CITIZENS GUIDE TO PUBLIC PROCUREMENT:

Public Procurement Procedures for Constituency Development Funds

Centre for Governance and Development

National Taxpayers Association
pesa zetu, haki yetu
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<td>BQ</td>
<td>Bill of Quantity</td>
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<td>District Development Committee</td>
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<td>District Officer</td>
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<td>DPO</td>
<td>District Procurement Officer</td>
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<td>KACC</td>
<td>Kenya Anti-Corruption Commission</td>
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<td>LPO</td>
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<td>MP</td>
<td>Member of Parliament</td>
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<td>MRP</td>
<td>Materials Requirements Plan</td>
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<td>PC</td>
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<td>PPDA</td>
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Procurement is a crucial element in the working functions of any state. It refers to the purchasing of goods and services in the right quality, from the right source and the right price all to meet a specific need. Every government has the obligation to provide essential services to its citizens. In Kenya, procurement consumes 45% of the national budget, excluding local government procurement. The close relationship between procurement and development demonstrates that there is need for transparency and accountability in the manner in which procurement is conducted.

Citizens need to understand the basics of procurement and how they can play a part in ensuring that public procurement takes place in a professional manner. On the other hand, procurement entities need to comply with the procurement laws and regulations. In Kenya, weak public procurement legislation and the lack of citizen oversight in procurement procedures have resulted in enormous waste of taxpayers’ money. This is evident in the management of devolved funds.

Constituency Development Fund (CDF) procurement procedures have not been effectively operationalized and both the Public Procurement and Disposal Act (2005) and the 2006 Regulations did not make provisions for CDF procurement when they were enacted. However, on 18th September 2009, through a special issue of the Kenya Gazette (Supplement No.63, Legal Notice No.141), the Public Procurement and Disposal (Amendment) Regulations, 2009 was issued to make provisions for certain important aspects of procurement for constituencies and local authorities. These provisions relate to contractors and membership structures of the various committees.

The amendment makes two important provisions. First, that for the purposes of section 39(4)(c) of the Act, constituencies and local authorities shall be regions where citizen contractors or vendors or suppliers who are located and operate in those regions shall be given exclusive preference when participating in procurement using CDF and Local Authority Transfer Funds, except where it is established that local capacity is not available.

There is growing need to create awareness on the procurement rules and regulations, and to promote citizen oversight of public procurement. The purpose of this guide is to simplify the public procurement laws and regulations in Kenya. The guide focuses on CDF procurement procedures and will be used in building the capacities of Constituency Development Fund Committees (CDFCs) and create awareness among citizens and citizen action groups. The guide introduces the concept of procurement, highlights the key provisions in the PPDA,
2005, the PPDR, 2006 and provides a step by step summary of the procurement procedures undertaken by CDFCs.

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Executive Director, Centre for Governance and Development
CHAPTER 1

Introduction

The purpose of this guide is to educate citizens on CDF procurement laws, rules, regulations and procedures. The publication also provides a guide for Constituency Development Fund committees to follow when conducting CDF procurement procedures.

The objectives of this guide are as follows:
» To provide guidelines for CDF committee members to follow in managing public procurement at the constituency level
» To provide easy to read and understand instructions on how to procure for CDF projects
» To outline the key processes and steps to observe in procuring or purchasing using CDF funds
» To provide a simple document for use by all those interested in public procurement matters

1.1 Definition of Procurement
Procurement is a common function carried out in both the public and private sectors. It is an activity or function that involves the purchasing of goods, works and services to meet an identified need for instance a need or requirement to buy cement and building blocks for building a science classroom for a public primary school.

The government is a major buyer of goods and services and just like an individual, the government must always try to buy wisely.

Buying wisely means getting good value for money and ensuring there is no wastage.

The government must therefore not only look at the best prices for what it buys but also buy from reputable companies that will not cheat in terms of price, quality and other important considerations

1.2 Objectives of Public Procurement
The main objectives of public procurement in Kenya according to the PPDA 2005 are:
» to maximize economy and efficiency;
» to promote fair competition;
» to promote integrity;
» to increase transparency and accountability and promote local industry

1.3 Characteristics of Good Public Procurement
To meet the public procurement objectives, there are certain characteristics which are necessary for good public procurement to occur;
• **Economical and Efficient**
This means that the purchases are not wasteful, they are based on market prices and can generate savings. It also means that bad practices such as carelessness leading to wastage, wear and tear of stocks, over invoicing, unplanned expenditure, shortage of goods when needed, poor quality products and similar factors are to be avoided. The expectation is that suppliers will be developed, will grow and consequently, the citizens will see the benefits of public procurement through increased provision of quality goods and services.

• **Transparency**
*The procurement process should be transparent and open to public scrutiny.*
The processes should be capable of being questioned and everything is above board.

• **Participatory**
This implies that the suppliers, citizens and other stakeholders effectively contribute to the operations of public procurement and in the preparation of the essential legislation as and when necessary. It also means that the stakeholders are involved in the making of decisions at all stages of the implementation of public procurement processes.

• **Timely**
This means that procurement transactions are made and commitments are met within the reasonable time frame as time is a resource that must be conserved like all other resources.

• **Information Flow**
For effective public procurement, information should be made available and effectively communicated and shared between various stakeholders.

• **Arbitration Mechanisms**
These are adequate, representative, prompt and fair ways of receiving and resolving grievances on procurement issues.

• **Watchdog and Supporting Institutions**
These include professional and civil society institutions such as the Kenya Institute of Supplies Management (KISM), the Architectural Society of Kenya, Universities and NGOs which are encouraged to play their role in monitoring public procurement procedures.

1.4 **Significance of Public Procurement**
In Kenya public procurement consumes over 65% of the national budget, including local government procurement.

*The Kenya government is estimated to spend about Ksh. 100 billion annually in public procurement of goods, works and services.*
Public procurement is certainly an important function in Kenya with significant economic and political implications.

Through public procurement citizens are able to realize developments in terms of schools, dispensaries, cattle dips, health centres, rural access roads and other projects that address the needs of citizens. An effective and efficient system of public procurement demands for great responsibility on the part of policy makers within the government, particularly those in the procurement system to ensure that public funds are spent for the benefit of the country’s citizens. What the government spends is so huge that it has an important bearing on economic development. It is easy therefore to see that there is a close relationship between development and sound public procurement. The involvement of citizens in monitoring, evaluating and auditing public procurement activities has huge benefits for a country.

Public procurement is monitored and undertaken through an Act of parliament in which there are set rules and regulations to be followed. Currently in Kenya we have:

i. The Public Procurement and Disposal Act, 2005, which became effective from 1st Jan 2007.
ii. The Public Procurement and Disposal Regulations (2001), revised in 2006. The regulations help in the application and implementation of the law.

