



**PRE-QUALIFICATION/REGISTRATION OF LEGAL PRACTITIONERS FOR  
PROVISION OF LEGAL SERVICES FOR 2024-2026 FINANCIAL YEARS.**

**TENDER NO. SASDEF/PRQ/001/2024-2026**

**Please indicate the item applied for as follows:**

**NAME OF THE SUPPLIER: .....**

**CATEGORY: .....**

**MAY,2024**

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## **INVITATION TO TENDER FOR PRE-QUALIFICATION/REGISTRATION OF LEGAL PRACTITIONERS FOR PROVISION OF LEGAL SERVICES FOR 2024-2026 FINANCIAL YEARS.**

The Sports, Arts and Social Development Fund (SASDF) is established under the Public Finance Management (Sports, Arts and Social Development Fund) Regulations, 2018 with the mandate of providing financial support for the development and promotion of sports and arts, and the promotion of social development including universal health care.

The Fund invites sealed applications from interested eligible Kenyan firms for purposes of pre-qualifying Law firms to provide Legal Services for the period starting from 2024-2026 financial years.

<b>No</b>	<b>TENDER NO.</b>	<b>DESCRIPTION</b>	<b>CLOSING DATE</b>	<b>ELIGIBILITY</b>
1	SASDEF/PRQ/001/20 24-2026	PROVISION OF LEGAL SERVICES	4/06/2024 at 11.00 am	OPEN TENDER

A complete set of the Pre-qualification/Registration of suppliers/contractor's documents detailing relevant terms and conditions may be downloaded from the Fund's website: <https://www.sasdef.go.ke> and the Public Procurement Information Portal <http://tenders.go.ke> free of charge.

The firms that download the document must arrange to forward their particulars to the Procurement Office through email address [procurement@sasdef.go.ke](mailto:procurement@sasdef.go.ke) before the closing date for records and for the purposes of receiving clarifications and/or addendums, if any.

Completed serialized tender documents one original and one copy in plain sealed envelope clearly marked on top with the Tender Number and Tender Name/Description, should be addressed to the:

**CHIEF EXECUTIVE OFFICER,  
SPORTS, ARTS AND SOCIAL DEVELOPMENT FUND  
P.O. BOX 4644-00200  
NAIROBI.**

Completed Bidding Documents must be deposited in the Tender Box provided at TALANTA PLAZA Headquarters, 9<sup>th</sup> Floor, along Kenya Road to be received on or before **4<sup>th</sup> June, 2024 at 11.00 am** (East African Time).

The applications for pre-qualification shall be opened soon thereafter at SASDEF Boardroom, 9<sup>th</sup> Floor Wing B in the presence of the bidder's representative(s) who choose to attend. Any canvassing in whatever way will render the prospective bidder(s)/applicant(s) ineligible for participation.

This pre-qualification for the provision of legal services is open to bidders who meet the eligibility criteria. Only bidders with capacity to perform can apply.

**CHIEF EXECUTIVE OFFICER  
THE SPORTS, ARTS AND SOCIAL DEVELOPMENT FUND**

## **GENERAL INSTRUCTIONS**

- 1) You are requested to provide particulars as indicated in part II, III, IV, V, VI of this form as accurately as possible and where space provided is not sufficient, please use a separate sheet of paper and attach to this form.
- 2) SASDEF attaches great importance to correct information given. If the information given is found to be incorrect in any respect, the applicant shall be rendered ineligible for registration.
- 3) SASDEF reserves the right to visit and inspect business premises of all the applicants to verify information provided.
- 4) All the information provided would be treated as confidential.
- 5) Your Registration documents should legibly be filled or typed and submitted, **properly bound** or (book/spiral/velo), **filled** and **page numbered**. SASDEF shall not be responsible for loss of documents not bound (loose).

## **1. REGISTRATION INSTRUCTIONS**

### **1.1 Introduction**

The Sports ,Arts and Social Development Fund would like to invite interested candidates who must qualify by meeting the set criteria as provided by the SASDEF to perform the contract of supply and delivery or provision of legal services to SASDEF.

### **1.2 Registration Objective**

The main objective is to provide legal services to SASDEF on **as and when** required during the stated period.

### **1.3 Invitation of Registration**

Registered suppliers should submit their registration documents under the respective Laws of Kenya to The Chief Executive Officer SASDEF, so that they may be registered for submission of tenders. Bids will be submitted in complete lots singly or in combination. The prospective suppliers are required to supply mandatory information for Registration.

### **1.4 Experience**

Prospective suppliers and contractors must have carried out successful supply and delivery of similar items/services to Government/Corporation/ institutions of similar size. Potential suppliers/contractors must demonstrate the willingness and commitment to meet the Registration criteria.

