



Kenya National Innovation Agency

**PROCUREMENT FOR PROVISION OF TENTS, TABLES AND CHAIRS FOR
KENYA INNOVATION WEEK**

RESTRICTED TENDER NUMBER: KENIA/RT/01/2021-2022

NOTICE DATE: TUESDAY OCTOBER 21, 2021

CLOSING DATE: FRIDAY OCTOBER 29, 2021

All correspondence to:
Chief Executive Officer
Kenya National Innovation Agency
P.O. Box 22269- 00100 GPO Nairobi Kenya,
Tel : +254792446976
E-Mail : Procurement@innovationagency.Go.Ke

Public Procurement and Asset Disposal Act 2015

TABLE OF CONTENTS

COVER PAGE	1
TABLE OF CONTENTS	2
INVITATION TO RESTRICTED TENDER	3
PART 1: INSTRUCTIONS TO TENDERERS	4
TENDER AND QUALIFICATION DOCUMENTS.....	6
i) SCHEDULE OF REQUIREMENTS TABLE	8
ii) FORM FOR DISCLOSURE OF INTEREST	9
(iii) Certification	10
iv) CERTIFICATE OF INDEPENDENT TENDER DETERMINATION	11
v) SELF DECLARATION FORM.....	12
PART 2: SCHEDULE OF REQUIREMENTS	13
TECHNICAL SPECIFICATIONS FOR SERVICES.....	13
TABLE B. SCHEDULE OF REQUIREMENTS TABLE.....	14
PART 3: CONTRACT	15
CONTRACT AGREEMENT.....	15
CONDITIONS OF CONTRACT	16
PART 4: EVALUATION CRITERIA	17
MANDATORY REQUIREMENT	17
TECHNICAL EVALUATION CRITERIA	17
POST QUALIFICATION SURVEY.....	18

INVITATION TO RESTRICTED TENDER

To: _____

From: *Kenya National Innovation Agency, P.O. Box 22269- 00100 GPO Nairobi
Kenya*

Procurement for provision for Tents, Tables and Chairs for Kenya Innovation Week.

KENIA/RT/01/2021-2022

1. The **Kenya National Innovation Agency** invites you to submit bids for **provision of Tents, Tables and Chairs for Kenya Innovation Week** indicated in detail in “Table A. Schedule of Requirements and Specifications”. The Invitation to Tender shall follow the instructions and documents in this Invitation to Tender shall be in English Language. Tenderers may obtain further information during office hours from **0900 to 1500 hours** at the address given below.
2. Restricted Tender shall be submitted in accordance with the instruction in Part 1: The restricted tender Procedures and in a sealed envelope clearly indicating name and address of tenderer, the restricted tender name and title and must reach the Procuring Entity at the address indicated below not later than **Friday 29th October 2021 at 11.00 a.m. local time**. Restricted tender can be delivered by registered mail, courier or hand delivery at the tenderer's option. Late quotations shall be rejected.
3. Enquiries regarding this tender may be addressed to **Chief Executive Officer, KeNIA, NACOSTI building, ground floor, off Waiyaki way**
4. Any resulting contract shall be subject to the terms and conditions detailed in Part 3: Contract.
5. Please inform by email or express mail the undersigned within **4 days** of receipt of this Invitation to Tender if you will not be submitting the tender.

Address for Submission of Tender:

Chief Executive Officer

Kenya National Innovation Agency

P.O. Box 22269- 00100 GPO Nairobi Kenya

Physical Address: Nairobi, NACOSTI Building, ground floor, off Waiyaki way.

E-Mail : procurement@innovationagency.go.ke

Yours sincerely,

Head of Supply Chain Management Services
For: Chief Executive Officer

PART 1: INSTRUCTIONS TO TENDERERS

1. **Tenderers are advised to read carefully** these instructions and the Conditions of Contract in Part 3: Contract, before preparing the tender document. The standard forms in this Invitation to tender may be photocopied for completion but the Tenderer is responsible for their accurate reproduction. The term Tenderer shall mean the firm or person invited to submit a bid. The term restricted tender herein shall mean the bids submitted as usually understood in public procurement.
2. **Validity of Tender:** The tender will be held valid for **120 days** from the date of submission.
3. **The Tender shall consist of** completed Tables A, B and C and the Form of tender all indicated in Part 2 of this Invitation to tenders, and documents to evidence Eligibility and Conformity to Technical Specifications.
4. **Sealing and Marking of bid:** Tender in one “**one original**” should be sealed in a single envelope, clearly marked with the **Restricted Tender Number** in the Invitation to Tender, the Tenderer's name and the name of the Procuring Entity. Envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected.
5. **Submission of Tenders:** Tender, and any alternatives if allowed as per Item 11 below, should be submitted to the address below, on or before the date and time indicated in sub-item 4 below. Late quotations will be rejected.

