

**THE SECOND AND FINAL RESPONSE TO THE REQUEST FOR CLARIFICATIONS TO THE TENDER FOR SUPPLY, DELIVERY, INSTALLATION, TRAINING, TESTING AND COMMISSIONING OF INSTRUMENT LANDING SYSTEM (ILS) FOR TRAINING AT EAST AFRICAN SCHOOL OF AVIATION AS AT 12<sup>TH</sup> JANUARY 2022: TENDER NUMBER KCAA/038/2021-2022.**

<b>No.</b>	<b>Clarifications Sought</b>	<b>KCAA's Response</b>
1.	The bidders requested for a 3 weeks extension as it takes time to make formal arrangements with partners	Tender submission has been extended from <b>Thursday, 20<sup>th</sup> January 2022 to Friday, 4<sup>th</sup> February 2022 at 11:00AM.</b>
2.	Bidders requested KCAA to provide technical responsiveness checklist format in excel format	<i>Bidders are required to provide a checklist based on their individual proposal of the system/equipment they intend to provide as per the technical specifications provided in the tender document and the clarifications.</i>
3.	Bidders requested KCAA to provide price schedule forms in excel format	Bidders are free to convert the PDF format forms to excel format provided they submit all the required information.
4.	Bidders requested KCAA to provide forms to be filed in excel format	Bidders are free to convert the PDF format forms to excel format provided they submit all the required information.
5.	Does KCAA need one Remote Maintenance, Monitoring and control unit (RMMC) for all three systems (DME, ILS, DVOR) or only one RMMC for the DME system?	Since the tenders are different bidders will provide RMMC for each equipment but the RMMCs must be able to integrate with one another
6.	Does KCAA require two air conditioners for the three systems (DME, ILS, DVOR) or 2 AC for DME?	This was clarified during the pre-bid meeting. The three tenders are independent and each equipment is separate. So two air conditioners for each equipment
7.	Does KCAA require Widescreen Business Projector (WXGA Resolution 1280x800). Will the overhead mounted be one for each of the three systems (DME, ILS, DVOR) or a total of one for all the three systems ?	This was clarified during the pre-bid meeting. The three tenders are independent and each equipment is separate. Each equipment room will be fitted with a projector
8.	Will the 60"x60" manual pull-down projection screen be one for each of the three systems (DME, ILS, DVOR) or a total of one for all the three systems?	This was clarified during the pre-bid meeting. The three tenders are independent and each equipment is separate. Each equipment room will be fitted with a pull down for projection
9.	Can KCAA confirm if Factory Acceptance Training will be done for five days for two persons for each system?	This was clarified during the pre-bid meeting. The three tenders are independent and each equipment is separate. FAT for each system
10.	Can KCAA confirm if the Daily DSA 400 USD for each student per day for FAT and factory training must be included in the total price or if KCAA will take care of the costs?	YES. It is indicated in the tenders that the cost will be borne by the supplier, so it must be included in the total bid price.
11.	Can KCAA confirm the number of days of Site training if it is 10 or less for each system (DME, ILS, DVOR)? How much site training for each system customer need?	Site training would be conducted for six (6) technical personnel. Site Training shall be conducted for 10 working days and the SAT conducted for 3 days. This applies for each equipment since the tenders are independent as indicated in respective documents

No.	Clarifications Sought	KCAA's Response
12.	How many rooms are to be prepare for 3 systems (DME, DVOR,ILS) and could KCAA provide pictures of the rooms to be prepared	Three independent rooms for ILS, DME, VOR. Bidders were taken to the rooms where the equipment will be installed during pre-bid meeting.
13.	Can KCAA provide the room's pictures, sizes or layout of the rooms to be prepared?	Bidders were taken to the rooms where the equipment will be installed during pre-bid meeting and they took measurements
14.	Under Training section 1.2 Airspace Systems Inspection Pilots/Technical course for DME: KCAA is requesting training to be at a different site in the USA. Normally KCAA should consider making the arrangement and paying for these costs, can you confirm? Take note that FAA is a separate entity controlled by US Gov. Airspace systems inspection pilots/Technical course.: The course shall be offered at FAA Academy Mike Monroney Aeronautical Center Oklahoma City for Three weeks for two personnel. The supplier shall bear all the training costs including the cost for the training including tuition fee and any cost for the course, cost of airfare to and from Nairobi KENYA (economy class), travel medical insurance including medical tests as might be required and terminal transportation (airport to hotel and return) and DSA based on the Purchaser's standard rate. The supplier shall pay-out said DSA to the beneficiaries during travel, training dates and weekends as appropriate. For the moment the daily DSA is USD 400	The cost for the training has been catered for in the tender for DME and bidders will bear the full cost for the training and must be included in the total bid price for DME. All costs pertaining the training will be borne by the bidder.
15.	Need to clarify if below costs are included in this offer price? Because normally we don't take care of these costs. The supplier shall bear all the training costs including the cost for the training including tuition fee and any cost for the course, cost of airfare to and from Nairobi KENYA (economy class), travel medical insurance including medical tests as might be required and terminal transportation (airport to hotel and return) and DSA based on the Purchaser's standard rate. The supplier shall pay-out said DSA to the beneficiaries during travel, training dates and weekends as appropriate. For the moment the daily DSA is USD 400	All these costs will be catered for by the bidder and will be part of the total bid price.
16.	Can KCAA confirm if a local subsidiary company can use or rely on the credentials (references, etc.) of the parent and sister companies to meet these requirements referenced on Page 38?	Yes, this is acceptable, however, the bidder should provide documentary evidence to proof the relationship between the companies.
17.	The vendors sought clarification on the addendum issued on 7 <sup>th</sup> January 2022 on item 6 (kindly note that numbering of pages 54 to 63 have been duplicated but with different contents) and requests KCAA to share the referenced pages with visible content for ILS tender document.	The pages that were not visible have been reviewed and attached herein.

