



**EXPRESSION OF INTEREST (EOI)**

**EOI REF NO: NuPEA/EOI/DLRS/001/22-23**

**EOI DESCRIPTION: CONSULTANCY SERVICE FOR REVIEW OF THE DRAFT  
NATIONAL NUCLEAR POLICY AND CONDUCT PUBLIC PARTICIPATION**

**ISSUE DATE: 12<sup>TH</sup> APRIL 2023**

**CLOSING DATE: 26<sup>TH</sup> APRIL 2023**

**CLOSING TIME: 10.00 AM**

**NUCLEAR POWER AND ENERGY AGENCY**

**KAWI COMPLEX, OFF REDCROSS**

**P. O. Box 26374-00100**

**NAIROBI**

Telephone: +254-20-5138300

Email 1: [tenders@nuclear.co.ke](mailto:tenders@nuclear.co.ke)

Email 2: [alusuli@nuclear.co.ke](mailto:alusuli@nuclear.co.ke)

Website: [www.nuclear.co.ke](http://www.nuclear.co.ke)

**APRIL 2023**

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# NOTICE FOR REQUEST FOR EXPRESSIONS OF INTEREST (EOI)- (CONSULTING SERVICES – FIRMS SELECTION)

## NUCLEAR POWER AND ENERGY AGENCY

### EOI DESCRIPTION: CONSULTANCY FOR REVIEW OF THE DRAFT NATIONAL NUCLEAR POLICY AND CONDUCT PUBLIC PARTICIPATION EOI NO. NuPEA/EOI/ DLRS/001/22-23

- 1) Nuclear Power and Energy Agency intends to shortlist consultants to provide consulting services (the Services) for **Stakeholder Engagement/Public Participation Framework for the Draft National Nuclear Policy and Development of Nuclear Energy Bill** in full consistency with the Terms of Reference (TOR) that:

- i) Are attached or referred to in this request for expressions of interest. Or
- ii) Can be found at the following website: ([www.nuclear.co.ke](http://www.nuclear.co.ke)). Or
- iii) Can be obtained at the address given below.

Name of Procuring Entity: Nuclear Power and Energy Agency

Contact Person/Official: Dr. Antony Lusuli

Telephone number: +254205138300

Email Address: [alusuli@nuclear.co.ke](mailto:alusuli@nuclear.co.ke);

Postal Address: 26374-00100, Nairobi

Physical Address: 2<sup>nd</sup> Floor, KAWI Complex, Wing C, Off Redcross road, South C, Nairobi

- 2) Nuclear Power and Energy Agency now invites eligible consulting firms (“Consultants”) to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. The shortlisting criteria on required qualifications and experience of the firm are:

- i) Experience in the assignment, including technical and managerial capability of the firm.
- ii) Number of years in business working on the area of the assignment.
- iii) Reference to at least three assignments of similar nature and size

carried out in the last five (5) years Include persons or institutions and contact addresses (*phone, email*) who can be contacted on the same.

iv) Qualifications and Experience of Key Experts

3) The attention of interested Consultants is drawn to the following provisions that will be highlighted in the Request for Proposals to be issued to shortlisted firms.

- i) The Consultant will be expected to have no conflict of interest with other assignments or its own corporate interests and acting without any consideration for future work.
- ii) The consultant has no personal or business relationship with the Procuring Entity's senior management or professional staff.
- iii) A firm or an individual in the firm has not been sanctioned by the Public Procurement Regulatory Authority or are under a suspension or a debarment imposed by any other entity of the Government of Kenya, or any international organization.
- iv) Government-owned enterprises or institutions of Kenya Government, officials and civil servants and employees of public institutions may not be eligible.

4) Consultants may associate with other firms to enhance their qualifications, but should indicate clearly whether the association is in the form of a joint venture and/or a sub-consultancy. In the case of a joint venture, all the partners in the joint venture shall be jointly and severally liable for the entire contract, if selected.

5) A Consultant will be selected in accordance with the Quality Cost Based Selection method set out in the Act and Regulations.

6) Only firms **REGISTERED IN KENYA** are eligible

7) Further information can be obtained at the address below during office hours 0800 to 1700 hours.

Name of Procuring Entity: Nuclear Power and Energy Agency

Contact Person/Official: Dr. Antony Lusuli (PhD)

Telephone number: +254205138300

Email Address: alusuli@nuclear.co.ke;

Postal Address: 26374-00100, Nairobi

Physical Address: 2nd Floor, KAWI Complex, Wing C, Off Redcross road, South C, Nairobi

- 8) Express  
ions of interest must be delivered in a written form to the address below (in person, or by postal mail, or by e-mail) by 26<sup>th</sup> April 2023 at 10.00 am.

Name of Procuring Entity: Nuclear Power and Energy Agency

Contact Person/Official: Dr. Antony Lusuli (PhD)

Telephone number: +254205138300

Email Address: alusuli@nuclear.co.ke;

Postal Address: 26374-00100, Nairobi

Physical Address: Tender Box located at 2nd Floor, KAWI Complex, Wing C, Off Redcross road, South C, Nairobi

## **TERMS OF REFERENCE (TORs)**

### **1. BACKGROUND**

Globally, nuclear science remains a leading technology in several sectors including power generation, food & agriculture, human health, water resource management, industrial processes, education, research and training have been in use.

In water resource management, some of the nuclear techniques in use include the use of stable isotopes to understand the spatial distribution of various processes that affect groundwater availability and quality both at the local as well as at regional levels. This information provides a basis for assessing the impact of climate change and other factors on groundwater resources. Nuclear energy is also used for sea water desalination.

In the medical field, nuclear technology is used in the diagnosis and treatment of medical conditions such as cancer. It is also used in the sterilization of surgical equipment.

Nuclear technology can be used in research in various sectors such as medicine, agriculture and industry through production of radioisotopes and neutron beams for neutron activation analysis, material structure studies and neutron transmutation doping among other applications bringing innovations and inventions that foster economic growth.

In Kenya, various nuclear applications are already in use in food & agriculture, human health, water resource management, industrial processes, education, research and training. However, the full potential is yet to be exploited due to various challenges including lack of an adequate policy, legal framework and institutional capacity. In addition, electricity generation using nuclear technology calls for greater investment in capacity building.

In the FY 2021/2022, the Agency developed a draft National Nuclear Policy to guide the country on a broad range of measures and actions cutting across several sectors all aimed at ensuring systematic utilization of nuclear technology in a safe and secure environment. The Draft Policy seeks to ensure enhanced application of nuclear technology in all sectors of the economy including: nuclear power, food & agriculture, human health, water resource management, industrial processes, education, research and training.

In line with the mandates of Article 10 of the Constitution the Agency is enjoined to ensure the participation of the public in the development and implementation of the proposed National Nuclear Policy.

## **2. CALL FOR CONSULTANTS**

In light of the aforementioned the Agency seeks to engage the services of a competent consultancy firm with relevant and verifiable experience to undertake extensive public participation exercise for the proposed National Nuclear Policy in order to enhance the Legal Framework in Kenya necessary for the implementation of the country's proposed first Nuclear Power Programme.

Interested Consultants are encouraged to submit their bids and other supporting documents with information demonstrating that they have the required qualifications and relevant experience to perform the consultancy under the following terms.

## **3. NATURE AND AIM AND SCOPE OF THE ASSIGNMENT**

The consultancy aims at the development a public participation framework and to lead the public participation exercise for the proposed National Nuclear Policy. The Consultant is expected to develop a public participation framework, develop a stakeholder mapping and identify an effective communication strategy and coordinate the public participation exercise for the proposed National Nuclear Policy. The role of the consultancy and overall mandate is to ensure that the proposed national Nuclear Policy is subjected to the required constitutional and legal obligation threshold for public participation in order to enhance the legislative framework to ensure the smooth implementation of the proposed first Nuclear Power Programme in Kenya.

## **4. OBJECTIVES AND PURPOSE OF THE ASSIGNMENT**

The Consultant will be required to offer all consultancy services necessary to achieve the stated objectives. The objective of this assignment is;

### **4.1 Objectives of the Assignment to be achieved by the Consultant.**

- a) Prepare a Framework for the conduct of public participation on the proposed National Nuclear Policy.
- b) Undertake a stakeholder mapping on the proposed National Nuclear Policy.
- c) Undertake an extensive public participation for the proposed National Nuclear Policy.
- d) Review comments and make commentaries on existing gaps identified during the public participation process.
- e) Review, advise and make recommendations from information, material and feedback from stakeholders and the public on the proposed National Nuclear Policy
- f) Participate in, review, advise and make recommendations from international engagements on the proposed National Nuclear Policy
- g) Identify existing legal and regulatory provisions on nuclear energy applicable in Kenya

- h) Prepare a Framework for adoption by the government of the proposed National Nuclear Policy including Parliamentary engagements, if any.
- i) Review and Incorporate any commentaries from Cabinet on the proposed National Nuclear Policy
- j) Prepare and submit a final version of the National Nuclear Policy
- k) Follow up on the process for formal adoption by the Government and publication of the proposed National Nuclear Policy.
- l) Develop an appropriate framework for the implementation of the proposed National Nuclear Policy.

## **5. REPORTING AND TIME SCHEDULES**

The Consultant is expected to enter into an agreement with the Agency on the approach and action plans to realize the basic objective of the appointment and submit all Reports timeously as agreed from the commencement date of the contract.

## **6. DELIVERABLES**

- 6.1. A framework for Public Participation.
- 6.2. Strategy to carry out an effective public participation.
- 6.3 Mapping of the relevant stakeholders and the public to be engaged.
- 6.4 Report(s) on the outcome(s) of the stakeholder/public participation exercise(s)
- 6.5 Final draft of the proposed National Nuclear Policy.
- 6.6 Cabinet Memo for adoption of the proposed National Nuclear Policy
- 6.7 Implementation matrix for the proposed National Nuclear Policy

## **7. THE KEY PROPOSAL FOCUS AND EVALUATION CRITERIA**

The selected Consultant will be expected to demonstrate how this will be achieved through a comprehensive work plan and methodology, experience of the firm in same/similar assignments and the qualifications/experience of key consultants.

The EOI's received shall be evaluated on the basis of their responsiveness to the Terms of Reference, applying the evaluation criteria as follows:



## 8. EVALUATION CRITERIA

### Part 1- Preliminary Evaluation Criteria.

**These are mandatory requirements.**

- a) All pages of the bidder's document (including attachments) MUST be serialized sequentially (i.e 1,2,3.....n, being last page)
- b) Copy of Company's or Firm's Registration Certificate/ Certificate of Incorporation
- c) Copy of Valid Tax Compliance Certificate
- d) Duly completed, signed and stamped self-declaration form SD1(attached)
- e) Duly completed, signed and stamped self-declaration form SD2(attached)
- f) Duly filled, signed and stamped Confidential Business Questionnaire (attached)
- g) Copy Certificate of Confirmation of Directors (CR12) in case for a limited company
- h) Copy National Identity Cards/ Passport of the Directors and Shareholders as given in CR12.
- i) Copy National Identity Cards/ Passport of the owner(s) in case for a sole proprietor/form

**NB: Only tenderers who satisfy ALL mandatory requirements will be proceed to Technical Evaluation Stage**

### Part II-Technical

Items	Points
(i) Contracts/Purchase Orders of same/similar assignments (5) .Each contract purchase order must be of more than Ten Million(10,000,000.00) and above and must be within the last five years.	30
(ii) Suggestions/recommendations on improvement of TORs	10
(iii) Qualifications and experience of the Lead Consultant related to the assignment	20
(iv) Qualifications and experience of 4 key supporting members of the Consultancy Firm to be involved in the assignment	40
<b>Total Points</b>	<b>100</b>

Only firms with scores above 70%, shall be shortlisted for consideration to be issued with Request for Proposal.

## **9. PREPARATION OF THE EOI**

The Expression of Interest shall not contain any financial proposals and shall be written in English language.

In preparing the EOI, consultants are expected to examine the documents constituting the TOR in detail. While preparing the document, consultants must give particular attention to the following:

- (i) If a firm considers that it does not have all the expertise for the assignment, it may obtain a full range of expertise by associating with individual consultant(s) and/or other firms or entities in a joint venture or sub-consultancy as appropriate. Consultants shall not associate with the other consultants who have registered themselves for this assignment. Any firms associating in contravention of this requirement shall automatically be disqualified.
- (ii) It is desirable that the majority of the key professional staff proposed be permanent employees of the firm or have an extended and stable working relationship with it.
- (iii) Proposed professional staff must as a minimum, have the experience indicated in the TOR preferably working under conditions similar to those prevailing in Kenya.

The EOI shall provide the following information:

- (i) A brief description of the firm's understanding of the exercise;
- (ii) A brief description of the firm's organization and an outline of experience of the Firm in the in the energy sector or in policy formulation and legislative drafting in general.
- (iii) A list of the proposed team, the tasks that would be assigned to each staff team member and their timing.

## **10. QUALIFICATION REQUIREMENTS OF THE KEY EXPERTS**

The consultancy is envisaged to be an interdisciplinary one which requires resources from different fields to undertake as a team. The Lead Consultant is therefore expected to make a proposal giving his/her understanding of the requirements and propose the best way of deploying resources. The following is an indicative mix of skills that may be required for the assignment.

### **10.1 LEAD CONSULTANT**

The Team Leader shall preferably have a postgraduate degree(masters) in Policy /law making and a relevant Bachelor's Degree. The Lead Consultant must also have at least 10 years'

experience in the area of policy making. He/she must demonstrate deep understanding in Policy/Law formulation, development and/or implementation. The Team Leader will seek and coordinate the inputs of all team members and ensure the quality and timely submission of reports is observed.

## **10.2. OTHER CONSULTANTS**

At least four (4) other consultants shall be proposed to work with the Lead Consultant and should have a relevant Bachelor's with at least 3 years' work experience in the relevant area. At least one of these must possess qualification as an Advocate of the High Court of Kenya with not less than 5 years post admission qualification to the Kenyan Bar and one must demonstrate direct understanding in the area of stakeholder/public engagement.

## **10.3. ADDITIONAL CONSULTING STAFF**

The consultants are free to indicate any other consulting staff resource required and the role they will play in the assignment.

**CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM**

You are requested to give the particulars indicated in Part 1 and either Part 2(a), 2(b) or 2 (c) whichever applied 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 ..... E  
 mail .....

Nature of Business  
 .....

Registration Certificate No.  
 .....

Maximum value of business which you can handle at any one time – Kshs.  
 .....

Name of your bankers ..... Branch  
 .....

	Part 2 (a) – Sole Proprietor
	Your name in full ..... Age .....
	Nationality ..... Country of origin .....
	<ul style="list-style-type: none"> <li>• Citizenship details                  .....</li> <li>•                  .....</li> </ul>
	Part 2 (b) Partnership
	Given details of partners as follows:

	Name	Nationality	Citizenship
Details	Shares		
	1. ....		
	2. ....		
	3. ....		
	4. ....		
<b>Part 2 (c) – Registered Company</b>			
Private or Public .....			
State the nominal and issued capital of company-			
Nominal Kshs. ....			
Issued Kshs. ....			
Given details of all directors as follows			
	Name	Nationality	Citizenship Details
Shares			
1. ....			
2. ....			
3. ....			
4. ....			
5. ....			
Date .....		Signature of Candidate	
.....			

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

**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 hereinabove is true to the best of my knowledge, information and belief.

.....

Title

Signature

Date

**FORM SD2**

**SELF DECLARATION THAT THE PERSON/TENDERER WILL NOT ENGAGE IN ANY CORRUPT OF FRAUDULENT PRACTICE**

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 servants and / or agents / subcontractors will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of 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 the procuring 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 hereinabove is true to the best of my knowledge information and belief.

.....

**Title**

**Signature**

**Date**

**Bidder's Official Stamp**



## **APPENDIX TO FORM OF PROPOSAL ON FRAUD AND CORRUPTION CLAUSE (for information)**

*(Appendix shall not be modified)*

### **Purpose**

The government of Kenya's Anti-Corruption and Economic Crime laws and their sanction's policies and procedures, Public Procurement and Asset Disposal Act (*no. 33 of 2015*) and its Regulation, and any other Kenya's Acts or Regulations related to Fraud and Corruption, and similar offences, shall apply with respect to Public Procurement Processes and Contracts that are governed by the laws of Kenya.

### **Requirements**

The Government of Kenya requires that all parties including Procuring Entities, Tenderers, (applicants/proposers), Consultants, Contractors and Suppliers; any Sub-contractors, Sub-consultants, Service providers or Suppliers; any Agents (whether declared or not); and any of their Personnel, involved and engaged in procurement under Kenya's Laws and Regulation, observe the highest standard of ethics during the procurement process, selection and contract execution of all contracts ,and refrain from Fraud and Corruption and fully comply with Kenya's laws and Regulations as per paragraphs 1.1 above.

Kenya's public procurement and asset disposal act (*no.33 of 2015*) under Section 66 describes rules to be followed and actions to be taken in dealing with Corrupt, Coercive, Obstructive, Collusive or Fraudulent practices, and Conflicts of Interest in procurement including consequences for offences committed. A few of the provisions noted below highlight Kenya's policy of no tolerance for such practices and behavior:

- (1) a person to whom this Act applies shall not be involved in any corrupt, coercive, obstructive, collusive or fraudulent practice; or conflicts of interest in any procurement or asset disposal proceeding;
- (2) A person referred to under sub section (1) who contravenes the provisions of that sub-section commits an offence;
- (3) Without limiting the generality of the subsection (1) and (2), the person shall be: -
  - a) disqualified from entering into a contract for a procurement or asset disposal

- proceeding; or
- b) if a contract has already been entered into with the person, the contract shall be avoidable;
- (4) The voiding of a contract by the procuring entity under subsection (7) does not limit any legal remedy the procuring entity may have;
- (5) An employee or agent of the procuring entity or a member of the Board or committee of the procuring entity who has a conflict of interest with respect to a procurement—
- i) Shall not take part in the procurement proceedings;
  - ii) shall not, after a procurement contract has been entered into, take part in any decision relating to the procurement or contract; and
  - iii) Shall not be a sub-contractor for the tender to whom was awarded contract, or a member of the group of tenderers to whom the contract was awarded, but the sub-contractor appointed shall meet all the requirements of this Act.
- (6) An employee, agent or member described in subsection (1) who refrains from doing anything prohibited under that subsection, but for that subsection, would have been within his or her duties shall disclose the conflict of interest to the procuring entity;
- (7) If a person contravenes sub section (1) with respect to a conflict of interest described in subsection (5)(a) and the contract is awarded to the person or his relative or to another person in whom one of them had a direct or indirect pecuniary interest, the contract shall be terminated and all costs incurred by the public entity shall be made good by the awarding officer.
- (8) Incompliance with Kenya's laws, regulations and policies mentioned above, the Procuring Entity:
- a) Defines broadly, for the purposes of the above provisions, the terms set forth below as follows:
    - i) “corrupt practice” is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;
    - ii) “fraudulent practice” is any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain financial or other benefit or to avoid an obligation;
    - iii) “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;
    - iv) “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
    - v) “obstructive practice” is:
      - a) deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede investigation by Public Procurement Regulatory Authority (PPRA) or any other appropriate authority appointed by

Government of Kenya into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation; or

- b) Acts intended to materially impede the exercise of the PPRA's or the appointed authority's inspection and audit rights provided for under paragraph 2.3e. below.
  