1.5 Linkage of the Budget, Procurement, Finance, Accounts and Audit
Public procurement must be linked to the budget, meaning that no procurement will be undertaken or commenced before the budget and availability of money to pay the supplier or contractor is ascertained. Finance and accounts must ensure that the cash flow is linked to procurement plans and the suppliers and contractors are paid in a timely manner and in accordance with the contracts.

Citizens’ audits will play their rightful role in confirming that the procurement process is compliant with the law, regulations, guidelines and established good practices.

1.6 Specifying the need
Once an individual feels the need for a certain good or service, he/she must describe it well, determine and specify the characteristics of the item. The procuring entity must write down the specifications for what it wishes to buy. It must buy on the basis of a plan to meet the needs of users. Technical specifications must be clearly detailed by the users in conjunction with procurement professionals or those with the requisite technical knowledge in procurement matters. A procurement requisition must be filled (See Annex 1, for a sample)
Public procurement is a significant function in government operations and is directed by an act of parliament and public procurement regulations that lay down rules and regulations to be followed by all those involved in it.

The Law and the Regulations are :-

i. The Public Procurement and Disposal Act (PPDA), 2005. This Law became effective from 1st January 2007.

ii. The Public Procurement and Disposal Regulations, 2006. The Regulations are meant to assist in the application and implementation of the PPDA.

Section 27 of the PPDA 2005 emphasizes on the need for procuring entities to comply with the act, the regulations and any directions of the Authority with respect to procurements. It places the responsibility on the accounting officer of a public entity. (see the sect. 27.2 below)

“The accounting officer of a public entity shall be primarily responsible for ensuring that the public entity fulfils its obligations under subsection”

Section 38 (1) & (2) talks about the inappropriate influence on evaluations after the deadline for the submission of tenders, proposals or quotations

Sec. 38 (2) states

“A person who contravenes subsection (1) is guilty of an offence and is liable on conviction —

(a) if the person is an individual, to a fine not exceeding four million shillings or to imprisonment for a term not exceeding three years or to both; or

(b) if the person is a corporation, to a fine not exceeding ten million shillings.”

Other examples include involvement in corrupt practices (section 40); fraudulent practices (section 41); collusion (section 42); and conflicts of interest (see section 43).

Some General penalties are also highlighted in Section 137:
According to Section 137 (1) & (2)

“Any person convicted of an offense under this Act for which no penalty is provided shall be liable.”
a) If the person is an individual, to a fine not exceeding four million shillings or to imprisonment for a term not exceeding ten years or to both

b) If the person is a body corporate, to a fine not exceeding ten million shillings

In addition to the penalty under sub section (1), the public officer involved shall suffer disqualification from public office while the private individual shall be barred from participating in future public procurement of goods and services.

The act and the regulations assist those involved in public procurement to observe the rights of purchasing or the 5Rs as widely accepted. Observing the 5 Rights helps in engaging in wise buying, reducing theft of funds, misuse of purchased materials, buying from the wrong suppliers, buying at exaggerated prices, colluding with friends to under supply and to cheat users among other irregularities.

When the basic objectives or aims are achieved then there is wise buying and wise use of funds. The 5Rs must be achieved or monitored in purchasing or buying (procuring) for CDF funds. The aims of purchasing or procurement (“The 5 rights”) are:-

a. Right Quality
This refers to what is required for the intended application or use by the user (specification). Users must specify what they need in writing (specification) and all parties involved must agree on the specification

b. Right Time
This implies that goods and services must be received at the time when they are expected to be ready for use or as and when required as per the contract of supply.

c. Right Quantity
This refers to the amount required at the time it is required. The users must agree on this as per their required use or demand schedule.

d. The Right Source
The right source refers to vendor/s or suppliers with the capacity to meet the stated needs.

The right source is a supplier who has been competitively selected and has met all the necessary requirements.

e. The Right Price
This is the value of what is offered by the vendor or what is negotiated between the buyer and the vendor. In public procurement the bidder who has the lowest price for the specified quality is the one who is usually awarded the tender.
CHAPTER 3  Methods & Processes of Procurement

3.1  Methods of Procurement
The Law provides for three (3) main methods of procurement. These are:

i. Cash Imprest
ii. Request for Quotation (RFQ)
iii. Open Tender

There are however, some exceptions to these methods. These are:

Restricted Tendering Method
This method is used in procuring large and complex goods, services or works. The procedures are similar to those used in open tendering, except that the invitations to tender are addressed to a limited number of qualified candidates. Candidates to be invited using restricted tender should not be less than three.

Open International Procedures
This method is used in cases where an effective competition could not be attained during open national tendering. In such cases, foreign firms are invited to tender.

Direct Procurement

Direct procurement is used when single sourcing for goods, services or works in cases where there are no alternative suppliers or firms to compete for business.

This method can also be used during emergencies or national disasters.

3.2  Processes of Buying Through Imprest
When buying through imprest, the following steps are followed through:

• A request (requisition) is forwarded by the user to the one with authority to commit funds for expenditure (AIE holder) for approval, then directed to the procurement/supplies office.
• Costing is done based on the technical specifications
• Imprest (cash) is applied for and is used to buy the item
• The item is then received by the stores clerk. It is then recorded on the stores ledger and control card. (S3 Card)
• Eventually the item is issued to the user through counter requisition and issue voucher(S3 card). All involved must sign the S11.
• Issues of the item/s to the users are also recorded or posted in the S3 (this is referred to as posting).
**Through Quotations**

When it is agreed as per regulations to buy through quotation:-

- A requisition is written and approval/authority given/granted. Request For Quotation (RFQ) forms (S10) are sent out to potential bidders. S10 is always attached to S33 (i.e. CBQ: Confidential Business Questionnaire). See annex 3, for a sample CBQ form. The forms are filled, submitted back and opened by the Procurement Committee for award of contract to supply. Minutes are then confirmed and LPOs (S20) are raised (see annex 4 for sample LPO).
- For services, LSOs (S21) are raised (see annex 5)
- Receiving is as above but verification is done by the inspection and receipt committee which consists of 3 or more members.
- Members must commit themselves in writing to the decisions made.

*Buying through quotation must be done on the basis of the limitations imposed by the ACT and the Regulations*

**Through Open Tender**

The principal document here is S32 (tender form) that details the items required plus their respective quantities. This is where prices are filled. S33 (CBQ) is also mandatory. Other documents include S31 (conditions of tendering) and anti-corruption declaration forms. Tenders are advertised in any widely circulated daily edition.

The duration of tender must be 21 days. The advertisement captures the closing date and time, venue of opening and where to deposit the bids. The location of the tender box must also be indicated. Prices quoted must be valid for 90 days. Counting starts from the date the tender closes (on the 21st day).

