



# **KenGen**

KENYA ELECTRICITY GENERATING COMPANY PLC

KGN-SALE-001~2025

RFX: 5000016304

**TENDER FOR SALE OF CERTIFIED EMISSION REDUCTIONS  
(OPEN INTERNATIONAL)**

Kenya Electricity Generating Company PLC  
Stima Plaza Phase III, Kolobot Road, Parklands  
P.O. BOX 47936-00100  
NAIROBI.

Website: [www.kengen.co.ke](http://www.kengen.co.ke)

February 2025

## TABLE OF CONTENTS

A.	Address for obtaining further information and for purchasing bid documents.....	3
B.	Address for Opening of Bids. ....	3
<b>SECTION I - INSTRUCTIONS TO BIDDERS .....</b>		<b>5</b>
1.0.	Eligible Bidders.....	5
4.0.	The Bid Document.....	5
5.0.	Clarification of Documents .....	5
6.0.	Amendment of Documents .....	6
7.0.	Tender Prices and Currencies.....	6
8.0.	Tender deposit.....	6
9.0.	Validity of Tenders .....	6
10.0.	Viewing of Tender Items .....	6
11.0.	Sealing and Marking of Tenders.....	6
12.0.	Deadline for Submission of Tenders.....	7
13.0.	Modification of tenders.....	7
14.0.	Withdrawals and tenders.....	7
15.0.	Opening of Tenders.....	7
16.0.	Clarification of tenders.....	7
17.0.	Evaluation and Comparison of Tenders .....	8
18.0.	Award Criteria.....	8
19.0.	Notification of Intention to enter into a Contract/Notification of Award.....	8
20.0.	Canvassing/Contacting the Procuring Entity .....	8
<b>STAGE 2: FINANCIAL EVALUATION.....</b>		<b>14</b>
<b>COMPANY PROFILE &amp; PRODUCT DESCRIPTION.....</b>		<b>15</b>
<b>SECTION II - SCHEDULE OF ITEMS AND PRICES (.....)</b>		<b>17</b>
<b>SECTION III - CONDITIONS OF TENDER .....</b>		<b>18</b>
<b>SECTION IV - STANDARD FORMS.....</b>		<b>19</b>
1.	Form of Tender .....	20
2.	Confidential Business Questionnaire Form.....	22
3.	Declaration and Commitment to the Code of Ethics .....	27
4.	Letter of Notification of Award .....	28
5.	Copy of the Letter of Notification of Award .....	29
6.	Request for Review.....	31
<b>(Amended and issued pursuant to PPRA CIRCULAR No. 02/2022) .....</b>		<b>33</b>

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## INVITATION TO BID

PROCURING ENTITY: *Kenya Electricity Generating Company PLC (KenGen)*

CONTRACT NAME AND DESCRIPTION: *TENDER FOR SALE OF CERTIFIED EMISSION REDUCTIONS*

1. ***KenGen*** invites sealed bids from eligible candidates to purchase ***CERTIFIED EMISSION REDUCTIONS***
2. Interested eligible candidates may obtain further information at the address provided below. Items will be sold as they are, without any encumbrances.
3. Interested bidders are required to have reviewed the project at the UNFCCC Website using the Project IDs provided in the Bid Document.
4. Completed bid documents must be submitted electronically through KenGen tender portal (<https://eprocurement.kengen.co.ke:50001/irj/portal>) on or before **26<sup>th</sup> February 2025 at 1400hrs East African Time.**
5. Prices quoted should be inclusive of VAT, must be in US Dollars and shall remain valid for the period to be determined by the Procuring Entity from the closing date of the tender.
6. Bids will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Bids will be publicly opened in the presence of the bidders' designated representatives who choose to attend at the address below.
7. Bids received after the submission date as specified in clause 11.0 will be rejected.
8. The addresses referred to above are:
  - A. **Address for obtaining further information and for purchasing bid documents**

General Manager Supply Chain  
Kenya Electricity Generating Company PLC  
Stima Plaza Phase III, Kolobot Road, Parklands  
P.O. BOX 47936-00100  
9<sup>th</sup> Floor
  - B. **Address for Opening of Bids.**

General Manager Supply Chain  
Kenya Electricity Generating Company PLC  
Stima Plaza Phase III, Kolobot Road, Parklands  
P.O. BOX 47936-00100  
9<sup>th</sup> Floor
9. **Note:** *Electronic submission shall be permitted through our e-procurement platform found at [www.kengen.co.ke](http://www.kengen.co.ke) (<https://eprocurement.kengen.co.ke:50001/irj/portal>) on or before before 26<sup>th</sup> February 2025 at 1400hrs East African Time.*  
**Firefox Mozilla is the preferred web browsers.**

KenGen adheres to high standards of integrity in its business operations.  
Report any unethical behavior immediately to any of the provided anonymous hotline service.

- 1) Call Toll Free: 0800722626;
- 2) Free-Fax: 00800 007788;
- 3) Email: [kengen@tip-offs.com](mailto:kengen@tip-offs.com)
- 4) Website: [www.tip-offs.com](http://www.tip-offs.com)

GENERAL MANAGER SUPPLY CHAIN

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## **SECTION I - INSTRUCTIONS TO BIDDERS**

### **1.0. Eligible Bidders**

- 1.1 This bid invitation is open international.
- 1.2 Bidders shall be under a declaration of ineligibility for corrupt or fraudulent practices
- 1.3 The Procuring Entity's employees, board members and their Spouses, Children, Parents, Brothers or Sisters are not eligible to participate in the bid unless where specifically allowed under section 131 of the Act.

2.0. A Kenyan bidder shall provide evidence of having fulfilled their tax obligations by producing a valid tax compliance certificate or tax exemption certificate issued by the Kenya Revenue Authority.