# TENDERING FORMS – ATTACHED

## SECTION IV - TENDERING FORMS

### 1. FORM OF TENDER

#### INSTRUCTIONS TO TENDERERS

- i) *The Tenderer must prepare this Form of Tender on stationery with its letter head clearly showing the Tenderer's complete name and business address.*
- ii) *All italicized text is to help Tenderer in preparing this form.*
- iii) *Tenderer must complete and sign TENDERER'S ELIGIBILITY- CONFIDENTIAL BUSINESS QUESTIONNAIRE, CERTIFICATE OF INDEPENDENT TENDER DETERMINATION and the SELF DECLARATION OF THE TENDERER, all attached to this Form of Tender*
- iv) *The Form of Tender shall include the following Forms duly completed and signed by the Tenderer.*
  - *Tenderer's Eligibility-Confidential Business Questionnaire*
  - *Certificate of Independent Tender Determination*
  - *Self-Declaration of the Tenderer*

**Date of this Tender submission**..... [insert date (as day, month and year) of Tender submission] **ITT No.:** ..... [insert number of ITT process]

**Alternative No.:** ..... [insert identification No if this is a Tender for an alternative]

**To:** ..... [insert complete name of Procuring Entity]

- a) **No reservations:** We have examined and have no reservations to the tendering document, including Addenda issued in accordance with Instructions to Tenderers (ITT 8);
- b) **Eligibility:** We meet the eligibility requirements and have no conflict of interest in accordance with ITT 4;
- c) **Tender-Securing Declaration:** We have not been debarred by the Authority based on execution of a Tender-Securing Declaration or Tender Securing Declaration in Kenya in accordance with ITT 4.8;
- d) **Conformity:** We offer to provide design, supply and installation services in conformity with the tendering document of the following: [insert a brief description of the IS Design, Supply and Installation Services];
- e) **Tender Price:** The total price of our Tender, excluding any discounts offered in item (f) below is: [Insert one of the options below as appropriate]  
[Option 1, in case of one lot:] Total price is: [insert the total price of the Tender in words and figures, indicating the various amounts and the respective currencies];  
Or  
[Option 2, in case of multiple lots:] (a) Total price of each lot [insert the total price of each lot in words and figures, indicating the various amounts and the respective currencies]; and (b) Total price of all lots (sum of all lots) [insert the total price of all lots in words and figures, indicating the various amounts and the respective currencies];
- (f) **Discounts:** The discounts offered and the methodology for their application are:
  - i) The discounts offered are: [Specify in detail each discount offered.]
  - ii) The exact method of calculations to determine the net price after application of discounts is shown below: [Specify in detail the method that shall be used to apply the discounts];

- g) **Tender Validity Period:** Our Tender shall be valid for the period specified in TDS ITT 19.1 (as amended if applicable) from the date fixed for the Tender submission deadline (specified in TDS ITT 23.1 (as amended if applicable), and it shall remain binding upon us and may be accepted at any time before the expiration of that period;

- h) **Performance Security:** If our Tender is accepted, we commit to obtain a Performance Security in accordance with the tendering document;
- i) **One Tender per Tenderer:** We are not submitting any other Tender (s) as an individual Tenderer, and we are not participating in any other Tender (s) as a Joint Venture member, and meet the requirements of ITT 4.3, other than alternative Tenders submitted in accordance with ITT 13;
- j) **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 in eligible under Laws of Kenya or official regulations or pursuant to a decision of the United Nations Security Council;
- k) **State-owned enterprise or institution:** *[select the appropriate option and delete the other] [We are not a state-owned enterprise or institution]/ [We are a state-owned enterprise or institution but meet the requirements of ITT 4.7];*
- l) **Commissions, gratuities and fees:** We have paid, or will pay the following commissions, gratuities, or fees with respect to the Tendering process or execution of the Contract: *[insert complete name of each Recipient, its full address, the reason for which each commission or gratuity was paid and the amount and currency of each such commission or gratuity]*

Name of Recipient	Address	Reason	Amount

*(If none has been paid or is to be paid, indicate “none.”)*

- m) **Binding Contract:** We understand that this Tender, together with your written acceptance thereof included in your Form of Acceptance, shall constitute a binding contract between us, until a formal contract is prepared and executed;
- n) **Not Bound to Accept:** We understand that you are not bound to accept the lowest evaluated cost Tender, the Best Evaluated Tender or any other Tender that you may receive; and
- o) **Fraud and Corruption:** We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf engages in any type of Fraud and Corruption.