The tender committee opens the bids on the 21st day, marks and signs the documents. Each member of the committee must sign (initial) every page of the tender document. After the analysis is done, the committee critically examines and makes decisions on the tenders and recommends the awards. Letters of acceptance (S37) are written in two copies. If a supplier accepts the offer, an LPO is raised.

3.3 **Financial Limits**

The PPDR (2006) specify how much money a procurement entity should commit in purchasing through each of the methods. This puts a limit on how much funds should be committed. This is referred to as the threshold matrix or financial limit of procurement.

*The limitation of procurement value or ceilings varies depending on the classification of a procurement entity.*

The regulations provide for class A, B and C classifications.

**Class A:**

This is comprised of government ministries and state corporations (parastatals)
Class B:
This class comprises of provincial hospitals, universities, commissions, parliament, co-operative societies and city councils

Class C:
This is the class in which **CDF committees** are placed. CDF Committees are procurement or public entities and are subject to public procurement law and regulations.

Procurement entities under class “C” include:-
   i. CDF committees
   ii. District hospitals
   iii. Health centres/dispensaries
   iv. Polytechnics
   v. Other local authorities (Municipals and county town councils)

The Ceilings for this class (Class C) are as follows:-

<table>
<thead>
<tr>
<th>Method of Procurement</th>
<th>Ceiling (Kshs)</th>
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<tbody>
<tr>
<td>Cash Imprest</td>
<td>5000 and below</td>
</tr>
<tr>
<td>Quotations</td>
<td>5001- 500,000 (for good, works and services)</td>
</tr>
<tr>
<td>Restricted Tendering</td>
<td>500,001- 2,999,999</td>
</tr>
<tr>
<td>Open Tender</td>
<td>3 million and above (for goods)</td>
</tr>
<tr>
<td></td>
<td>1 million and above (for services)</td>
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Constituency Development Fund Committees (CDFCs) are committees charged with the responsibility of implementing CDF projects at the constituency level. The committees consist of 15 members appointed by the sitting member of parliament.

CDFCs within their discretion determine the installments with which to release funds to identified projects as well as conducting procurement as provided for in the PPDA.

Several committees are established to make procurement decisions on how CDF funds should be committed in buying goods and services depending on the amount of funds expected to be utilized.

i. Constituency Development Fund Procurement Committee
The procurement committee is comprised of the following;
   a. An official nominated by the fund manager
   b. The accountant/ finance officer
   c. Three other members nominated by the fund manager
   d. A secretary nominated by the fund manager

The procurement committee adjudicates and awards procurement contracts through any procurement method whose value is below Ksh. 100,000. The committee adjudicates and awards procurement contracts through direct procurement whose value is below Ksh. 200,000.

ii. Constituency Development Fund Tender Committee
The members of the Constituency Development Fund Tender Committee (CDFTC) include;
   a. The chairman who is elected by other members of the CDFTC.
   b. The district officer (DO) in the constituency. In instances where there is more than one district officer the district officer whose office is nearest to the constituency development fund (CDF) office becomes a member of the committee
   c. Treasurer of the CDFC
   d. Four members elected from the CDFC
   e. The secretary who is also the CDFC secretary

The tender committee is expected to adjudicate and award procurement contracts by any procurement method except direct procurement whose value is Ksh. 100,000 or above. The committee also adjudicates and awards procurement contracts whose value is Ksh. 200,000 or above through the direct procurement method. The CDFTC cannot award contracts when the value exceeds Ksh. 10,000,000.

iii. Inspection and Acceptance Committee
To make sure that there is accountability, an Inspection and Acceptance Committee is established for verification of goods, services and works. The committee signs for acceptance of delivered goods and services and confirms that what is received is what was ordered. See annex for a sample of the form that must be filled by the committee.

Public Procurement Procedures for Constituency Development Funds
CHAPTER 5  
Stages in the Open Tender Process

The procurement process follows a carefully established procedure. This process involves several stages as diagrammatically depicted below. What is involved at each stage is explained below the diagram.


Preparing a Procurement Plan
Preparing specifications follows preparation and approval of a procurement plan or Materials Requirements Plan (MRP).

A procurement plan shows the items that will be required by a particular user and therefore the items that will be procured by the procurement entity.

The plan shows what will be procured and when and to meet which needs. A procurement plan showing the materials required is derived from the Bill of Quantity (BQ) or Bill of Material (BM). Annex 6, is a sample BQ form. A work plan is recommended for World Bank/IDA funded projects annex 7, is a sample of such a form while annex 8, is a worked example of a work plan.

To prepare a procurement plan a procurement entity is required to engage users in identifying their needs for the next one year during the government budget planning cycle. The procurement entity then takes into account the needs and prepares a plan showing what will be
bought during the year for the entity. All those that benefit from CDF funds must make their needs known to the CDF committee through preparation of procurement plans. Annex 9 and 10, are sample work plans for services and works respectively.

When preparing the procurement plans all the procurement items covered by the budget will be grouped and prepared into procurement packages. The procurement items will be grouped into goods, works, services and consultancy services. As a general rule the groups should not be mixed in procurement except in special cases where they are considered inseparable.

The consolidated procurement plan will indicate the procurement method to be used for each procurement package and also the estimated total cost of the resultant contract. Annex 11, is a sample of the Consolidated Procurement Plan. The annual procurement plan will require the approval of the following before any procurement is commenced:

i. The Fund Manager
ii. The Tender Committee
iii. The Constituency Development Fund Committee

**Preparation of Specifications**
A specification is simply a definite description of what is needed or wanted for use by the user. The user must approve specifications. Specifications take many forms, some of which are discouraged in public procurement.

The common forms are:
- Brand name
- Trade description
- Description of purpose or use by an expert
- Blue print, engineering drawing or dimension sheet
- Chemical analysis
- Statement of physical characteristics
- Standard statement drawn by the purchaser or user
- Public standard drawn or defined by a central purchasing agency of the government.

Specifications must be updated on the basis of market realities, must be part of the bid documents, must come before the preparation of bidding documents and must be prepared by those who know what is required or by a procurement agent or a consultant in case of complex specifications.

**Preparation of Tender Documents**
There are standard tender documents for each type of procurement. All procurement entities are supposed to use the standard tender documents as provided by the PPOA. The documents are available from the Government printer. Due to lack of capacity in the constituencies, assistance of the competent departments of the Government in the District should be sought especially in the preparation of tender documents for civil works, water projects and other technically sophisticated projects. The assistance of the District Procurement Officer may also be necessary.

*Public Procurement Procedures for Constituency Development Funds*
A tender register must be kept (Annex 12) in case of need for supply of samples by bidders, a register of samples must also be kept (Annex 13)

**Advertise and Sell Tender Documents**
The CDF committee must observe financial limits or ceilings in its procurement activities. It must advertise the tenders in order to give equal opportunity to all suppliers in the local area. The law requires that advertisements must be placed in a newspaper (not a periodical) of general nationwide circulation at least twice during the 21 days the advertisement will run. The newspaper should have been under continuous publication for at least two (2) years.