### **3.0. Cost of Bidding**

- 3.1. The bidder shall bear all costs associated with the preparation and submission of its bidder, and the Procuring Entity, will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.
- 3.2. The Procuring Entity shall allow the bidder to review the bid document and the goods to be sold free of charge before bidding.

### **4.0. The Bid Document**

- 4.1. The bid document comprises the documents listed below, and any addenda issued in accordance with clause 2.5 of these instructions to bidders.
  - i) Invitation to bid,
  - ii) Instructions to bidders,
  - iii) Schedule of items and prices,
  - iv) Conditions of Tender,
  - v) Form of tender,
  - vi) Confidential Business Questionnaire Form,
  - vii) Tender Commitment Declaration Form.
- 4.2. The bidder is expected to examine all instructions, forms, terms and specifications in the bid documents. Failure to meet all the requirements of the bid will be at the bidder's risk and may result in the rejection of its bid.

### **5.0. Clarification of Documents**

- 4.1 A prospective tenderer requiring any clarification of the tender document may notify the Procuring Entity in writing or by post at the entity's address indicated in the Invitation for tenders. The Procuring Entity will respond in writing to any request for clarification of the tender documents, which it receives not later than thirty (30) days prior to the deadline for the submission of tenders, prescribed by the Procuring Entity. Written copies of the Procuring entities response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers that have received the tender document.
- 4.2 Clarification of tenders shall be requested by the tenderer to be received by the Procuring Entity not later than 7 days prior to the deadline for submission of tenders.

- 4.3 The Procuring Entity shall reply to any clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.

#### **6.0. Amendment of Documents**

- 6.1. At any time prior to the deadline for submission of tenders, the Procuring Entity, may for any reasons, whether at its own initiative or in response to a clarification requested by a prospective tenderer, modify the tender documents by amendment
- 6.2. All prospective candidates that have received the tender documents will be notified of the amendment in writing or by post and will be binding on them.
- 6.3. In order to allow prospective tenderers reasonable time in which to take the amendment in to account in preparing their tenders, the Procuring Entity, at its discretion, may extend the deadline for the submission of tenders.

#### **7.0. Tender Prices and Currencies**

- 7.1. The tenderer shall indicate on the appropriate Price Schedule the unit prices and total tender price of the item it proposes to purchase under the contract.
- 7.2. Prices quoted by the tenderer shall be fixed during the tender validity period and not subject to variation on any account. A tender submitted with an adjustable price quotation will be treated as non-responsive and will be rejected.
- 7.3. The Price quoted shall be in US Dollars.

#### **8.0. Tender deposit**

- 8.1. There will be no tender deposit for this bid.

#### **9.0. Validity of Tenders**

- 9.1 Tenders shall remain valid for 60 days or as specified in the appendix to instruction to tenderers after date of tender opening prescribed by the Procuring Entity, pursuant to paragraph 2.10. Tender valid for a shorter period shall be rejected by the Procuring Entity as non-responsive.
- 9.2 In exceptional circumstances, the Procuring Entity may solicit the Tenderer's consent to an extension of the period of validity. The request and the responses there to shall be made in writing. The tender deposit provided under paragraph 2.7 shall also be suitably extended. A tenderer may refuse the request without forfeiting its tender deposit. A tenderer granting the request will not be required nor permitted to modify its tender.

#### **10.0. Viewing of Tender Items**

- 10.1 Prospective tenders are advised to view the items to be sold before tendering. This will enable them to arrive at the most reasonable and competitive tenders. Tenders are based on "AS WHERE IT IS AND THE CONDITION IT IS IN" and the conditions of the items are not guaranteed or warranted by the seller.

#### **11.0. Sealing and Marking of Tenders**

- 11.1 *Electronic submission shall be permitted through our e-procurement platform found at [www.kengen.co.ke](http://www.kengen.co.ke) (<https://eprocurement.kengen.co.ke:50001/irj/portal>) on or before 26<sup>th</sup> February 2025 at 1400hrs East African Time*      **Firefox Mozilla is the**

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preferred web browser.

## **12.0. Deadline for Submission of Tenders**

- 12.1. Tenders must be received by the Procuring Entity at the address specified not later than **26<sup>th</sup> February 2025 at 1400hrs East African Time.**
- 12.2. The Procuring Entity may, at its discretion, extend this deadline for the submission of tenders by amending the tender documents in accordance with paragraph 2.5.in which case all rights and obligations of the Procuring Entity and tenderers previously subject to the deadline will thereafter be subject to the deadline as extended.

## **13.0. Modification of tenders**

- 12.1 The tenderer may modify or withdraw its tender after the tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tenders, is received by the Procuring Entity prior to the deadline prescribed for submission of tenders.
- 12.2 The Tenderer's modification or withdrawal notice shall be prepared, sealed, marked, and dispatched in accordance with the provisions of paragraph 2.9.1. A withdrawal notice may also be sent by fax or email but followed by a signed confirmation copy, post marked not later than the deadline for submission of tenders.
- 12.3 No tender may be modified after the deadline for submission of tenders

## **14.0. Withdrawals and tenders**

- 14.1. No tender may be withdrawn in the interval between the deadline for submission of tenders and the expiration of the period of tender validity specified by the tenderer. Withdrawal of a tender during this interval may result in the tenderer's forfeiture of its tender deposit, pursuant to paragraph 2.7.5

## **15.0. Opening of Tenders**

- 15.1 The Procuring Entity will open all tenders in the presence of tenderers' representatives who choose to attend at the location specified in the invitation to tender. The tenderers or representatives who are present shall sign a register evidencing their attendance.
- 15.2 The tenderers' names, tender modifications or withdrawals, tender prices, and the presence or absence of requisite tender deposit and such other details as the Procuring Entity, at its discretion, may consider appropriate, will be announced at the opening.
- 14.3 The Procuring Entity will prepare minutes of the tender opening.

