KITUI COUNTY TEXTILE CENTRE

Cell Phone: 0798151515,
(0707444111, 0207846779
Email:kicotec@kitui.go.ke

KICOTEC BUILDINGS
P.O BOX 72 -90200
KITUI

TENDER NUMBER: CGOKTI/KICOTEC/REG/010/2026-2028 CONTINUOUS PRE-QUALIFICATION/REGISTRATION OF SUPPLIERS FOR PROVISION OF LEGAL SERVICES

KITUI COUNTY TEXTILE CENTRE
KICOTEC BUILDINGS
P.O. BOX 72 –90200KITUI.
TEL:0798151515
EMAIL: kicotec@kitui.go.ke

CATEGORYNUMBER: ……
CATEGORY DESCRIPTION: ……

CLOSINGDATE: 29TH APRIL, 2026

CLOSINGTIME:12.00 NOON

RESERVATION: OPEN

INVITATIONFORPREQUALIFICATION/REGISTRATIONOFSUPPLIERS

Name of Contract: Pre-qualification/registration of suppliers for goods, works, consultancy and non-consultancy Services.

Pre-qualification Reference No.: CGOKTI/KICOTEC/REG/010/2026-2028.

Date: 16th April 2026

1. Kitui County Textile Centre invites interested and eligible tenderers to prequalify/register as contractors/suppliers for goods, works, consultancy and non-consultancy Services in the following category:

CGOKTI/KICOTEC/REG/010/2026-2028: CONTINUOUS PRE-QUALIFICATION/REGISTRATION OF SUPPLIERS FOR PROVISION OF LEGAL SERVICES.

2. Applicants must fill in formation in the space provided in page one of the Pre-qualification/registration tender document (indicate on the envelope the category interested in)

3. Qualified and interested applicants may obtain further information during office hours *[i.e.0900to1700hours]* at the address given below.

4. Pre-qualification/registration document may be viewed and downloaded for free from the Public Procurement Information Portal www.kitui.go.www.tenders.go.ke and www.kitui.go.ke

5. Applications for pre-qualification may be submitted through postal address, or hand/courier delivery through the address given below. Clearly marked envelope with tender and category number to be delivered to;

Kitui County Textile Centre
P.O.Box72 –90200
Kitui

6. Late applications will be rejected. Closing date is on **29/04/2026 at 12.00 Noon**; tenderers are allowed to attend the opening which will be held at Kicotec procurement office.

The A.g Chief Executive Officer
Kitui County Textile Centre
P.O BOX 72-90200
KITUI

SECTIONI

INSTRUCTIONS TO APPLICANTS(ITA)

General

1. Scope of Application

1.1 The name of the Procuring Entity inviting for applications is defined in the Prequalification/Registration Documents(PDS/RDS). The particular type of contract (works, goods or Non-Consulting Services required) and its name and description of the contract(s)and its reference number are defined in the PDS. If the scope of contract so defined is in multiple contracts, it will be specified in the PDS if Registration will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non- Consulting Services are described in Section V (Scope of Works or goods contract).

2. Source of Funds to be specified in the PDS/ RDS, if deemed necessary.

3. Fraud and Corruption

3.1 The Government of Kenya requires compliance with its Anti-Corruption laws and its prevailing sanctions policies and procedures.

3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents(where declared or not),subcontractors,subconsultants,serviceproviders,suppliers,andtheirpersonnel,to permitthePublicProcurementRegulatoryAuthority(PPRA)to inspect all accounts, records and other documents relating to any initial selection process, Registration process, tender submission (incase prequalified),proposal submission, and contract performance (in the case of award),and to have them audited by auditors appointed by the PPRA.

4. Collusive practices

4.1 TheProcuringEntityrequirescompliancewiththeprovisionsoftheCompetitionAct2010 , regarding collusive practices in contracting. Any applicant found to haveengagedincollusiveconductshallbedisqualifiedandcriminaland/orcivilsanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination" annexed to the Form of applicant.