### **1.5 Registration Document**

This document includes questionnaire forms and documents required of prospective suppliers.

### **1.6** In order to be considered for Registration, prospective suppliers must submit all the information herein requested.

### **1.7 Distribution of Registration Documents**

A copy of the completed Registration data and other requested information shall be submitted to reach:

The Chief Executive Officer,

Sports, Arts and Social

Development Fund

9<sup>th</sup> Floor Talanta Plaza,

Kenya Road, Upperhill

P.O. Box 4644 – 00200,

**NAIROBI, KENYA.**

Tel: +254 791 801 225

Email: [procurement@sasdef.go.ke](mailto:procurement@sasdef.go.ke)

Website: <https://www.sasdef.go.ke>

### **1.8 Questions Arising from Documents**

Questions that may arise from the Registration documents should be directed to the following address:

Supply Chain Management Office

Sports, Arts and Social Development Fund

P.O. Box 4644 – 00200,

**NAIROBI.**

Tel: +254 791 801 225

Email: [procurement@sasdef.go.ke](mailto:procurement@sasdef.go.ke)

### **1.9 Additional Information**

Sports, Arts and Social Development Fund reserves the right to request submission of additional information from prospective bidders.

**1.10** Tenders will be made available only to those bidders whose qualifications will be successful at the registration process.

## **2. BRIEF CONTRACT REGULATIONS/GUIDELINES**

### **2.1 Taxes on Imported Materials**

The Supplier shall pay custom duty, VAT and all other taxes as required by the law. The firms should also have Electronic Tax Register Machines.

### **2.2 Contract Price**

The contract shall be of unit price type or cumulative of computed unit price and quantities/ scope required. Quantities/ scope may increase or decrease as determined by demand on the authority of the Chief Executive Officer in accordance with the tender requirements. Prices quoted should be inclusive of all delivery charges.

### **2.3 Payments**

All the services shall be on credit terms of thirty (30) days or as may be stipulated in the Contract Agreement.

## **3. REGISTRATION DATA INSTRUCTIONS**

### **3.1 Registration data forms**

The attached questionnaire forms described as part II, III, IV, V, VI, VII, are to be completed by prospective suppliers/contractors who wish to be registered for submission of tender for the specific tender.

**3.1.1** The registered application forms which are not filled out completely and submitted in the prescribed manner will not be considered. All the documents that form part of the proposal must be written in English and legible indelible ink. SASDEF prefers that the registration document is typed out using a typewriter or computer and printed.

### **3.2 Qualification**

**3.2.1** It is understood and agreed that the Registration data on prospective bidders is to be used by Sports Fund in determining, according to its sole judgment and discretion, the qualifications of prospective bidders to perform in respect to each tender item/category as described by the client.

**3.2.2** Prospective bidders will not be considered qualified unless in the judgment of Sports Fund they possess capability, experience, qualified personnel available and suitability of equipment and net current assets or working capital sufficient to satisfactorily execute the contract for goods/services.

### **3.3 Essential Criteria for Registration**

**3.3.1** (a) Experience: Prospective bidder shall have experience in the provision of legal services. They shall be required to have professional indemnity cover with reputable insurance Company.

(b) Prospective bidder requires special experience and capability to provide legal services at short notice.

(c) The Fund reserves to request for additional qualification information as the tender/quotation stage to suit particular procurement.

#### **3.3.2 Personnel**

The bidder shall provide pertinent information to demonstrate that they have qualified staff to carry out the legal services briefs and CVs' of the key personnel.

#### **3.3.5 Past Performance**

Past performance will be given due consideration in registering bidders. Letter of reference from past clients should be included in part VI of the registration document.

#### **3.4 Statement**

Application must include a sworn statement on part VIII by the Tenderer ensuring the accuracy of the information given.

#### **3.5 Withdrawal of Registration.**

Should a condition arise between the time the firm is registered to bid and the bid opening date which could substantially change the performance and qualification of the bidder or the ability to perform such services that may include but not limited to debarment by PPRA, bankruptcy etc, The Fund reserves the right to reject the tender from such a bidder even though they have been initially registered.

**3.6** The firm must have a fixed Business Premise and must be registered in



Kenya, with certificate of Registration or Incorporation, copies of which must be attached.

**3.6.1** The firm must show proof that it has paid all its statutory obligations and have Valid Tax Compliance Certificate from the Kenya Revenue Authority (KRA).

**3.6 Invitation to Tender.**

Successful bidders that will be registered with the Fund will be issued with tender/RFP/Quotation documents as appropriate and all bidders invited are expected to quote. Those wishing not to participate are required to indicate reasons for non-participation on the tender/quotation/ RFP by email failure to which the firm will not be considered for invitation to tender in future for procurement opportunities.