## **16.0. Clarification of tenders**

- 15.1 To assist in the examination, evaluation and comparison of tenders the Procuring Entity may, at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.

15.2 Any effort by the tenderer to influence the Procuring Entity in the Procuring Entity's tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

#### **17.0. Evaluation and Comparison of Tenders**

17.1 The Procuring Entity will examine the tenders to determine whether they are complete, whether the tenderer has fulfilled the eligibility criteria, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non-responsive, will be rejected by the Procuring Entity.

17.2. Provided that the Tender is substantially responsive, the Procuring Entity shall handle errors on the following basis:

- a) Any error detected if considered a major deviation that affects the substance of the tender, shall lead to disqualification of the tender as non-responsive.
- b) Any errors in the submitted tender arising from a miscalculation of unit price, quantity, subtotal and total bid price shall be considered as a major deviation that affects the substance of the tender and shall lead to disqualification of the tender as non-responsive .and
- c) If there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.

17.3 The Procuring Entity will evaluate and compare the tenders, which have been determined to be substantially responsive.

17.4 The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

#### **18.0. Award Criteria**

18.1 The Procuring Entity will award the contract to the successful tenderer(s) whose tender has been determined to be substantially responsive and has been determined to be the highest tendered price, subject to the reserve price.

#### **19.0. Notification of Intention to enter into a Contract/Notification of Award**

18.1 Prior to the expiration of the period of tender validity, the Procuring Entity will notify the successful tenderer in writing that its tender has been accepted.

18.2 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

#### **20.0. Canvassing/Contacting the Procuring Entity**

20.1. No tenderer shall contact the Procuring Entity on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded.

20.2. Any effort by a tenderer to influence the Procuring Entity in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of



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the tenderer's tender.

## BID DATA SHEETS

No	Instructions to Bidders Reference	Particulars of appendix to Instructions to Bidders
1	Eligibility	<b>This bid is Open International</b>
2	Clarification	Clarification to the tender shall be responded to for request received no later than 7 days to the bid closing date. Bidders' queries must be sent through email to <a href="mailto:tenders@kengen.co.ke">tenders@kengen.co.ke</a> and copy <a href="mailto:skirakou@kengen.co.ke">skirakou@kengen.co.ke</a> ; <a href="mailto:jmetto@kengen.co.ke">jmetto@kengen.co.ke</a> ; <a href="mailto:jwere@kengen.co.ke">jwere@kengen.co.ke</a>
3	Award criteria	The award shall be to the <b>highest evaluated bidder</b>
4	Reserve Price	The award price shall be the highest evaluated bidder subject to a reserve price of <b>USD 4.50 per CER</b>
5	Bid Validity	The Bid is valid for <b>154 days</b> .
6	Bid closing date	<b>26<sup>th</sup> February 2025 at 1400hrs East African Time.</b>
7	Bid prices	Prices indicated in the bid price schedule shall be Exclusive of all applicable taxes.
8	Bid Currencies	Price shall be in US Dollars (USD)
9	Bid eligibility and qualifications	Proof of eligibility, qualification, and submission of documents as evidence (Refer to evaluation criteria comprising of Mandatory Preliminary and Financial)
10	Payments	<p>Sum total of the bid price must be made before Transfer of the Certified Emissions Reductions from the CDM Registry to the winning bidder(s) account of nominated account (s)</p> <p>The payment shall be without any deduction or withholding for or on account of tax (a "Tax Deduction") unless a Tax Deduction is required by law. If a Tax Deduction is required by law in a jurisdiction is to be made, the amount of the payment due shall be increased to an amount which {after making any Tax Deduction) leaves an amount equal to the payment which would have been due if no Tax Deduction had been required.</p> <p>The bid price shall be exclusive of any VAT or any other charges. If VAT is chargeable, the buyer of CER shall also and at the same time pay to the recipient of the relevant payment an amount equal to the amount of the VAT.</p>
11	Submission of Bids	<b>SUBMISSION OF TENDERS: Electronic –Procurement System</b>

The tender **MUST** be submitted through our e-procurement platform found at [www.kengen.co.ke](http://www.kengen.co.ke) (<https://eprocurement.kengen.co.ke:50001/irj/portal>)

On or before 26<sup>th</sup> February 2025 at 1400hrs East African Time

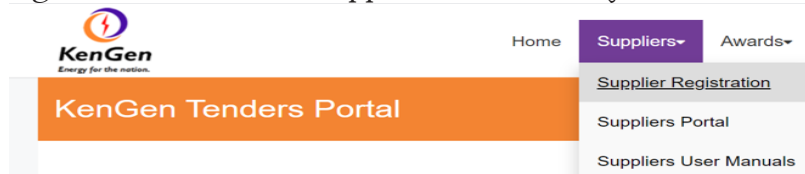
**SUBMISSION OF TENDERS:**

**Firefox Mozilla is the preferred web browsers.**

[Hard copies of the tender document **shall not be permitted**]

For suppliers registering for the first time using the link

[https://supplierregistration.kengen.co.ke:4302/slc\\_selfreg\(bD1lbiZjPTMwMCZkPW1pbg==\)/bspwdapplication.do#VIEW\\_ANCHOR-ROS\\_TOP](https://supplierregistration.kengen.co.ke:4302/slc_selfreg(bD1lbiZjPTMwMCZkPW1pbg==)/bspwdapplication.do#VIEW_ANCHOR-ROS_TOP) ensure the “Public Tender” checkbox is ticked so that the login details are sent to suppliers automatically.


