

**CONSERVATION ALIVE KENYA (CoAKe)
RESTORE AFRICA (RESAf) PROGRAM**

P.O. Box 566, 80400 Ukunda | [Email: info@coakeorg.co.ke](mailto:info@coakeorg.co.ke) | coakeorg.co.ke

TENDER NOTICE

**REGISTRATION OF SUPPLIERS AND EXPRESSION OF INTEREST (EOI)
FOR 2022/23 FINANCIAL YEAR**

Conservation Alive Kenya (CoAKe), a non-profit registered in Kenya under the laws of Kenya, has received funding commitment from donors to implement the Restore Africa (RESAf) Program commencing July 1st, 2022. The goal of the Restore Africa Program is to ensure Sustained improvement in eco-system restoration, livelihoods, and resilience to climate change for smallholder farmers and pastoralists (men, women and youth) in Four Target Counties in Kenya by 2052. This particular procurement process relates to activities to be implemented by CoAKe in Kwale County.

CoAKe, under this programme, wishes to invite eligible and qualified firms including those owned by Youth, Women and Persons with Disability (YWPD), to submit sealed applications for purposes of registration of suppliers of goods, works and services and for EoI for the period 2022/23 FY under the categories listed below.

REGISTRATION OF SUPPLIERS AND EoI FOR 2022–2023

CATEGORY A- REGISTRATION OF SUPPLIERS FOR SUPPLY OF GOODS AND SERVICES			
NO.	ITEM DESCRIPTION	ELIGIBILITY	Due Date
CoAKeRESAf/01/22-23	Supply of Office Stationery and Supplies	ALL	May 2 nd , 2023
CoAKeRESAf/02/22-23	Supply of genuine Office Laptops	ALL	May 2 nd , 2023
CoAKeRESAf/03/22-23	Supply of Vehicle rental/ hire services	ALL	May 2 nd , 2023
CoAKeRESAf/04/22-23	Supply of Vehicle Fuel and Lubricants	ALL	May 9 th , 2023
CoAKeRESAf/05/22-23	Supply of Motor Vehicle (Van) and Motor Vehicle Insurance Services	ALL	May 9 th , 2023

A complete set of tender documents and submission details are available for downloading free of charge from CoAKe's website <https://coakeorg.co.ke>. Prospective Companies owned by women, youth and people with disabilities are encouraged to apply.

Completed tender documents **MUST** be submitted on email to in plain sealed envelopes clearly marked: with each respective Registration/ EOI name and number and addressed to:

The Procurement Committee,
Conservation Alive Kenya,
P.O. BOX 566 – 80400
UKUNDA-KENYA

and physically dropped in the Tender Box situated at the **reception of Conservation Alive Kenya, South Sea Center, Likoni Lungalunga Road**, or posted so as to reach the above address on or before **11.00 A.M.** on the respective due dates indicated above.

Also,

Opening will be on a day after the respective due dates **at 9.00 A.M.** in the presence of Tenderers or their representatives who choose to attend at **CoAKe's offices. Electronic bids should be submitted to procurement@coakeorg.co.ke. Late submissions will not be accepted regardless of the circumstances.**

