



**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS
(ODPP)**

TENDER NO: ODPP/REG/01/2020-2021

FOR

REGISTRATION OF SUPPLIERS FOR GOODS, SERVICES AND WORKS FOR

THE FINANCIAL YEARS 2020-2021 AND 2021-2022

CLOSING DATE: 4TH AUGUST, 2020 AT 11.00 AM

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SECTION I- INVITATION FOR REGISTRATION OF SUPPLIERS (IFRS)

Name of Firm.....

Address.....

Category No.....

Item Description.....

The Office of the Director of Public Prosecutions Invites applications from interested and eligible bidders for registration of suppliers for goods, services and works for the period 2020-2022 financial years. Interested and eligible bidders may obtain the registration documents by **downloading free of charge** from the ODPP Website: www.odpp.go.ke and Government Public Procurement Information Portal <https://tenders.go.ke> .

TENDER NO. ODPP/REG/01/2020-2021.

REGISTRATION OF SUPPLIERS FOR SUPPLY AND DELIVERY OF GOODS, WORKS AND SERVICES FOR THE PERIOD 2020-2021 AND 2021-2022 FINANCIAL YEARS

A. PROVISION OF SERVICES

Category	Item description	Eligibility
ODPP/C01/2020-2022	Provision of air travels & air ticketing services	Open to all - Firms must be Registered by IATA
ODPP/C02/2020-2022	Provision of commissioning of documents	Commissioners within upper hill and community
ODPP/C03/2020-2022	Repair and maintenance of ICT equipment, photocopiers, servers, desktop computers, laptops, Printers, UPS, Scanners e.t.c	Open to all
ODPP/C04/2020-2022	Provision for Conference Facilities, hire of hotels for accommodation and outside catering services (Service may be required anywhere in the Country)	Open to all
ODPP/C05/2020-2022	Repair of office furniture and equipment	Reserved for AGPO registered firms.
ODPP/C06/2020-2022	Repair and servicing of motor vehicles	Open for all- firms must be registered with Chief Mechanical & Transport Engineer
ODPP/C07/2020-2022	Provision of internet services	Open for all
ODPP/C08/2020-2022	Provision of Video Conferencing Services	Open for all
ODPP/C09/2020-2022	Provision of Printing Services	Reserved for AGPO registered firms.

ODPP/C10/2020-2022	Provision of Event Organising Services	Reserved for AGPO registered firms.
ODPP/C11/2020-2022	Provision of Branding Services	Reserved for AGPO registered firms.
ODPP/C12/2020-2022	Provision of Insurance services –Life and group personal accident	Open to all -firms which are registered under Insurance Regulatory Authority

B. SUPPLY AND DELIVERY OF GOODS

Category	Item description	Eligibility
ODPP/C13/2020-2022	Supply and delivery of drinking water	Reserved for AGPO registered firms.
ODPP/C14/2020-2022	Supply and delivery of staff uniforms, footwear, protective clothing & judges gowns	Reserved for AGPO registered firms.
ODPP/C15/2020-2022	Supply and delivery of office stationeries	Reserved for AGPO registered firms.
ODPP/C16/2020-2022	Supply and delivery of Computer accessories and consumable e.g Toners, Ant-virus	Reserved for AGPO registered firms.
ODPP/C17/2020-2022	Supply and delivery of office furniture	Open to all
ODPP/C18/2020-2022	Supply and delivery of office machines and equipment e.g cabinets, water dispensers, shredders, scanners etc.	Open to all
ODPP/C19/2020-2022	Supply and delivery of gifts e.g handicrafts, trophies etc.	Reserved for AGPO registered firms.
ODPP/C20/2020-2022	Supply and Delivery of Tyres, tubes and batteries	Reserved for AGPO registered firms.
ODPP/C21/2020-2022	Supply and delivery of electrical appliances	Reserved for AGPO registered firms.
ODPP/C22/2020-2022	Supply and delivery of fresh cut flowers	Open to all
ODPP/C23/2020-2022	Production & Supply of promotional materials, branded t-shirts, banners, posters, flyers, exhibition stands, signage and related services	Reserved for AGPO registered firms.
ODPP/C24/2020-2022	Supply, delivery and installation of CCTV and Biometric Access System	Open to all
ODPP/C25/2020-2022	Supply and delivery of computers, laptops, Ipads and Tablets	Reserved for AGPO Registered firms.