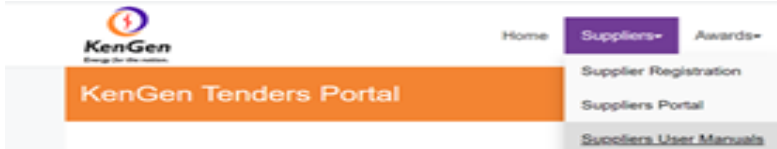


It is a mandatory requirement that all documents are uploaded to the SRM System through the link: <https://eprocurement.kengen.co.ke:50001/irj/portal> , log-in to access the published events under ‘**RFx and Auctions**’ tab.

After clicking on the Event Number, then click on Register (for Open tenders), then click on ‘Create Response’, bidders to click on ‘**Technical RFx Response**’ tab to access the cfolder page to upload your document.

**Instructions to Bidders: Caution on Uploading Bid Documents**

- a. **Preferred Submission Method:** Bidders are advised to use the C-Folder for submitting their tenders. This platform is specifically designed to handle bulky technical bid documents of up to 99MB per file.
- b. **Exceeding File Size Limit:** In the event that the bid response exceeds the 99MB limit: -
  - i. Bidders should try to compress the pdf file first to file size less than 99MB and if compressing doesn't reduce the file size consider option (ii) below.
  - ii. Split the documents into two or more separate files before submission. This ensures the integrity of the tendering process and accurate evaluation of all necessary information.
- c. Bids uploaded on **Notes and Attachments" Tab** may have a transmission failure and the bid may not be successfully received through the system and KenGen will not be held accountable for failure to transmit on eProcurement portal.

		<p>d. <b>Assistance and Inquiries:</b> For any questions or further assistance, bidders are encouraged to reach out to the team at least 24 hours before submission deadline through <a href="mailto:eprocurement@kengen.co.ke">eprocurement@kengen.co.ke</a>; or <a href="mailto:tenders@kengen.co.ke">tenders@kengen.co.ke</a>; or visit our offices through the Karibu Centre.</p> <ul style="list-style-type: none"> <li>Prices <b>MUST</b> be entered under item tab of the RFX and <b>MUST</b> be similar to the prices in the price/BoQ Schedule.</li> </ul>  <ul style="list-style-type: none"> <li>Bidders should confirm on the supplier portal that the status of their RFX response shows “Submitted” and not “Saved” to ensure their RFX response is submitted.</li> </ul> <table border="1" data-bbox="391 772 1244 900"> <thead> <tr> <th>Event Number</th> <th>Event Description</th> <th>Event Type</th> <th>Event Status</th> <th>Start Date</th> <th>End Date</th> <th>Response Number</th> <th>Response Status</th> </tr> </thead> <tbody> <tr> <td>5000000000</td> <td>Test Bid Invite to Bidders</td> <td>Open Tendering</td> <td>Published</td> <td></td> <td>22.09.2024</td> <td>6000000000</td> <td>Saved</td> </tr> <tr> <td>5000000000</td> <td>Test Bid Invite in sus portal</td> <td>Open Tendering</td> <td>Published</td> <td></td> <td>15.02.2025</td> <td>6000000000</td> <td>Submitted</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>Bidders who have submitted their bids should not click on WITHDRAW but click on EDIT to amend their bid response with appropriate changes if they desire to do so.</li> <li>Manuals to guide on the bidding process are accessible via the KenGen Tenders Portal.</li> </ul>  <p>Bidders to note that <b>system challenges/support</b> related to bid submission issues shall be <b>addressed 48 hours before</b> tender opening date and time.</p>	Event Number	Event Description	Event Type	Event Status	Start Date	End Date	Response Number	Response Status	5000000000	Test Bid Invite to Bidders	Open Tendering	Published		22.09.2024	6000000000	Saved	5000000000	Test Bid Invite in sus portal	Open Tendering	Published		15.02.2025	6000000000	Submitted
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1 2	Deadli ne and Submis sion of Bid	The Bid documents should be submitted online through KenGen bid portal before submission deadline. Bid Closing Date and Time: <b>26<sup>th</sup> February 2025 at 1400hrs East African Time</b> Bid Opening Date at Time: <b>26<sup>th</sup> February 2025 at 1430hrs East African Time</b>																								
1 3	Prelimi nary Exami nation	The bid sum as submitted and read out during bid opening is absolute and shall not be subject to correction, adjustment or amendment on any way Sec.82 of PPADA 2015, Subject to section 79(2)(b) of the Act. Any error in the submitted tender arising from a miscalculation of unit price, quantity, subtotal, and total bid price shall be considered as a major deviation that affects substances of the tender and shall lead to disqualification of the tender as non-responsive.																								
1 4	Due Dilige nce	KenGen may at its own discretion conduct due diligence on the eligible bidders to establish their ability to perform the contract before the award of the contract.																								

