



**TENDER DOCUMENT FOR REGISTRATION OF
LEGAL SERVICES
2023-2026**

TENDER NO. KRC/2023/131

**REGISTRATION OF SUPPLIERS FOR PROVISION OF LEGAL SERVICES FOR
FINANCIAL YEAR 2023 - 2026**

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1. REGISTRATION INSTRUCTIONS

1.1 Invitation of Registration.

The Kenya Reinsurance Corporation Ltd invites sealed applications from competent firms for Registration of legal services for the period 2023 - 2026. Interested eligible law firms are invited to apply for prequalification.

Prospective bidders may download the tender document from the Kenya Re website **www.kenyare.co.ke**.

Completed Tender Documents in plain sealed envelopes clearly marked Tender No. should be addressed to: -

**Managing Director
Kenya Reinsurance Corporation Ltd
Reinsurance Plaza, Nairobi
Aga Khan Walk
P.O. Box 30271 - 00100
NAIROBI**

To be received by **13th June 2023 at 10.00 a.m.** The registration documents will be opened the same day and time in the Corporation's Boardroom in the presence of bidders or their representatives who choose to attend.

All applications must be clearly marked as follows:

"TENDER NO. KRC/2023/131 REGISTRATION FOR LEGAL SERVICES FOR 2023 – 2026"

The Kenya Reinsurance Corporation reserves the right to accept or reject any bids either in whole or in part and does not bind itself to give reasons for its action.

1.2 Experience

Prospective suppliers must have rendered legal services to private, public and Government institutions of similar size and complexity. Potential law firms must demonstrate the willingness and commitment to meet the registration criteria.

1.3 Registration Document

This document includes questionnaire forms and documents required of prospective service providers. In order to be considered for registration, prospective suppliers must submit all the information herein requested.

1.4 Invitation to Tenders/Quotations

As and when need arises, Quotations will be invited from pre-qualified firms in the relevant category in accordance with the public procurement regulations.

2. REGISTRATION DATA INSTRUCTIONS

2.1 REGISTRATION data forms

- 2.1.1 The attached questionnaire forms PQ-1, PQ-2, PQ-3, PQ-4, PQ5, PQ-6, and PQ-7 are to be completed by prospective bidder who wish to be listed/ registered as suppliers of legal services.
- 2.1.2 The Registration application forms must be filled fully and signed. Any **incomplete applications will lead to immediate disqualification.**

2.2 Qualification

- 2.2.1 It is understood and agreed that the registration data on a prospective bidder is to be used by Kenya Re in determining, **according to its sole judgment and discretion, the qualifications of prospective bidder to perform** in respect to the items/services required in the respective category.
- 2.2.2 Prospective bidders will not be considered qualified unless in the judgment of Kenya Re, 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 required.

2.3 Essential Criteria for Registration.

- 2.3.1 Experience: Prospective bidders shall have requisite experience in the provision of legal services and allied items. Potential law firms should show competence, willingness and capacity to service the contract.

3.2 Evaluation Criteria (detailed Categories)

See overleaf for the detailed evaluation criteria.

3.3 Evaluation Criteria (evaluation Categories)

Firms will be categorized in three (3) categories listed hereunder **after which** the detailed evaluation criteria will be applied for each firm under each category separately:

- Category 1 – Firms with one partner
- Category 2 – Firms with two to three partners
- Category 3 – Firms with more than three partners

DETAILED EVALUATION MATRIX		
EVALUATION REQUIREMENT	CRITERIA / PARAMETER	YES/NO
MANDATORY DOCUMENTS		
Copy of certificate of Registration of Practice (<u>Firm</u>);		
Copy of <u>firm's</u> valid certificate of tax compliance (to be verified with KRA Checker)		
Copy of <u>firm's</u> valid VAT & PIN Registration Certificates (this could be on one document issued by KRA please provide)		
Letter from Law Society confirming no cases of disciplinary action against <u>all the partners</u> of the firm;		
Copies of current (2023) practicing Certificates of Partners and Associates. <i>(Note: copy of 2022 certificate and proof of payment for 2023 certificate can suffice)</i>		
Proof of physical address i.e. signed Lease or Signed Letter of offer etc.		
Declaration that the firm is not debarred under the Public Procurement & Asset Disposal Act 2015.		
Proof of valid professional Indemnity Cover of KShs30 million and above.		
ANY BIDDER MISSING ONE OF THE ABOVE MANDATORY REQUIREMENT WILL BE DISQUALIFIED		
REGISTRATION DATA		