Project Coordinator,

**Mohamed Ali Salim,
Conservation Alive Kenya**

REGISTRATION OF SUPPLIERS DOCUMENT AND EVALUATION CRITERIA

SECTION 1

1. INFORMATION TO TENDERERS INTRODUCTION

- 1.1. CoAKe would wish to pre-qualify and enlist prospective Tenderers for the supply of goods, works and services from among those who will have submitted their applications, in accordance with the registration requirements to undertake the assignments as per the advertisement.
- 1.2. Tenderers are invited to submit a registration tender for the supply of goods, works and services in the categories as listed in the invitation for registration above.
- 1.3. The Registration of Suppliers' document and the Tenderer's response thereof shall be the basis for pre-qualification. Tenderers must familiarize themselves with the requirements described in this document including all attachments and take them into account while preparing the response.
- 1.4. CoAKe does not bind itself to assign supply of goods, works and services but shall endeavor to ensure tenders for specific goods, works and services will be treated equitably.
- 1.5. Applicants will be informed of the results of the application through writing: within two weeks of the submission of the applications.
- 1.6. Tenderers will meet all costs associated with preparation and submission of their applications.
- 1.7. It is CoAKe's policy to require that Tenderers observe the highest standard of ethics during the selection and execution of such contracts. In pursuance of this policy, CoAKe:
 - a) defines, for the purpose of this provision, the terms set forth below as follows:
 - (i) "Corrupt practice" means the offering, giving, receiving or soliciting of anything of value to influence the action of an officer of the Purchaser/ Employer in the registration process; and
 - (ii) "Fraudulent practice" means a misrepresentation of facts in order to influence the registration process to the detriment of the Purchaser/ Employer, and includes collusive practices among Tenderers (prior to or after submission of bids) designed to establish prices at artificial, non-competitive levels and to deprive the Purchaser (CoAKe) of the benefits of free and open competition.
 - b) Will reject a Tender for registration if it determines that a Tenderer has engaged in corrupt or fraudulent activities in competing for the contract in question;
 - c) Will declare a Tender ineligible, for registration if at any time it determines that the Tenderer has engaged in corrupt or fraudulent practices in competing for, or in executing, a similar contract.
 - d) Will have the right to inspect the business premises of the Tenderer.
 - e) Will declare a Tender ineligible for prequalification if at any time it determines that the Tenderer has no legal capacity to enter into a contract for the procurement.
 - f) Will declare a Tender ineligible for registration if at any time it determines that Tenderer is insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceeding related to the foregoing.
 - g) Will declare a Tender ineligible, for prequalification if at any time CoAKe determines that Tenderer is related to an employee of the company or a member of Board or Procurement Committee of the Company unless otherwise pre-declared to avoid conflict of interest.
 - h) Will declare a Tender ineligible for prequalification if at any time, it determines that Tenderer has committed an offence relating to procurement, has been debarred by PPRA, given false information about its actions and has been blacklisted before by another public entity
- 1.8. Tenderers shall furnish information as described in the registration tender document.

1.9. Tenderers shall be aware of the provisions on corrupt and fraudulent practices as spelt out in the Public Procurement and Asset Disposal Act 2015.

2. REQUEST FOR CLARIFICATION ON REGISTRATION DOCUMENTS

2.1. Tenderers may request a clarification on the Registration of Suppliers' Document up to 3 (three) days before the Tender submission date. Any request for clarification must be sent in writing by email to the Purchaser's/ Employer's address procurement@coakeorg.co.ke. The Purchaser/ Employer will respond in writing by email to such requests and will send copies of the response to all Tenderers who could have provided their email addresses.

3. PREPARATIONS OF TENDER DOCUMENTS

3.1. Tenderers are requested to submit a Tender written in English language.

3.2. Tenderers are expected to examine the documents comprising this Request for registration in detail. Material deficiencies in providing the information requested may result in rejection of a Tender.

3.3. Tenderers are required to meet the qualification criteria stipulated. Those who do not meet the requirements need not submit tenders. Only tenders, which fulfill these requirements, will be considered for detailed evaluation.

3.4. Period of validity

The request for registration must remain valid for not less than 7 days from the date of submission. CoAKe will endeavor to complete the evaluation and communicate the results of the evaluation within this period.

4. SUBMISSION, RECEIPT, AND OPENING OF TENDERS

4.1. The Tender Document shall be prepared in indelible ink or electronically filled. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the Tenderer. Any such corrections must be initialed by the person or persons who sign(s) the Tender Document.

4.2. The Tender should be prepared with indelible ink or electronically filled, each page clearly numbered and properly bound, and clearly indicated for which registration is being applied. The form below Tenderer response form shall be used as the cover of the document to indicate clearly the documents being presented.

TENDERER RESPONSE FORM

REGISTRATION No.
Subject:
Company Name:
Address:
Company Contact:
Phone Number:
Email Address:
County:

<u>List of documents being attached to the registration document</u>
Item description and page
<ul style="list-style-type: none">• _____• _____• _____• _____• _____• _____

We confirm accuracy of all information above and attached.