**Name of the Tenderer:** *\*[insert complete name of person signing the Tender]*

- p) **Collusive practices:** We hereby certify and confirm that the tender is genuine, non-collusive and made with the intention of accepting the contract if awarded. To this effect we have signed the “Certificate of Independent Tender Determination” attached below.
- q) **Code of Ethical Conduct:** We undertake to adhere by the Code of Ethical Conduct for Persons Participating in Public Procurement and Asset Disposal Activities in Kenya, copy available from [www.pppra.go.ke](http://www.pppra.go.ke) during the procurement process and the execution of any resulting contract.
- r) We, the Tenderer, have fully completed and signed the following Forms as part of our Tender:
- Tenderer's Eligibility; Confidential Business Questionnaire – to establish we are not in any conflict to interest.
  - Certificate of Independent Tender Determination – to declare that we completed the tender without colluding with other tenderers.
  - Self-Declaration of the Tenderer–to declare that we will, if awarded a contract, not engage in any form of fraud and corruption.

- iv) Declaration and commitment to the code of ethics for Persons Participating in Public Procurement and Asset Disposal Activities in Kenya. Further, we confirm that we have read and understood the full content and scope of fraud and corruption as in formed in “**Appendix1-Fraud and Corruption**” attached to the Form of Tender.

**Name of the person duly authorized to sign the Tender on behalf of the Tenderer:** *\*\*[insert complete name of person duly authorized to sign the Tender]*

**Title of the person signing the Tender:** *[insert complete title of the person signing the Tender]*

**Signature of the person named above:** *[insert signature of person whose name and capacity are shown above]* **Date signed** *[insert date of signing]* **day of** *[insert month]*, *[insert year]*.

**2. Installation works cost Summary Table (Indicate Installation related costs only – inclusive of ALL applicable taxes)**

<b>Line Item No.</b>	<b>Subsystem / Item</b>	<b>Supply and Installation Cost Sub-Table No.</b>	<i>[ insert: Kenya shillings/ Price</i>	<i>[ insert: Local Currency/ Price</i>	<i>[ insert: Foreign Currency A/Price</i>
1					
2					
<b>TOTALS FOR INSTALLATION RELATED COSTS ONLY</b>					

**Note:** - indicates not applicable. “Indicates repetition of table entry above. Refer to the relevant Supply and Installation Cost Sub-Table for the specific components that constitute each Subsystem or line item in this summary table

Name of Tenderer:\_\_\_\_\_

\_\_\_\_\_Date\_\_\_\_\_

Authorized Signature of Tenderer:

**3. Recurrent Cost Summary Table** –Costs MUST reflect prices and rates quoted in accordance with ITT 17 and ITT18.

Line Item No.	Subsystem / Item	Recurrent Cost Sub-Table No.	<i>[ insert: Kenya shilling] Price</i>	<i>[ insert: Foreign Currency A ] Price</i>	<i>[ insert: Foreign Currency B] Price</i>
	Subtotals (to Grand Summary Table)				

**Note:** Refer to the relevant Recurrent Cost Sub-Tables for the specific components that constitute the Sub system or line item in this summary table.

Name of Tenderer:\_\_\_\_\_

Date\_\_\_\_\_ Authorized Signature of  
Tenderer:

#### 4. Supply and Installation Cost Sub-Table *[insert: identifying number]*

Line-item number: *[specify: relevant line-item number from the Supply and Installation Cost Summary Table (e.g., 1.1)]*

Prices, rates, and subtotals MUST be quoted in accordance with ITT 17 and ITT18.

				Unit Prices / Rates				Total Prices			
				Supplied Locally	Supplied from outside Kenya			Supplied Locally	Supplied from outside Kenya		
Component No.	Component Description	Country of Origin Code	Quantity	<i>[insert: local currency]</i>	<i>[insert: local currency]</i>	<i>[insert: foreign currency A]</i>	<i>[insert: foreign currency B]</i>	<i>[insert: local currency]</i>	<i>[insert: local currency]</i>	<i>[insert: foreign currency A]</i>	<i>[insert: foreign currency B]</i>
X.1	_____	—	--	—	--	--	--				
Subtotals (to <i>[insert: line item]</i> of Supply and Installation Cost Summary Table)											

**Note:** - - indicates not applicable

Name of Tenderer: \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

Authorized Signature of Tenderer: \_\_\_\_\_

## 5. Recurrent Cost Sub-Table *[insert: identifying number]* –Warranty Period

Lot number: *[if a multi-lot procurement, insert: lot number, otherwise state “single lot procurement”]* Line item

number: *[specify: relevant line item number from the Recurrent Cost Summary Table– (e.g., y.1)]* Currency:

*[specify: the currency of the Recurrent Costs in which the costs expressed in this Sub-Table are expressed]*

*[As necessary for operation of the System, specify: the detailed components and quantities in the Sub-Table below for the line item specified above, modifying the sample components and sample table entries as needed. Repeat the Sub-Table as needed to cover each and every line item in the Recurrent Cost Summary Table that requires elaboration.]*

**Costs MUST reflect prices and rates quoted in accordance with ITT 17 and ITT18.**

Component No.	Component	Maximum all-inclusive costs (for costs in <i>[ insert:currency ]</i> )						
		Y1	Y2	Y3	Y4	...	Yn	Sub-total for <i>[ insert: currency]</i>
1.	Hardware Maintenance	Incl. in Warranty	Incl. in Warranty	Incl. in Warranty				
2.	Software Licenses & Updates	Incl.in Warranty						
2.1	System and General-Purpose Software	Incl.in Warranty						
2.2	Application, Standard and Custom Software	Incl. in Warranty						
3.	Technical Services							
3.1	Sr. Systems Analyst							
3.2	Sr. Programmer							
3.3	Sr. Network Specialist,...etc.							
4.	Telecommunications costs[to be detailed]							
5.	[Identify other recurrent costs as may apply]							
	Annual Subtotals:							–
Cumulative Subtotal (to <i>[ insert: currency]</i> entry for <i>[ insert:line item]</i> in the Recurrent Cost Summary Table)								

Name of Tenderer: \_\_\_\_\_ Date \_\_\_\_\_

Authorized Signature of Tenderer: \_\_\_\_\_



## QUALIFICATION FORMS

### 1. FOREIGN TENDERERS 40% RULE

Pursuant to ITT 4.11, a foreign tenderer must complete this form to demonstrate that the tender fulfils this condition.

ITEM	Description of Work Item	Describe location of Source	COST in K. shillings	Comments, if any
A	Local Labor			
1				
2				
3				
4				
5				
B				
1				
2				
3				
4				
5				
C	Local materials			
1				
2				
3				
4				
5				
D				
1				
2				
3				
4				
5				
E				
1				
2				
3				
4				
5				
6				
	TOTAL COST LOCAL CONTENT		XXXXX	
	PERCENTAGE OF CONTRACT PRICE		XXXXXX	

## 2 Form ELI-1 Tenderer Information Form

*[The Tenderer shall fill in this Form in accordance with the instructions indicated below. No alterations to its format shall be permitted and no substitutions shall be accepted.]*

Date: .....*[insert date (as day, month and year) of Tender submission]*

ITT No.: .....*[insert number of Tendering process]*

Alternative No.: .....*[insert identification No if this is a Tender for an alternative]*

1.Tenderer's Name <i>[insert Tenderer's legal name]</i>
2. In case of JV, legal name of each member: <i>[insert legal name of each member in JV]</i>
3. Tenderer's actual or intended country of registration: <i>[insert actual or intended country of registration]</i>
4. Tenderer's year of registration: <i>[insert Tenderer's year of registration]</i>
5. Tenderer's Address in country of registration: <i>[insert Tenderer's legal address in country of registration]</i>
6. Tenderer's Authorized Representative Information  Name: <i>[insert Authorized Representative's name]</i>  Address: <i>[insert Authorized Representative's Address]</i>  Telephone/Fax numbers: <i>[insert Authorized Representative's telephone/fax numbers]</i>  Email Address: <i>[insert Authorized Representative's email address]</i>
7. Attached are copies of original documents of <i>[check the box(es) of the attached original documents]</i>  <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITT 4.4.  <input type="checkbox"/> In case of JV, Form of intent to form JV or JV agreement, in accordance with ITT 4.1.  <input type="checkbox"/> In case of state-owned enterprise or institution, in accordance with ITT 4.6 documents establishing:  <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul> <input type="checkbox"/> Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

### 3. Form ELI-1 Tenderer's JV Members Information Form

*[The Tenderer shall fill in this Form in accordance with the instructions indicated below. The following table shall be filled in for the Tenderer and for each member of a Joint Venture].*

Date: .....*[insert date (as day, month and year) of Tender submission]*

ITT No.: .....*[insert number of Tendering process]*

Alternative No.: .....*[insert identification No if this is a Tender for an*

*alternative]* Page \_\_\_\_\_ of \_\_\_\_\_ pages

1. Tenderer's Name: <i>[insert Tenderer's legal name]</i>
2. Tenderer's JV Member's name: <i>[insert JV's Member legal name]</i>
3. Tenderer's JV Member's country of registration: <i>[insert JV's Member country of registration]</i>
4. Tenderer's JV Member's year of registration: <i>[insert JV's Member year of registration]</i>
5. Tenderer's JV Member's legal address in country of registration: <i>[insert JV's Member legal address in country of registration]</i>
6. Tenderer's JV Member's authorized representative information Name: <i>[insert name of JV's Member authorized representative]</i> Address: <i>[insert address of JV's Member authorized representative]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers of JV's Member authorized representative]</i> Email Address: <i>[insert email address of JV's Member authorized representative]</i>
7. Attached are copies of original documents of <i>[check the box(es) of the attached original documents]</i> <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITT 4.4. <input type="checkbox"/> In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Procuring Entity in accordance with ITT 4.6. <input type="checkbox"/> Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

