in the following:
 - i) the registration tender for the above tender;
 - ii) Kenya's Public Procurement and Asset Disposal Act, 2015) and its attendant Regulations;
 - iii) Kenya's Anti-Corruption and Economic Crimes Act, 2013; and
 - iv) Any such other Acts or Regulations of Government of Kenya;
- b) Have not offered/will not offer any inducement to any member of the board, management, staff and/or employees and/or agents of..... (*Name of MULTIMEDIA UNIVERSITY*);
- c) Have not engaged/ will not engage in any collusive or corrosive practice with other tenderers participating in the subject tender;
- d) have not been sanctioned or debarred by any entity from participation in public procurement proceedings of Kenya.

That, what is deponed to herein above is true to the best of our knowledge, information and belief.

Name of the Tenderer: [*Insert complete name of tenderer signing the tender*]

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

Title of the person signing the Tender: [*Insert complete title of the person signing the tender*]

Signature of the person named above: [*Insert signature of person whose name and capacity are shown above*]

FORM 4: LETTER OF REGISTRATION

Registration Category Ref No.....

To The Vice Chancellor,

P.O. Box 15653 – 00503, NAIROBI

Dear Sir,

1. Having examined the application documents including Addenda Nos. of which is hereby duly acknowledged, we the undersigned, offer to supply and deliver to Multimedia University and as may otherwise be directed,..... (Category). And conformity with the said application documents all or part of the items/services in this category or such other items that may be required and are within our capability to supply.
2. We undertake if our application is acceptable to deliver goods/services with accordance with the delivery schedule in the schedule of requirement or official order signed by authorized officer(s) of the university
3. We agree to abide by this application for the period of processing the applications and prepared and executed, this application together with written acceptance thereof shall constitute a binding agreement between us.
4. We understand:-
 - a) That this is not a tender or quotation but an application for consideration to be registered as Multimedia University's suppliers for goods/services included or related to this category during the period of two (2) years.
 - b) That you are not bound to accept this application or any that you may receive.
5. We have attached to this letter are copies of original documents of:
 - a) Valid Certificate of Incorporation/Business Registration
 - b) PIN Certificate
 - c) Certificate of registration (AGPO Certificate) (where applicable) of youth, women & PWD owned enterprises issued by the National Treasury/Other (Attach copy)
 - d) Valid Tax Compliance Certificate
 - e) Current form CR12 (for companies) and identity documents (National ID's or Passports) for the directors/proprietor (Copy)
 - f) Financial Statements for 2019 and 2021 (does not apply to firms under AGPO)
 - g) Duly filled, signed and stamped Disclosure of Interest Form
 - h) Duly filled, signed and stamped Certificate of Independent Tender Determination Form
 - i) Duly filled, signed and stamped Self-Declaration Form
 - j) Duly filled, signed and stamped Letter of Registration
 - k) Duly filled, signed and stamped Confidential Business Questionnaire
 - l) Duly filled, signed and stamped Manufacturer's Authorization Form as applicable
 - m) Documents should be bound and serially numbered from first to last page
6. We make this application with the full understanding that;
 - a) Bids by registered applicants will be subject to verification of all information submitted.

- b) Multimedia University reserves the right to accept or reject any application, cancel the registration process and reject all applications.
- c) Request for quotations and bids will only be called from registered bidders who meet the requirements.

The undersigned declare that the statement made and the information provided in the duly completed application are complete, true and correct in every detail.

Sign and stamp.....

In the presence of: Name..... **Sign**

Designation**Date**

FORM 5: TENDERER'S ELIGIBILITY - CONFIDENTIAL BUSINESS QUESTIONNAIRE

Instruction to Tenderer

Tender is instructed to complete the particulars required in this Form. Tenderer is further reminded that it is an offence to give false information on this Form.

Tenderer's Details

	ITEM	DESCRIPTION
1	Name of the Procuring Entity	
2	Reference Number of the Tender	
3	Name of the Tenderer	
4	Date and Time of Tender Opening	
5	Full address and Contact Details of the Tenderer	Country
		City
		Location
		Building
		Floor
		Postal Address
		Name and Email of Contact Person
6	Current Trade License Registration Number and Expiring Date	
7	Name, Country and Full Address (<i>postal and physical addresses, email and telephone number</i>) of registering Body/Agency	
8	Description of Nature of Business	
9	Maximum value of Business which the Tenderer handles	
10	State if Tenders Company is listed in stock exchange, give full name and full address (<i>postal and physical address, email and telephone number</i>) of state which stock exchange	

General and Specific Details

a) **Sole Proprietor**, provide the following

details. Name in full _____

Age _____

Nationality _____

Country of Origin _____

Citizenship _____

b) **Partnership**, provide the following details.

	Name of Partners	Nationality	Citizenship	% Owned	Shares
1					
2					
3					
4					
5					
6					
7					
8					

c) **Registered Company**, provide the following details.

i) Private or public Company _____

ii) State the nominal and issued capital of the Company-

Nominal Kenya Shillings (Equivalent)

Issued Kenya Shillings (Equivalent)

iii) Give details of Directors as follows

	Name of Directors	Nationality	Citizenship	% Owned	Shares
1					
2					
3					
4					
5					
6					
7					
8					

FORM 6: MANUFACTURER’S AUTHORIZATION FORM

[The tenderer shall require the Manufacturer to fill in this Form in accordance with the instructions indicated. This letter of authorization should be on the letterhead of the Manufacturer and should be signed by a person with the proper authority to sign documents that are binding on the Manufacturer. The tenderer shall include it in its Tender, if so indicated in the RDS.]

Date:.....*[insert date (as day, month and year) of Tender submission]*

ITT No.:.....*[insert number of ITT process]* Alternative

No.:.....*[insert identification No if this is a Tender for an alternative]*

To: *[Insert complete name of Procuring Entity]* WHEREAS

We..... *[insert complete name of Manufacturer]*, who are official manufacturers of.....*[insert type of goods manufactured]*, having factories at *[insert full address of Manufacturer's factories]*, do hereby authorize *[insert complete name of tenderer]* to submit a Tender the purpose of which is to provide the following Goods, manufactured by us..... *[insert name and or brief description of the Goods]*, and to subsequently negotiate and sign the Contract.

We hereby extend our full guarantee and warranty in accordance with Clause 28 of the General Conditions of Contract, with respect to the Goods offered by the above firm.

Signed:..... *[Insert signature(s) of authorized representative(s) of the Manufacturer]*

Name:.....*[Insert complete name(s) of authorized representative(s) of the Manufacturer]*

Title:..... *[Insert title]*

Dated on _____ day of _____, _____ *[insert date of signing]*

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 ofdated the...day of20.....in the matter of Tender No.....of20..... 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 of20.....

SIGNED

Board Secretary