## STAGE 1: MANDATORY PRELIMINARY REQUIREMENTS

The following **Mandatory Preliminary Requirements** must be met notwithstanding other requirements in the bid document:

NO	REQUIREMENTS	EVALUATION (YES/NO)
MR 1	Copy of Registration Certificate /Certificate of Incorporation in the country of domicile.	
MR 2	Copy of valid Tax compliance certificate and KRA PIN Certificate or Equivalent in country of domicile.	
MR 3	Copy of valid business permit or equivalent in country of domicile.	
MR 4	Dully filled, Signed and Stamped Confidential Business Questionnaire	
MR 5	Dully filled, Signed and Stamped Form of Tender.	
MR 6	Dully filled, Signed and Stamped Price Schedule.	
MR 7	The Bid <b>MUST</b> be submitted in the required format and serialized on each page of the bid submitted, <b>Sec.74.1.i.</b> of the PPADA, 2015.	
MR 8	Dully filled, Signed and Stamped Addendum(s)/clarification(s) issued must be attached (where Applicable)	
MR 9	Tender documents Must be submitted through our e-procurement platform found at <a href="http://www.kengen.co.ke">www.kengen.co.ke</a> ( <a href="https://eprocurement.kengen.co.ke:50001/irj/portal">https://eprocurement.kengen.co.ke:50001/irj/portal</a> )	
MR 10	The tender must be duly filled and signed by the person lawfully authorized to do so through the tender specific Power of Attorney using the format provided in the tender document.	
MR 11	Dully filled, Signed and Stamped Self Declaration form that the bidder is not debarred in the matter of PPADA 2015	
MR 12	Dully filled, Signed and Stamped Self Declaration form that the bidder will not engage in any corrupt or Fraudulent Practice.	
MR 13	Copy of a valid CR 12 issued within 6 months of tender closure (where applicable) or equivalent in the country of domicile. (Not Applicable to sole Proprietors who must attach copy of ID.)	
MR 14	Joint Venture (JV) agreement signed by both parties in case of a JV/Consortium (where applicable).	
MR 15	The bidder <b>MUST</b> indicate in the space provided in the bid document the period it requires to pay for the CER's and not later than <b>60 days</b> from the bid award failure to which the bid will be disqualified from the award. A duly signed payment commitment letter shall be attached as part of the tender submission.	

MR 16	The bidder MUST demonstrate previous successful participation in Emission Reduction trading/transactions of CER's or VER's by Submission of evidence e.g. Invoices, References, Payment Confirmation or CER's Transfer/Voluntary Cancellation Certificates from successful purchase of CER's within the last two (2) years.	
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**IMPORTANT NOTE:** Bidders must comply with **all the above requirements including submission of requested evidence** to proceed to the second stage of financial evaluation.

**STAGE 2: FINANCIAL EVALUATION**

- i. Comparison of prices quoted
- ii. **Award shall be to the highest evaluated bidder per item.**
- iii. Bid sum as submitted and read out during bids opening is absolute and final and shall not be subject to correction, adjustment or amendment in any way or by any person or entity

## COMPANY PROFILE & PRODUCT DESCRIPTION

Kenya Electricity Generating Company PLC (KenGen) is the leading power generation company in Kenya. The company is listed on the Nairobi Securities Exchange, with the Government of Kenya holding 70% of the shares and the public owning 30%. Driven by its 2034 Good-to-Great (G2G) Transformation Strategy, KenGen aims to create sustainable value across generations. Operating in a liberalized market alongside other Independent Power Producers (IPPs), KenGen strives to maintain its leadership in providing reliable, high-quality, safe, and competitively priced electricity, contributing to the economic goals outlined in Kenya's Vision 2030.

KenGen has a total installed capacity of **1,726 MW** representing 65% of the installed electricity installed capacity. Over 93% of the energy portfolio of the company come from renewable sources. The breakdown of the energy sources include; Hydro (826 MW), Geothermal (754 MW), Thermal (120 MW), and Wind (26 MW).

KenGen has participated in overall reduction of carbon emissions from the atmosphere through participation in the Clean Development Mechanism (CDM) under the Kyoto Protocol as well as venturing in clean energy generation. KenGen has six projects registered under the CDM with potential reduction emissions of **1.5 million tCO<sub>2e</sub> annually**. The projects are;

1. Optimization of Kiambere Hydro Power Project
2. Redevelopment of Tana Hydro Power Station Project
3. 5.1MW Grid Connected Wind Electricity Generation at Ngong Hills, Kenya
4. Olkaria II Geothermal Expansion Project
5. Olkaria IV Geothermal Project
6. Olkaria I Units 4&5 Geothermal Project

Three of KenGen CDM projects were issued with additional **1,806,250 CER's** excluding the contribution to share of proceeds in June 2024 as detailed below: -

No.	Project	UN Project ID	Date of CER's Issuance	Available CER's
1	Olkaria I Units 4 & 5 Geothermal Project,	8643	13/06/2024	853,361
2	Olkaria II Geothermal Expansion Project	3773	12/06/2024	111,904
3	Olkaria IV Geothermal Project	8646	13/06/2024	840,985
	<b>Total (tCO<sub>2e</sub>)</b>			<b>1,806,250</b>

KenGen is therefore offering **1,806,250 CER's** as detailed above for sale with the possibility to include additional CERs when they are issued or are available from our previous issuances. The project details are indicated in Section II below.

KenGen intends to engage reputable firms and/or institutions to purchase the CERs from the

CDM projects that have been implemented and verified in accordance with the United Nations Framework Convention on Climate Change (UNFCCC) guidelines and have demonstrated sustainable development co-benefits as detailed in the table below: -

- i. Improved air quality
- ii. Affordable & clean energy
- iii. Employment and access to income generating activities
- iv. Improved access to education
- v. Security enhancement
- vi. Environmental improvement
- vii. Clean water for domestic use



**SECTION II - SCHEDULE OF ITEMS AND PRICES (**

**PRICE SCHEDULE (SCHEDULE OF ITEMS AND PRICES)**

No.	Project Name	Unit of issue	Available CERs	Quantity taken	Unit price (exclusive of all taxes/levies (USD)	Total price (exclusive of all taxes/levies (USD)
1.	Olkaria I Units 4 & 5 Geothermal Project UN Project ID: 8643 Vintage: 01/01/2019 ~ 31/12/2020	tCO <sub>2e</sub>	853,361			
2.	Olkaria II Geothermal Expansion Project UN Project ID: 3773 Vintage: 04/12/2017 ~ 31/12/2020	tCO <sub>2e</sub>	111,904			
3.	Olkaria IV Geothermal Project UN Project ID 8646 Vintage: 01/01/2019 ~ 31/12/2020	tCO <sub>2e</sub>	840,985			
<b>Total Available CERs for sale</b>			<b>1,806,250 tCO<sub>2e</sub></b>			
<b>TOTAL AMOUNT (EXCLUSIVE OF ALL TAXES/LEVIES) IN USD</b>						

**NB:**

When Additional CER's are available the scope of Contract will be considered to incorporate the additional CER's on similar terms and conditions based on a mutual agreement with the buyer.

### **SECTION III - CONDITIONS OF TENDER**

- 1.1 A tenderer may tender for each item or each lot and may tender for as many items or lots she/she wishes.
- 1.2 A tenderer will pay a deposit in advance before the closing date of the tender for each item or lot tendered for as indicated in the schedule of items and prices.
- 1.3 Tenderers who will be awarded contracts will be required to pay for the items, 14 days after contract award and not later than 21 days. Failure to which the contract award will be cancelled, and the deposit forfeited. If there is an administrative review, the review procedures shall be followed.
- 1.4 Tenderers who will not be awarded contracts will be refunded the deposits within fourteen (14) days after notification of the communication of the contract awards.
- 1.5 Tenderers will be required to collect the items they have paid for within fourteen (14) days after making the payment, failure to which storage charges will be charged as indicated in the appendix to Conditions of Tender.
- 1.6 The Procuring Entity will retain confidential reserve prices for all the items.
- 1.7 Items tendered for below the reserve price will be retained by the Procuring Entity.

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## **SECTION IV - STANDARD FORMS**

### **Note on Standard Forms**

The form of tender, the confidential business questionnaire form and the tender deposit commitment declaration form must be completed by the tenderers and returned with the tender. Failure to complete any of these forms will lead to the disqualification of the tenderer.

## 1. Form of Tender

Date: .....

Tender No. KGN-SALE-001-2025

To: Kenya Electricity Generating Company PLC  
Ground Floor, KenGen Pension Plaza 2,  
Kolobot Road, Parklands  
P O Box 47936 - 00100  
NAIROBI, KENYA

Gentlemen and/or Ladies:

1. Having examined the tender documents including addenda and having examined the items on sale, we the undersigned, offer to purchase and collect all the items offered to us in conformity with the said tender documents for the sum of..... [*total tender amount in words and figures*] or such other sums as may be ascertained in accordance with the Schedule of Items and Prices attached here with and made part of this Tender.
2. We undertake, if our Tender is accepted, to pay for and collect the items in accordance with the requirements of the tender.
3. We agree to adhere by the tender price for a period of **154** days from the date fixed for tender opening of the Instructions to tenderers, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
4. We understand that you are not bound to accept the highest or any tender that you may receive.

**SCHEDULE OF ITEMS AND PRICES**

No.	Project Name	Unit of issue	Available CERs	Quantity taken	Unit price (exclusive of all taxes/levies (USD))	Total price (exclusive of all taxes/levies (USD))
2.	Olkaria I Units 4 & 5 Geothermal Project UN Project ID: 8643 Vintage: 01/01/2019 ~ 31/12/2020	tCO <sub>2e</sub>	853,361			
3.	Olkaria II Geothermal Expansion Project UN Project ID: 3773 Vintage: 04/12/2017 ~ 31/12/2020	tCO <sub>2e</sub>	111,904			
4.	Olkaria IV Geothermal Project UN Project ID 8646 Vintage: 01/01/2019 ~ 31/12/2020	tCO <sub>2e</sub>	840,985			
<b>Total Available CERs for sale</b>			<b>1,806,250 tCO<sub>2e</sub></b>			
<b>TOTAL AMOUNT (EXCLUSIVE OF ALL TAXES/LEVIES) IN USD</b>						

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[In the capacity of]

Duly authorized to sign tender for and on behalf of

\_\_\_\_\_

**2. Confidential Business Questionnaire Form**

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 type of business.

You are advised that it is a serious offence to give false information on this form.

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 type of business.

You are advised that it is a serious offence to give false information on this form

**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 can handle at any one time

USD..... (In words)

.....

Name of your Bankers .....

Branch .....

**Part 2 (a) – Sole Proprietor or Individual**

Your Name in full .....

Age .....

Nationality .....

Country of origin .....

Citizenship details (ID and or Passport Number).....

Name.....

Signature.....

**Part 2 (b) Partnership**

Given details of partners as follows:

**Name Nationality Citizenship Details Shares**

1. ....

2. ....

3. ....

[Name, Designation and Signature of Tenders Representative in the Company]

Name: .....

Designation: .....

Signature and Company stamp or Seal:

.....

**Part 2 (c) - Registered Company (Private or Public)**

State the nominal and issued capital of company –

Nominal USD.....

Issued USD.....

Given details of all directors as follows:

**Name Nationality Citizenship Details Shares**

1: .....

2: .....

3: .....

4: .....

5: .....

ETC.

**Part 2 (d) Tenders Representative in the Company**

[Name, Designation and Signature of Tenders Representative in the Company]

Name: .....

Designation: .....

Signature and Company stamp or Seal

.....

Date .....



Self-Declaration Forms

FORM SD1

**SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015.**

I, ....., of Post Office Box ..... being a resident of ..... in the Republic of ..... do hereby make a statement as follows:-

1. THAT I am the Company Secretary/Chief Executive/Managing Director/Principal Officer/Director of ..... (Insert name of the Company) who is a Bidder in respect of **Tender No.** ..... for..... (Insert tender title/description) for..... (Insert name of the Procuring entity) and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its Directors and subcontractors have not been debarred from participating in procurement proceeding under Part IV of the Act.
3. THAT what is deponed to here in above is true to the best of my knowledge, information and belief.

Name .....

Title.....

Signature.....

Date.....

Bidder's Official Stamp.....

FORM SD2

**SELF-DECLARATION THAT THE PERSON/TENDERER WILL NOT ENGAGE IN ANY CORRUPT OR FRAUDULENT PRACTICE.**

I, .....of P. O. Box ..... being a resident of ..... in the Republic of ..... do hereby make a statement as follows:-

1. THAT I am the Chief Executive/Managing Director/Principal Officer/Director of.....  
..... (*Insert name of the Company*) who is a Bidder in respect of **Tender No.**.....for.....(*Insert tender title/description*) for..... (*Insert name of the Procuring entity*) and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its servants and/or agents/subcontractors will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agents of.....(*insert name of the Procuring entity*) which is the procuring entity.
3. THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of ..... (*name of the procuring entity*).
4. THAT the aforesaid Bidder will not engage/has not engaged in any corrosive practice with other bidders participating in the subject tender
5. THAT what is deponed to here in above is true to the best of my knowledge information and belief.

.....  
(Title)

.....  
(Signature)

.....  
(Date)

Bidder's Official Stamp

**3. Declaration and Commitment to the Code of Ethics**

I ..... (*person*) on behalf of  
***(Name of the Business/ Company/Firm)*** .....  
declare that I have read and fully understood the contents of the Public Procurement & Asset Disposal Act, 2015, Regulations and the Code of Ethics for persons participating in Public Procurement and Asset Disposal Activities in Kenya and my responsibilities under the Code.

I do here by commit to abide by the provisions of the Code of Ethics for persons participating in Public Procurement and Asset Disposal.

Name of Authorized signatory .....

Sign .....

Position .....

Office address ..... Telephone.....

E-mail.....

Name of the Firm/Company.....

Date.....

**(Company Seal/ Rubber Stamp where applicable)**

Witness.....

Name.....

Sign.....

Date.....

**4. Letter of Notification of Award**

*[Letter head paper of the Procuring Entity] [Date]*

To: *[name and address of the Contractor]* This is to notify you that your Tender dated *[date]* for the purchase of the items and at prices listed on the table below is here by accepted by..... *(Name of Procuring Entity)*.

Please acknowledge receipt of this letter of notification by signing the attached copy and returning it to us within 14 days of the issue of the notification to signify your acceptance of this award. Your signing the attached copy will constitute a contract between us and yourselves for sale of the said items.

On signature of the copy of the letter of notification, you are required to pay the balance of the tender price within 14 days and collect the items.

In connection with this award, you may contact the Officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

**OFFERED ITEMS AND PRICES**

1	2	4	5	6
Item No.	Description of Item	Total Quantity	Unit price	Offered Price
1				
2				
3				
4				
TOTAL PRICE OF ALL ITEMS				xxxxxx

Authorized Signature: .....

Name and Title of Signatory: .....

Name of Procuring Entity: .....

**5. Copy of the Letter of Notification of Award**

*(To be signed by the Purchaser) [Letterhead paper of the Procuring Entity] [Date]*

To: *[name and address of the Purchaser]*

This is to notify you that your Tender dated *[date]* for the purchase of the items and at prices listed on the table below is hereby accepted by.....  
*(name of Procuring Entity).*

Please acknowledge receipt of this letter of notification by signing the attached copy and returning it to us within 14 days of the issue of the notification to signify your acceptance of this award. Your signing the attached copy will constitute a contract between us and yourselves for sale of the said items.

On signature of the copy of the letter of notification, you are required to pay the balance of the tender price within 14 days and collect the items.

In connection with this award, you may contact the Officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

**OFFERED ITEMS AND PRICES**

1	2	4	5	6
Item No.	Description of Item	Total Quantity	Unit price	Offered Price
1				
2				
3				
4				
5				
6				
TOTAL PRICE OF ALL ITEMS				

Authorized Signature: .....

Name and Title of Signatory: .....

Name of Procuring Entity: .....

**Officer(s) to be contacted**

Name of Officer \_\_\_\_\_

Postal Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email Address \_\_\_\_\_

Physical Address (City, Street, Building, Floor number and room number)  
 \_\_\_\_\_

**SIGNED BY THE PURCHASER**

I/we, the undersigned accept the award and will execute the sale of the items as per conditions of the award. We understand that the award will remain cancelled and no deposits will be refunded if we do not:

- a) Return this letter signed within 14 days; or
- b) Pay the balance of the tender amount within fourteen (14) days after notification of the award.

We further understand that if we do not collect the items we have paid for within fourteen (14) days after making the payment, you charge storage charges at rates to be determined by yourselves.

Name of Purchaser: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

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

*Name and Title of Signatory*

6. Request for Review

FORM FOR REVIEW (r.203(1))

**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 of .....dated the...day of .....20.....in the matter of Tender No.....of .....20..... for .....(Tender description).

**REQUEST FOR REVIEW**

I/We.....,the above named Applicant(s), of address: Physical address.....P. O. Box 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.

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

- 1.
- 2.

SIGNED .....(Applicant) Dated on.....day of ...../ ...20.....

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FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on.....day of .....20.....

**SIGNED**

**Board Secretary**

**FORMAT OF POWER OF ATTORNEY**

We..... (name and address of the registered office) do hereby constitute, appoint and authorize Mr. / Mrs. / Ms ..... (name and residential address) who is presently employed with us and holding the position of ..... as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our proposal for the project/goods/works/services“.....”, including signing and submission of all documents and providing information / responses to the Kenya Electricity Generating Company PLC, ("KenGen"), representing us in all matters before KenGen, and generally dealing with KenGen in all matters in connection with our Proposal for the said project/goods/works/services.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us

..... (Signature) (Name, Title and Address)

Accepted

..... (Signature) (Name, Title and Address of the Attorney)



**BENEFICIAL OWNERSHIP DISCLOSURE FORM**

(Amended and issued pursuant to PPRA CIRCULAR No. 02/2022)

Tender Reference No.: \_\_\_\_\_ [insert identification no] Name of the Tender Title/Description: \_\_\_\_\_ [insert name of the assignment] to: \_\_\_\_\_ [insert complete name of Procuring Entity]

In response to the requirement in your notification of award dated \_\_\_\_ [insert date of notification of award] to furnish additional information on beneficial ownership: \_\_\_\_\_ [select one option as applicable and delete the options that are not applicable]

D) We here by provide the following beneficial ownership information.

**Details of beneficial ownership**

Details of all Beneficial Owners			% of shares a person holds in the company Directly or indirectly	% of voting rights a person holds in the company	Whether a person directly or indirectly holds a right to appoint or remove a member of the board of directors of the company or an equivalent governing body of the Tenderer (Yes / No)	Whether a person directly or indirectly exercises significant influence or control over the Company (tenderer) (Yes / No)
1	Full Name		Directly---	Directly...	1. Having the right to appoint a majority of the board of the directors or an equivalent governing body of the Tenderer: Yes ----- No----- 2. Is this right held	1. Exercises significant influence or control over the Company body of the Company (tenderer)  Yes ----- No----- 2. Is this influence or control
	National identity card number or Passport number		----- ---	..... ..... % of voting rights		
	Personal Identification Number (where applicable)		Indirectly- ----- ----	Indirectly- ----- ---- % of voting		

Details of all Beneficial Owners		% of shares a person holds in the company Directly or indirectly	% of voting rights a person holds in the company	Whether a person directly or indirectly holds a right to appoint or remove a member of the board of directors of the company or an equivalent governing body of the Tenderer (Yes / No)	Whether a person directly or indirectly exercises significant influence or control over the Company (tenderer) (Yes / No)			
	Nationality		shares	rights	directly or indirectly?:	exercised directly or indirectly?		
	Date of birth <i>[dd/mm/yyyy]</i>						Direct..... ..... ...	
	Postal address						Indirect... ..... .....	Indirect... ..... .....
	Residential address							
	Telephone number							
	Email address							
	Occupation or profession							
2.	Full Name		Directly--- ----- ---	Directly... ..... .....	1. Having the right to appoint a majority of the board of the directors or an equivalent	1. Exercises significant influence or control over the Company body of the		
	National identity card number or Passport number						% of shares	% of voting rights

	Details of all Beneficial Owners		% of shares a person holds in the company Directly or indirectly	% of voting rights a person holds in the company	Whether a person directly or indirectly holds a right to appoint or remove a member of the board of directors of the company or an equivalent governing body of the Tenderer (Yes / No)	Whether a person directly or indirectly exercises significant influence or control over the Company (tenderer) (Yes / No)
	Personal Identification Number (where applicable)		Indirectly- ----- -----  % of shares	Indirectly- ----- -----  % of voting rights	governing body of the Tenderer: Yes ----- No-----  2. Is this right held directly or indirectly?:  Direct..... ..... ...  Indirect... ..... .....	Company (tenderer) Yes ----- No-----  2. Is this influence or control exercised directly or indirectly?  Direct..... .....  Indirect... .....
	Nationality(ies)					
	Date of birth [dd/mm/yyyy]					
	Postal address					
	Residential address					
	Telephone number					
	Email address					
	Occupation or profession					
3						
.						

	Details of all Beneficial Owners		% of shares a person holds in the company Directly or indirectly	% of voting rights a person holds in the company	Whether a person directly or indirectly holds a right to appoint or remove a member of the board of directors of the company or an equivalent governing body of the Tenderer (Yes / No)	Whether a person directly or indirectly exercises significant influence or control over the Company (tenderer) (Yes / No)
e . t . c						

II) Am fully aware that beneficial ownership information above shall be reported to the Public Procurement Regulatory Authority together with other details in relation to contract awards and shall be maintained in the Government Portal, published and made publicly available pursuant to Regulation 13(5) of the Companies (Beneficial Ownership Information) Regulations, 2020. (Notwithstanding this paragraph Personally Identifiable Information in line with the Data Protection Act shall not be published or made public). *Note that Personally Identifiable Information (PII) is defined as any information that can be used to distinguish one person from another and can be used to deanonymize previously anonymous data. This information includes National identity card number or Passport number, Personal Identification Number, Date of birth, Residential address, email address and Telephone number.*

III) In determining who meets the threshold of who a beneficial owner is, the Tenderer must consider a natural person who in relation to the company:

- (a) holds at least ten percent of the issued shares in the company either directly or indirectly;
- (b) exercises at least ten percent of the voting rights in the company either directly or indirectly;
- (c) holds a right, directly or indirectly, to appoint or remove a director of the company; or
- (d) exercises significant influence or control, directly or indirectly, over the company.

---

IV) What is stated to herein above is true to the best of my knowledge, information and belief.

*Name of the Tenderer: .....\*[insert complete name of the Tenderer]\_\_\_\_\_*

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

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

*Signature of the person named above: ..... [insert signature of person whose  
name and capacity are shown above]*

*Date this ..... [insert date of signing] day of..... [Insert month],  
[insert year]*

Bidder Official Stamp