*The period during which potential suppliers are given time to respond to advertisements is 21 days.*

The tender advertisements should specify the project/item description, required qualifications, closing and submission dates.

Open tender may be costly, it is sometimes deemed necessary to identify potential bidders on the basis of compliance criteria after which a short-list of pre-qualified suppliers is prepared and each invited to bid. Technical complexity is what should determine whether there should be pre-qualification or open tender without pre-qualification. The PPDR require that tender documents should not be sold for more than Kshs.5, 000.

**Preparation, Submission and Opening of Tender Documents**
Tenders are to be received and opened in the manner stated in the tender documents. Improperly filled documents are rejected. For the purpose of receiving tender bids, each organization maintains a tender box and a tender register. Tenders are opened by a tender committee of at least three members. Bidders are then allowed to attend the tender opening to witness the process of opening.

Evaluation of bids is done by an Evaluation Committee. The committee consists of at least three members. The evaluation committee members must be technically qualified to carry out evaluation. The evaluation is conducted in the manner indicated in the tender documents.

The evaluation committee prepares an evaluation report which indicates the tenderer or vendor who is recommended for contract award. The evaluation report also contains details of all the other vendors and reasons for rejection of their proposals. The contract is awarded by the tender committee.

**Evaluation of Tender**
Preliminary evaluation should lead to the decision of who to evaluate technically. Application form for Adjudication of tender/quotations shall be filled (See sample form, Annex 14.)

The technical evaluation will be conducted by the technical evaluation committee on resources, equipment, legality and other related matters. The members must be technically qualified to undertake evaluation.
The financial evaluation will be conducted by secretariat but only on the bidders who have been technically qualified.

Sometimes tender security may be requested for. This should not exceed 2% of the estimated value of a contract. If tender security is demanded the financial institution (or insurance company) proposed by the vendor must be one approved by the authority. The evaluation committee members must append their signatures on the various documentations as directed by the secretary of the tender committee.

**Contract Award**
The secretary to the tender committee should prepare all the required documentation. The agenda for each procurement item should be prepared after proper analysis of the bids. The secretary should prepare a price comparison schedule for analysis. The analysis of bids/price schedule should be tabled before the tender committee for adjudication and award.

For specialized items, the government department under which a project falls and the District Procurement Officer should be consulted for a technical evaluation. Awards should be made to the lowest evaluated bidder for standard off-the-shelf items, and to the best evaluated bidder for specialized items.

Decisions should be collective and by consensus. All members must commit themselves to the decisions in writing. Signatures must agree with their specimen signatures already on records. The minutes of the tender committee should be taken and recorded by the secretary.

**Contract Preparation**
The first thing here is for the tender committee to make its decision on whom to award the contract on the basis of all the available information. Awards by tender committee shall be final and binding unless successfully appealed against or vetoed by the authorized person of the committee.

The award should be mailed to or collected by the successful bidder. Once the successful bidder has responded accepting the award, then a formal contract should be entered into in case of contract value exceeding Kshs. 100,000.

The contract document should contain all the necessary terms and conditions. Samples are obtainable from the PPOA. However, the terms of a contract and manner of performance may be altered by an agreement of the parties. The terms of contract are basically worked out on the basis of the 5 RIGHTS – e.g. time and place of performance, quality and quantity, how delays will be handled, monitoring for compliance, claims, disputes and appeals, obligations of the parties and the basis for payment/s.

**Signing of Contract**
After the contract award by the tender committee the manager (of the devolved fund) ensures
that the contract is prepared and be signed by the two parties to the contract. The contract shall be based on the format provided in the tender documents. The contract shall not be signed until after 14 days after the notification of contract award. This is in order to allow for any possible appeals by dissatisfied bidders. The contract shall be deemed to be formed when it is signed by both parties. Any contract above Ksh. 10,000,000 shall be sent to the CEO of the Constituency Development Fund for signature.

Contracts between Ksh. 100,000 and Ksh. 10,000,000 are signed by the Fund Manager. All contracts below Ksh. 100,000 are signed by the Finance Officer (of the devolved fund). A formal contract may not be necessary for contracts below Ksh. 500,000. Signed orders which are also signed by the supplier shall be sufficient in this case.

**Performance of Contract**

After the contract is signed the supplier/contractor shall be responsible for performing the contract in accordance with the terms and conditions of the contract and the relevant committee shall be responsible for the management of the contract.

*A contract must be well managed otherwise weak administration or management of procurement contracts is an invitation to corrupt practices.*

There is need to ensure that the supplier/contractor delivers the specifications or quantities of the contract and that members of the relevant committee have the skill and knowledge in confirming compliance with specifications.

Immediately the contract is signed by the parties it shall be decided how and by whom the contract will be managed. For all contracts which are considered significant especially for civil works, water works, expensive equipment, services and consultancy services, a contract manager is appointed for the relevant committee responsible for the CDF. If necessary a team of experts may be appointed to manage major contracts. In managing the contracts the contract manager shall use the procurement file which should be well kept. This file should be maintained in such a way as to contain all information on the procurement process up to contract award.

If it becomes necessary during the execution of the contract to amend the order given to the supplier, then an Order Amendment Form must be filled and duly signed (Annex 15, is a sample of an Order Amendment Form)

**Receipt, Inspection and Acceptance of Goods**

The inspection and acceptance committees on the delivery of goods, works or services:

» Should immediately inspect and where necessary test the items involved

» Inspect and review the goods, works or services in order to ensure compliance with the terms and specifications of the contract

» Accept or reject on behalf of the procuring entity, the delivered goods, works or services.

» Ensure that the correct quantity has been received.

» Ensure that the goods, works or services meet the technical standards defined in the
contract
» Ensure that the goods, works or services have been delivered or completed on time or that any delay has been noted and acted on
» Ensure that all required manuals or documentation have been received and
» Issue interim or completion certificates or goods recorded notes as appropriate and in accordance with the contract.
» Sign all the relevant documentation

The Inspection and Acceptance Committee must sign the Inspection and Acceptance Certificate (Annex 2). Once works and services are completed by the contractor, a Completion Certificate must be signed (Annex 16.)

Distribution of Key Documents

The receipt, inspection and acceptance of goods must be done through filling or confirming details on the documents already signed.

For accountability and safety of documents, the established rules for the distribution of documents must be followed. The regulations provide as follows:-

i. **Distribution of LPO (S20): 4 (four) copies**
   - **Original**: Given to the supplier to retain
   - **Duplicate**: Given to the supplier and to accompany the goods.
   - **Triplicate**: Used for payments then attached to payment voucher.
   - **Quadruplicate**: Retained in the pad for record.

ii. **Distribution of S11: 3 (three) copies**
   - **Original**: Kept in a safe file by the store man issuing out the goods
   - **Duplicate**: Kept in a safe file by the user receiving the goods
   - **Triplicate**: Retained in the pad for record

iii. **Distribution of S10: 2 (two) copies**
   - **Original**: Submitted as a bid to the tender/quotation box.
   - **Duplicate**: Kept by the bidder.