C. SUPPLY AND DELIVERY FOR WORK

Category	Item description	Eligibility
ODPP/C26/2020-2022	Small Works	Open to all - Firms must be Registered by National Construction Authority

Completed tender documents in plain sealed envelopes clearly marked with the tender number and Category applied for should be addressed to:

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

P.O. BOX 30701-00100

NAIROBI.

And be deposited in the Tender Box at the **Office of the Director of Public Prosecutions, Building, along Ragati Road, 2nd floor**, so as to be received on or before **Tuesday, 4th August, 2020. Time: 11.00am.**

Applications will be opened immediately thereafter in the presence of the candidates or their representatives who choose to attend at the Office of the Director of Public Prosecutions Boardroom situated at the ODPP Building ground floor Tuesday, 4th August, 2020 at 11.00 am

**HEAD OF SUPPLY CHAIN MANAGEMENT SERVICES
FOR; DIRECTOR OF PUBLIC PROSECUTIONS**

SECTION II- INSTRUCTIONS TO CANDIDATES

1.1 Introduction

The Office of The Director of Public Prosecutions would like to invite interested candidates who must qualify by meeting the set criteria as provided, for supply and delivery of goods, works and provision of services to the ODPP.

1.2 Registration Objective

The main objective is to select suppliers for the supply and delivery of assorted items and also provide services under relevant tenders/quotations to the ODPP as and when required during the period 2020-2022 financial years.

1.3 Invitation of Registration

Suppliers registered with Registrar of Companies under the Laws of Kenya in respective merchandise or services are invited to submit their Pre- Qualification documents to the ODPP so that they may be registered for submission of tenders. The prospective Suppliers are required to provide mandatory information for registration/registration.

1.4 Experience

Potential suppliers/contractors must demonstrate the willingness and commitment to meet the registration criteria.

1.5 Registration Document

This document includes questionnaire forms and documents required of prospective suppliers.

1.6 Consideration

In order to be considered for registration, prospective suppliers must submit all the information herein requested.

1.7 Submission of Registration Documents

Two copies (marked original and duplicate) of the completed registration data and other requested information shall be submitted to reach;

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

P.O. BOX 30701-00100

NAIROBI.

NOT LATER THAN TUESDAY, 4TH AUGUST, 2020 AT 11.00 AM.

(LOCAL TIME)

1.8 Questions Arising from Documents

Questions that may arise from the registration documents should be directed to the Director of Public Prosecutions through the address given in part 1.7

1.9 Additional Information

The ODPP reserves the right to request submission of additional information from prospective bidders.

1.10 Invitation to Tenders/Quotations

Bidding documents (Tender/Quotations) will be made available only to those bidders whose qualifications are accepted by the ODPP after scoring more than 70 points soon after the completion of the tender process as and when required.

APPENDIX TO INSTRUCTIONS TO CANDIDATES

2.0 REGISTRATION OF SUPPLIERS DATA INSTRUCTIONS

2.1 Introduction

The Office of the Director of Public Prosecutions would like to invite interested candidates who must qualify by meeting the set criteria as provided by the Procuring Entity to perform the contract of Supply of Goods, Works and Provision of Services within the ODPP.

2.2 Format and Signing of Applications

2.2.1 The applicant shall prepare one original document comprising the registration document, as described in Instructions to Candidates, bound with the section containing the appendix to instructions and clearly marked "ORIGINAL". In addition, the applicant shall submit one copy of the same registration document clearly marked "COPY". In the event of discrepancy between them, the original shall prevail.

2.2.2 The original and copy of the registration document shall be typed or written in indelible ink (in case of copies, photocopies are also acceptable) and shall be signed by a person or persons duly authorized to sign on behalf of the applicant. The person or persons signing the registration document shall initial all pages of the tender where entries or amendments have been made.