5. Eligible Applicants

5.1 Applicants shall meet the eligibility criteria as per this ITAandITA5.1and5.2.An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9or any combination of such entities intheformofajointventure("JV")underanexistingagreementorwiththeintenttoenterint osuchanagreementsupportedbyaletterofintent.Inthecaseofajointventure,allmembers shallbe

jointlyandseverallyliablefortheexecutionoftheentireContractinaccordancewiththe Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the Registration process, tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Members of a joint venture may not also make an individual tender, be a subcontractor in a separate tender or be part of another joint venture for the purposes of the same Tender. The maximum number of
JV members shall be specified in the PDS.

5.2 Public Officers of the Procuring Entity, their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse, their business associates or agents and firms/organizations in which they have a substantial or controlling interest shall not be eligible to be prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.

5.3 A firm may apply for Registration both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.

5.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for Registration either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.

5.5 An Applicant may have the nationality of any country, subject to the restrictions pursuanttoITA5.1and 5.2. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. Sub-contractors or suppliers for any part of the Contract including related Non-Consulting Services.

5.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Procuring Entity as Engineer for contract implementation of the contract(s) that are the subject of this prequalification. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Procuring Entity who:

a) aredirectlyorindirectlyinvolvedinthepreparationoftheRegistrationDocumentorInvitationtoTender (ITT), Document or specifications of the Contract, and/or the Tender evaluation process of such Contract; or

b) Would be involved in the implementation or supervision of such Contract, unless the conflicts temming from such relationship has been resolved in a manner acceptable to the Procuring Entity throughout the prequalification, ITT process and execution of the Contract.

5.7 An Applicant that has been debarred shall be ineligible to be initially selected for, prequalified for, tender for, propose for, or be awarded a contract during such period of time as the PPRA shall have determined. The list of debarred firms and individuals is available at www.ppra.go.ke

5.8 Applicants that are state-owned enterprise or institutions in Kenya may be eligible to prequalify, compete and be awarded a Contract(s) only if they can establish, in a manner accept able to the Procuring Entity, that they

(i) Are legally and financially autonomous

(ii) (ii)operate under commercial law, and

(iii) (iii)are not under supervision of any public entity.

An Applicant shall not be under sanction of debarment from Tendering by the PPRA as the result of the execution of a Tender/Proposal–Securing Declaration.

5.9 An Applicant that is a Kenyan firm or citizen shall provide evidence of having fulfilled his/her tax obligations by producing a current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority.

5.10 An Applicant shall provide any other such documentary evidence of eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

6. Eligibility

6.1 Firmsandindividualsmaybeineligibleiftheyarenationalsofineligiblecountriesasindicatedherein.Thecountries, persons or entities are ineligible if:

a. As a matter of law or official regulations, Kenya prohibits commercial relations with that country, or
b. By an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, Kenya prohibits any import of goods or contracting of works or Non- Consulting Services from that country, or any payments to any country, person, or entity in that country.

6.2 When the Works, supply of Goods or provision of non-consulting services are implemented a cross jurisdictional boundary (and more than one country is a Procuring Entity, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA5.1 (a)above by any country may be applied to that procurement across other countries involved, if the Procuring Entities involved in the procurement so agree.

6.3 Any goods, works and production processes with characteristics that have been declared by the relevant national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

7. ContentsoftheRegistrationDocumentsSectionsofRegistrationDocument

7.1 This Registration Document consists of parts1and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

Registration Procedures

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

7.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Registration Document in accordance with ITA8.Incaseof any discrepancies, documents issued directly by the Procuring Entity shall prevail.

7.3 The Applicant is expected to examine all instructions, forms, and terms in the Registration Document and to furnish with its Application all information or documentation as is required by the Registration Document.

8. Clarification of Registration Documents.

An Applicant requiring any clarification of the Registration Document shall contact the ProcuringEntityinwritingattheProcuringEntity'saddressindicatedinthePDS.TheProcuringEntitywillrespond in writing to any request for clarification provided that such request is received no later thanfourteen(14)dayspriortothedeadlineforsubmissionoftheapplications.TheProcuringEntityshallforward a copy of its response to all prospective Applicants who have obtained the Registration Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the PDS, the Procuring Entity shall also promptly publish its response at the webpage identified in the PDS. Should the Procuring Entity deem it necessary to amend the Registration Document as a result of a clarification, it shall do so following the procedure under ITA8.And in accordance with theprovisionsofITA17.2.

8.1 The Applicant, at the Applicant's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the application. The costs of visiting the Site shall be at the Applicant's own expense. The Procuring Entity shall specify in the PDS if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the PDS if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre- application meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.

8.2 The Applicant is requested to submit any questions in writing, to reach the Procuring Entity not later than the period specified in the PDS before the submission date of applications.

8.3 Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the Registration documents. Minutes shall not identify the source of the questions asked.

8.4 The Procuring Entity shall also promptly publish anonymized (no names) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified in the PDS. AnymodificationtotheRegistrationDocumentsthatmaybecomenecessaryasaresultofthepre-arrangedsite visit and those of the pre- application meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to PDS 8 and not through the minutes of the pre-application meeting. Non-attendance at the pre- arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

9. Amendment of Registration Document

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

9.2 Any Addendum issued shall be part of the Registration Document and shall be communicated in writing to all Applicants who have obtained the Registration Document from the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the PDS.

9.3 TogiveApplicantsreasonabletimetotakeanAddendumintoaccountinpreparingtheirApplications, the Procuring Entity may, at its discretion, extend the deadline for the submission of Applications in accordancewithITA17.2.

10. Preparation of Applications

Cost of Applications

10.1 The Applicant shall be all costs associated with the preparation and submission of its Application. The Procuring Entity will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the Registration process.

11. Language of Application

11.1 The Application as well as all correspondence and documents relating to the Registration exchanged by the Applicant and the Procuring Entity, shall be written in English Language. Supporting documents and printed literature are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the English language, in which case, for purposes of interpretation of the Application, the translation shall govern.

12. Documents Comprising the Application

12.1 The Application shall comprise the following:

a) Application Submission Letter, inaccordancewithITA13.1;
b) Eligibility: documentary evidence establishing the Applicant's eligibility, in accordance with ITA14.1;
c) Qualifications: documentary evidence establishing the Applicant's qualifications, in accordance withITA15; and
d) Any other document required as specified in the P DS.

12.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application.

13. Application Submission Letter

TheApplicantshallcompleteanApplicationSubmissionLetterasprovidedinSectionIV(ApplicationForms). This Letter must be completed without any alteration to its format.

14. Documents Establishing the Eligibility of the Applicant

To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI(eligibility)1.1and1.2, included in Section IV(Application Forms).

15. Documents Establishing the Qualifications of the Applicant

15.1 To establish its qualifications to perform the contract(s)in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV (Application Forms).

15.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the Kenya Shilling equivalent using the rate of exchange determined as follows:

a) Forconstructionturnoverorfinancialdatarequiredforeach Year-Exchangerateprevailingonthelastdayoftherespectivecalendaryear(inwhichtheamountsforthatyearistobeconverted).
b) ValueofsingleContract-Exchangerateprevailingonthedateofthecontract.

15.3 Exchange rates shall be taken from the publicly available source identified in the PDS. Any error in determining the exchange rates in the Application may be corrected by the Procuring Entity.

15.4 Applicants shall be asked to provide, as part of the data for qualification, such information, including details of ownership, as shall be required to determine whether, according to the classification established by the Procuring Entity, a particular contractor or group of contractor's qualifies for a margin of preference. Further the information will enable the Procuring Entity identify any

actual or potential conflict of interest in relation to the procurement and/or contract management processes, or a possibility of collusion between Applicants, and thereby help to prevent any corrupt influence in relation to the procurement process or contract management.

15.5 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which an Applicant may have. There can be no circumstances in which it would be justified for anApplicanttokeepinformationrelatingtoitsownershipandcontrolconfidentialwhereitistenderingtounde rtake public sector work and receive public sector funds. Thus, confidentiality will not be accepted by the Procuring Entity as a justification for an Applicant's failure to disclose, or failure to provide required information on its ownership and control.

15.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changestotheinformationwhichwasprovidedbytheApplicantunderITT6.3.Theobligationstorequirethisi nformation shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or management of the contract.

