REGISTRATION DOCUMENT

FOR

REGISTRATION OF SUPPLIERS FY 2019-2021
KENAS/22/2019/21 - PROVISION OF LEGAL SERVICES

KENYA ACCREDITATION SERVICE,
P.O. BOX 47400-00100,
NAIROBI, KENYA.
Tel: 0787 395 679 or 0725 227 640
Email: info@kenyaaccreditation.org
Web: www.kenas.go.ke

4TH MARCH 2019

CLOSING DATE: 21ST MARCH 2019
SECTION I - INVITATION FOR TENDERS

Kenya Accreditation Service (KENAS) is a regulatory statutory organization of the Government established under the State Corporations Act, Cap 446 Laws of Kenya; vide the KENAS order, Legal Notice No. 55/2009 as the sole National Accreditation Body (NAB) for Kenya.

1. KENAS invites applications for registration of suppliers and service providers for the period 2019 - 2021.

2. Interested eligible candidates may obtain further information and inspect the registration documents at the Procurement Office 2nd Floor Embankment Plaza during normal office working hours - (between 8am - 1pm & 2pm - 5pm).

3. To be eligible, the candidate MUST prove that they qualify to participate in Public Procurement by providing copies of the MANDATORY documents.

4. Current Registered Suppliers are required to apply.

5. Complete set of registration documents may be viewed and downloaded for free from the website www.kenas.go.ke

6. Bidders who download the registration document MUST forward their company details to procurement@kenyaaccreditation.org

7. The bidders MUST comply with all the documents, instructions, terms and conditions and particularly ensure that all the forms, questionnaires required are properly completed.

8. Completed registration documents are to be enclosed in plain sealed envelopes, marked with the Category Number, Name and should be deposited in the Tender Box on 2nd Floor or be addressed to:-

   The Chief Executive Officer,
   Kenya Accreditation Service,
   P.O. Box 47400-00100,
   Nairobi.
   so as to be received on or before 21ST MARCH 2019 AT 11:00AM.
9. Registration documents will be opened immediately thereafter in the presence of the candidates representatives who choose to attend.

10. Late applications will NOT be acceptable.

REGISTRATION OF SUPPLIERS FY 2019-2021
KENAS invites application for Registration of suppliers for the Provision of Legal Services.

INTRODUCTION
KENAS intends to procure, by way of Registration of suppliers, the services of competent Law Firms and qualified lawyers. The Law Firms and qualified lawyers must have vast experience in intellectual property law and corporate law. More specifically, drawing from past experience, they must have capacity to undertake the following;

a. Prepare legal advice on corporate issues ranging from debt collection, property acquisition, Agreements / contractual obligations including enforcement and termination, employer - employee relationship including computation of employee benefits, technology and intellectual property among others;

b. Governance Audit Frameworks vis a vie the legal framework governing Board of Directors in State Corporation, best practice in corporate governance and assess compliance with the various reporting requirements;

c. Provide Company Secretarial Services;

d. Obtain regulatory approvals as and when required; and

e. Undertake trainings on items a) to c) above.

INSTRUCTIONS
1. You are requested to provide particulars as indicated in part II, III, IV, V, VI, VII, VIII, IX, X & XII of this form as accurately as possible and where space provided is not sufficient, please use a separate sheet of paper and attach to this form.

2. KENAS attaches great importance to correct information given. If the information given is found to be incorrect in any respect, the applicant shall be rendered ineligible for registration / deregistered.
3. KENAS reserves the right to visit and inspect business premises of all the applicants to verify information provided.
4. All the information provided will be treated as confidential but will not necessarily be used as the only basis of registering or rejecting an applicant or existing suppliers / contractors / agents / consultants.
5. Firms associated with employees of KENAS are ineligible to apply for registration.
6. This form should be typed or completed in legible block letters.
7. Your Registration documents shall be submitted spiral or velo bound and properly page numbered. KENAS shall not be responsible for loss of documents not bound (loose).
8. Bidders must be Law Firms that have been in operation for at least seven years.
9. The Law Firms must have at least two senior advocates with over ten years of experience.
10. At least one senior advocate must be a Registered Patent Agent at the Kenya Industrial Property Institute.
11. At least one senior advocate must be qualified to act as a Company Secretary.

PART I
SUPPLIER DETAILS
A. Business Name ........................................................................................................
Pin No........................... VAT Reg. No .................................................................

B. Location
Business Location .....................................................................................................
Name of building .....................................................................................................
Plot No. .................................................................
Road/Street Name .................................................................................................
Floor No. ....................... Room No. .................................................................
C. Address
Postal Address ........................................................................................................
Telephone Nos. ....................................................................................................
Fax No ..................................................................................................................
Mobile Nos. .........................................................................................................
Website & Email.................................................................................................