All invitation to tender documents will be sent by email. All suppliers **MUST have a valid email address and telephone contact.** Any change in address must be communicated to the Fund in writing.

**4. REGISTRATION EVALUATION CRITERIA**

**a) PRELIMINARY EVALUATION (MANDATORY REQUIREMENTS)**

S/No.	Documents Required	Status
1	Copy of Certificate of Registration/Incorporation	Mandatory
2	Copy of Valid Tax Compliance Certificate from Kenya Revenue Authority – to be confirmed for KRA portal	Mandatory
3	A Copy of CR 12 for Limited Companies or official searches for other entities (not more than 3 months old) and certified IDs/passports for Partnerships/ Sole Proprietorships and statement of particulars.	Mandatory
4.	Where applicable, certificate of registration for Access to Government Procurement Opportunities (AGPO).	Mandatory
5.	Letters of recommendation from two (2) corporate clients.	Mandatory
6.	Certificate of Admission and Current Practicing Certificates from Law Society of Kenya and Judiciary.	Mandatory

The suppliers must qualify at preliminary evaluation stage to progress to detailed evaluation stage.

**b) DETAILED EVALUATION**

<b>S/No</b>	<b>Requirements (submit evidence)</b>	<b>PART No.</b>	<b>PASS/FAIL</b>
1	Registration Documentation	I	
2	Supplier Registration Data	II	
3	Company Details	III	
4	Financial Position	IV	
5	Manpower/Key personnel	V	
6	Past Performance & Experience	VI	
7	Business Probity and Litigation History	VII	
8	Sworn Statement	VIII	
	<b>PASS/FAIL</b>		

## **PART I: REGISTRATION DOCUMENTATION**

Bidders must provide (attach) copies of the following as applicable: -

1. Copies of Certificate of Incorporation/Partnership deed/Business registration
2. Official search documents from the respective registries
3. Valid Tax Compliance Certificate from Kenya Revenue Authority
4. Copies of Identity Cards/Valid Passports for all Directors/owners/partners.  
The same shall be clear and photocopied both sides for IDs
5. Current letters of recommendation from two (2) organizations served (provide at least two).
6. Copies of current practicing Certificates for all professionals where applicable from relevant/applicable bodies.
7. CVs for Key Personnel for the firm
8. Evidence of physical registered office – Attach utility bill e.g. Electricity/water bill e.t.c or lease / tenancy agreements
9. Where applicable, certificate of registration for Access to Government Procurement Opportunities (AGPO).

**PART II:**

**1. SUPPLIER REGISTRATION DATA**

**A. Business Name**.....

Pin No. ....

*(Attach copy registration certificate)*

**B. Address**

P.O. Box.....Postal Code.....

City/Town.....

Telephone Nos .....

Mobile Nos.....

Email Address:.....

Website address (If any).....

**C. Physical Address (Principal Office / HQ)**

Business Location.....

Name of building .....

Plot No. ....

Road/Street Name .....

Floor No. ....

Room No. ....

**D. Branches - Indicate the No. of Branches and Locations**

.....



**PART III:  
COMPANY DETAILS**

**A. Sole Proprietor**

Your name in full.....  
Age.....  
Nationality.....  
Country of origin.....  
\*Citizenship details.....

**B. Partnership**

Given details of partners as follows:

Name	Nationality	Citizenship Details
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

**C. Registered Company:**

Private or Public.....

State the nominal and issued capital of company-

Nominal Kshs.....

Issued Kshs.....

Given details of all directors as follows:-

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

\*If Kenya Citizen, indicate under "Citizenship Details" whether by Birth, Naturalization or Registration

## 2. NATURE OF BUSINESS

A. Please list the legal services you provide that are relevant to the services applied for:

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

## PART IV: FINANCIAL POSITION / INVESTMENT

### A. Company's Capital

- 1) Authorised Shares Ksh .....
- 2) Issued Shares Ksh. ....

### B. Partnership & Sole Proprietorship:

Total Investment: Kshs. ....

**NB: Provide and attach certified audited financial statements for the previous (latest) two years and/or bank statements for the 6 months certified by the issuing bank as proof of ability to execute the contract.**

C. Maximum value of business which you can handle at any time  
.....

### D. State terms of payment in preference order

- i) .....
- ii) .....
- iii) .....

***Note: The Fund prefers payment to be made within 30 days after satisfactory delivery of services as per contract.***

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**PART V: KEY PERSONNEL**

a) Name of Chief Executive Officer/ Partner/Managing Partner/ Managing Director/Executive Director

.....

b) How many staff does your organization have?.....

c) Indicate the number in each category:

(i) Advocates (Permanent..... Temporary.....)

(ii) Support Staff (Permanent..... Temporary.....)

d) Please describe generally the experience and expertise your organization possesses that will generally enable you to effectively and efficiently undertake the services that you are applying for as required by SASDEF.