15.7 All information provided by the Applicant pursuant to these requirements must be complete, current and accurate as at the date of provision to the Procuring Entity. In submitting the information required pursuant to these requirements, the Applicant shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.

15.8 If an Applicant fails to submit the information required by these requirements, its application will be rejected. Similarly, if the Procuring Entity is unable, after taking reasonable steps, to verify to a reasonable degree the information submitted by an Applicant pursuant to these requirements, then the application will be rejected.

15.9 If information submitted by an Applicant pursuant to these requirements, or obtained by the Procuring Entity (whether through its own enquiries, through notification by the public or otherwise), shows any conflict of interest which could materially and improperly benefit the Applicant in relation to the procurement or contract management process, then:

a) If the procurement process is still ongoing, the Applicant will be disqualified from the procurement process,

b) If the contract has been awarded to that Applicant, the contract award will be set aside,

TheApplicantwillbereferredtotherelevantlawenforcementauthoritiesforinvestigationofwhetherth eApplicant or any other persons have committed any criminal offence.

15.10 If an Applicant submits information pursuant to these requirements that is incomplete, in accurate or out-of-date, or attempts to obstruct the verification process, then the consequences I TT6.7will ensue unless the Applicant can show to the reasonable satisfaction of the Procuring Entity that any such act was not material, or was due to genuine error which was not attributable to the intentional act, negligence or recklessness of the Applicant.

16. Signing of the Application and Number of Copies

16.1 TheApplicantshallprepareoneoriginalofthedocumentscomprisingtheApplicationas describedinITA11 and clearly mark it “ORIGINAL”. The original of the Application shall be typed or written inindelibleinkandshallbesignedbyapersondulyauthorizedtosignonbehalfoftheApplicant.In Case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV

~~On behalf of the JV and so as to be legally binding on all the members as evidenced by a power~~ of

Attorney signed by their legally authorized signatories.

16.2 The Applicant shall submit copies of the signed original Application, in the number specified in the PDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

17. Submission of Applications Sealing and Marking of Applications

17.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall: a Bear the name and address of the Applicant; b Be addressed to the Procuring Entity, in accordance with ITA17.1; and c Bear the specific identification of this Registration process indicated in thePDS1.1.

17.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1above.

18. Deadline for Submission of Applications

18.1 ApplicantsmayeithersubmittheirApplicationsbymailorbyhand.ApplicationsshallbereceivedbythePurchasing Entity at the address and no later than the deadline indicated in the PDS. When so specified in the PDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the PDS.

18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Registration Document in accordance with ITA8, in which case all rights and obligations of the Procuring Entity and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

19. LateApplications19.1

ThePurchasingEntityreservestherighttoacceptapplicationsreceivedafterthedeadline for submission of applications, unless otherwise specified in the PDS. If late applications will be accepted, they must be received not later than the date specified in the TDS after the deadline for submission of applications.

20. Opening of Applications

20.1 The Procuring Entity shall open all Applications at the date, time and place specified in the PDS. Late Applications shall be treated in accordance with ITA19.1.

20.2 Applicationssubmittedelectronically(ifpermittedpursuanttoITA17.1) shall be opened in accordance with the procedures specified in the PDS.

20.2 The Procuring Entity shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

21. Procedures for Evaluation of Applications

Confidentiality

21.1 Information relating to the Applications, their evaluation and results of the Registration shall not be disclosed to Applicants or any other persons not officially concerned with the Registration processuntilthenotificationofRegistrationresultsismadetoallApplicantsinaccordance withITA28.

21.2 FromthedeadlineforsubmissionofApplicationstothetimeofnotificationoftheresultsofthe Registration in accordancewithITA28, and Applicant that wishes to contact the Procuring Entity on any matter related to the Registration process may do so only in writing.

Clarification of Applications

21.3 To assist in the evaluation of Applications, the Procuring Entity may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. AnyrequestforclarificationfromtheProcuringEntityandallclarificationsfromtheApplicant shall be in writing.