Duly completed registration form	5 marks for duly completed document and 0 marks for none	5 marks
<u>Check Firm Profile</u> showing a) number of partners and standing in the bar b) number of Associates and standing in the Bar d) number of paralegal staff & number of support staff;	1 mark per Partner upto a maximum of 2 partners. 1 mark per Associate for a maximum of 3 Associates. 5 marks for support staff.	10 marks
	Sub-total	15 marks
SUPERVISORY PERSONEL AND PAST EXPERIENCE		
Duly Completed Supervisory & Experience questionnaire	5 marks for duly completed document and 0 marks for none	5 marks
Experience and Curriculum vitae of Partners	If Lead partner has over 20 years of standing - 12 marks. If Lead partner has over 10-19 years of standing - 8 marks. If Lead partner is below 10 years of standing - 3 marks. Add 2 marks for attached CVs of all Partners.	14 marks
Curriculum Vitae of Associates;	2 marks for each CV upto a maximum of 3	6 marks
Reference letters on client letter heads (5) plus details of contact person;	2 marks for each client letter of reference including the contact person, upto a maximum of 5 clients	10 marks
	Sub-total	35 marks
FINANCIAL POSITION		
Six (6) months' current bank statement (Current period) – Office Accounts	10 marks for consistent liquidity / stability and 0 marks for negative or inconsistent liquidity.	10 marks
Threshold of professional Indemnity Cover	Over KShs50 million - 10 marks; KShs30 - 49million - 5 marks.	10 marks

	below KShs30 million - 0 Marks	
	Sub-total	20 marks
CONFIDENTIAL QUESTIONNAIRE		
Duly Completed Confidential Questionnaire	10 marks for duly completed questionnaire. 0 marks for non-compliance	10 marks
	Sub-total	10 marks
LITIGATION HISTORY		
Confirmation of past or pending litigation against the Corporation;	5 marks if no case against the Corporation. Disqualification if the firm has a case against the Corporation.	5 marks
	Sub-total	5 marks
SWORN STATEMENT		
Duly executed sworn statement	5 marks for duly completed sworn statement PQ7. 0 marks for non-compliance	5 marks
	Sub-total	5 marks
Total Score out of 90 (Bidders getting less than 75 marks will be disqualified)		

NB: Kenya Re Reserves the right to determine the maximum number of suppliers of Legal Services to the Corporation.

4. Submission of Registration Documents

The prequalification documents duly filled with the necessary attachments should be arranged in a systematic order during submission in bound form, in the following sequence:

PQ1 Registration documentation - **MANDATORY**

PQ2 Prequalification data form duly filled

PQ 3 Experience of the firm form duly filled with the necessary evidence

PQ 4 Copies of financial statements & Professional Indemnity Cover

PQ 5 Confidential Business Questionnaire duly filled

PQ 6 Litigation History

PQ7 Sworn Statement

Any other requirement as applicable e.g. firm profile, Copies of Admission and practicing certificates of all partners and Associates, letter from the Law Society confirming that the Partners have no pending disciplinary action against them, sworn Statutory Declaration that the firm has not been debarred under the Public Procurement and Asset Disposal Act, 2015 and proof of valid indemnity cover for Legal Services.

FORM PQ -1

REGISTRATION DOCUMENTATION

These preliminary registration / statutory documents **shall** be provided by all bidding firms.

- i) Copy of Certificate of registration **of the Firm.**
- ii) Copy of **Valid** tax compliance certificate from Kenya Revenue Authority **for the firm.** The validity will be verified using the KRA Checker.
- iii) Copies of PIN Certificate and VAT registration certificate **for the Firm.** These two may either be separate documents or be contained in one document issued by KRA which please provide.
- iv) Proof **of firm's** physical address i.e. signed valid Agreement for Lease or accepted letter of Lease or Agreement.
- v) Letter from the Law Society confirming that all the Partners of the Firm have no pending disciplinary action against them.
- vi) Sworn Statutory Declaration that **the firm** has not been debarred under the Public Procurement and Asset Disposal Act, 2015.
- vii) Copies of practicing certificates of all partners and Associates.
- viii) Proof of valid indemnity cover for Legal Services commensurate with the Corporation's portfolio.