Address for Submission of Tender.

Chief Executive Officer
Kenya National Innovation Agency
P.O. Box 22269- 00100 GPO Nairobi Kenya
Physical Address: Nairobi, NACOSTI Building, ground floor, off Waiyaki way.
E-Mail : procurement@innovationagency.go.ke

Date of Submission (deadline): **29th October 2021.**

Time of Submission (deadline): **11.00 a.m. Local time.**

6. **Site Visit:** Tenderer's are invited for a **mandatory site visit** at **Kenya School of Government (Nairobi campus, Kabete)** on **28th October 2021** at **10.00 a. m.**
7. **Opening of Tender:** Tender will be opened immediately after the closing date and time specified in item 5 (4) above, by at least four appointed officials of the Procuring Entity.
8. **Tenderer Eligibility:** Tenderer must submit Documentary evidence to show His/her eligibility to be awarded a contract to cover each of the following:
 - a) **Certificate of Incorporation/Registration**
 - b) **Valid Business Permit**
 - c) **Valid Tax Compliance Certificate**
 - d) **Form of Tender duly filled and signed**
 - e) **Confidential Business Questionnaire duly filled and signed**
 - f) **Name and proof of at least 3 Clients Supplied with Similar goods.**
 - g) **Bidders to paginate bid documents from page to page.**
 - h) **KeNIA Site Visit Certificate**
 - i) **The Tenderer shall also complete attached forms to confirm eligibility and non-existence of a conflict of interest in relation to this procurement requirement by signing the attached Forms.**
9. **Invitation not transferable:** This invitation is not transferable to other firms or individuals not so invited.
10. **Goods Eligibility:** Tenderer must submit as evidence documents to show the country of origin of any

goods to be supplied or incorporated in the work or services

11. **Technical Specifications:** Documentary evidence to show that the goods meet the technical specifications.
12. **Alternative Tender:** Tenderers **are not permitted** to submit alternative tender for goods/alternative technical solutions for specified parts of the Services. Only the alternatives, if any, of the Tenderer with the winning tender will be conforming to the basic technical requirements shall be considered by the Procuring Entity.
13. **Currency:** Tender shall be priced in Kenya Shillings. Tender in other currencies will be rejected if not allowed.
14. **Evaluation of Tender:** The evaluation of tender will be conducted using the procedure set out below:
 - i) Preliminary examination to determine Tenderer eligibility:
 - ii) valid trading license
 - iii) certificate of registration, and
 - iv) tax compliance certificate
 - v) Technical examination to determine goods eligibility, compliance with technical specifications and commercial responsiveness. Tender failing this stage will be rejected and not considered in next stage.
 - vi) Financial comparison of tender to determine the lowest evaluated tender.
15. **Lowest Evaluated Tender:** The lowest evaluated tender shall be recommended for award of contract.
16. **Award of contract:** Award of contract shall be by placement of a Letter of Acceptance or Local Purchase/Service Order in accordance with Part 3: Contract. The currency of award and payment shall be currency in which the tender was submitted. Unsuccessful tenderers who responded will be notified of the accepted tender, indicating the name and the amount of the accepted tender.
17. **Right to Reject:** The Procuring Entity reserves the right to accept or reject any tender or to cancel the tender process and reject all tender at any time prior to contract award.

TENDER AND QUALIFICATION DOCUMENTS

Instructions to Tenderer. Tenderer must complete and submit as part of the Form of tender.