22.1IfanApplicantdoesnotprovideclarificationsand/ordocumentsrequestedbythedateandtimesetin the Procuring Entity's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

Responsiveness of Applications

21.4 The Procuring Entity may reject any Application which is not responsive to the requirements of theRegistrationDocument.IncasetheinformationfurnishedbytheApplicantisincompleteorotherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant. Margin of Preference

21.5 Unless otherwise specified in the PDS, a margin of preference shall not apply in the Tendering process resulting from this prequalification.
Nominated Subcontractors

21.6 Unless otherwise stated in the PDS, the Procuring Entity does not intend to execute any specific elements of the works by sub-contractors selected in advance by the Procuring Entity (so-called "Nominated Subcontractors").

21.7 TheApplicantshallnotproposetosubcontractthewholeoftheWorksorGoods.Themaximumlimitof subcontracting permitted under the contract may be specified by the Procuring Entity in the Tendering Document. The Procuring Entity, in ITA 25.2, may permit the Applicant to propose subcontractors for certain specialized parts of the contract as indicated there in as ("Specialized Subcontractors"). Applicants planning to use such Specialized Subcontractors shall specify, in the Application Submission Letter, the activity(ies) or parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

22. EvaluationofApplicationsandRegistrationofApplicantsEvaluationofApplications

22.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Procuring Entity reserves the right towaiveminordeviationsfromthequalificationcriteriaiftheydonotmateriallyaffectthetechnicalcapability and financial resources of an Applicant to perform the Contract.

22.2 Subcontractors proposed by the Applicant shall be fully qualified and meet the minimum specificexperiencecriteriaasspecifiedfortheirpartsoftheproposedcontractforWorksorGoodsornon-consulting services. The subcontractor's qualifications shall not be used by the Applicant to qualify for the Works or Goods or non- consulting services unless their parts of the Works or Goods or non-consulting services were previously designated by the Procuring Entity in the PDS as can be met by Specialized Subcontractors, in which case:

- TheSpecializedSubcontractorsshallmeettheminimumqualificationrequirements Specified in Section III, and
- Thequalificationswithrespecttospecificexperienceofthe SpecializedSubcontractor

proposedbytheApplicantmaybeaddedtothequalificationoftheApplicantforthepurposeof the evaluation.

Unless the Applicant has been determined prequalified on its own and experience of the proposed specialized sub- contractor, the tender submitted by the Applicant shall include the same specialized sub-contractor failing which, such tender may be rejected unless a change in the specialized subcontractor was requested by the Applicant and approved by the Procuring Entity subsequent to Registration but before the tender submission deadline in accordancewithITA30.

22.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Procuring Entity shallprequalifyeachApplicantforeachlotandforacombinationofcontractsforwhichtheApplicanthasth erebyindicated its interest and for which the
Applicantmeetstheappropriateaggregaterequirementstheeligibilityandqualificationcriteria.

22.4 Further, in the case of multiple contracts, the Procuring Entity will prepare the Eligibility and Qualification Criteria Form for items 3.1, 3.2, 4.2(a) and 4.2(b) for each Lot, to be completed by applicants.

22.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (otherthanSpecializedSubcontractorsinaccordancewithITA25.2above) or any other firm(s)different from the Applicant shall not be considered.

23. Procuring Entity's Right to Accept or Reject Applications

23.1 The Procuring Entity reserves the right to accept or reject any Application, and to annul the Registration process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

24. Registration of Applicants

24.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or
Conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.

24.2 Applicants that have not been prequalified may write to the Procuring Entity to request, in writing, the ground on which they were disqualified.

25. Invitation to Tender

25.1 Promptly after the notification of the results of the prequalification, the Procuring Entity shall invite Tenders from all the Applicants that have been prequalified or conditionally prequalified. Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity in the form and an amount to be specified in the tendering document.

25.2 The successful Applicant shall be required to provide a Performance Security as specified in the tendering document.