2.2.3 The registration document shall be without alterations, omissions or conditions except as necessary to correct errors made by the applicant in each case such corrections shall be initialed by the person or persons signing the registration documents.

2.3 Submission of Applications

2.3.1 Applications for registration shall be submitted in sealed envelopes marked,

**‘REGISTRATION DOCUMENT FOR SUPPLY
OF GOODS, WORKS OR PROVISION OF
SERVICES**

TENDER NO:.....

CATEGORY NO:.....

ITEM DESCRIPTION:.....

and be addressed to:

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

P.O. BOX 30701-00100

NAIROBI.

And be deposited in the Tender Box at the **Office of the Director of Public Prosecutions Building 2nd floor, Ragati Road** so as to be received on or before **Tuesday, 4th August, 2020. Time: 11.00am**

Applications received after the closing date shall be rejected and returned unopened.

2.3.2 Sealing and Marking of Envelopes

The candidate shall seal the original and the copy of the registration document in separate envelopes duly marked the “ORIGINAL” and “COPY”. The envelopes shall then be sealed in an outer separate envelope.

The inner and outer envelopes shall: -

- (a) Be addressed and delivered to the respective locations at the address provided in the invitation for registration and the registration advertisement.
- (b) Bear the name and identification number of the registration document. In addition to the identification required in sub-clause 2.3.1, the inner envelope shall indicate the name and address of the applicant to enable the application to be returned unopened in case it is declared “late” pursuant to clause 2.3.1.

2.3.3 The outer envelope: -

- (a) If the outer envelope is not sealed and marked as instructed above, the Office of the Director of Public Prosecutions will assume no responsibility for the misplacement or premature opening of the registration document.
- (b) If the outer envelope discloses the candidate’s identity the employer will not guarantee the anonymity of the registration submission, but this shall not constitute grounds for rejection of the registration document.

2.3.4 All the information requested for registration shall be provided in the English language. Where information is provided in any other language, it shall be accompanied by a translation of its pertinent parts into English language. The translation will govern and will be used for interpreting the information

2.3.5 Failure to provide information that is essential for effective evaluation of the applicant’s qualifications or to provide timely clarification or substantiations of the information supplied may result in the applicant’s disqualification.

2.4 Eligible Candidates

2.4.1 Suppliers registered with Registrar of Companies under the Laws of Kenya in respective merchandise or services are invited to submit their Registration documents to the Office of the Director of Public Prosecutions so that they may be prequalified for submission of quotations. The prospective suppliers are required to supply mandatory information for registration – FORM PQ-1

2.4.2 Candidates shall provide such evidence of their contained eligibility satisfactory to the employer, as the employer shall reasonably request.

3.0 TENDER DATA INSTRUCTIONS

3.1 TENDER DATA FORMS

- 3.1.1 The attached questionnaire forms PQ-1, PQ-2, PQ-3, PQ-4, PQ-5, PQ-6, are to be completed by prospective suppliers/contractors who wish to be registered for submission of tender for the specific category.
- 3.1.2 The registration application forms PQ-2 which are not filled out completely and submitted in the prescribed manner will not be considered. All the documents that form part of the proposal must be written in English and in ink.

3.2 QUALIFICATION

- 3.2.1 It is understood and agreed that the registration data on prospective bidders is to be used by the ODPP in determining, according to its sole judgment and discretion, the qualifications of prospective bidders to perform in respect to the Tender Category as described by the client.
- 3.2.2 Prospective bidders will not be considered qualified unless in the judgment of the ODPP, they possess capability, experience, qualified personnel available and suitability of equipment and net current assets or working capital sufficient to satisfactorily execute the contract for goods/services.

3.3 ESSENTIAL CRITERIA FOR REGISTRATION

3.3.1 Experience

The potential supplier/contractor should show competence, willingness and capacity to service the contract at short notice.

3.3.2 Financial Condition

The Supplier's financial condition will be determined by latest financial statement submitted with the registration documents as well as letters of reference from their bankers regarding suppliers/contractor's credit position. Potential suppliers/contractors will be registered on the Satisfactory information given.