**Disposal of Stores**
This is charged to the procuring entity’s disposal committee that must be established (section 128) of the ACT and Regulation 92. The committee is meant to dispose unserviceable, obsolescent, obsolete or surplus stores or equipment.

The disposal committee consists of 5 members appointed from the members of the particular fund’s committee and includes the person responsible for finance and accounts. Items which need to be disposed off should be identified by the user. The user should appoint knowledgeable individuals to carry out the initial identification of unserviceable, surplus, obsolescent
and obsolete items for disposal. Thereafter the disposal committee takes over. Disposal is be
done annually unless there are no items identified for disposal.

The disposal committee then prepares a disposal report (Board of Survey Report) which con-
tains the following information for each item of disposal:

i. Item no.
ii. Depreciation of item
iii. Unit of issue
iv. Quantity
v. Date of purchase
vi. Purchase unit price
vii. Total purchase price
viii. General condition
ix. Disposal recommendation of the disposal committee
x. Estimated current value
xi. Decision on disposal

Annex 17, is a sample of the Report of the Board of Survey form. The disposal report is sub-
mited to the relevant committee for approval. Whichever method that is recommended and
approved is then implemented by the fund manager. The committee shall recommend to the
accounting officer a method of disposing the items which may include any of the following:-

a. Sale by public tender
b. Sale by public auction
c. Transfer to another public entity or parts of a public entity without financial adjust-
ments.
d. Destruction, dumping or burying. (Annex 18, is a sample of a Disposal certificate.
   Annex 19, is a sample of a Destruction Certificate)
e. Trade - in.

**Appeal Procedures**
At the Constituency level those appealing against decisions have several avenues for redress.
The Appellant should put his/her complaints in writing and should attach copies of the rel-
evant documents.

» The complaint should be lodged with the project committee first
» The complainant can also demand answers from the MP and the CDFC
» Government representatives for instance the PC, DC, DO, DDO, District Procure-
   ment Officer, the Chief and Department Head can also be approached and complaints
   lodged with them

If these initial and localized complaints fail to elicit action, then the complainant has the right
to take stronger measures through formal written complaints to various government agencies.
These include:-

» Board of Management of the CDF
The Public Procurement Complaints, Review and Appeals Board has been established by the government to take up cases of aggrieved tenderers in the public procurement process. To qualify, the appellant must have participated in the tender process. If dissatisfied with the process, the unsuccessful bidder must file a complaint within 14 days after the award of the tender. The complaint must do this in writing and must state which procurement regulation has been breached. The Appeals Board must respond to the appeal within 30 days.
Please procure the following items on our behalf

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of goods/services</th>
<th>Unit</th>
<th>Quantity</th>
<th>Previous supplier (where known)</th>
<th>Price or estimated cost</th>
<th>Account/vote Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quotation No:</td>
<td>LPO/LSO</td>
<td></td>
<td>Prepared by:</td>
<td>Remarks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract/tender No:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ANNEX 2

Inspection & Acceptance Committee (IAC)
Procurement Inspection & Acceptance Certificate

We the undersigned, being members of the IAC appointed by the Accounting Officer through letter Ref: ________________________ dated: ________________________ Confirm that we have performed the assignment diligently and issued this acceptance certificate for the procurement object indicated below:

Contract Title and No.:
_______________________________________________________________________

Date of Contract:
_______________________________________________________________________

Supplier/Contractor:
_______________________________________________________________________

Value of Contract:
_______________________________________________________________________

Particulars of the contract:
_______________________________________________________________________

Contract items (list as necessary):
_______________________________________________________________________

_______________________________________________________________________

Contract delivery due date:
_______________________________________________________________________

Actual delivery date:
_______________________________________________________________________

Procuring Entity:
_______________________________________________________________________

Contract Manager:
_______________________________________________________________________

Signed:

1. Name: ___________________________ Signature: ___________________________
2. Name: ___________________________ Signature: ___________________________
3. Name: ___________________________ Signature: ___________________________
4. Name: ___________________________ Signature: ___________________________
You are requested to give the particulars indicated in part 1 and either part 2(a), 2(b) or 2(c) whichever applies to your business.

You are advised that it is a serious offense to give false information in this form.

<table>
<thead>
<tr>
<th>Part 1 – General</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Name………………………………………………………………………...</td>
</tr>
<tr>
<td>Location of business premises……………………………………………………….</td>
</tr>
<tr>
<td>Plot No………………..Street /Road………………………………………………….</td>
</tr>
<tr>
<td>Postal address………………..Tel.No………………………………………………..</td>
</tr>
<tr>
<td>Nature of business……………………………………………………………………</td>
</tr>
<tr>
<td>Current Trade License No………………..Expiring Date……………………………..</td>
</tr>
<tr>
<td>Maximum value of business which you can handle at any one time: …………………</td>
</tr>
<tr>
<td>Name of your bankers………………..Branch………………………………………..</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part 2(a)-sole proprietor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Your name in full …………..Age…………………………………………………..</td>
</tr>
<tr>
<td>Nationality …………………..Country of origin……………………………….</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part 2(b)-partnership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Given details of partners as follows:</td>
</tr>
<tr>
<td>Name</td>
</tr>
<tr>
<td>1………………………………………………………………………………………</td>
</tr>
<tr>
<td>2………………………………………………………………………………………</td>
</tr>
<tr>
<td>3………………………………………………………………………………………</td>
</tr>
<tr>
<td>4………………………………………………………………………………………</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part 2(c) - Registered company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private or public ……………….…………………………………………………….</td>
</tr>
<tr>
<td>State the nominal and issued capital of company:</td>
</tr>
<tr>
<td>Nominal £………………………………………………………………………………</td>
</tr>
<tr>
<td>Issued  £………………………………………………………………………………</td>
</tr>
</tbody>
</table>

Citizens’ Guide to Public Procurement

20
Given details of all directories as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Nationality</th>
<th>Citizenship</th>
<th>Details</th>
<th>Shares</th>
</tr>
</thead>
<tbody>
<tr>
<td>1…………………………………………………………………………………….</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2…………………………………………………………………………………….</td>
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<tr>
<td>3…………………………………………………………………………………….</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4…………………………………………………………………………………….</td>
<td></td>
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</tr>
</tbody>
</table>

Date ……………………………… Signature of the candidate…………………….