- (i) SCHEDULE OF REQUIREMENTS TABLE
- (ii) FORM FOR DISCLOSURE OF INTEREST
- (iii) CERTIFICATE OF INDEPENDENT TENDER DETERMINATION
- (iv) SELF-DECLARATION FORM
- (v) FOREIGN TENDERER 40% RULE *(where provided)*

FORM OF TENDER *[To be completed by Tenderer]*

Tender Addressed to (Procuring Entity)	
Date of Restricted Tender	
Restricted Tender Reference Number:	
Subject of Restricted Tender	

1. We have examined and have no reservations to the Restricted Tender document, and understand its full content and intent.
2. In compliance with your Restricted Tender dated _____, referenced above, we offer to _____ *(specify one of supply goods, complete the works or provide the services)* to cover and conform to our pricing listed in the attached in Table B. Restricted Tender Submission TABLE at a total price of Kenya Shillings _____ *(in words)* _____
3. We confirm that we are eligible to participate in public procurement and meet the eligibility criteria specified in Part 1: INSTRUCTIONS TO TENDERERS.
4. We also confirm that the _____ *(goods to be supplied/works to be constructed/services to be provided (select one))* conform to the **SCHEDULE OF REQUIREMENTS TABLE** below and in conformity with technical specifications listed in PART 2: SCHEDULE OF REQUIREMENTS of this Tender Document.
5. We undertake to adhere by the Code of Ethical Conduct for Suppliers, Contractors and Service Providers, copy available from _____ *(specify website)* during the procurement process and the execution of any resulting contract.
6. We confirm that the prices quoted are fixed and firm for the duration of the validity period and performance of the contract and will not be subject to revision or variation.
7. The validity period of our Restricted Tender is: _____ days from the time and date of the submission deadline *(number to be same as in the instructions to Tenderers)*.
8. We confirm we are not submitting any other Tender as an individual or firm, and we are not participating in any other Tender as a Joint Venture member or as a subcontractor.

9. We, along with any of our subcontractors, suppliers, Engineer, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to a temporary suspension or a debarment imposed by the Public Procurement Regulatory Authority or any other entity of the Government of Kenya, or any international organization.
10. We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf engages in any type of Fraud and Corruption.
11. We hereby certify and confirm that the Tender is genuine, non-collusive and made with the intention of accepting the contract if awarded. To this effect we have signed the “Certificate of Independent tender Determination” attached below.
12. We, the Tenderer, have completed fully and signed the **FORM FOR DISCLOSURE OF INTEREST-** interest of the firm in the Procuring Entity, attached below.

The Delivery/Completion period offered is: _____ days from date of acceptance of tender.
The warranty period offered is _____ weeks.

Tender Authorized by:

Name and designation _____

Signature: _____

i) SCHEDULE OF REQUIREMENTS TABLE

S/No	Items	Description of Services	Qty	Duration	Unit price Kshs.	Total Price Kshs
1	Tents	Supply, delivery and mounting of nine spider/dome tents measuring 8m*8m for the corporate and partner zones.	9	3 days		
		Supply, delivery and mounting of two spider/dome tents measuring 15m*15m for the Universities and Government Agencies zone.	2	3 days		
		Supply, delivery and mounting gazebo tent measuring 6m * 6m to be used as Registration and Media Tent	1	3 days		
2	Tables	Supply and delivery of dressed rectangular tables at exhibition area	85	3 days		
3	Chairs	Supply and delivery of dressed plastic armless chairs for exhibition area	170	3 days		
4	Decor	Provision of décor for the spider tents, chairs and tables in all the tents. The décor should include roof décor, tasteful draping and placement to add life to the tents.	Lot	3 days		
5	Lightings	Spotlights to facilitate broadcast of quality and high-resolution photography and videography in all spider tents.	136	3 days		
6	Signage	Fascia boards and Names of all exhibitors in English for all the 68 exhibitors (No logo)- (Names of the exhibitors to be provided by KeNIA)	Lot	1		
7	Shell Scheming	Structure of basic booth (4m* 4m) White partition or walls on three sides of the booth (corner stands are open on the front and one additional side) each wall is made up of 1m panel, supported with an aluminum frame for 68 booths	68	1		
8	Ambulance with Paramedics	The hire of ambulance and paramedic services of St. Johns Ambulance status.	1	3 days		
9	Red Carpet	Walk-way red carpet to cover the entrance especially on 6 th Dec 2021 (10m *2m)	1	3 days		
10	3-Way multi-plug points.	One multi-plug point in each of the 68 booths	68	3 days		
TOTAL PRICE IN Kshs.						

Signature: _____

And seal/Stamp

Name: _____

Position:

Authorized for and on behalf of (*specify name of tenderer*) _____

Date _____

ii) **FORM FOR DISCLOSURE OF INTEREST** - Interest of the Firm in the Procuring Entity.

i) Are there any person/persons in *Kenya National Innovation Agency* who has/have an interest or relationship in this firm? Yes/No.....

If yes, provide details as follows.

	Names of Person	Designation in the Procuring Entity	Interest or Relationship with Tenderer
1			
2			
3			

ii) **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 controls, is 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	Quotation has a relationship with another tenderer, directly or through common third parties, that puts it in a position to influence the quotation of another tenderer, or influence the decisions of the Procuring Entity regarding this quotation 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 quotation.		
6	Tenderer would be providing goods, works, non-consulting services or consulting services during implementation of the contract specified in this Quotation Document.		
7	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity who are directly or indirectly involved in the preparation of the Quotation document or specifications of the Contract, and/or the Quotation evaluation process of such contract.		
8	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity 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 the Procuring Entity throughout the quotation process and execution of the Contract?		

iii) Certification

On behalf of the Tenderer, I certify that the information given above is complete, current and accurate as at the date of submission.

Full Name _____

Title or Designation _____

(Signature)

_____)_____
(Date)

iv) CERTIFICATE OF INDEPENDENT TENDER DETERMINATION

I, the undersigned, in submitting the accompanying Letter of 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 tender on behalf of the Tenderer;
4. For the purposes of this Certificate and the tender, 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 invitation to tender;
 - b) could potentially submit a tender in response to this restricted 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 tender, 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, a tender; or
 - d) the submission of a tender which does not meet the specifications of the restricted tender; except as specifically disclosed pursuant to paragraph (5) (b) above;
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 restricted 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 tender 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]

v) SELF-DECLARATION FORM

We, the Tenderer _____ (*insert name*) submitting our tender in respect of restricted tender No _____ for _____ (*insert 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 restricted 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 Restricted 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 the procuring entity*);
- 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 opened to herein above is true to the best of our knowledge, information and belief.

Name of the Tenderer:

.....

Name of the person duly authorized to sign the Tender on behalf of the Tenderer:

.....

Title of the person signing the tender:

.....

Signature of the person named above:

.....

PART 2: SCHEDULE OF REQUIREMENTS

TABLE A. SCHEDULE OF REQUIREMENTS AND TECHNICAL SPECIFICATIONS

[Tenderer to Indicating YES or No and if NO indicate the specification of the offered item]

S/No	Description of Services	Qty	TECHNICAL SPECIFICATION	CONFORMITY WITH TECHNICAL SPECIFICATIONS <i>(to be completed by Tenderer)</i>
1	Tents	9	Supply, delivery and mounting of nine spider/dome tents measuring 8m*8m for the corporate and partner zones.	
		2	Supply, delivery and mounting of two spider/dome tents measuring 15m*15m for the Universities and Government Agencies zone.	
		1	Supply, delivery and mounting gazebo tent measuring 6m * 6m to be used as Registration and Media Tent	
2	Tables	85	Supply and delivery of dressed rectangular tables at exhibition area	
3	Chairs	170	Supply and delivery of dressed plastic armless chairs for exhibition area	
4	Decor	Lot	Provision of décor for the spider tents, chairs and tables in all the tents. The décor should include roof décor, tasteful draping and placement to add life to the tents.	
5	Lightings	136	Spotlights to facilitate broadcast of quality and high-resolution photography and videography in all spider tents.	
6	Signage	Lot	Fascia boards and Names of all exhibitors in English for all the 68 exhibitors (No logo)- (Names of the exhibitors to be provided by KeNIA)	
7	Shell Scheming	68	Structure of basic booth (4m* 4m) White partition or walls on three sides of the booth (corner stands are open on the front and one additional side) each wall is made up of 1m panel, supported with an aluminum frame for 68 booths	
8	Ambulance with Paramedics	1	The hire of ambulance and paramedic services of St. Johns Ambulance status.	
9	Red Carpet	1	Walk-way red carpet to cover the entrance especially on 6 th Dec 2021 (10m *2m)	
10	3-Way multi-plug points.	68	One multi-plug point in each of the 68 booths	

TABLE B. SCHEDULE OF REQUIREMENTS TABLE*(Schedule of Requirements and Technical Specifications and tenderer should complete columns c-e)*

S/No	Item	Description of services	Quantity	Unit price	Total Price
	A	B	C	D	E
1	Tents	Supply, delivery and mounting of nine spider/dome tents measuring 8m*8m for the corporate and partner zones.			
		Supply, delivery and mounting of two spider/dome tents measuring 15m*15m for the Universities and Government Agencies zone.			
		Supply, delivery and mounting gazebo tent measuring 6m * 6m to be used as Registration and Media Tent			
2	Tables	Supply and delivery of dressed rectangular tables at exhibition area			
3	Chairs	Supply and delivery of dressed plastic armless chairs for exhibition area			
4	Decor	Provision of décor for the spider tents, chairs and tables in all the tents. The décor should include roof décor, tasteful draping and placement to add life to the tents.			
5	Lightings	Spotlights to facilitate broadcast of quality and high-resolution photography and videography in all spider tents.			
6	Signage	Fascia boards and Names of all exhibitors in English for all the 68 exhibitors (No logo)- (Names of the exhibitors to be provided by KeNIA)			
7	Shell Scheming	Structure of basic booth (4m* 4m) White partition or walls on three sides of the booth (corner stands are open on the front and one additional side) each wall is made up of 1m panel, supported with an aluminum frame for 68 booths			
8	Ambulance with Paramedics	The hire of ambulance and paramedic services of St. Johns Ambulance status.			
9	Red Carpet	Walk-way red carpet to cover the entrance especially on 6 th Dec 2021 (10m *2m)			
10	3-Way multi-plug points.	One multi-plug point in each of the 68 booths			
			TOTAL PRICE Kshs.		

Signature:

And seal/Stamp

Name: _____

Position: _____

Authorised for and on behalf of (*specify name of tenderer*) _____

Date _____

PART 3: CONTRACT AGREEMENT

(1) THIS CONTRACT AGREEMENT is made _____ (specify date).

Between _____

[Insert complete name of Procuring Entity], and having its principal place of Business at _____

_____ [Insert address of Procuring Entity] and _____

[Insert name of Supplier, or contractor or service provider], and having its principal place of business at _____

_____ [Insert address of Supplier, contractor or service provider].

(2) WHEREAS the Procuring Entity invited quotations for the Supply of Goods/works/services (select one) described _____ in _____ Table _____ B, _____ i.e. _____ [insert brief description of Goods, works and Services] and has accepted a Quotation by the Tenderer in the sum of _____ [insert Contract Price in words and figures] (hereinafter called “the Contract Price”).

(3) NOW THIS AGREEMENT WITNESSED AS FOLLOWS:

1. This Contract Agreement includes the following documents:

- (a) Table A. SCHEDULE OF REQUIREMENTS AND TECHNICAL SPECIFICATIONS
- (b) Table B. TENDER SUBMISSION TABLE
- (c) FORM OF TENDER
- (d) Conditions of Contract

2. In consideration of the payments to be made by the Procuring Entity to the Supplier/contractor/service provider as hereinafter mentioned, the Supplier/contractor/service provider hereby covenants with the Procuring Entity to provide the Goods/works/services and to remedy defects therein in conformity in all respects with the provisions of the Contract.

3. The Procuring Entity hereby covenants to pay the service provider in consideration of the provision of the 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.

(4) In WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Kenya.

For and on behalf of the Procuring Entity

Signed: [insert signature]
in the capacity of [insert title or other appropriate designation]

in the presence of [insert identification of official witness]

For and on behalf of the Supplier/Contractor/Service Provider (select one)

Signed: [insert signature of authorized representative(s) of the Supplier]
in the capacity of [insert title or other appropriate designation]
in the presence of [insert identification of official witness]

CONDITIONS OF CONTRACT

1. Language

The Contract as well as all correspondence and documents relating to the Contract exchanged by the Service Provider and the Procuring Entity, shall be written in the English Language.

2. Eligibility

The goods shall have the nationality of an eligible country. All Goods and Related Services to be supplied under the Contract shall have their origin in Eligible Countries.

3. Notices

Any notice given by one party to the other pursuant to the Contract shall be in writing.

4. Governing Law

The Contract shall be governed by and interpreted in accordance with the Laws of Kenya, unless otherwise specified hereunder.

5. Settlement of Disputes

The Procuring Entity and the Service shall make every effort to resolve amicably by direct informal negotiation any disagreement or dispute arising between them under or in connection with the Contract. If the parties have failed to resolve their dispute or difference by such mutual consultation, either the Procuring Entity or the Supplier may give notice to the other party of its intention to commence arbitration. The dispute shall be referred to adjudication or arbitration in accordance with the laws of Kenya.

6. Supplier/Contractor/Service Provider Responsibilities

The Supplier shall supply all the Goods included in the Schedule of Requirements.

7. Contract Price

Prices charged by the Supplier under the Contract shall not vary from the prices quoted by the Supplier in its tender.