This is with the exception of those tenders set aside for special groups such as youth, women and persons with disability.

3.3.3 Past Performance

Past performance will be given due consideration in registering bidders. Letter of reference and or copies of order/contracts from past customers should be included in Form PQ-5. **Tenders set aside for special groups i.e. youth, women and persons with disability are exempted from this requirement.**

3.3.4 Sworn Statement

Application must include a sworn statement Form PQ-6 by the Tenderer ensuring the accuracy of the information given.

3.4 WITHDRAWAL OF REGISTRATION

Should a condition arise between the time the firm is registered to bid and the bid opening date which in the opinion of the client/ODPP could substantially change the performance and qualification of the bidder or his ability to perform such as but not limited to bankruptcy, change in ownership or new commitments, the ODPP reserves the right to reject the tender from such a bidder even though he was initially registered.

3.5 REGISTRATION

The firm must have a fixed Business Premise and must be registered in Kenya, with Certificate of Registration /Incorporation/Memorandum and Article of Association, copies of which must be attached.

3.6 STATUTORY OBLIGATIONS

The applicant must show proof that they have paid all statutory obligations and have current Tax Compliance Certificate which is mandatory.

3.7 COST OF APPLICATION

The applicant shall bear all costs associated with the preparation and submission of its tender and the ODPP will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the registration process.

3.8 CLARIFICATION OF REGISTRATION DOCUMENTS

3.8.1 The prospective applicant requiring any clarification of the registration documents may notify the ODPP in writing at the Employer's mailing address indicated in the registration data.

3.8.2 The ODPP will respond in writing to any request for clarification that it receives earlier than 7 days prior to the deadline for the submission of applications. Copies of the Office of the Director of Public Prosecutions response to queries raised by applicants (including an explanation of the query but without identifying the sources of the inquiry) will be sent to all prospective applicants who will have purchased the registration documents.

3.9 AMENDMENT OF REGISTRATION DOCUMENTS

3.9.1 At any time prior to the deadline for submission of applications, the Employer may, for any reason, whether at his own initiative or in response to a clarification requested by a prospective applicant, modify the registration documents by issuing subsequent Addenda.

3.9.2 The Addendum thus issued shall be part of the registration documents and shall be communicated in writing to all purchasers of the registration documents. Prospective applicants shall promptly acknowledge receipt of each Addendum in writing to the ODPP.

3.9.3 In order to afford prospective applicants reasonable time in which to take an Addendum into account in preparing their applications, the ODPP may, at its

discretion, extend the deadline for the submission of applications in accordance with Clause 1.7.

3.10 DEADLINE FOR SUBMISSION OF REGISTRATION DOCUMENTS

- 3.10.1 Applications must be received by the Office of the Director of Public Prosecutions at the address specified in Sub-Clause 2.3.1, not later than the time and date stipulated in the notice for registration.
- 3.10.2 The ODPP may, at its discretion, extend the deadline for the submission of applications through the issue of an Addendum in accordance with Clause 1.7 in which case all rights and obligations of the Employer and the applicants previously subject to the original deadline shall thereafter be subject to the new deadline as extended.

3.11 OPENING OF REGISTRATION DOCUMENTS

- 3.11.1 The Office of the Director of public Prosecutions will open the applications in the presence of applicants' designated representatives who choose to attend, at the time, date, and location stipulated in the letter of invitation. The applicants' representatives who are present shall sign a register evidencing their attendance.
- 3.11.2 The Office of the Director of public Prosecutions shall prepare minutes of the opening of the registration documents, including the information disclosed to those present.
- 3.11.3 Applications not opened and read out at opening shall not be considered further for evaluation, irrespective of the circumstances.

