



Kenya National Highways Authority

Quality Highways, Better Connections

**Barabara Plaza, Off A8/B10 Junction, On Airport North Road, Near JKIA, P.O Box 49712 - 00100 Nairobi
Tel 020 - 4954000 / 0700 423 606 Email dg@kenha.co.ke / Website www.kenha.co.ke**

**REGISTRATON OF PROVIDERS OF LEGAL
SERVICES FOR THE PERIOD ENDING 30TH JUNE 2021.**

ELIGIBILITY - ALL

CONTINUOUS PROCESS

**CORPORATION SECRETARY/DEPUTY DIRECTOR
HEAD LEGAL SERVICES
KENYA NATIONAL HIGHWAYS AUTHORITY
P.O. BOX 49712-00100
NAIROBI**

**DIRECTOR GENERAL
KENYA NATIONAL
HIGHWAYS AUTHORITY
P.O. BOX 49712-00100 FAX
0202715483
NAIROBI**

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SECTION 1: INVITATION FOR REGISTRATION

REGISTRATION OF LEGAL SERVICES PROVIDERS FOR THE PERIOD ENDING 30TH JUNE 2021 - CONTINUOUS PROCESS.

The Kenya National Highways Authority (KeNHA) is a State Corporation established under the Kenya Roads Act, 2007, with the responsibility for management, development, rehabilitation and maintenance of national roads.

The Authority intends to register eligible Candidates to be placed in our Panel of Advocates for a period the period ending 30th June, 2021 and who may from time to time be appointed to provide legal services.

The following must be submitted together with the Registration documents for the applicants to be registered and included in the list of registered firms the period ending 30th June, 2021:-

- Copy of Valid Practising Certificates
- Copy of Certified Valid Tax Compliance certificate
- Copy of Certificate of registration
- Dully filled confidential questionnaire
- Professional Indemnity of at least 50M
- Registration Submission Form
- Dully filled Section V and VI Forms clearly indicating preferred areas of practice regions to be considered once successful.

Interested applicants may obtain further information and inspect registration documents from Supply Chain Management Office, Kenya National Highways Authority **Headquarters**, Barabara Plaza, 2nd Floor, Barabara Plaza, JKIA, Nairobi, off Mazao Road (Opposite KCAA Head Quarters) during normal working hours.

Interested applicants are requested to download full registration document from our website www.kenha.co.ke free of charge or from KeNHA Headquarters.

Candidates are reminded that they are required to submit only one (1) Registration document for each company.

The registration process shall be continuous and submission of registration document may be received any time during official working hours from KeNHA headquarters, Barabara Plaza, JKIA, Nairobi, off Mazao Road (Opposite KCAA Head Quarters)..

Deputy Director Supply Chain Management
FOR: DIRECTOR GENERAL

SECTION II- TENDER SUBMISSION CHECKLIST

This order and arrangement shall be considered as the Tender Format. Candidates shall tick against each item indicating that they have provided it.

No.	Item	Tick Where Provided
1	Letter of Application.	
2	Copy of Company or Firm's Registration Certificate	
3	Copy of Tax Compliance Certificate	
4	Three letters of recommendation from your corporate clients	
5	Duly Completed Confidential Registration Business Questionnaire	
6	Evidence of physical address and premises (attach copies of utility bills e.g. electricity/water or lease agreement/Title	
7	Certified copy of current Practicing Certificates for all Partners and Associates	
8	Attach CV's of Partners, Associates, Consultants if any and staff together with their professional/academic certificates.	
9	Professional Indemnity Cover	
10	Any other document or item required by the Registration Document. (The Candidate shall specify such other documents or items it has submitted)	

PART I PRELIMINARY REQUIREMENTS (MANDATORY)

Bidders must attach evidence to fulfill the following requirements:

PART I - MANDATORY CRITERIA			
NO.	REQUIREMENTS	MAX SCORE	YES/ NO
A.	Duly completed Registration submission form	Mandatory	
B.	Duly completed and signed Confidential Business Questionnaire.	Mandatory	
C.	A copy of the Certificate of Registration of the Law firm.	Mandatory	
D.	Evidence of Physical Address.	Mandatory	
E.	Certified Copies of practicing Certificates of all advocates in the Law firm.	Mandatory	
F.	Letters of Recommendation from at least five (5) corporate clients. (Company name Client's Contact Person (email and telephone No.)	Mandatory	
G.	Audited Accounts for immediate past two (2) Year's.	Mandatory	
H.	Duly certified Tax Compliance Certificate.	Mandatory	
I.	Evidence of the firm's Professional Insurance Indemnity of at least Kshs.50,000,000.00	Mandatory	
An application shall be rejected at this stage if it does not respond to the mandatory requirements. Applications that respond to the mandatory requirements will be proceed to Technical evaluation.			

PART II - TECHNICAL CRITERIA				
NO.	REQUIREMENTS	PARAMET ER	MAX SCORE (Points)	FIRM'S SCORE
A.	Experience in advising public institutions or large commercial enterprises. Attach evidence.	-	10	
B.	Value of Professional Indemnity	Kshs. 100 Million and Over Kshs. 50 - 99 Million Kshs. 30 - 49 Million Kshs. 10 - 29 Million Kshs. 5 - 9 Million	15 10 7.5 5 2.5	
C.	Capacity & Period of Operation of Firm C1. Firm Profile & Experience Qualifications and competence/areas of practice of Key professional staff (attach respective CVs for each with above details)	Minimum Law undergraduate degree for all advocates Senior Partners Over 15 years' experience 12-15 years	6 3 1	

	<p>C2. Size</p> <p>Number of Partners</p> <p>Number of Associates</p> <p>Number of Support staff</p> <p>C3. Facilities</p> <p>Equipped Library</p> <p>Branches (provide location and staffing)</p> <p>Affiliations to International Bodies (provide evidence)</p>	<p>Less than 10 years. 1</p> <p>Associates</p> <p>Over 8 years' experience 6</p> <p>3-7 years 3</p> <p>Under 3 years 1</p> <p>6 and above 4</p> <p>3 -5 2</p> <p>1-2 1</p> <p>6 and above 4</p> <p>3 -5 2</p> <p>1-2 1</p> <p>5 and above 2.5</p> <p>2-3 1</p> <p>- 2.5</p>	
D.	<p>Ten (10) Major Litigation briefs successfully handled in terms of value and subject matter in the last ten years (attach evidence).</p> <p>Indicate court/Tribunal:</p>	<p>Subject Matter Over Kshs. 200 Million 30</p> <p>Kshs. 100 - 199 Million 20</p>	

	<ul style="list-style-type: none"> • Supreme Court • Court of Appeal • High Court • Regional Courts/ International Courts • Arbitrations/Adjudications/PPP Petitions/ PPARB Request for Review 	<p>Kshs. 50 - 99 Million</p> <p>Kshs. 49 Million and below</p>	<p>10</p> <p>5</p> <p>5</p>	
E.	Audited financial statements for the last two years or where the firm has been in operation for less than 2 years Certified Management Accounts.	-	5	
F.	Completeness of bid documents	-	5	
			100	

Each responsive proposal will be given a technical score (St). A proposal shall be rejected at this stage if it does not respond to important aspects of the Criteria or if it fails to achieve the minimum technical score indicated. The pass mark shall be a minimum technical score of **70 points**.

PREFERRED AREAS OF PRACTICE

Please indicate as appropriate the areas of specialization of practice where you wish to be considered for provision of legal services.

No.	Areas of Practice & Legal knowledge	Names of Personnel attached to the area of practice	Brief of any recent experience in an assignment of the specific nature (not more than 3 years old)
1	Judicial Review		
2	Conveyancing		
3	Company & Commercial Law		
4	Intellectual Property Law		
5	Public Private Partnership/ PPP Committee Petition		
6	Insurance Claims		
7	Public Procurement & Disposal Law/ PPARB Request for Review		
8	Environmental and Land Court		
9	Constitutional and Human Rights Litigation		
10	General Civil Litigation		
11	Criminal Law		
12	Adjudication/ Arbitration		
13	Any relevant Law concerning construction		

Any others: Please specify
Firms are free to indicate all the Areas

SECTION IV- PREFERRED REGIONS

The Authority is divided into ten (10) Regions besides the Headquarters office, as shown in the table below. Please indicate as appropriate the Region(s) where you wish to be considered for supply of the various legal services.

No.	REGION	LOCATION OF KeNHA OFFICE	TICK AREA/S OF INTEREST AS APPROPRIATE
1	Headquarters	Blue Shield Towers, Hospital Road 1 st Floor	
2	Nairobi	Provincial Works Office, Machakos Road Industrial Area	
3	Lower Eastern	Machakos, Ministry of Roads Office opposite Machakos Boys High School	
4	Central	Nyeri, Ministry of Roads Building Makaburini Road	
5	Upper Eastern	Isiolo, Ministry of Roads & Public Works Building	
6	Coast	Mombasa, Public Works Building, Shimanzi Road	
7	North Eastern	Garissa, Public Works Office, Ngamia Road	
8	North Rift	Eldoret, Public Works Building, Oloo Street	
9	South Rift	Nakuru, Ministry of Roads Building, Prison Road	
10	Nyanza	Kisumu, Kisumu-Kakamega Road, Ministry of Roads Building	
11	Western	Kakamega, Ministry of Roads Building, Kakamega-Kisumu Road, Opposite GK Prison	

Firms are free to select all areas.

SECTION V: REFERENCES FROM THREE OTHER CLIENTS (Attach)

No.	Company	Client's Contact
1		
2		
3		

Note: Recommendation Letters from client the clients mentioned must be provided.

SECTION VI: - REGISTRATION SUBMISSION FORM

To:

Date: _____

Tender No.: _____

Director General
Kenya National Highways Authority
Blue Shield Towers
Hospital Road, Uperhill
P.O. Box 49712-00100
NAIROBI, KENYA

Dear Sir,

We/I, the undersigned, offer to provide the required services in accordance with your instructions and we hereby submit our Registration Document.

Our Application is binding to us and if found acceptable we shall be pleased to be included in the list of pre-qualified firms.

We understand you are not bound to accept any application you receive.

We remain,

Yours sincerely,

Authorised Signature:

Name and Title of Signatory

Name of Tenderer

Address:

SECTION VII- CONFIDENTIAL REGISTRATION BUSINESS QUESTIONNAIRE FORM

You are requested to give the particulars indicated in Part 1; either Part 2(a), 2(b) or 2 (c) whichever applies to your type of business; and Part 3. You are advised that it is a serious offence to give false information on this form.

Part 1 – General	
1.1 Business Name
1.2 Location of Business Premises.
1.3 Plot No.....	Street/Road Postal
Address	
Tel No.	Fax.....
E mail	
1.4 Nature of Business	
1.5 Registration Certificate No.
1.6 Maximum Value of Business which you can handle at any one time –	
Kshs.....	
1.7 Name of your Bankers	Branch

Part 2 (a) – Sole Proprietor	
2a.1 Your Name in Full	
2a.2 Nationality	
Country of Origin	
• Citizenship Details	

Part 2 (b) Partnership

2b.1 Given details of Partners as follows:

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

Firm profile (attach).....

Part 2(c) Associate Firms

Kindly indicate whether your firm associates or collaborates with any international law firms. If so, kindly indicate the name(s) of the firm(s) and their expertise. This is for informational purposes and shall not be scored.

Part 2 (d) – Debarment

I / We declare that I/ we have not been debarred from any procurement process and shall not engage in any fraudulent or corrupt acts with regard to this or any other tender by KeNHA and any other public or private institutions.

Full Names

Signature.....

Dated thisday of20.....

In the capacity of

Duly authorized to sign Tender for and on behalf of.....

Part 2 (e) – Criminal Offence

I / We, individually or jointly have not been convicted of any criminal offence relating to professional (mis)conduct or the making of false statements or misrepresentations as to my/our qualifications to enter into a procurement contract within a period of five (5) years preceding the commencement of this Registration procurement.

Full Names.....

Signature.....

Dated this day of 20...

In the capacity of

Duly authorized to sign Tender for and on behalf of.....

Part 3 – Conflict of Interest

3.1 I / We, the undersigned state that I/ we have no conflict of interest in relation to this Registration.

- 1.....
- 2.....
- 3.....

For and on behalf of M/s

In the capacity of

Dated this day of 20...

Law firm's Official Rubber Stamp.....

3.2 Does any person/person in KeNHA have interest in the firm?

Yes_____ No_____

3.3 If answer in '3.2' above is YES give details.

-
-
-
-
-

3.4 Are you under a declaration of ineligibility for corrupt and fraudulent practices?

YES_____ No_____

3.5 If answer in '3.4' above is YES give details:

-
-
-
-
-

I / We DECLARE that the information given on this form is correct to the best of my/our knowledge and belief and that I/We give GDC authority to seek any other references concerning my/our firm from whatever sources deemed relevant.

Date Signature of Candidate.....

Part 4 – Interest in the Firm

Is there any person/persons in KeNHA or any other public institution who has interest in the Firm? Yes /No? (Delete as necessary) Institution

(Title)

(Signature)

(Date)

Part 5 Experience

Please list here below 3 major companies/ clients you have acted for in the last two (2) years.

Company Name	Country	Contract/Order No.	Value
1.			
2.			
3.			

Contact person (Full Names)

Email address

Cell phone No.

Part 6 Declaration

I/we the undersigned state that the above information is correct and that I/We give the Kenya National Highways Authority, authority to seek any other references concerning my/our firm from whatever sources deemed relevant e.g. Office of the Registrar of Companies, Bankers etc.

Full names.....

Signature

For and on behalf of M/s.....

In the capacity of

Dated this day of 20....

Suppliers ' / Company's Rubber Stamp

TEAM COMPOSITION SUMMARY AND TASK ASSIGNMENTS

1. Partner(s)

No	Name	Position	Area of Practice
1.			
2.			
3.			
4.			
5.			

2. Associates, Support Staff and Consultants

NO	Name	Position	Area of Practice
1.			
2.			
3.			
4.			
5.			
6.			
7.			

FORMAT OF CURRICULUM VITAE (CV) FOR PROPOSED PROFESSIONAL STAFF

Position: _____

Name of Advocate: _____

Date of Birth: _____

Years of Practice: _____

Years with Firm: _____ Nationality: _____

Membership in Professional Societies:

Key Qualifications:

[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations].

Education:

[Summarize college/university and other specialized education of staff member, giving names of schools, dates attended and degree[s] obtained.]

Employment Record:

[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments.]

Certification:

I, the undersigned, certify that these data correctly describe me, my qualifications, and my experience.

_____ Date: _____ *[Signature*
of staff member]

_____ Date: _____
[Signature of authorised representative of the firm]

Full name of staff member: _____

Full name of authorized representative: _____