Signature: _____ Date: _____

Name and Title: _____

4.3. The Tender should be prepared and submitted in a plain sealed envelope marked

“CoAKe/..... FOR REGISTRATION OF SUPPLIERS FOR GOODS, WORKS AND SERVICES FOR FINANCIAL YEAR 2022-223, CATEGORY.....ITEM REF. NO AND ITEM DESCRIPTION

and addressed to:

The Project Coordinator,
Conservation Alive Kenya,
P.O BOX 556 – 80400,
UKUNDA – KENYA

and dropped in the Tender Box positioned at the **reception of CoAKe Offices situated along Likoni – Lunga Lunga road in Waa**, or posted/ electronically sent so as to reach the above address on or before **11.00 A.M.** on the respective due dates as indicated.

4.4. Deadline for Submission

The closing time for the registration shall be **11.00 A.M.** on the respective due dates as indicated.

4.5. Late Tenders

Any Tender received after the deadline pursuant to clause 4.4 shall be rejected as a late tender and shall not be considered.

4.6. Tender Opening and Evaluation

4.6.1. A committee of officials shall open the Tender immediately a day after the closing date and time for submission of the Tender.

4.6.2. The Procuring entity will prepare a record of the Tender opening.

5. TENDER EVALUATION

- 5.1.** CoAKe will examine the tenders to determine completeness, general orderliness and sufficiency in responsiveness.
- 5.2.** Tenderers shall not contact CoAKe on the matters relating to their tender from the time of opening to the time the evaluation is finalized and official communication is sent to them. Any effort by the Tenderer to influence CoAKe in the Tender evaluation shall result in the rejection of their tender.
- 5.3.** Registration will be based on meeting the criteria regarding the Applicant’s legal status, general and particular experience, personnel and financial position as demonstrated by the responses in the attached forms.
- 5.4.** The applicants should have registered offices and CoAKe reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said goods/services.
- 5.5.** Tenderers who qualify according to the selection criteria will be invited to submit their bids for the supply of goods/ works/ services as and when required.
- 5.6.** CoAKe reserves the right to accept or reject any or all Tenders and shall give reasons thereof.
- 5.7.** There shall be two phases of carrying out the evaluation of prequalification applications.
 - a) Preliminary Evaluation Phase
 - b) Detailed Evaluation Phase

5.7.1. Preliminary Evaluation Phase

Under the preliminary evaluation, Tenderers shall be required to provide the following mandatory documents:

- i) Document MUST be bound and pages indicated clearly
- ii) Certificate of Incorporation/ Registration Certificate
- iii) A copy of a valid Single Business Permit
- iv) A copy of a valid Tax Compliance Certificate from Kenya Revenue Authority (KRA)
- v) Duly completed Confidential Business Questionnaire Form (Must be signed by authorized official and rubber stamped)
- vi) Registration Certificate from The National Treasury (Only applicable for firms owned by Youth, Women and Persons with Disability)
- vii) Signed anti-corruption pledge which is attached herein

Tenderers who do not provide any of the above mandatory documents shall be disqualified from further evaluation.

- viii) All the applications shall be sorted out according to the various categories and items contained in application for prequalification form.
- ix) Pre-screening shall be done for all the applications in each category to determine occasional responses of a casual nature namely: -
 - a) Applicants not attaching copies of certificates of incorporation, pin, Trade License, Valid KRA Tax Compliance Certificate,
 - b) Applicants not completing fully the tender document for prequalification of tenderers and service providers' form,
 - c) Casual applicants shall be considered substantially non-responsive and shall be excluded from those considered for detailed evaluation.

5.7.2. Detailed Evaluation Phase

Detailed evaluation of the registration documents will be based on the following criteria:

NO.	EVALUATION CRITERIA	MAXIMUM SCORE
1.	Firm's Experience: Experience in similar assignments with corporate clients (provide evidence of similar work done i.e. provide copies of contracts, LPOs, letters of completion, completion certificates or letters of offer): 4 or more clients where same services are provided - 70 marks 3 clients – 50 marks 2 clients – 30 marks 1 client – 10 marks 0 clients – 0 marks	70 Points
2.	Demonstrated capacity to deliver on tenders awarded	30 Points
	TOTAL SCORE	100 POINTS
	PASS MARK	60 POINTS

The evaluation team shall undertake a thorough and objective analysis of the tenderers contained in the list utilizing the following procedures: -

- i) The drawing up of pro-forma in respect to each application listing the queries contained in the

registration questionnaire attached in the pre-qualified application form and the comments and responses received.