3.12 PROCESS TO BE CONFIDENTIAL

Information relating to the examination, evaluation of applications, and recommendations for the successful candidate shall not be disclosed to applicants or any other persons not officially concerned with such process until approval to the successful applicant has been announced. Any effort by an applicant to influence the Employer's processing of applications or approval decisions may result in the rejection of the applications

3.13 CLARIFICATION OF APPLICATIONS AND CONTACTING OF THE EMPLOYER

- 3.13.1 To assist in the examination, evaluation, and comparison of applications, the Office of the Director of public Prosecutions may, at its discretion, ask any applicant for clarification of his/her application.
- 3.13.2 Subject to Sub -Clause 3.12, no applicant shall contact the Office of the Director of Public Prosecutions on any matter relating to its application from the time of the opening to the time the registration list is approved. If the applicant wishes to bring additional information to the notice of the Office of the Director of public Prosecutions, it should do so in writing.
- 3.13.3 Any effort by any applicant to influence the Office of the Director of Public Prosecutions in the applicant's registration evaluation, registration comparison or

registration approval decisions may result in the refection of the candidate's application.

3.14 EXAMINATION OF REGISTRATION DOCUMENTS AND DETERMINATION OF RESPONSIVENESS

- 3.14.1 Prior to the detailed evaluation of applications, the ODPP will determine whether each application (a) has been properly signed and delivered pursuant to clause 2.3; (b) is substantially responsive to the requirements of the registration documents; and (c) provides any clarification and/or substantiation that ODPP may require to determine responsiveness pursuant to Sub-Clause 3.13.1.
- 3.14.2 A substantially responsive application is one that conforms to all the terms, conditions, and specifications of the registration documents without material deviation or reservation. A material deviation or reservation is one (a) which limits in any substantial way, inconsistent with the registration documents, ODPP's rights or the applicant's obligations under the contract; or (b) whose rectification would affect unfairly the competitive position of other applicants presenting substantially responsive applications.
- 3.14.3 If an application is not substantially responsive, it will be rejected by the ODPP and may not subsequently be made responsive by correction or withdrawal of the nonconforming deviation or reservation.

3.14.4 The ODPP, prior to the approval of the registration may confirm the qualification of each applicant who shall have passed the technical stage the registration process in order to determine whether the applicant possesses all the requirements in the application for the registration document submitted.

3.15 NOTIFICATION OF QUALIFIED APPLICANTS

3.15.1 Applicants whose applications are determined to be successful in accordance with clause 3.20 will be notified by the ODPP within thirty (30) days from the date of opening of registration documents.

3.15.2 At the same the ODPP notifies qualified Applicants that their applications are responsive, the ODPP shall notify the other Applicants whose applications are not responsive.

3.16 EVALUATION AND COMPARISON OF APPLICATIONS

3.16.1 The ODPP reserves the right to accept or reject any application, and to annul the registration process and reject all applications, at any time prior to approval of contact, without thereby incurring any liability to the affected applicant or applicants or any obligation to inform the affected Applicant or Applicants of the grounds for the ODPP's action.

3.17 ACCEPTANCE OF THE APPROVAL

The successful candidates shall be required to acknowledge in writing the acceptance of their registration to the ODPP.

3.18 WITHDRAWAL OF TENDER

Should a condition arise between the time firm has tendered the bid and the bid opening date which in the opinion of the Office of the Director of Public Prosecutions could substantially change the performance and qualification of the bidder or his ability to perform such as but not limited to bankruptcy, change in ownership or new commitments. The ODPP reserves the right to reject the tender from such a bidder even though he was initially registered.

3.19 OUTLINED SUPPLY AND DELIVERY PROCEDURES

The applicant should also submit a brief statement of supply and service delivery methods and procedures he plans to use to execute the contract in FORM PQ-2

SECTION III - EVALUATION CRITERIA

S/NO.	Required Information	Form Type	Point
1	Mandatory Requirement	PQ - 1	30
2	Registration Data	PQ - 2	10
3	Financial Position	PQ - 3	15
4	Confidential Business Questionnaire	PQ - 4	20
5	Past Experience	PQ - 5	5
6	Sworn Statement	PQ - 6	20
	Total Score		100

3.20 QUALIFICATION MARK

The qualification is 70 points and over.

For the categories reserved for youth, women and persons with disability the qualification is 50 points and over.