- b) Defines more specifically, in accordance with the above procurement Act provisions set forth for fraudulent and collusive practices as follows:

"fraudulent practice" includes a misrepresentation of fact in order to influence a procurement or disposal process or the exercise of a contract to the detriment of the procuring entity or the tenderer or the contractor, and includes collusive practices amongst tenderers prior to or after tender submission designed to establish tender prices at artificial non-competitive levels and to deprive the procuring entity of the benefits of free and open competition.
  
- c) Rejects a proposal or award<sup>1</sup> of a contract if PPRA determines that the firm or individual recommended for award, any of its personnel, or its agents, or its sub-consultants, sub-contractors, service providers, suppliers and/ or their employees, has, directly or indirectly, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;
  
- d) Pursuant to the Kenya's above stated Acts and Regulations, may sanction or debar or recommend to appropriate authority (ies) for sanctioning and debarment of a firm or individual, as applicable under the Acts and Regulations;
  
- e) Requires that a clause be included in Tender documents and Request for Proposal documents requiring (i) Tenderers (applicants/proposers), Consultants, Contractors, and Suppliers and their Sub-contractors, Sub-consultants, Service providers, Suppliers, Agents personnel, permit the PPRA or any other appropriate authority appointed by Government of Kenya to inspect all accounts, records and other documents relating to the procurement process, selection and/or contract execution, and to have them audited by auditors appointed by the PPRA or any other appropriate authority appointed by Government of Kenya; and
  
- f) Pursuant to Section 62 of the above Act, requires Applicants/Tenderers to submit along with their Applications/Tenders/Proposals a "Self-Declaration Form" as included in the procurement document declaring that they and all parties involved in the procurement process and contract execution have not engaged/will not engage in any corrupt or fraudulent practices.

<sup>1</sup>For the avoidance of doubt, a party's ineligibility to be awarded a contract shall include, without limitation, (i) applying for pre-qualification, expressing interest in

A consultancy, and tendering, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and(ii) entering into an addendum or amendment introducing a material modification to any existing contract.

<sup>2</sup> Inspections in this context usually are investigative (i.e., forensic) in nature. They involve fact-finding activities undertaken by the Investigating Authority or persons appointed by the Procuring Entity to address specific matters related to investigations/audits, such as evaluating the veracity of an allegation of possible Fraud and Corruption, through the appropriate mechanisms. Such activity includes but is not limited to: accessing and examining a firm's or individual's financial records and information, and making copies thereof as relevant; accessing and examining any other documents, data and information (whether in hard copy or electronic format) deemed relevant for the investigation/audit, and making copies thereof as relevant; interviewing staff and other relevant individuals; performing physical inspections and site visits; and obtaining third party verification of information.

## DECLARATION AND COMMITMENT TO THE CODE OF ETHICS

I .....

(person) on behalf of (*Name of the Business/ Company/Firm*) ..... declare that I have read and fully understood the contents of the Public Procurement & Asset Disposal Act, 2015, Regulations and the Code of Ethics for persons participating in Public Procurement and Asset Disposal Activities in Kenya and my responsibilities under the Code.

I do here by commit to abide by the provisions of the Code of Ethics for persons participating in Public Procurement and Asset Disposal.

Name of Authorized signatory.....

Sign.....

Position.....

Office address.....

Telephone..... E-mail.....

Name of the Firm/Company.....

Date.....

*(Company Seal/ Rubber Stamp where applicable)*

Witness Name .....

Sign.....

Date.....