*If Kenyan citizen, indicate under “citizenship Details” whether by Birth, Naturalization or Registration.
ANNEX 4
Local Procurement Order (LPO)

To:……………………………………
……………………………………
……………………………………
……………………………………
Dated……………………………
Contract Ref No…………………
Quotation Ref.
No………………………………...

Please deliver the following goods on or before……………. To the delivery address under the terms and conditions stated on the reverse side of this purchase order. If you accept these conditions return the second copy of this order signed by an authorized organization. Invoices must be sent without delay with goods to………………………………………………
…………………………………….. (procuring entity)

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Quantity</th>
<th>PRICE PER UNIT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>SHS.</td>
<td>CTS</td>
</tr>
</tbody>
</table>

Delivery address……………..
Signed…………………………
Designation……………………
Procuring entity………………
Vote .............................
Head/subhead…………………..

Account No……………………..

Distribution of copies:
COPY  1. Retained by the supplier
  2. Signed by the supplier and returned to the procurement section.
  3. Sent through stock control and accounts dues in notation and then to receipts to await delivery of goods.
  4. Attached to R.V and invoice for payment purposes.
  5. Remains in the pad for the control purpose
CONDITIONS APPLICABLE TO THIS ORDER

1. The execution of all or part of this order is subject to the following conditions unless otherwise stated in writing. The procuring Entity reserves the right to reject any supplies not conforming to these conditions.

2. All goods covered by this order are to be met strictly in accordance with samples/specifications/schedule of requirement/brochures submitted with your quotation/tender and accepted as the standard of supply. No alterations in any respect are permitted without the prior agreement of the procuring entity in writing.

3. Deliveries must be made within the accepted delivery period tendered for and specified in this order unless agreement has been reached and written confirmation given any alteration. If the delivery of the good is not effected within this period, this order may be cancelled without to cost the procuring entity or alternatively supply may be obtained from other sources and you will be liable to defray any additional cost such action would occur.

4. All articles, material, workmanship or services covered by this order shall be the subject of procuring entity inspection and test at all times before during or after completion.

5. The supplier warrants that all articles, materials, or service delivered or performed to be free from defect of material or workmanship and this warranty shall survive any inspection, delivery, acceptance or payment by the procuring entity of the article, material or workmanship.

6. Goods rejected on any grounds will be returned to or collected by the supplier at his own expense.

7. Goods are to be consigned to the address(es) shown on the order and the costs are to be included in the prices quoted. Any demurrage or similar charges incurred through the supplier's liability will be recovered from the supplier.

8. The prices shown include the satisfactory packaging and packing of the goods to ensure safe transit and must be of robust construction sufficient to withstand rough handling and over handling and over storage in stores.

9. The No. 2 copy of this order constitutes an acceptance of this order and must be signed and returned to the ordering officer within 14 days. Failure to comply may be taken as non-acceptance and the order is liable to cancellation.

10. Any amendment to this order will be made in writing by the originator and the communications or enquiries relative to the order or subsequent amendment must be addressed to him.
## Local Service Order (LSO)

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description of service</th>
<th>COST</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TOTAL Shs.</th>
</tr>
</thead>
</table>

**TO:** …………………………………………….
………………………………………………..
………………………………………………..
………………………………………………..
………………………………………………..

**Tender / Quotation Ref. No:** …………..
**Contract Ref No.:** ………………………
**Date:** …………………………………
**Requisition No.:** ………………………
**Date:** …………………………………

Please carry out the service listed here below at (full address)
……………………………………………………………………………………
……………………………………………………………………………………
……………………………………………………………………………………
……………………………………………………………………………………
……………………………………………………………………………………
……………………………………………………………………………………
……………………………………………………………………………………

on terms and conditions stated on the back of this order, on or before
……………………………………………………………………………………
and send the invoices immediately to…………………………………………

**P.O. BOX:** ……………………………………………

**Signature:** …………………………………
**Designation:** ……………………………
**Station:** ………………………………..
**Date:** …………………………………

**A/c No:** ………………………………..
**Details:** ………………………………..

---

*Citizens' Guide to Public Procurement*
APPROVED
Signature……………………………
AIE Holder
Station…………………………..contractor
Date…………………………
I acknowledge receipt of this order …………………………… date

CONDITIONS
The execution of or part of this order is subject to the following conditions unless otherwise stated in writing. A contractor who is rendered services contrary to these conditions does so at his own risk.

1. All service are to be carried strictly in accordance with specifications given. No departure is allowed without prior agreement and in writing.
2. Orders must be examined within the period tendered unless instructions are given to the contrary. If the service is not effected as agreed, this order is liable for cancellation and/ payment of penalty.
3. We reserve the right to inspect the services on this order, but such inspection does not relieve the contractor of his responsibility for defects in material or workmanship.
4. Receipt of this order should acknowledge on the duplicate copy which should be sent within 7 days.

All communication to be addressed to the originator of this order.

Distribution of copies
Original: To be retained by the supplier
Duplicate: To be filled by the supplier and returned for attachment to contract documents.
Triplicate: To be attached to P.V and the invoice for payment purposes.
Quadruplicate: To remain in the pad.
## ANNEX 6

### Sample Bill of Quantities and Schedule of Materials (BQ)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>UNIT</th>
<th>QTY</th>
<th>RATE</th>
<th>KSHS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td><strong>ROOFING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td>150 X 150 mm RAFTERS</td>
<td>LM</td>
<td>75</td>
<td>165</td>
<td>12,375</td>
</tr>
<tr>
<td>C.</td>
<td>150 X mm TIE BEEM</td>
<td>LM</td>
<td>35</td>
<td>180</td>
<td>6,300</td>
</tr>
<tr>
<td>D.</td>
<td>100 X 50 mm STRUTTS AND TIES</td>
<td>LM</td>
<td>38</td>
<td>148</td>
<td>5,624</td>
</tr>
<tr>
<td>E.</td>
<td>TIES</td>
<td>LM</td>
<td>80</td>
<td>45</td>
<td>3,600</td>
</tr>
<tr>
<td>F.</td>
<td>50 X T0 mm purlins</td>
<td>LM</td>
<td>19</td>
<td>180</td>
<td>3,420</td>
</tr>
<tr>
<td></td>
<td>100 X 50 mm Wall plate</td>
<td>SM</td>
<td>89</td>
<td>305</td>
<td>27,145</td>
</tr>
<tr>
<td></td>
<td>Gauge 30 G.C.I. Roofing Sheets</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G.</td>
<td><strong>FLOORS FINISHES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cement and sand 1:4 Paving</td>
<td>Bags</td>
<td>6</td>
<td>620</td>
<td>3,720</td>
</tr>
<tr>
<td></td>
<td>Screed</td>
<td>Tons</td>
<td>2</td>
<td>800</td>
<td>1,600</td>
</tr>
<tr>
<td></td>
<td>i. Cement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii. Sand</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.</td>
<td><strong>WALL FINISHES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Plastering</td>
<td>Bags</td>
<td>10</td>
<td>620</td>
<td>6,200</td>
</tr>
<tr>
<td></td>
<td>i. Cement</td>
<td>Tons</td>
<td>2</td>
<td>800</td>
<td>1,600</td>
</tr>
<tr>
<td></td>
<td>ii. Sand</td>
<td>Bags</td>
<td>5</td>
<td>300</td>
<td>1,500</td>
</tr>
<tr>
<td></td>
<td>iii. Lime</td>
<td>NO</td>
<td>16</td>
<td>950</td>
<td>15,200</td>
</tr>
<tr>
<td></td>
<td>iv. Ceiling (1.2 X 2.4m) Soft</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>boards</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>v. 50 X 50 mm Brandering</td>
<td>LM</td>
<td>175</td>
<td>72</td>
<td>12,600</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td>113,484</td>
</tr>
</tbody>
</table>