SECTION IV - STANDARD FORMS

FORM PQ-1 MANDATORY REGISTRATION REQUIREMENTS

All firms MUST provide: -

1. Copies of Certificate of Registration/Incorporation.
2. Confidential Business Questionnaire
3. Copy of Valid Tax Compliance Certificate from Kenya Revenue Authority.
4. Submit a copy of the AGPO Certificate registration for Reserved Groups Category.
5. Bidder must fill, sign and Stamp the ethics and integrity pact attached in the tender document
6. Provide proof of registration with relevant regulatory bodies for categories that require professional approvals (e.g. National Construction Authority for works, National Industrial Training Authority for training, Insurance Regulatory Authority for Insurance, IATA for Air travel firms, Practicing certificates for Professionals, etc.) where applicable.
7. Submit CR 12 for Limited Companies.

(30 points)

FORM PQ-2 REGISTRATION DATA

REGISTRATION OF SUPPLIERS APPLICATION FORM

I/We hereby apply for registration as
supplier (s) of (Name of Company/Firm):.....**IFMIS NO**

Item Description;
.....

Category No:
.....

Post Office Address..... **IFMIS Email address**.....

Town
.....

Street
.....

Name of building
.....

Room/Office No.
.....

Floor No:
.....

Telephone Nos.
.....

Full Name of applicant
.....

Other branches location
.....

2. Organization & Business Information

Management Personnel

.....

President (Chief Executive)

.....

.....

.....

.....

.....

Partnership (if applicable)

Names of Partners

.....

3. Business registered or incorporated

.....

4. Under present management since

.....

5. Net worth equivalent Kshs

.....

6. Bank reference and address

.....

7. Bonding company reference and address

8. Enclose copy of organization chart of the firm indicating the main fields of activities

9. State any technological innovations or specific attributes which distinguish you from your competitors

.....

10. Indicate terms of trade/sale.....

(10 Points)

PQ-3

FINANCIAL POSITION AND TERMS OF TRADE

- (1) Attach a copy of firm's two certified financial statements giving summary of assets and current liabilities/or any other financial support.
NB: Those applying under the categories set aside for youth, women and persons with disability will be exempt from this requirement.
- (2) Attach letters of reference from the bankers regarding supplier's credit position.

(15 Points)

FORM PQ-4 CONFIDENTIAL BUSINESS QUESTIONNAIRE

REPUBLIC OF KENYA CONFIDENTIAL BUSINESS QUESTIONNAIRE

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

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

Business Name

.....
Location of business premises.....
Plot No.Street/Road.....
Postal Address.....**Tel. No**.....
Nature of business.....**IFMIS NO:**.....
Current Trade Licence No.....Expiring date.....
Maximum value of business which you can handle at any one time : Kshs.....
Name of your bankers.....Branch

Part 2 (a) – Sole Proprietor

Your name in full.....Age.....
Nationality.....Country of origin.....
*Citizenship details.....

Part 2 (b) Partnership

Given details of partners as follows:

Name	Nationality	Citizenship Details	Shares
.....
.....
.....
.....

Part 2 (c) – Registered Company:

Private or Public...

State the nominal and issued capital of company-

Nominal K£.....

Issued K£.....

Given details of all directors as follows:-

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

Date.....Signature of Candidate.....

*if Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration.

(20 points)

FORM PQ-5 PAST EXPERIENCE

NAMES OF THE APPLICANTS CLIENTS IN THE LAST TWO YEARS NAMES OF OTHER CLIENTS AND VALUES OF CONTRACT/ORDERS

- i) Name of Client (organization).....
 - ii) Address of Client (organization)
 - iii) Name of Contact Person at the client (organization)
 - iv) Telephone No. of Client
 - v) Value of Contract
 - vi) Duration of Contract (date)
- (Attach documental evidence of existence of contract)

2. Name of 2nd Client (organization)

- i) Name of Client (organization)
- ii) Address of Client (organization)
- iii) Name of Contact Person at the client (organization)
- iv) Telephone No. of Client
- v) Value of Contract
- vi) Duration of Contract (date)

(Attach documental evidence of existence of contract)

3. Name of 3rd Client (organization)

- i) Name of Client (organization)
- ii) Address of Client (organization)
- iii) Name of Contact Person at the client (organization)
- iv) Telephone No. of Client
- v) Value of Contract
- vi) Duration of Contract (date)