- ii) A detailed assessment of each applicant to be made in the course of studying the application to complete each pro-forma.
- iii) Development of a system to evaluate responses to a number of the more important questions and in particular those relating to: -
 - (a) Structure and organization of the tender
 - (b) Experience in relevant field.
 - (c) Available resources (Management capability, technical staff and equipment)

5.8. Disclosure of Evaluation Results

Information relating to preliminary evaluations of all the application, and also those who qualify for prequalification shall not be disclosed to applicants or any other persons not officially concerned with such process until the notification of prequalification is made to all applicants.

5.9. Notification of registration results

Once the list of those who succeeded to be pre-qualified has been approved by the programme, the approved registration list shall be maintained in a file in CoAKe, information which shall be available to both those applicants who have qualified for registration and also those who failed to be registered.

6. CONFIDENTIALITY

- 6.1.** Information relating to evaluation of Tenders and recommendations concerning registration shall not be disclosed to the Tenderers until the pre-qualified firms have been advised accordingly.

TENDER SUBMISSION FORM

APPLICANT ADDRESS

The Project Coordinator,
Conservation Alive Kenya,
P.O BOX 556 – 80400,
UKUNDA – KENYA

RE: CoAKeRESAf/.....

Dear Sir/ Madam,

We, the undersigned, offer to supply the required goods/ services in accordance with your Request for registration and we hereby submit our Tender Document.

Our Tender is binding to us and if found acceptable we shall be pleased to be included in the list of pre-qualified firms.

We understand you are not bound to accept any or all the bids that you receive.

Yours sincerely,

Authorized Signature:

Name and Title of Signatory

Name of Tenderer

Address

.....

SECTION 2

Tenderer registration questionnaire (to be completed by the tenderer)

(a) Company's name

(b) P.O. Boxcodecity/town.....

(c) Physical address plot no..... name of building.....floor.....

(d) Name of street

(e) Telephone numbersMobile Nos.....

(f) e-mailwebsite.....

(g) Contact person.....Designation.....

Certificate of registration/incorporation no. Date..... (attach copy)

Current trade license no. Date.....(attach copy)

Pin certificate no. Date (attach copy)

Vat registration no. Date(attach copy)

Name and address of bankers

.....
.....

Account number.....

Definition of business

(Please indicate whether sole proprietor, company or partnership)

Period in business

Nature of business/specialty

.....

Please indicate whether manufacturer, distributor, retailer, dealer or agent, contractor, etc

.....

Names of directors and shareholding (%): -

(1)

(2)

(3)

(4)

(5)

(6)

Associate companies

(1).....

(2)

(3).....

(4).....

(5).....

(6).....

Total number of staff employed.....

(1) Managerial / supervisory.....

(2) Technical

(3) Semi-skilled

Other organizations/ companies where you currently supply and range of supply items (excluding CoAKe)

(1)

(2)

(3)

(4)

(5)

(6)

Specify and give descriptive details of the goods/ works/ services you wish to render (select from list in appendix a)

.....

.....

Value of business you can handle at any one time

Kshs.....

Have you previously been supplying goods to CoAKe?

If yes, give details and indicate three of CoAKe last orders issued to you and order date

.....

.....

.....

Do you have any pending orders with CoAKe?

If yes give details

.....

Have you ever failed to honor CoAKe purchase order?

If yes give order details

.....

.....

DECLARATION

I/ We the undersigned state that the above information is correct and that I/ We give CoAKe authority to seek any other references concerning my/ our company from whatever sources deemed relevant e.g. Company Registrar's office, Bankers, KRA, etc, and that giving false or misleading information may render my application null and void.

Signed

Name

Designation

For and on behalf of M/s

Dated thisday of20

.....
Tenderers/ Company's Rubber Stamp or Common Seal.

ANTI-CORRUPTION DECLARATION COMMITMENT/ PLEDGE

I/ We/ Messrs.....

of Street, Building, P.O. Box.....

.....

Contact/ 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/ Tender No..... for or in the subsequent performance of the contract if I/ We am/ are successful.

Authorized Signature.....

Name and Title of Signatory.....

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 applies to your business.

You are advised that it is a serious offense to give false information in this form.

Part 1 –General

Business Name.....
Location of business premises.....
Plot No..... Street /Road.....
Postal address..... Tel. No.....
Nature of business.....
Current Trade License No..... Expiring Date.....
Maximum value of business which you can handle at any one time:
Name of your bankers..... Branch.....