NB: Failure to submit any of the above **mandatory** requirements will lead to **Automatic Disqualification.**

FORM PQ-2

REGISTRATION DATA

SUPPLIER IDENTIFICATION

1. Legal name of firm

.....

.....

Post office address.....Code.....

City / County.....

Country.....

Land Line Telephone No(s).....

.....

Cell phone No(s).....

.....

Person to contact.....

.....

Contact person cell phone No.....

2. Organization & Business Information

.....

Partnership (if applicable)

Names of Partners.....

.....
.....
.....
.....
.....
.....

3. Branches of firm (if any)

.....
.....
.....
.....
.....
.....

4. Under present management since

.....

5. Bank reference and address.....

.....
.....

6. **ENCLOSE COPY OF THE FIRM PROFILE INDICATING DETAILS OF THE PARTNERS, ASSOCIATES AND OTHER SUPPORT STAFF AND ALSO INDICATING MAIN FIELDS OF PRACTICE.**

FORM PQ-3

SUPERVISORY PERSONNEL AND PAST EXPERIENCE

A) ATTACH COPIES OF DETAILED CURRICULLUM VITAE OF ALL PARTNERS AND ALL ASSOCIATES IN THE FIRM.

B) NAMES OF APPLICANT'S OTHER CLIENTS DEALT WITH IN THE PAST

1. (i) Name of client (Organization).....

.....

(ii) Address

.....

(iii) Telephone No.....

(iv) Contact person

2. (i) Name of client (Organization).....

.....

(ii) Address

.....

(iii) Telephone No.....

(iv) Contact person

3. (i) Name of client (Organization).....

.....

(ii) Address

.....

(iii) Telephone No.....

(iv) Contact person

4. (i) Name of client (Organization).....

.....

(ii) Address

.....

(iii) Telephone No.....

(iv) Contact person

5. (i) Name of client (Organization).....

.....

(ii) Address

.....

(iii) Telephone No.....

(iv) Contact person

NB: Applicants shall attach current dated (not older than 1 year) letters of recommendation from at least 5 (five) of the major clients listed above.

FORM PQ-4

FINANCIAL STATEMENT & PROFESSIONAL INDEMNITY COVER

Attach 3 copies of the firm's bank statements for at least the past six months (Applicants to separate / differentiate Office bank accounts from Client bank accounts), together with proof of professional indemnity cover of at least **Kshs30 million** and above.

FORM PQ-5

CONFIDENTIAL BUSINESS QUESTIONNAIRE

You are requested to give the particulars indicated in part 1 and either part 2(a) 2 (b) or 2 (c) whichever applies in your type of business.

You are advised that it is a serious offence to give false information this Form which **if discovered will lead to automatic disqualification** of bidder:

Part 1- General:

Business Name.....

Location of Business premises.....

Plot No.....Street/Road.....

Postal Address.....Tel/No.....

Nature of Business.....

Current Trade License No.....Expiring date.....

Maximum value of business which you handle at any one-time K£.....

Name of your bankers.....

Branch.....

Are you an agent of the Kenya National Trading Corporation? YES/NO.....

Part 2 (a) – Sole Proprietor:

Your name in full.....Age.....

Nationality.....Country of origin.....

Citizenship details.....

Part 2 (b) – Partnerships:

Name Shares	Nationality	Citizenship Details
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1.....

2.....

3.....

4.....

5.....

FORM PQ-6

LITIGATION HISTORY

Name of Applicant: _____

Applicants should provide information on any history of litigation or arbitration on any matter(s) they are handling or prosecuting against the Corporation.

Year	Name of client, cause of Litigation and matter in dispute including case number (if available)	Status of matter

NB: Applicants may be disqualified here if any indications of conflict of interest are detected.