#### 4 Form CON-1 Historical Contract Non-Performance and Pending Litigation.

In case a pre-qualification process was conducted this form should be used only if the information submitted at the time of pre-qualification requires updating

Tenderer's Legal Name: \_\_\_\_\_ Date: \_\_\_\_\_

JV member Legal Name: \_\_\_\_\_

ITT No.: \_\_\_\_\_

Age of \_\_\_\_\_ pages

Non-Performing Contracts in accordance with Section III, Evaluation and Qualification Criteria			
Contract non-performance did not occur during the stipulated period, in accordance with Sub Section III, Evaluation Criteria			
Pending Litigation, in accordance with Section III, Evaluation and Qualification Criteria			
No pending litigation in accordance with Sub-Factor 2.2.3 of Section III, Evaluation Criteria			
Pending litigation in accordance with Sub-Factor 2.2.3 of Section III, Evaluation Criteria, as indicated below			
Year	Outcome as Percent of Total Assets	Contract Identification	Total Contract Amount (current value, US\$ equivalent)
_____	_____	Contract Identification: Name of Procuring Entity: Address of Procuring Entity: Matter in dispute:	_____
_____	_____	Contract Identification: Name of Procuring Entity: Address of Procuring Entity: Matter in dispute:	_____

## 5. Form EXP - 1 Experience – General Experience

Tenderer's Legal Name: \_\_\_\_\_ Date: \_\_\_\_\_

JV Member Legal Name: \_\_\_\_\_ ITT No.: \_\_\_\_\_

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Starting Month / Year	Ending Month / Year	Years*	Contract Identification	Role of Tenderer
_____	_____		Contract name: Brief Description of the Information System performed by the Tenderer: Name of Procuring Entity: Address:	_____
_____	_____		Contract name: Brief Description of the Information System performed by the Tenderer: Name of Procuring Entity: Address:	_____
_____	_____		Contract name: Brief Description of the Information System performed by the Tenderer: Name of Procuring Entity: Address:	_____
_____	_____		Contract name: Brief Description of the Information System performed by the Tenderer: Name of Procuring Entity: Address:	_____
_____	_____		Contract name: Brief Description of the Information System performed by the Tenderer: Name of Procuring Entity: Address:	_____
_____	_____		Contract name: Brief Description of the Information System performed by the Tenderer: Name of Procuring Entity: Address:	_____

\*List calendar year for years with contracts with at least nine (9) months activity per year starting with the earliest year.

## 6 Form EXP – 2 Specific Experience

Tenderer's Legal Name: \_\_\_\_\_

Date: \_\_\_\_\_

JV Member Legal Name: \_\_\_\_\_

ITT No.: \_\_\_\_\_

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<b>Similar Contract Number: _____ of _____</b>	<b>Information</b>		
Contract Identification	_____		
Award date	_____		
Completion date	_____		
Role in Contract	<input type="checkbox"/> Prime Supplier	<input type="checkbox"/> Management Contractor	<input type="checkbox"/> Subcontractor
Total contract amount	_____		US\$ _____
If member in a JV or subcontractor, specify participation of total contract amount	_____ %	_____	US\$ _____
Procuring Entity's Name:	_____		
Address:	_____		
Telephone/fax number:	_____		
E-mail:	_____		
<b>Similar Contract No. __ [insert specific number] of [total number of contracts] __ required</b>	<b>Information</b>		
Description of the similarity in accordance with Sub-Factor 2.4.2 of Section III:	_____		
Amount	_____		
Physical size	_____		
Complexity	_____		
Methods/Technology	_____		
Key Activities	_____		

## 8. Form CCC-1 Summary Sheet: Current Contract Commitments/ Work in Progress

Name of Tenderer or partner of a Joint Venture.

Tenderers and each partner to a Joint Venture tender should provide information on their current commitments on all contracts that have been awarded, or for which a Form of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued

Name of contract	ProcuringEntity contact address/tel./fax	of outstanding Information System (currentUS\$ equivalent)	Estimated completion date	Average monthly invoicing over last six months (US\$/month)
1.				
2.				
3.				
4.				
5.				
etc.				