*Citizens’ Guide to Public Procurement*

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## ANNEX 7

### Work Plan for the Procurement Process of Works/ Goods

World Bank / IDA funded Projects

---

Financial Year:

Procuring Entity (Ministry, Parastatals, School, University, College etc)

Department:

Name of Project (If applicable)

---

<table>
<thead>
<tr>
<th>No.</th>
<th>ACTIVITY</th>
<th>OFFICER RESPONSIBLE</th>
<th>TIME TO BE TAKEN (in weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>WORKS</td>
</tr>
<tr>
<td>1.</td>
<td>Prepare BOQ documents for works/prepare specifications for goods</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Bank's No Objection</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Advertise for pre-qualification (work)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Receive the pre-qualification applications (work)</td>
<td></td>
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<tr>
<td>5.</td>
<td>Evaluate the applications and shortlist (work)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Banks No objections to prequalification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Prepare schedule of requirements</td>
<td></td>
<td></td>
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<tr>
<td>8.</td>
<td>Prepare working drawings (work)</td>
<td></td>
<td></td>
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<tr>
<td>9.</td>
<td>Prepare bidding documents</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Banks no objection</td>
<td></td>
<td></td>
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<tr>
<td>11.</td>
<td>Issue Bidding documents to pre-qualified firms (works) Advertise for bids – goods</td>
<td></td>
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</tr>
<tr>
<td>12.</td>
<td>Receive and open bids</td>
<td></td>
<td></td>
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<tr>
<td>13.</td>
<td>Evaluation bids</td>
<td></td>
<td></td>
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<tr>
<td>14.</td>
<td>Banks no Objection to bid evaluation results</td>
<td></td>
<td></td>
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<tr>
<td>15.</td>
<td>MTC action</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Banks no objection to contract awards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Banks no objection to bid evaluation results</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Negotiations (if applicable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Bank's no objection to negotiated contract awards (if applicable)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>21.</td>
<td>Mobilization period for works/delivery of goods</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Advance payment for works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Payment as per the contract works &amp; goods</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prepared by:   Sign ..................................................   
               Date..................................................   

Approved by:   Sign ..................................................   
               Date..................................................   
               (Accounting Officer)
## Vifaranga Water Project

<table>
<thead>
<tr>
<th>Activity</th>
<th>Required Budget</th>
<th>Implementation Period in Weeks</th>
<th>Contracted Persons/Companies</th>
<th>Monitoring and Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Removal of borehole</td>
<td>30,000.00</td>
<td>2 weeks</td>
<td>Davis and Shartliff Ltd.</td>
<td>FSK Water Committee, CDFC, DDC, All stakeholders</td>
</tr>
<tr>
<td>Supply and installation of water pump</td>
<td>482,913.00</td>
<td>2 weeks</td>
<td>Davis and Shartliff Ltd.</td>
<td>FSK Water Committee, CDFC, DDC, All stakeholders</td>
</tr>
<tr>
<td>Borehole rehabilitation</td>
<td>826,500.00</td>
<td>2 weeks</td>
<td>CDN Water Program</td>
<td>FSK Water Committee, CDFC, DDC, All stakeholders</td>
</tr>
<tr>
<td>Water tank PVC</td>
<td>97,400.00</td>
<td>2 Weeks</td>
<td>Vifaranga Hardware Store Ltd.</td>
<td>FSK Water Committee, CDFC, DDC, All stakeholders</td>
</tr>
<tr>
<td>Water Extraction Permit</td>
<td>46,575.00</td>
<td>2 weeks</td>
<td>Water Resource Management Authority, Amani District.</td>
<td>FSK Water Committee, CDFC, DDC, All stakeholders</td>
</tr>
</tbody>
</table>

### Project Details:
Rehabilitation of borehole and construction of office block
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
<th>Duration</th>
<th>Supplier/Contractor</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training and Supervision</td>
<td>223,400.00</td>
<td>4 weeks</td>
<td>Farming Systems Kenya</td>
<td>FSK Water Committee CDFC DDC All stakeholders</td>
</tr>
<tr>
<td>Purchase of plot 50 X 10ft</td>
<td>160,000.00</td>
<td>4 weeks</td>
<td>John K. Moses</td>
<td>FSK Water Committee CDFC DDC All stakeholders</td>
</tr>
<tr>
<td>Construction of control house</td>
<td>170,370.00</td>
<td>4 weeks</td>
<td>Reliable concrete Works</td>
<td>FSK Water Committee CDFC DDC All stakeholders</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,027,158.00</strong></td>
<td></td>
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</tr>
</tbody>
</table>
## Annual Procurement Plan for Goods and Services

### Financial Year:

### Procuring Entity (Ministry, Parastatal, School, University, College etc)

### Department:

### Name of Project (If applicable)

### Dates for Completion of Key Procurement Processing Activities

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Item/Service description</th>
<th>Unit of Issue</th>
<th>Quantity</th>
<th>Estimated Unit Cost</th>
<th>Estimated Total Cost in Kshs. '000</th>
<th>Procurement Method</th>
<th>Doc</th>
<th>Preparation of Bidding Doc</th>
<th>Receipt &amp; Open Bids</th>
<th>Bid Evaluation</th>
<th>Tender Committee Action</th>
<th>Sign Contract</th>
<th>Order Drawn</th>
<th>Completion of Service</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

Prepared by: Head of Procurement Sign

Date

A.I.E. Holder Sign

Date

Approved by: Accounting Officer Sign

Date

*General Services other than Consultancy*
# ANNEX 10

## Annual Procurement Plan for Goods and Services

**Financial Year:**

---

**Procuring Entity (Ministry, Parastatals, School, University, College etc)**

---

**Department:**

---

**Name of Project (If applicable)**

---

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Work Description</th>
<th>Estimated Unit Cost</th>
<th>Procurement Method</th>
<th>Dates for completion of Key Procurement Processing Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><img src="dates_for_completion_of_key_procurement_processing_activities.png" alt="Dates for completion of Key Procurement Processing Activities" /></td>
</tr>
</tbody>
</table>

1. 
2. 
3. 
4. 
5. 

etc

Prepared by: Head of Procurement
Signature ..........................................................
Date...............................................................