FORM PQ-7

SWORN STATEMENT

Having studied the REGISTRATION information for the above project We/I hereby state:

- a). The information furnished in our application is accurate to the best of our Knowledge.
- b). That in case of being pre-qualified we acknowledge that this grants us the right to participate in due time in the submission of tenders or

quotation(s) on the basis of provision in the quotation or tender documents.

Applicant Firm Name:

.....

Represented by:

.....

Designation:

Signature:

(and Firm's Stamp)

IN THE PRESENCE OF COMMISSIONER OF OATHS

_____ (stamp)

Date:

**REQUEST FOR REVIEW FORM
FORM RB 1
REPUBLIC OF KENYA
PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

APPLICATION NO.....OF.....20.....

BETWEEN

.....APPLICANT

AND

.....RESPONDENT (*Procuring Entity*)

Request for review of the decision of the..... (*Name of the Procuring Entity*)
ofdated the...day of20.....in the matter of Tender No.....of
.....20...

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical
address.....Fax No.....Tel. No.....Email, hereby request the Public
Procurement Administrative Review Board to review the whole/part of the above
mentioned decision on the following grounds , namely:-

- 1.
- 2.
- etc.

By this memorandum, the Applicant requests the Board for an order/orders that:

-

- 1.
- 2.
- etc

SIGNED(Applicant)

Dated on.....day of/...20...

FOR OFFICIAL USE ONLY

Lodged with the Secretary Public Procurement Administrative Review Board on
..... day of20.....

SIGNED

Board Secretary

NOTIFICATION OF COMPLETION OF REGISTRATION EXERCISE

REGISTRATION OF SUPPLIERS COMPLETION EXERCISE REGISTRATION OF LEGAL SERVICES 2023-2026 -TENDER NO KRC/2023/131

TO ALL APPLICANTS

Notice is hereby given that the registration exercise for the above tender has been completed.

The results of the registration exercise have been posted on the Kenya Re website www.kenyare.co.ke.

Please note that this communication is final as there will be no letters of notification to individual applicants.

Successful bidders should submit letters of acceptance to the Corporation immediately the notification is published on the website.

KENYA REINSURANCE CORPORATION LIMITED

QUALITY POLICY

As a **leading partner in securing the future**, we commit to **provide sustainable risk and financial solutions** through:

- Provision of risk management solutions that secure the future and create value for our stakeholders.
- Compliance with International Standards as well as Quality Management System (QMS) requirements as outlined in ISO 9001.
- Compliance with all applicable regulatory and statutory requirements, and any other requirements that may not be statutory/regulatory.

We undertake to realize the above by tracking and monitoring the performance of our Corporate Objectives, as outlined below:

- Growing shareholders' value** by improving the quality of reinsurance business portfolio; maximizing return on investments; containing management expenses and improving credit control operations.
- Improving customer centricity** through enhancing customer satisfaction; maintaining ISO 27001 and ISO 9001 certifications and initiating IT capability and maturity assessment.
- Improving analytics capabilities** by utilizing smart analytics to increase efficiency and grow into new markets.
- Leveraging on technology to improve processes** by enhancing use of new information technologies; providing a robust and secure IT infrastructure; enhancing collaboration across the Corporation through digital solutions and protecting integrity of the Corporation's information and IT assets.
- Growing market share** through enhancing brand visibility and recognition; improving credit rating; and advocating for domestication of insurance and reinsurance for government projects.
- Strengthening the human resource capacity** by attracting and retaining competent and diverse human resource; building staff capacity; implementing a culture change programme and strengthening performance management systems.
- Strengthening governance practices** by reviewing the existing legal and regulatory framework and streamlining decision-making authority levels within the Kenya Re Group.



viii) Enhancing enterprise risk management through enhancing risk maturity; enhancing business continuity and enhancing actuarial function.

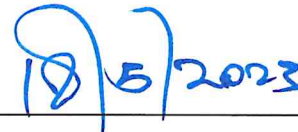
ix) Strengthening internal controls by enhancing assurance reporting to the HQ and subsidiary audit committee boards and enhancing internal controls.