## 9. Form FIN – 1 Financial Situation

## Historical Financial Performance

Tenderer's Legal Name: \_\_\_\_\_ Date: \_\_\_\_\_

JV Member Legal Name: \_\_\_\_\_ ITT No. \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_ pages

To be completed by the Tenderer and, if JV, by each member

Financial information in US\$ equivalent	Historic information for previous ____ (____) years (US\$ equivalent in 000s)						
	Year1	Year 2	Year 3	Year...	Year n	Avg.	Avg. Ratio
Information from Balance Sheet							
Total Assets (TA)							
Total Liabilities (TL)							
Net Worth (NW)							
Current Assets (CA)							
Current Liabilities (CL)							
Information from Income Statement							
Total Revenue (TR)							
Profits Before Taxes (PBT)							

Attached are copies of financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following conditions:

- a) Must reflect the financial situation of the Tenderer or member to a JV, and not sister or parent companies.
- b) Historic financial statements must be audited by a certified accountant.
- c) Historic financial statements must be complete, including all notes to the financial statements.
- d) Historic financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).

## 10. Form FIN –2 Average Annual Turnover

Tenderer's Legal Name: \_\_\_\_\_ Date: \_\_\_\_\_

JV Member Legal Name: \_\_\_\_\_ ITT No.: \_\_\_\_\_

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Annual turnover data (applicable activities only)		
Year	Amount and Currency	US\$ equivalent
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
*Average Annual Turnover	_____	_____

\*Average annual turnover calculated as total certified payments received for work in progress or completed, divided by the number of years specified in Section III, Evaluation and Qualification Criteria, Sub-Factor 2.3.2.

## 11. Form F-3 Financial Resources

Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total cash flow demands of the subject contract or contracts as indicated in Section III, Evaluation and Qualification Criteria.

Source of financing	Amount (US\$ equivalent)
1.	
2.	
3.	
4.	

## 12 Personnel Capabilities

### i) Key Personnel

Name of Tenderer or partner of a Joint Venture Tenderers should provide the names and details of the suitably qualified Personnel to perform the Contract. The data on their experience should be supplied using the Form PER-2 below for each candidate.

1.	Title of position: ...	
	Name of candidate:	
	Duration of appointment:	<i>[insert the whole period (start and end dates) for which this position will be engaged]</i>
	Time commitment: for this position:	<i>[insert the number of days/week/months/ that has been scheduled for this position]</i>
	Expected time schedule for this position:	<i>[insert the expected time schedule for this position (e.g. attach high level Gantt chart)]</i>
2.	Title of position: ...	
	Name of candidate:	
	Duration of appointment:	<i>[insert the whole period (start and end dates) for which this position will be engaged]</i>
	Time commitment: for this position:	<i>[insert the number of days/week/months/ that has been scheduled for this position]</i>
	Expected time schedule for this position:	<i>[insert the expected time schedule for this position (e.g. attach high level Gantt chart)]</i>
3.	Title of position: ...	
	Name of candidate:	
	Duration of appointment:	<i>[insert the whole period (start and end dates) for which this position will be engaged]</i>
	Time commitment: for this position:	<i>[insert the number of days/week/months/ that has been scheduled for this position]</i>
	Expected time schedule for this position:	<i>[insert the expected time schedule for this position (e.g. attach high level Gantt chart)]</i>
4.	Title of position:	
	Name of candidate	
	Duration of appointment:	<i>[insert the whole period (start and end dates) for which this position will be engaged]</i>
	Time commitment: for this position:	<i>[insert the number of days/week/months/ that has been scheduled for this position]</i>
	Expected time schedule for this position:	<i>[insert the expected time schedule for this position (e.g. attach high level Gantt chart)]</i>
6...	Title of position:	
	Name of candidate	
	Duration of appointment:	<i>[insert the whole period (start and end dates) for which this position will be engaged]</i>
	Time commitment: for this position:	<i>[insert the number of days/week/months/ that has been scheduled for this position]</i>
	Expected time schedule for this position:	<i>[insert the expected time schedule for this position (e.g. attach high level Gantt chart)]</i>

**ii) Candidate Summary**

Name of Tenderer or partner of a Joint Venture		
Position		Candidate <input type="checkbox"/> Prime <input type="checkbox"/> Alternate
Candidate information	Name of candidate	Date of birth
	Professional qualifications	
Present employment	Name of Employer	
	Address of Employer	
	Telephone	Contact (manager / personnel officer)
	Fax	email
	Job title of candidate	Years with present Employer

Summarize professional experience over the last twenty years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the project.

From	To	Company/Project/ Position/Relevant technical and management experience

**iii) Technical Capabilities**

Name of Tenderer or partner of a Joint Venture
--

The Tenderer shall provide adequate information to demonstrate clearly that it has the technical capability to meet the requirements for the Information System. With this form, the Tenderer should summarize important certifications, proprietary methodologies, and/or specialized technologies that the Tenderer proposes to utilize in the execution of the Contract or Contracts.

#### **(iv) Manufacturer's Authorization**

**Note:** This authorization should be written on the Form head of the Manufacturer and be signed by a person with the proper authority to sign documents that are binding on the Manufacturer.

