



KenGen

**Kenya Electricity
Generating Company PLC**

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TENDER No. KGN-LEG-05-2023
FOR THE PROVISION OF INSURANCE SERVICES FOR THE YEAR
2023-2024

27th July, 2023

**RE: NOTICE TO BIDDERS ON RESUMPTION OF PROCUREMENT
PROCEEDINGS**

Bidders with respect to the referenced tender are notified as follows:

1. The tender was the subject of Judicial Review proceedings at the High Court via Case No. **E058 of 2022 - BENEDICT KABUGI NDUNGU vs KENYA ELECTRICITY GENERATION CO PLC.**
2. On filing the suit on 12th May 2023, the Court granted leave to file an application for Judicial Review orders which would have had an overall effect of terminating the subject tender proceedings if successful. The Court equally granted order for the stated leave to operate as a stay (freezing) of the tender process until the matter was heard and determined.
3. In addition to granting leave for filing the substantive application, the court granted a stay order that had the effect of stopping the ongoing tender which at the time was a few days away from closure.
4. In response to the above, KenGen filed its own application to have the court set aside the leave and stay orders granted to the Applicant on 12th May 2023.
5. On the 21st of July, the High Court allowed KenGen's application and issued an Order which:
 - a. Set aside (removed) the order issued on 12th May 2023 which granted the Applicant leave to apply for judicial review orders of Certiorari, Prohibition and Mandamus; and
 - b. Set aside (removed) the order issued on 12th May 2023 for leave to operate as a stay of the tender proceedings until the matter was heard and determined.
6. Consequently, KenGen is proceeding with the subject tender as initially commenced.
7. The tender is hereby extended for a period of **seven days** to close on **3rd August 2023 at 10.00 am.**
8. All the terms and conditions in the tender inclusive remain the same.

GENERAL MANAGER, SUPPLY CHAIN.