A.I.E. Holder Signature ...........................................
Date.............................................................

Approved by: Accounting Officer Signature ..................
Date.............................................................

---

*Citizens' Guide to Public Procurement*
## ANNEX 11

### Consolidated Annual Procurement Plan

**Financial Year:**

**Procuring Entity (Ministry, Parastatal, School, University, College etc):**

**Department:**

**Name of Project (If applicable):**

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Item/Service description</th>
<th>Unit of Issue</th>
<th>Quantity</th>
<th>Unit Cost</th>
<th>Estimated Total Cost in Kshs. ’000</th>
<th>Funds Allocated</th>
<th>Procurements</th>
<th>Timing of Activities</th>
<th>Targeted Outputs</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
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<td></td>
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<td>1st Quarter</td>
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<td>2nd Quarter</td>
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<td>3rd Quarter</td>
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<td>4th quarter</td>
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</tr>
</tbody>
</table>

Prepared by: Head of Procurement  Sign ........................................
Date.........................................................

A.I.E. Holder Sign .........................................................
Date.........................................................

Approved by: Accounting Officer Sign ........................................
Date.........................................................

---

Public Procurement Procedures for Constituency Development Funds
 ANNEX 12  

Tender Register

Procuring Entity: ____________________________________________________________

<table>
<thead>
<tr>
<th>Number allocated to tender</th>
<th>Full Description of items included in the Tender</th>
<th>Unit of issue</th>
<th>Total Quantity</th>
<th>Date of commencement</th>
<th>Closing date</th>
<th>Remarks</th>
</tr>
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</table>

*Citizens' Guide to Public Procurement*
# ANNEX 13

## Register of Samples

**Procuring entity**

**Unit**

**Tender No**

**Closing Date**

<table>
<thead>
<tr>
<th>Registered No.</th>
<th>Date receipt of sample</th>
<th>Catalogue, Part Or references No.</th>
<th>Unit received</th>
<th>Name of candidate</th>
<th>Date to tender committee</th>
<th>Date returned</th>
<th>Date returned to candidate</th>
<th>Signature of candidate</th>
</tr>
</thead>
<tbody>
<tr>
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</table>
ANNEX 14  Application for Adjudication of Tender/Quotation

No............

Ref: ..................................................

Procuring entity.........................

Date..............

To: The Secretary,
Tender Committee

1. Enclosed herewith the original tenders together with the following documents in respect of Tender/Quotation No......................................................

2. It is confirmed that financial provisions to meet the resultant cost of the items available in ...........................................................................................................................
   ...................................................................................................................................
   ...................................................................................................................................

3. Delay (where applicable) in submitting the tender/quotation to Tender Committee for adjudication was caused by ....................................................................................
   ....................................................................................................................................
   ....................................................................................................................................

4. Other remarks (where applicable) include the following: .............................................
   ....................................................................................................................................
   ....................................................................................................................................

Signed..............................Date..............................................................

Designation.................................................................

Citizens’ Guide to Public Procurement
36
Dear Sir/Madam.
Would you please amend our above mentioned order to read as follows:-

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Unit</th>
<th>Qty</th>
<th>Description</th>
<th>Unit Price</th>
<th>Delivery Requirement</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

**NOTES TO SUPPLIER**
Changes to deliveries must be strictly adhered to and your cooperation in this matter would be appreciated and payment will only be made against this revised schedule. This is not a Purchase Order but an amendment.

Signature of the Procurement Officer……………………………Date ……………...
Cc. 1. Receipt’s Officer
Department file
**ANNEX 16**

**Sample Completion Certificate**

<table>
<thead>
<tr>
<th>WP Item Number</th>
<th>Description of Job</th>
<th>Ministry/Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vote</td>
<td>Prov.</td>
<td>No.</td>
</tr>
<tr>
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<td></td>
</tr>
</tbody>
</table>

**Details of works:**

**Completion of Building works**

Delete (a) or (b)

(a) The contracts works
(b) The part of the works here listed

Are now complete to my satisfaction subject to the items noted overleaf and are ready to be handed over to the Client Ministry

Date

Building Supervisor (MOW or consult)

**Completion of Mechanical/Electrical Works**

The mechanical/electrical installations on the above works have been completed and tested to my satisfaction

Date

M/E Supervisor (MOW or consult)

**Release of Rention and Survey Bond**

Att: Job QS and Contractors Register Office

The first moiety of the retention and the surety bond may now be released

Date

(DR) GROUP LEADER/CONSULTANT

Copies: Building and M/E Supervisors

At: 10/77 Job QS and CRO
## Report of the Board of Survey on Stores (Unserviceable) and Surplus to Requirements

Organization………………………….. Department………….          Station..........  
NB: columns Nos. 1-6 to be completed by the department prior to assembly of the board.

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>QUANTITY</th>
<th>DATE OF PURCHASE</th>
<th>ORIGINAL VALUE</th>
<th>IN SERVICEABLE OR SURPLUS</th>
<th>BOARD’S REPORT ON CONDITION</th>
<th>RECOMMENDATION OF BOARD FOR DISPOSAL</th>
<th>ESTIMATED LOCAL SALEABLE VALUE IF SALE IS RECOMMENDED</th>
<th>REMARKS</th>
</tr>
</thead>
</table>

Signature and official .......................................................... chairman  
Signature of officer ......................................................... member  
In-charge of stores .......................................................... member  
Date .........................  
Station.........................

Decision of accounting officer/chief executive signature.........
ANNEX 18  Disposal of Stores Certificate

Tel:……………………………

Address of Organization
…………………………
…………………………
…………………………

Our ref:………………………
To:…………………………
…………………………
…………………………

Date …………………..

This is to certify that all item Nos ……………… submitted to the board of survey on………………………………………………and approved by the accounting Officer/Chief Executive on …………………………… under Ref …………………………… instruction. Proceeds of items sold have been accounted for appropriately.

A separate Disposal certificate will be submitted in respect of item not included in this one in due course.

Signed…………………………
Name…………………………
Signed…………………………
Name…………………………
Signed…………………………
Name…………………………

A disposal certificate
Registered No: ………
### ANNEX 17

#### Destruction Certificate

Organisation………………………………

Department ……………………………

Station …………………………………

<table>
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<tr>
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</tbody>
</table>

This is to certify that the stores shown above have all been destroyed by method(s) shown in accordance with …………………………dated…………………………………………

Witness to the destruction…………………… Officer in charge……………………

Date………. Designation……………………

Date…………………………………………

---

*Public Procurement Procedures for Constituency Development Funds*