Part 2(a) – sole proprietor

Your name in fullAge.....
NationalityCountry of origin.....

Part 2(b) – partnership

Given details of partners as follows:

Name	Nationality	Citizenship	Details	Shares
1.....				
2.....				
3.....				

Part 2(c) – registered Company

Private or public

State the nominal and issued capital of company:

Nominal

Issued

Given details of all directors as follows:

Name	Nationality	Citizenship	Details	Shares
1.....				
2.....				
3.....				

Date Signature of the candidate.....

SECTION 3: SCHEDULE OF REQUIREMENTS OF PRICE AND PRICE**SCHEDULE** Tender name: SUPPLY OF GENERAL OFFICE SUPPLIES, ACCESSORIES & STORES**TENDER NO. CoAKeRESAf/01/22-23**

No.	Item Specification	Unit of Issue	Quantity	Unit Price
1.	Printing Paper – white A4	Ream	5	
2.	Office staples 24/6 – 5mm 5000 staples (100X50)	Box	3	
3.	Pens – assorted colors	Piece	940	
4.	Notebooks – Single-ruled, A5 Spiral-binding	Piece	940	
5.	Flip Chart	Piece	80	
6.	Marker pen	Piece	500	

SCHEDULE Tender name: SUPPLY OF GENUINE OFFICE LAPTOPS**TENDER NO. CoAKeRESAf/02/22-23**

No.	Item Specification	Unit of Issue	Quantity	Unit Price
1.	Laptop – Core i7 EliteBook 360, Convertible, 7 th Gen 8GB RAM, 4GB Graphics Card, Storage 512 SSD, Hybrid, Touch Screen	Piece	3	

SCHEDULE Tender name: SUPPLY OF VEHICLE RENTAL/ HIRE SERVICES**TENDER NO. CoAKeRESAf/03/22-23**

No.	Item Specification	Unit of Issue	Quantity	Unit Price
1.	Vehicle Hire services	Piece	-	

SCHEDULE Tender name: SUPPLY OF VEHICLE FUEL AND LUBRICANTS,**TENDER NO. CoAKeRESAf/04/22-23**

No.	Item Specification	Unit of Issue	Quantity	Unit Price
1.	Supply of Vehicle Fuel and Lubricants	Monthly	-	

SCHEDULE Tender name: SUPPLY OF MOTOR VEHICLE (VAN) AND MOTOR VEHICLE INSURANCE SERVICES**TENDER NO. CoAKeRESAf/05/22-23**

No.	Item Specification	Unit of Issue	Quantity	Unit Price
1.	Supply of Motor Vehicle (Van) – Diesel engine below 3000CC, below 140,000Km mileage, Manual/ Automatic transmission, 4WD, 2013 – 2015 Model.	Piece	1	

2.	Motor Vehicle Insurance Services	Annual	1	
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FORM No. 1: NOTIFICATION OF INTENTION TO AWARD

For the attention of Tenderer's Authorized Representative

Name: :
Address: :
Email: :
Date of Transmission: :

Notification of Intention to Award

Employer : Conservation Alive Kenya
Project Name : Restore Africa Programme
Contract Title :
County : Kwale County
Country : Kenya
Tender registration No. :

This Notification of Intention to Award (Notification) notifies you of our decision to award the above contract. The transmission of this Notification begins the Standstill Period, which shall remain valid for a period of four (4) calendar months. During the Standstill Period, you may:

- (i) Request a debriefing in relation to the tender,
- (ii) Request for additional details that you feel could be lacking in relation to the tender,
- (iii) Offer any new information which could adversely affect the status of the award, including but not limited to price variations.

How to request a debriefing

- a. **DEADLINE:** The deadline to request a debriefing expires at midnight of the 15th Business Day from the date of this transmission.
- b. You may request a debriefing in relation to the award of this tender only. If you decide to request a debriefing, your written request must be made within five (5) Business Days of receipt of this Notification of Intention to Award.

