

No	Requirements
MR 2	A copy of a valid Professional Indemnity Cover for the year 2022 Amended to read: A copy of a Professional Indemnity Cover for the year 2022 or 2023

4. STAGE 2: TECHNICAL EVALUATION ON CAPACITY TO DELIVER THE CONTRACT

i. TECHNICAL REQUIREMENT NO. 1

The marks for Technical Requirement No.1 have been redistributed as follows:

- Main office in Nairobi – six (6) marks;
- Main office in any other town/city where KenGen operates (Kisumu, Naivasha, Kitale, Mombasa, Embu, Machakos, Muranga and Nyeri) – three (3) marks;
- Branches in any other town other than 1 & 2 – one (1) mark.

ii. TECHNICAL REQUIREMENT NO. 2

The below shall replace the requirement in the Prequalification document:

No	Criteria	Procuring Entity's Requirement (Full scores for compliance and graduated scores for partial compliance)	Law Firm's Response
1	Give two (2) clients with above KSh.5 Billion annual turnover.	Maximum marks are 8. 4 Marks for each client	
2	Give two (2) letters of reference from client(s) with above KSh. 100 Million but not more than KSh. 5 Billion annual turnover	Maximum marks are 6. 3 Marks for each brief"	
3	Give two (2) letters of reference from client(s) with annual turnover below 100 Million	Maximum marks are four (4). Two (2) Marks for each brief"	

Note:

Attach evidence of annual turnover and representation in the legal matters in the last Five (5) Years.

iii. TECHNICAL REQUIREMENT NO. 3

The below statement is amended:

~~Satisfactory Resolution/Conclusion of Legal Matters or Services rendered in the respective category from any Four out of the Eight Clients in Technical Requirement No. 2 above~~
Maximum awardable marks are 12 broken down as per the table TR 3 below.

Satisfactory Resolution/Conclusion of Legal Matters or Services rendered in the respective category from any Three out of the Six Clients in Technical Requirement No. 2 above

Maximum awardable marks are 12, four (4) marks for each brief

The below Notes to table TR 3 is amended:

- ~~1) Please give four clients that your firm handled competently and professionally in the best interests of the client.~~
- 1) Please give three letters of reference that your firm handled competently and professionally in the best interests of the client

iv. TECHNICAL REQUIREMENT NO. 4

The below shall replace the criteria in the Prequalification document:

No	Criteria	Procuring Entity's Requirement (Full scores for compliance and graduated scores for partial compliance)	Law Firm's Response
2	Partner's Years of legal experience (state number; attach evidence)	<p>Maximum marks are Four (4) Marks</p> <p>Above 20 years — Four (4) Marks</p> <p>Less than 20 years — Scores to be awarded pro-rata for the years of experience (number of years divided by twenty multiplied by four)</p> <p>Amended as:</p> <p>Maximum marks are Four (4) Marks</p> <p>Above 15 years – Four (4) Marks</p> <p>Less than 15 years – Scores to be awarded pro-rata for the years of experience (number of years divided by fifteen multiplied by four)</p>	
3	<p>Proof of relevant professional Membership(s) and trainings (indicate and attach evidence)</p> <p>All Categories</p>	<p>Amended as:</p> <p>One (1) Mark for valid membership to the Law Society of Kenya (LSK) for 2022 or 2023</p> <p>One (1) mark for training or being a trainer in the relevant category</p>	

v. TECHNICAL REQUIREMENT NO. 5

The below shall replace the criteria in the Prequalification document:

No	Criteria	Procuring Entity's Requirement (Full scores for compliance and	Law Firm's Response
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		graduated scores for partial compliance)	
3	Proof of relevant professional Membership(s) and trainings (indicate and attach evidence) All Categories	Amended as: One (1) Mark for valid membership to the Law Society of Kenya (LSK) for 2022 or 2023 One (1) mark for training or being a trainer in the relevant category	

vi. TECHNICAL REQUIREMENT NO. 6

The below statement is amended:

~~Experience in representing or advising a public entity or energy utility entity by the Law Firm in the last Three Years.~~

Experience in representing or advising a public entity or energy utility entity by the Law Firm in the last Five (5) Years

For each Criteria, marks awarded amended as follows;

*3.5 marks will be given for any of the following; **letter of instructions, letter of engagement and/or contract***

BIDDER’S ACKNOWLEDGEMENT OF ADDENDUM NO.2

We, the undersigned hereby certify that the addendum is an integral part of the document and the alterations set out in Addendum have been incorporated in our tender document.

Signed

Tenderer

Date