• Attach CV's of Advocates and submit in the following format.

Name .....

Age .....

Academic Qualification:

1.Under graduate.....

2. Post graduate.....

3. Professional Qualification .....

.....

*(Attach Certificates if any)*

Length of service with the firm

Position held .....



**PART VI: PAST PERFORMANCE & EXPERIENCE**

a. Please provide at least two (2) major services/projects/assignments you have undertaken relevant to the job you are applying for registration performed over the last three (3) years:

**1. Name of 1<sup>st</sup> Client**

- i) Name of Client .....
- ii) Address of Client .....
- iii) Name of Contact Person at the client .....
- iv) Telephone Contact.....
- v) Value of Contract .....
- vi) Duration of Contract (date).....
- vii) Signature.....
- viii) Date.....

Company Stamp

(Attach recommendation from the client)

**2. Name of 2<sup>nd</sup> Client**

- i) Name of Client .....
- ii) Address of Client .....
- iii) Name of Contact Person at the client .....
- iv) Telephone Contact.....
- v) Value of Contract .....
- vi) Duration of Contract (date).....
- vii) Signature .....
- viii) Date.....

Company Stamp

(Attach recommendation from the client)



**3. Name of 3<sup>rd</sup> Client**

- i) Name of Client .....
- ii) Address of Client .....
- iii) Name of Contact Person at the client .....
- iv) Telephone Contact.....
- v) Value of Contract .....
- vi) Duration of Contract (date).....
- vii) Signature .....
- viii) Date.....

Company Stamp

(Attach recommendation from the client)

**4. Name of 4<sup>th</sup> Client**

- i) Name of Client .....
- ii) Address of Client .....
- iii) Name of Contact Person at the client .....
- iv) Telephone Contact.....
- v) Value of Contract .....
- vi) Duration of Contract (date).....
- ix) Signature .....
- vii) Date.....

Company Stamp

(Attach recommendation from the client)

**b. Trade References**

Attach at **least two (2) current letters of recommendation** from reputable organizations that you have provided legal services for the last three years.

i) Name and address of your Bankers

.....  
.....

ii) Have you ever had an order/contract issued and cancelled in whole or part by SASDEF? Yes/No .....

If yes give reasons for cancellation

.....  
.....

iii) Have you ever been issued with a tender/quotation document by SASDEF and you failed respond/submit? Yes/No .....

If yes give reasons for not submitting:

.....  
.....

iv) Do you have any objection in SASDEF obtaining a confidential financial report from your bankers?.....

v) Has your company ever been involved in litigation/arbitration with clients/consultants?

If yes, give details

.....  
.....



**PART VII: BUSINESS PROBITY AND LITIGATION HISTORY**

Please confirm whether any of the following criteria applies to your organization:

Note that failure to disclose information relevant to this section may result in your exclusion as a potential SASDEF supplier.

<b>No.</b>	<b>PARTICULARS</b>	<b>RESPONSE</b>
1	Is the organization bankrupt or being wound up, having its affairs administered by the court, or have entered into an arrangement with creditors, suspended business activities or any analogous situation arising from similar proceedings in Kenya or the country in which it is established?	
2	Please provide a statement of any material pending or threatened litigation or other legal proceedings where the claim is of a value in excess of Kshs 500,000/=	
3	Has any partner, director or shareholder been the subject of corruption or fraud investigations by the police, Ethics & Anti-Corruption Commission or similar authority in the country in which your organization is established?	
4	Has the organization not fulfilled obligations relating to the payment of any statutory deductions or	

	contributions including income tax as required under Kenyan law?	
5	Please state if any Director / Partner and / or Company Secretary of the Organization has a close relative who is employed by the Sports Fund and who is in a position to influence the award of any supply. For purpose of Registration process close relative refers to parents, siblings, spouse or children	

**PART VIII: SWORN STATEMENT**

Having filled and completed the Registration information for the above provision of legal services applied for I hereby state:

1. The information and answers furnished in this Registration questionnaire form (and any supporting documentation) are correct to the best of our knowledge and I understand that any misrepresentation will render my organization ineligible to participate in any future business activities with Sports, Arts and Social Development Fund.
2. That in case of being registered we acknowledge that this grants us the right to participate in due time in the submission of a tender/ RFP or quotation on the basis of provisions in the tender documents to follow.
3. We enclose all the required documents and information required for the Registration evaluation.
4. We will not engage in corrupt practices with the Fund/Members of Staff.
5. We have not been debarred from participating in Public Procurement Proceedings.

<b>FORM COMPLETED BY</b>	
Name:	
Designation:	
Signature:	
Date:	
Company Rubber Stamp /Seal	

(Full name and designation of the person signing and affix Rubber stamp/seal)