26. Changes in Qualifications of Applicant

26.1 Any change in the structure or formation of an Applicant after being prequalified in accordance withITA27and invited to tender (including, in the case of a JV, any change in the structure or

formation of any member and also including any change in any specialized subcontractor whose qualifications were considered to prequalify the Applicant) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if

(i) aprequalifiedapplicantproposestoassociatewithadisqualifiedapplicantorincaseofadisqualifiedjoint venture, any of its members;

(ii) As a consequence of the change, the Applicantnolongersubstantiallymeetsthequalificationcriteriasetforth in Section III (Qualification Criteria and Requirements); or

(iii) in the opinion of the Procuring Entity, the change may result in a substantial reduction in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Invitation to Tender.

27. Procurement Related Complaints and Administrative Review

27.1 The procedures for making a Procurement-related Complaint are as specified in the PDS.

27.2 A request for administrative review shall be made in the form provided.

SECTION II

PREQUALIFICATION/REGISTRATIONDATASHEET(RDS)

Reference toITC Clause	PARTICULARS OFAPPENDIX TO INSTRUCTIONS TO TENDERS
A.General	
ITA1.1	The Procuring Entity is: **Kitui County Textile Centre** The identification of the Invitation for Registration is: **CGOKTI/KICOTEC/REG/010/2026-2028** The particular type of Registration is on: **Provision of legal services for the Financial Years 2025/2026–2027/2028** The Tender is for: **Provision of legal services for the Financial Years 2025/2026–2027/2028**
1.11	Serialization of the pages to be done in the Format of 1,2,3……Subsequently from the First page to the last
ITA2	The Source of funds shall be: N/A
ITA5.2	Maximum number of members in the JV shall be: NOT REQUIRED
B. Contents of the Prequalification/Registration Document	
ITA8.1	For clarification purposes, the Procuring Entity's address is: ***Kitui County Textile Centre,*** ***P.O Box72-90200Kitui*** ***Ag. Chief Executive Officer*** **Physical address: *Kitui*** **Telephone:0798151515** Electronic mail address: procurement.kicotec@kitui.go.ke Webpage: www.tenders.go.ke and www.kitui.go.ke
8.2	There will be NO Pre-application meeting
ITA8.3	Questionsandrequestsforclarificationmadeinwritingorbyemailshallreachthe Procuring Entity not later than Seven(7)days from closing date.
ITT9.2	Addendum issued shall be published at the website: www.tenders.go.ke and www.kitui.go.ke
C. Preparation of Applications	
ITA12.1(d)	The Applicant shall submit with its Application, the following additional documents: See qualification criteria and requirements

ITA 15.2(b)	The source for determining exchange rates is [NOTAPPLICABLE]
ITA 16.2	In addition to the original, the number of copies to be submitted with the Application is: NOT APPLICABLE Only original to be submitted
D. Submission of Applications	
ITA 18.1	The deadline for Application submission is: **29/04/2026 at 12.00 Noon**
ITA 19.1	Late Applications will be returned unopened to the Applicants. The Procuring Entity will not accept late applications.
ITA 20.1	The opening of the Applications shall be at: **Kitui County Textile Centre,** **P.O Box 72-90200 Kitui** Deposited in the Tender Box, located at Kitui County Textile Centre Headquarters.
E. Procedures for Evaluation of Applications	
ITA 31.1	An applicant wishes to make procurement related Compliant, the Applicant should submit it's compliant in writing (by the quickest means available, that is either by hand delivery or email to: For the attention: Procurement Manager, Kitui County Textile Centre Email: procurement.kicotec@kitui.go.ke

SECTION III

1.1 QUALIFICATIONCRITERIAANDREQUIREMENTS

The Procuring Entity will start by examining all the tenders to ensure they meet in all respects the eligibility criteria and other mandatory requirements in the ITT, and that the tender is complete in allaspectsinmeetingtherequirementsprovidedforintheпreliminaryevaluationcriteriaoutlinedbelow.Tenderers that do not pass the Preliminary Examination will be considered non- responsive and will not be considered further.