(Attach documental evidence of existence of contract)

4. Others.....

(5 Points)

FORM PQ-6 SWORN STATEMENT

Having studied the registration document I hereby state:

- a. The information furnished in our application is accurate to the best of our knowledge.
- b. That in case of being registered/registered we acknowledge that this grants us the right to participate in due time in the submission of a tender or quotation when invited/requested to do so by the ODPP.
- c. When the call for Quotations is issued, the legal technical or financial conditions or the contractual capacity of the firm changes we shall notify the ODPP and acknowledge your right to review the registration made.
- d. We enclose all the required documents and information required for the registration evaluation.
- e. We confirm that we have not been debarred from participation in Public Procurement and have no litigation procedure in process.
- f. That will shall NOT engage in any form of corrupt practice during and after the tendering process.

Date

Applicant's Name

Represented by

Signature

(Full name and designation of the person signing and stamp or seal)

(20 marks)

**ETHICS AND INTEGRITY PACT
TO BE FILLED, DATED, SIGNED AND SUBMITTED BY ALL PERSONS BIDDING FOR THE
SUPPLY OF OR PROVISION OF ANY GOODS OR SERVICES TO OFFICE OF THE DIRECTOR
OF PUBLIC PROSECUTIONS**

Bidder's undertaking on Ethics and Integrity

Accepting that transparent business management and fair public administration are the key to social development and national competitiveness, and in an effort to purge corruption and apply sanctions to corrupt businesses, and in full support of the worthy goals of this Integrity Pact, concerning the present proposal for: _____, I _____ (lead consultant's name in the case of an individual consultancy)/all personnel of _____ (name of association, partnership, corporation or other entity being a non-individual consultant) and its sub-contractors and agents hereby agree that:

- 1 I/We understand that ODPP is/are a law-abiding institution and I/We undertake to abide by all the Laws of Kenya particularly the laws, rules and regulations governing ethics and integrity and the procurement of goods and services by public agencies in Kenya. I/We shall not conduct any unethical business practices, including but not limited to making false declarations and representations in bidding documents; bid-rigging, collusive bidding, canvassing,.
- 2 I/We shall not offer any bribe, gifts, entertainment or any other undue benefits directly or indirectly to any officials of the ODPP or indeed any other person nor commit any other act with a view to unlawfully influencing the process or outcome of procuring for the goods and/or services herein or the performance of any contract arising from the procurement process.
- 3 I/We undertake to report to ODPP, Ombudsman and the Kenya Ethics & Anti-Corruption Commission any acts of corruption and unethical practice by any official of ODPP, any of my/our employees, agents, associates, affiliates or indeed any other person that come to our knowledge in the course of procuring the supply and provision of the goods and/or services herein or the performance of any contract arising therefrom.
- 4 In bidding for the goods or services herein and in the course of any contract that may arise therefrom, I/We shall not make any statement which is untrue based on our knowledge, information and belief. I/We shall fully and truthfully declare my/our ability to provide the goods and/or perform the services and we will not bid for the supply of goods or provisions of services which we do not have the capacity to provide whether at all or under the terms required by ODPP.
- 5 I/We declare that we have the legal and operational capacity to make a bid for the goods and/or services herein, including but not limited to the fact that I/We am/not an undischarged bankrupt, under receivership or liquidation or otherwise insolvent nor suffering from any such or other incapacity that would make our bid or our ability to provide the goods and/or services herein legally or operationally untenable.
- 6 I/We declare that there is no conflict of interest situation existing between myself/us on the one hand and ODPP on the other with regard to the supply of the goods and/or provision of the services herein that would make the our bid or contract ethically or legally untenable. If any such conflict arises in the course of the procurement process and before the conclusion of any contract arising therefrom, I/We shall fully and truthfully declare such conflict to ODPP.
- 7 I/We understand that the violation if this pact may lead to the disqualification my/our bid, to the termination of any contract or obligation between myself/us and ODPP and my/our prosecution.

Name:Signature: -----Stamp.....