PART II
COMPANY DETAILS
A. Nature of Institution
☐ Company
☐ Partnership
☐ Sole Proprietorship
Other (specify) ....................... \textit{(Tick where applicable)}

B. Ownership
Details of the Directors

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<th>Names</th>
<th>Nationality</th>
<th>Citizenship Details</th>
<th>Shares</th>
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\textit{(Attach proof of citizenship e.g. ID. No., Passport)}

C. Registration with Registrar of Companies
1. Date of Registration ..................... Registration No. .....................
\textit{(Registration with any other professional / relevant bodies e.g. LSK, ICPS, Institute of Arbitration)}
Date of Registration ..................... Registration No. .....................
Present Category .................................................................
2. Current Practicing Certificates (or current payment receipts), certificates of good standing from LSK and clearance from Advocates Complaint Commission for Advocates in your Firm.

PART III
TRADE LICENCES
Current Business / Trade Licenses held - Nairobi City Council / Municipality Councils and any other counties where your offices are located

1. Licence No. ………………………………. Expiry Date ………………………………..
2. Licence No. ………………………………. Expiry Date ………………………………..
3. Licence No. ………………………………. Expiry Date ………………………………..

PART IV
TYPE OF BUSINESS
A. State whether you are an Agent, Service provider or Consultant.
1. ……………………………………………………………………………………………

B. List some specific specialty of services you render particularly litigation in intellectual property matters, debt collection and Board Secretarial Services
1. ……………………………………………………………………………………………
2. ……………………………………………………………………………………………
3. ……………………………………………………………………………………………
4. ……………………………………………………………………………………………
5. ……………………………………………………………………………………………
6. ……………………………………………………………………………………………
PART V
FINANCIAL INVESTMENT
A. Company’s Capital
1. Authorized Shares: Kshs............................................
2. Issued Shares: Kshs...................................................

B. Partnership & Sole Proprietorship:
Total Investment: Kshs..................................................

C. Maximum value of business which you can handle at any time:
   Kshs ..................................................

PART VI
PERFORMANCE STANDARDS & FACILITIES
1. Office Space................. Sq.ft.       Owned or rented ..........................................
2. State extent to which you would have to sub-contract work
   .................................................................................................................................
   .................................................................................................................................
3. Are you certified by any Quality Assurance Body? If so, give the standard and name
   .................................................................................................................................
   .................................................................................................................................

PART VII
MANPOWER
1. Name of Chief Executive Officer / Principal Officer
   .................................................................................................................................
2. Number of employees
   .................................................................................................................................
3. Number of Technical Staff (Advocates)
   .................................................................................................................................
PART VIII

GENERAL INFORMATION

1. Name and address of your Bankers
   …………………………………………………………………………………………………
   …………………………………………………………………………………………………
   …………………………………………………………………………………………………

2. Have you ever had an order / contract issued and cancelled in whole or part by the Corporation?
   Yes / No ………………………………
   If yes give reasons for cancellation
   …………………………………………………………………………………………………
   …………………………………………………………………………………………………

3. Do you have any objection for KENAS obtaining a confidential financial report from your bankers?
   …………………………………………………………………………………………………

4. Has your company ever been involved in litigation / arbitration or disciplinary cases with clients / consultants?
   If yes, give details
   …………………………………………………………………………………………………
   …………………………………………………………………………………………………

5. State terms of payment in preference order
   i. ……………………………………………………………………………………………
   ii. ……………………………………………………………………………………………
   iii. ……………………………………………………………………………………………

   Note: The Corporation prefers payment to be made within 60 days after delivery of goods / services.
Supplement information provided by mentioning current and previous legal services offered in areas of litigation particularly intellectual property matters, debt collection and Board Secretarial Services (preferably mention major work done within the last five (5) years).

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<th>Name of Firm</th>
<th>Nature of Work</th>
<th>Contract Sum</th>
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PART IX

DECLARATION

1. Is there any person(s) working with KENAS who has or have interest in your firm?
   - Yes / No ...................... (Delete as necessary)

2. Are you related to an Employee, Committee Member or Board Member of KENAS?
   - Yes _______ No ________

   If answer in 2 is YES give the relationship
   ..........................................................................................................
   ..........................................................................................................

3. Does an Employee, Committee Member, Board Member of KENAS sit in the Board of Directors or Management of your Organization, subsidiaries or Joint Ventures?
   - Yes _____________ No _______________

   If answer in 3 above is YES give details
   ..........................................................................................................
   ..........................................................................................................
   ..........................................................................................................