1.1.1 MANDATORYREQUIREMENTS

No.	Requirement	Responsive/Non-Responsive
1.	Copy of Certificate of Registration/Certificate of Incorporation.	
2.	Copy of Valid Tax Compliance Certificate from Kenya Revenue Authority	
3.	Copy of Certificate of Confirmation of Directors and Shareholding (CR12) (Issued within the last 6 Months to Tender Opening Date, for Limited Companies or copy of Identification Card (ID) for Sole Proprietors	
4.	Certified Valid copy of Single Business Permit	
5.	Thebiddocument“Original”mustbesequentiallypaginated/serializedintheformat 1, 2,3,4…….	
6.	Must fill the Application Forms (Application submission letter, FormELI1.1 Applicant information form)and Tenderer’s Eligibility-Confidential Business Questionnaire in the format provided	
7.	Duly filled, signed and stamped Self-Declaration Form that the Tenderer is Not Debarred	
8.	Dully filled, signed and Stamped Self Declaration form that the Tenderer will not engage in any Corrupt or Fraudulent Practice.	

SECTION IV

APPLICATIONFORMS

1. Application Submission Letter

Date..... [Insert day, month, and year]
ITT No. and title .....[Insert ITT number and title]

……

To.....[InsertfullnameofProcuringEntity]We,the undersigned, apply tobeRegistered for the referenced ITT and declare that:

a) No reservations: We have examined and have no reservations to the Registration Document, including Addendum(s)No(s), issued in accordancewithITA8:[insert the number and issuing date of each addendum]. …….

b) No conflict of interest: We have no conflict of interest in accordance with ITA5.7;

c) Eligibility: We (and our subcontractors) meet the eligibility requirements as stated ITA 5, we have not been suspended by the Procuring Entity based on execution of a Tender/Proposal-Securing Declaration inaccordancewithITA5.8;
Suspension and Debarment: We, along with any of our subcontractors, suppliers, consultants, 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 PPRA. Further, we are not ineligible under the Kenya laws or official regulations or pursuant to a decision of the United Nations Security Council;

State-owned enterprise or institution: [select the appropriate option and delete the other] [Wearenotastate-ownedenterpriseorinstitution]/[Weareastate-ownedenterpriseorinstitutionbutmeet the requirements ofITA5.9];

f) Subcontractors and Specialized Subcontractors: We, in accordance with ITA 24.2 and 25.2, plan to subcontract the following key activities and/or parts of the works or supply contracts:
.....[Insert any of the key activitiesidentifiedinSectionIII-4.2(a)or(b) or 4.3(a) or (b) which the Procuring Entity has permitted under the Registration Document and which the Applicant intends to subcontract along with complete details of the Specialized Subcontractors, their qualification and experience]

(g) Commissions, gratuities, : We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the Registration process, the corresponding Tendering process or execution of the Contract:

Name of Recipient Address	Reason	Amount
[Insert full name [Insert Street/number/city/country	[Indicate reason]	[Specify amount Currency for each

_____ _____ _____ _____
_____ _____ _____ _____
_____ _____ _____ _____
_____ _____ _____ _____

[Ifnopaymentsaremadeorpromised,addthefollowingstatement:"Nocommissionsorgratuities havebeenoraretobepaidbyustoagentsoranythirdpartyrelatingtothisApplication]

(h) Notboundtoaccept:WeunderstandthatyoumaycanceltheRegistrationprocessatanytimean d thatyouareneitherboundtoacceptanyApplicationthatyoumayreceivenortoinvite the pre qualified Applicants to Tender for the contract subject of this Registration process, without incurring any liability to the Applicants, in accordance with ITA26.1.

(i) True and correct: All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed.....[insertsignature(s)ofanauthorizedrepresentative(s)ofthe Applicant]

Name. .....[insert full name of person signing the Application]
In the capacity of .....[insert capacity of person signing the Application]

Email address……Contact… ..... P.O. BOX…….