Invitation for Tenders Title and No.: \_\_\_\_\_[*Procuring Entity insert: ITT Title and Number*]

To: \_\_\_\_\_[*Procuring Entity insert: Procuring Entity's Officer to receive the Manufacture's Authorization*]

WHEREAS [*insert: Name of Manufacturer*] who are official producers of \_\_\_\_\_[*insert: items of supply by Manufacturer*] and having production facilities at \_\_\_\_\_[*insert: address of Manufacturer*] do here by authorize \_\_\_\_\_[*insert: name of Tenderer or Joint Venture*] located at \_\_\_\_\_[*insert: address of Tenderer or Joint Venture*] (hereinafter, the "Tenderer") to submit a tender and subsequently negotiate and sign a Contract with you for resale of the following Products produced by us:

We hereby confirm that, in case the tendering results in a Contract between you and the Tenderer, the above-listed products will come with our full standard warranty.

Name [*insert: Name of Officer*] in the capacity of [*insert: Title of Officer*] Signed \_\_\_\_\_

Duly authorized to sign the authorization for and on behalf of: \_\_\_\_\_[*insert: Name of Manufacturer*]

Dated this \_\_\_\_\_[*insert: ordinal*] day of \_\_\_\_\_[*insert: month*], [*insert: year*]. [*add Corporate Seal (where appropriate)*]

#### **(v) Subcontractor's Agreement**

**Note:** This agreement should be written on the Form head of the Subcontractor and be signed by a person with the proper authority to sign documents that are binding on the Subcontractor.

Invitation for Tenders Title and No.: \_\_\_\_\_[*Procuring Entity insert: ITT Title and Number*]

To: \_\_\_\_\_[*Procuring Entity insert: Procuring Entity's Officer to receive the Subcontractor's Agreement*]

WHERE AS [*insert: Name of Subcontractor*], having head offices at \_\_\_\_\_[*insert: address of Subcontractor*], have been informed by \_\_\_\_\_[*insert: name of Tenderer or Joint Venture*] located at \_\_\_\_\_[*insert: address of Tenderer or Joint Venture*] (here in after, the "Tenderer") that it will submit a tender in which \_\_\_\_\_[*insert: Name of Subcontractor*] will provide \_\_\_\_\_[*insert: items of supply or services provided by the Subcontractor*]. We hereby commit to provide the above-named items, in the instance that the Tenderer is awarded the Contract.

Name [*insert: Name of Officer*] in the capacity of \_\_\_\_\_[*insert: Title of Officer*]

Signed \_\_\_\_\_ Duly authorized to sign the authorization for and on behalf of: \_\_\_\_\_[*insert: Name of Subcontractor*]

Dated this \_\_\_\_\_[*insert: ordinal*] day of \_\_\_\_\_[*insert: month*], \_\_\_\_\_[*insert: year*].

[*add Corporate Seal (where appropriate)*]

**vi) List of Proposed Subcontractors**

	Item	Proposed Subcontractor	Place of Registration & Qualifications

**13 Intellectual Property Forms Notes to Tenderers on working with the Intellectual Property Forms**

In accordance with ITT 11.1(j), Tenderers must submit, as part of their tenders, lists of all the Software included in the tender assigned to one of the following categories: (A) System, General-Purpose, or Application Software; or (B) Standard or Custom Software. Tenderers must also submit a list of all Custom Materials. These categorizations are needed to support the Intellectual Property in the GCC and SCC.

**I) Software List**

SoftwareItem	(select one per item)			(select one per item)	
	System Software	General-Purpose Software	Application Software	Standard Software	Custom Software

**ii) List of Custom Materials**

Custom Materials

## **TENDERER'S ELIGIBILITY-CONFIDENTIAL BUSINESS QUESTIONNAIRE**

### **Instruction to Tenderer**

Tender is instructed to complete the particulars required in this Form, *one form for each entity if Tender is a JV*. Tenderer is further reminded that it is an offence to give false information on this Form.

#### **a) Tenderer's details**

	ITEM	DESCRIPTION
1	Name of the Procuring Entity	
2	Reference Number of the Tender	
3	Date and Time of Tender Opening	
4	Name of the Tenderer	
5	Full Address and Contact Details of the Tenderer.	1.Country 2. City 3.Location 4. Building 5.Floor 6. Postal Address 7.Name and email of contact person.
6	Current Trade License Registration Number and Expiring date	
7	Name, country and full address ( <i>postal and physical addresses, email, and telephone number</i> ) 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 name and full address ( <i>postal and physical addresses, email, and telephone number</i> ) of state which stock exchange	

## **General and Specific Details**

b) **Sole Proprietor**, provide the following details.

Name in full \_\_\_\_\_ Age \_\_\_\_\_

Nationality \_\_\_\_\_ Country of Origin \_\_\_\_\_

Citizenship \_\_\_\_\_

c) **Partnership**, provide the following details.

	<b>Names of Partners</b>	<b>Nationality</b>	<b>Citizenship</b>	<b>% Shares owned</b>
1				
2				
3				

d) **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.