8. Terms of Payment

The Contract Price shall be paid One hundred (100) percent of the Contract Price as follows:

- (i) For Goods, price of goods received upon submission of a claim/invoice supported by the acceptance certificate issued by the Procuring Entity.
- (ii) For Works, upon valuation by the Contractor of the portion of the works completed, such valuation to be accepted by the Procuring Entity, payments up to final completion certificate.
- (iii) For Services, upon valuation by the Service Provider of the services completed, such valuation to be accepted by the Procuring Entity, payments up to final completion certificate

9. Inspections and Tests

The Supplier shall at its own expense and at no cost to the Procuring Entity carry out all such tests and/or inspections of the Goods, works or Services to confirm their conformity to technical specifications

10. Warranty

The Supplier warrants that all the Goods are new, unused, and of the most recent or current models, and that they incorporate all recent improvements in design and materials, unless provided otherwise in the contract.

PART IV. EVALUATION CRITERIA

The Kenya National Innovation Agency (KeNIA) will consider three major categories of criteria for evaluating the restricted tender and bidders:

A: MANDATORY REQUIREMENTS

The tenderer must provide the following information and provide copies of documents to support the information given;

Criterion	Particulars Provided	SCORES	
		YES	NO
Incorporation/Registration certificate	Evidence to be availed is Registration Certificate		
Valid Business permit	Evidence to be availed is a valid business permit		
Valid Current Tax Compliance Certificates	Evidence to be availed is valid tax compliance Certificate		
Form of tender – Duly completed and signed	Evidence to be availed is duly completed and signed form		
Confidential questionnaire - Duly completed and signed	Evidence to be availed is duly completed and signed form		
Name and proof of at least 3 Clients Supplied with similar Works	Evidence to be availed is a proof Similar works by; LPO / award or completion certificates		
Pagination of bid Documents	Evidence to be availed is pagination of bid documents from page to page		
KeNIA Site Visit Certificate	Evidence to be availed is site visit certificate from KeNIA		
Duly completed and signed tender document as per tenderer's Instructions	Evidence to be availed is duly completed and signed tender document as per tenderer's Instructions		

B: TECHNICAL EVALUATION CRITERIA (Total Points 100)

The total Marks allocated 100 with a pass mark of (70%)

S/N	Criterion	Total Marks	Marks Earned
1.	Years in Business of similar nature experience & performance with the past 5 years <ul style="list-style-type: none"> ▪ Below 5; Years (5 Marks) 5 Years & Above (10 Marks) 	10	
2.	Conformity to technical Specifications as provided in the Restricted Tender document. <p>Tents Supply, delivery and mounting of nine spider/dome tents measuring 8m*8m for the corporate and partner Supply, delivery and mounting of two spider/dome tents measuring 15m*15m for the Universities and Government Agencies zone. Supply, delivery and mounting gazebo tent measuring 6m * 6m to be used as Registration and Media Tent Tables Supply and delivery of dressed rectangular tables at exhibition area</p>	90	

	<p>Chairs Supply and delivery of dressed plastic armless chairs for exhibition area</p> <p>Decor Provision of décor for the spider tents, chairs and tables in all the tents. The décor should include roof décor, tasteful draping and placement to add life to the tents.</p> <p>Lightings Spotlights to facilitate broadcast of quality and high-resolution photography and videography in all spider tents.</p> <p>Signage Fascia boards and Names of all exhibitors in English for all the 68 exhibitors (No logo)- (Names of the exhibitors to be provided by KeNIA)</p> <p>Shell Scheming Structure of basic booth (4m* 4m) White partition or walls on three sides of the booth (corner stands are open on the front and one additional side) each wall is made up of 1m panel, supported with an aluminum frame for 68 booths</p> <p>Ambulance with Paramedics The hire of ambulance and paramedic services of St. Johns Ambulance status.</p> <p>Red Carpet Walk-way red carpet to cover the entrance especially on 6th Dec 2021 (10m *2m)</p> <p>3-Way multi-plug points. One multi-plug point in each of the 68 booths</p>		
	TOTAL	100	

C: POST QUALIFICATION SURVEY

The Evaluation committee **MAY** conduct a Post Qualification Survey

NO.	ITEM	Total Marks	Marks Earned
1.	Confirmation of Physical address		
2.	Confirmation of Mandatory Documents		
3.	Management Structure of the organization		
4.	Financial Ability of the Tenderer to meet the delivery and terms of Restricted Tender		
5.	Nature of Operations (relevant)		
	Total		