Duly authorized to sign the Application for and on behalf of: Applicant's
Name .....[insert full name of Applicant or the name of

The JV] Address.....[insert street number/town or

city/country address] Dated on..... [insert day number] day

of [insert month],[insert year]

[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

2. Form ELI -1.1 - Applicant Information Form

Date ..... [insert day, month, year]

ITT No. and title .....[insert ITT number and title]

Page .....[insert page number] of [insert total number] pages

Applicant's name [insert full name]……
In case of Joint Venture (JV), name of each member: [insert full name of each member in JV]
Applicant's actual or intended country of registration: [indicate country of Constitution]
Applicant's actual or intended year of incorporation: [indicate year of Constitution]
Applicant's legal address [in country of registration]: [insert street/ number/ town or city/ country]
Applicant's authorized representative information Name: [insert full name] Address: [insert street/ number/ town or city/ country] Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes] E-mail address: [indicate e-mail address]
1. Attached are copies of original documents of ☐ Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 5.6. ☐ In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 5.3. ☐ In case of state-owned enterprise or institution, in accordance with ITA 5.9 documents establishing: Legal and financial autonomy Operation under commercial law Establishing that the Applicant is not under supervision of the Procuring Entity 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

TENDERER'S ELIGIBILITY - CONFIDENTIAL BUSINESS QUESTIONNAIRE

Instruction to Tenderer

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

Tenderer's Details

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

General and Specific Details

a) Sole Proprietor, provide the following details.

Name in full_____Age_____

Nationality _____

Country of Origin___Citizenship ___

b) Partnership, provide the following details.

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

c) Registered Company, provide the following details.

i) Private or public Company

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

Nominal Kenya Shillings (Equivalent)
…….....…....

Issued Kenya Shillings (Equivalent) …….....…

iii) Give details of Directors as follows

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

REQUEST FOR REVIEW

FORM FOR REVIEW (r.203(1))

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO……. OF…….….20……...

BETWEEN

……...……. APPLICANT

AND

……RESPONDENT (Procuring Entity)

Request for review of the decision of the…… (Name of the Procuring Entity of ……dated the…day of ……20…….in the matter of Tender No…..... of ……..20….. for.....(Tender description).

REQUEST FOR REVIEW

I/We……,the above named Applicant(s), of address: Physical address…….P. O. Box No…… Tel. No……..Email..... , hereby request the Public Procurement Administrative Review Board to review the whole/part of the above mentioned decision on the following grounds , namely:

1.

2.

By this memorandum, the Applicant requests the Board for an order/orders that:

1.

2.

SIGNED …….(Applicant) Dated on…….day of ……/…20……

FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on……day of ……....20…..……

SIGNED

Board Secretary

SELF-DECLARATION FORMS

FORM SD1

SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015.

I,. ..... of Post Office Box.....being a resident of.....in the Republic of.....do hereby make a statement as follows:-

1. THAT I am the Company Secretary/ Chief Executive/Managing Director/Principal Officer/Director of.....(insert name of the Company) who is a Bidder in respect of Tender No.....for..... .....(insert tender title/description) for.....(insert name of the Procuring entity) and duly authorized and competent to make this statement.

2. THAT the aforesaid Bidder, its Directors and subcontractors have not been debarred from participating in Procurement proceeding under Part IV of the Act.

3. THAT what is deponed to herein above is true to the best of my knowledge, information and belief.

…… ……..… ..... .

(Title) (Signature) (Date)

Bidder Official Stamp

FORM SD2

SELF DECLARATION THAT THE PERSON/TENDERER WILL NOT ENGAGE IN ANYCORRUPT OR FRAUDULENT PRACTICE

I,..... of P. O. Box.....being a resident of.....in the Republic of.....do hereby make a statement as follows:-

1. THAT I am the Chief Executive/Managing Director/Principal Officer/Director of. .....(insert name of the Company) who is a Bidder in respect of Tender No.....for..... .....(insert tender title/description) for.....(insert name of the Procuring entity) and duly authorized and competent to make this statement.

2. THAT the aforesaid Bidder, its servants and/or agents /subcontractors will not engage in anycorrupt or fraudulent practice and has not been requested to pay any inducement to any memberof the Board, Management, Staff and/or employees and/or agents of ……(insert name of the Procuring entity)which is the procuring entity.

3. THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of ……..(name of theprocuring entity).

4. THAT the aforesaid Bidder will not engage/has not engaged in any corrosive practice with other bidders participating in the subject tender.

5. THAT what is deponed to herein above is true to the best of my knowledge information and belief.

…… ……..… ……(Title)

(Signature) (Date)

Bidder's Official Stamp