- c. Provide the contract name, reference number, name of the Tenderer, contact details; and address the request for debriefing as follows:

Attention : *(full name of employer's authorized person)*
Title/ position : *(of employer's authorized person)*
Contract Title : *(as indicated in the relevant category bid)*
Agency : *(name of employer)*
Email Address : *(of employer)*

- d. If your request for a debriefing is received within the deadline, we will provide the debriefing within five (5) Business Days of receipt of your request.
- e. The debriefing may be in writing, by phone, video conference call or in person. We shall promptly advise you in writing how the debriefing will take place and confirm the date and time.

On behalf of Conservation Alive Kenya:

Mohamed Ali Salim,
Executive Director,
Conservation Alive Kenya.

FORM No. 2: TENDER ACCEPTANCE LETTER

**Executive Director,
Conservation Alive Kenya,
P.O. Box 566 – 80400,
Ukunda, Kenya.**

Date.

RE: Acceptance of Terms & Conditions of Tender.

Tender Registration No: _____

Tender Name:

Dear Sir,

1. I / We have received communication on the award of the tender as above referenced and named.
2. I / We hereby certify that I / we have read the entire terms and conditions of the tender documents, which form part of the contract agreement and I / we shall abide hereby by the terms / conditions / clauses contained therein.
3. The item specifications set by your organization too have also been taken into consideration, while submitting this acceptance letter.
4. I / We hereby unconditionally accept the tender conditions of above-mentioned tender in its totality / entirety.
5. I / We do hereby declare that our Firm has not been blacklisted/ debarred by any Govt. Department/ Public sector undertaking.
6. I / We certify that all information furnished by our Firm is true & correct and in the event that the information is found to be incorrect/ untrue or found violated, then your organization shall without giving any notice or reason therefore summarily reject the bid or terminate the contract, without prejudice to any other rights or remedy.

Yours Faithfully,

Name of Authorized person

(Signature of the Bidder, with Official Seal)

FORM No. 3: LETTER OF AWARD

**The
Organization
Address
Date**

Dear Sir/ Madam,

RE: Notification of Award Contract No.

This is to notify you that your Tender dated *[insert date]* for execution of the *[insert name of the contract and identification number, as given in the SCC]* for the Accepted Contract Amount of *[insert amount in numbers and words and name currency]*, is hereby accepted by the procuring entity – Conservation Alive Kenya.

You are requested to make delivery within 30 days from the date of this communication. We shall only approve final payment upon satisfactory verification that the items delivered meet the requirements set. Where the items delivered fall below the set requirements, you shall be required to make amends and deliver the required items, failure to which, you shall refund in full the amount paid upfront, with all other costs borne by you alone.

Mohamed Ali Salim,
Executive Director,
Conservation Alive Kenya.

Attachment: Framework Agreement

FORM No. 4: FRAMEWORK AGREEMENT

THIS AGREEMENT made on the *dd/ mm/ yyyy*

BETWEEN Conservation Alive Kenya and having its principal place of business at South Sea Center, 1st Floor, Maganyakulo along Likoni–Lunga Lunga Road, Kwale County, hereinafter called “*the Procuring Entity*”

AND *name of supplier*, a corporation incorporated/ a business registered under the Laws of Kenya and having its principal place of business at hereinafter called “the Supplier”

WHEREAS the Procuring Entity invited Tenders for certain Goods and ancillary services, viz., [*insert brief description of Goods and Services*] and has accepted a Tender by the Supplier for the supply of those Goods and Services, the Procuring Entity and the Supplier agree as follows:

- (i) In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Contract documents referred to:

The following documents shall be deemed to form and be read and construed as part of this Agreement. This Agreement shall prevail over all other contract documents.

- a) the Letter of Acceptance
- b) the Letter of Tender

- (ii) In consideration of the payments to be made by the Procuring Entity to the Supplier as specified in this Agreement, the Supplier hereby covenants with the Procuring Entity to provide the Goods and Services and to remedy defects therein in conformity in all respects with the provisions of the Contract.

- (iii) The Procuring Entity hereby covenants to pay the Supplier 50% upfront in consideration of the provision of the Goods and Services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract. The balance of 50% shall be paid upon delivery by the supplier and acceptance by the procuring entity.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Kenya on the day, month and year indicated above.

For and on behalf of the Procuring Entity

Signed:

in the capacity of Executive Director in the presence of Reuben Nduvi.

For and on behalf of the Supplier

Signed:

in the capacity of _____ in the presence of _____