	<b>Names of Director</b>	<b>Nationality</b>	<b>Citizenship</b>	<b>% Shares owned</b>
1				
2				
3				

e) **DISCLOSURE OF INTEREST - Interest of the Firm in the Procuring Entity.**

i) are there any person/persons in..... (*Name of Procuring Entity*) who has/have an interest or relationship in this firm? Yes/ No.....

If yes, provide details as follows.

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

**ii) Conflict of interest disclosure**

	Type of Conflict	Disclosure YES OR NO	If YES provide details of the relationship with Tenderer
1	Tenderer is directly or indirectly controls, is controlled by or is under common control with another tenderer.		
2	Tenderer receives or has received any direct or indirect subsidy from another tenderer.		
3	Tenderer has the same legal representative as another tenderer		
4	Tender has a relationship with another tenderer, directly or through common third parties, that puts it in a position to influence the tender of another tenderer, or influence the decisions of the Procuring Entity regarding this tendering process.		
5	Any of the Tenderer's affiliates participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of the tender.		
6	Tenderer would be providing goods, works, non-consulting services or consulting services during implementation of the contract specified in this Tender Document.		
7	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity who are directly or indirectly involved in the preparation of the Tender document or specifications of the Contract, and/or the Tender evaluation process of such contract.		
8	Tenderer has a close business or family relationship with a professional staff of the Procuring Entity who would be involved in the implementation or supervision of the such Contract.		
9	Has the conflict stemming from such relationship stated in item 7 and 8 above been resolved in a manner acceptable to the Procuring Entity throughout the tendering process and execution of the Contract.		

**f) Certification**

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

Full Name \_\_\_\_\_

Title or Designation \_\_\_\_\_

(Signature) \_\_\_\_\_

\_\_\_\_\_ (Date)

**SECOND & FINAL RESPONSE TO THE REQUEST FOR CLARIFICATIONS TO THE  
TENDER FOR ILS FOR TRAINING AT EASA: TENDER NUMBER KCAA/038/2021-2022.**

**1) CERTIFICATE OF INDEPENDENT TENDER DETERMINATION**

I, the undersigned, in submitting the accompanying Letter of Tender to the \_\_\_\_\_

\_\_\_\_\_ [Name of Procuring  
Entity] for: \_\_\_\_\_ [Name and number  
of tenders] in response to the request for tenders made by: \_\_\_\_\_ [Name of  
Tenderer] do hereby make the following statements that I certify to be true and complete in every  
respect:

\_\_\_\_\_ [Name of  
Tenderer]

I certify, on behalf of \_\_\_\_\_ [Name of  
Tenderer] that:

Tenderer] that:

- i). I have read and I understand the contents of this Certificate;
- ii). I understand that the Tender will be disqualified if this Certificate is found not to be true and complete in every respect;
- iii). I am the authorized representative of the Tenderer with authority to sign this Certificate, and to submit the Tender on behalf of the Tenderer;
- iv). For the purposes of this Certificate and the Tender, I understand that the word “competitor” shall include any individual or organization, other than the Tenderer, whether or not affiliated with the Tenderer, who:
  - a) Has been requested to submit a Tender in response to this request for tenders;
  - b) could potentially submit a tender in response to this request for tenders, based on their qualifications, abilities or experience;
- v). The Tenderer discloses that [check one of the following, as applicable]:
  - a) The Tenderer has arrived at the Tender independently from, and without consultation, communication, agreement or arrangement with, any competitor;
  - b) the Tenderer has entered into consultations, communications, agreements or arrangements with one or more competitors regarding this request for tenders, and the Tenderer discloses, in the attached document(s), complete details thereof, including the names of the competitors and the nature of, and reasons for, such consultations, communications, agreements or arrangements;
- vi). In particular, without limiting the generality of paragraphs (5) (a) or (5) (b) above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - a) prices;
  - b) methods, factors or formulas used to calculate prices;
  - c) the intention or decision to submit, or not to submit, a tender; or
  - d) the submission of a tender which does not meet the specifications of the request for Tenders; except as specifically disclosed pursuant to paragraph (5) (b) above;
- vii). In addition, there has been no consultation, communication, agreement or arrangement with any competitor regarding the quality, quantity, specifications or delivery particulars of the works or services to which this request for tenders relates, except as specifically authorized by the procuring authority or as specifically disclosed pursuant to paragraph (5) (b) above;

***SECOND & FINAL RESPONSE TO THE REQUEST FOR CLARIFICATIONS TO THE  
TENDER FOR ILS FOR TRAINING AT EASA: TENDER NUMBER KCAA/038/2021-2022.***

- viii). The terms of the Tender have not been, and will not be, knowingly disclosed by the Tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening, or of the awarding of the Contract, whichever comes first, unless otherwise required by law or as specifically disclosed pursuant to paragraph(5)(b) above.

Name\_\_\_\_\_ Title\_\_\_\_\_

Date\_\_\_\_\_ *[Name, title and signature of  
authorized agent of Tenderer and Date]*