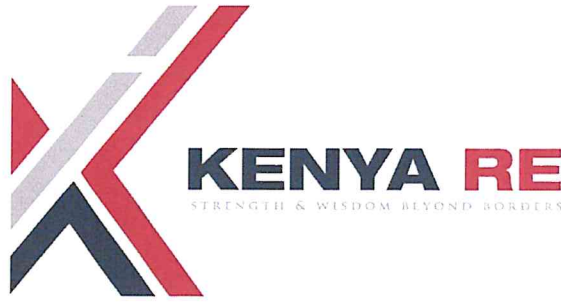
Consistent with this policy, specific quality objectives have been established at relevant functions and levels within the Corporation. By mutual encouragement, commitment and cooperation through teamwork, all Kenya Re employees will perform their tasks diligently towards the achievement of our quality objectives and continual improvement of the quality management system.

This Policy shall be communicated and understood internally by all employees, and externally by all other stakeholders as well (through our website: www.kenyare.co.ke). It shall be reviewed for continuing suitability taking into account changing Quality Management System requirements and other best practices.


DR. HILLARY WACHINGA,
MANAGING DIRECTOR

DATE: _____





PUBLIC

KENYA REINSURANCE CORPORATION LIMITED

INFORMATION SECURITY POLICY

It is the policy of the Kenya Reinsurance Corporation (Kenya Re) that information confidentiality, integrity, and availability requirements, needs and expectations of interested parties are identified and that information is protected through a systematic process of risk assessment and risk treatment to satisfy, as appropriate, interested parties and needs of the Corporation in consideration of its mission to provide risk management solutions that secure the future and create value for stakeholders.

To ensure the integration and effective management of information security practices within Kenya Re, an Information Security Management System (ISMS) has been established, implemented, maintained, and shall be continually improved in accordance with the requirements of ISO/IEC 27001. The management system shall be independently audited for conformity at least once annually and results reported to the Managing Director.

As part of this framework, measurable information security objectives shall be established and monitored in the Corporation at all departmental levels. The overall performance of the ISMS shall be reviewed by the Management at planned intervals, and at least once annually or in the event of significant changes to ensure the continuing suitability, adequacy, and effectiveness of the ISMS.

The Corporation is committed to:-

- Establishing, implementing, maintaining, and continually improving the ISMS in accordance with the requirements of ISO/IEC 27001,
- Establishing and reviewing Information Security objectives at all Functions,
- Managing of information security risks through risk assessment and treatment,
- Reviewing the ISMS at planned intervals and in the event of significant changes to ensure its continuing suitability, adequacy, and effectiveness, and
- Providing assurance to interested parties of the Corporation's information security capability and commitment in meeting their requirements and expectations through third-party audits.

This Policy shall be communicated and understood internally by all employees, and externally by all other stakeholders as well (through our website: www.kenyare.co.ke). It shall be reviewed for continuing suitability taking into account changing Information Security Management System requirements and other best practices.


DR. HILLARY WACHINGA,
MANAGING DIRECTOR

DATE: _____

18/5/2023



PUBLIC

KENYA REINSURANCE CORPORATION LIMITED

ANTI – CORRUPTION POLICY

Kenya Re has committed itself to “Zero” tolerance on corruption and working with the government and other agencies in tackling the vice. Part of our corporate values is “integrity”; Kenya Re does not engage in corruption or any form of unethical inducement or payment including facilitation payments and “kickbacks”.

In order to achieve this, Kenya Re is committed to ensure that:

- No form of bribery or corruption is tolerated.
- Strong internal controls to avert any form of corruption are put in place at all times.
- All employees avoid any activities that might lead to or suggest a conflict of interest with the business of the Corporation.
- Employees declare gifts accepted or offered which will be subjected to managerial review.
- A strong corporate governance framework which encompasses accountability, transparency, participation, equality, rule of law, capacity and competence and responsiveness to people’s needs is consistently embraced.
- Immoral behaviour, favouritism, discrimination and nepotism are not tolerated.
- All corruption cases reported by any employee are handled expeditiously and fairly.
- The protection of the identity of persons making corruption disclosures and also take all possible actions to protect individuals subject to unfair or malicious allegations.
- For disciplinary cases, the process as detailed in the HR Policy will be followed.
- Staff are continuously sensitized and trained on matters of ethics and integrity once every year.

This Policy document shall be reviewed from time to time at such intervals as management may determine.


DR. HILLARY WACHINGA,
MANAGING DIRECTOR

DATE:

18/5/2023