9
4. Has your Organization, Subsidiary Joint Venture or Sub-contractor been involved in the past directly or indirectly with a firm or any of its affiliates that have been engaged by KENAS to provide consulting services for specification and other documents to be used for procurement of the goods under this invitation?
   Yes ______________ No ______________
   If answer in 4 above is YES give details.
   ........................................................................................................................................
   ........................................................................................................................................
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5. Are you under a declaration of ineligibility for corrupt and fraudulent practices?
   Yes ___________ No ____________
   If answer in 5 above is YES give details
   ........................................................................................................................................
   ........................................................................................................................................
   ........................................................................................................................................

6. Have you offered or given anything of value to influence the procurement process?
   Yes ___________ No __________
   If answer in 6 above is YES give details.
   ........................................................................................................................................
   ........................................................................................................................................

7. Are you under a declaration of ineligibility for corrupt and fraudulent practices?
   Yes ___________ No ____________
   If answer in 7 above is YES give details
   ........................................................................................................................................
   ........................................................................................................................................

8. Have you offered or given anything of value to influence the procurement process?
   Yes ___________ No __________
   If answer in 8 above is YES give details
   ........................................................................................................................................
   ........................................................................................................................................
I / We DECLARE that the information given on this form is correct to the best of my / our knowledge and belief and that I / We give KENAS authority to seek any other references concerning my / our company from whatever sources deemed relevant e.g. Company Registrar’s office, Bankers etc.

Date: …………… Signature of Candidate: …………………………………………………

If a Kenyan Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration.

PART X
EVALUATION CRITERIA
KENAS will apply the following criteria in the prequalification for duly completed forms and submission of all documents as stated herein.

CRITERIA
Mandatory Items
1. Valid Tax Compliance Certificate and PIN Certificate from KRA NHIF, NSSF etc (Attach a copies) – 10 Marks
2. Certificate of Incorporation / Registration (Attach a copy) - 5 Marks
4. Professional Indemnity cover (Attach a copy) - 5 Marks
5. Proof of Membership of LSK (Attach a copy) - 5 Marks
6. Please indicate names and attach CV’s of key management, professional / technical personnel to carry out specialized works, services, consultancy etc. (firm profile) - 10 Marks
7. Filled Confidential Business Questionnaire - 5 Marks
8. Registration / Tender Submission Form in the required format - 5 Marks
9. Practice Certificate 2019 (or payment receipts), Certificate of good standing from LSK and Clearance from Advocates Complaint Commission (Attach a copies) - 15 Marks
10. Attach at least four (4) current letters of recommendation from reputable organizations that you have supplied service performance – 10 Marks

11. Attach Certified audited accounts for the last two years: 2017- 2018 - 10 marks

Total 80 marks

NB: MINIMUM QUALIFICATION SCORE IS 75%

PART (2) FINANCIAL POSITION – 20 MARKS

(1) Attach summary of assets and current liabilities/ or any other financial support.

(2) Attach bank statements for the last one year certified by the issuing bank as proof of your ability to execute work you have applied for.
PART XII
TENDER SUBMISSION FORM
a. Having studied the registration information for the above tender category we / I hereby state:

b. That the information furnished in our / my application is accurate to the best of our / my knowledge.

c. That in case of being registered, we / I acknowledge that this grants us / me the right to participate in due time in the submission of a tender or quotation on the basis of provision in the tender or quotation documents to follow.

d. Those registered bidders will be invited randomly to participate in the tender / quotations as and when there is a requirement.

e. We / I enclose all the required documents and information required for the registration evaluation.

f. Our tender is binding to us and if found acceptable we shall be pleased to be included in the list of registered firms.

g. I / We understand you are not bound to accept whether in part or whole any tender you receive.

We certify that the above information is correct in all respects.

Date: _____________________________________________________________

Applicant’s Name____________________________________________________

Represented by: _____________________________________________________

Official position: _____________________________________________________

Signature: ___________________________________________________________
CONFIDENTIAL BUSINESS QUESTIONNAIRE

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.

**Part 1 General**

- **Business Name**: ...........................................................
- **Location of Business Premises**: ........................................
  - Plot No., ........................................ Street/Road ........................
  - Postal address ............ Tel No. ......................... Fax Email ..............
  - Nature of Business ................................................................
  - Registration Certificate No. .................................................
  - Maximum value of business which you can handle at any one time – Kshs........
  - Name of your bankers ..........................................................

**Part 2 (a) – Sole Proprietor**

- **Your name in full**: ……... **Age**: ……..
- **Nationality**: …….. **Country of Origin**: ……..
- **Citizenship details**: ...........................................................

**Part 2 (b) – Partnership**

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- **Private or Public**: ............................................................
- **State the nominal and issued capital of company**
  - Nominal Kshs.
  - Issued Kshs.
- **Given details of all directors as follows**

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3.6.2 If a Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration.