

This form was omitted in the tender document. Use the form herein to provide information requested on Historical Contract Non-Performance, Pending Litigation and Litigation History

Historical Contract Non-Performance, Pending Litigation and Litigation History

Tenderer's Name: _____ Date: _____ JV Member's

Name: _____ ITT No. and title: _____

Non-Performed Contracts in accordance with Section III, Evaluation and Qualification Criteria			
<input type="checkbox"/> Contract non-performance did not occur since 1 st January 2018 to December 2024 specified in Section III, Technical Evaluation Criteria (11)			
<input type="checkbox"/> Contract(s) not performed since 1st January 2018 to December 2024.			
<input type="checkbox"/> Contract(s) withdrawn since 1 st January 2018 to December 2024.			
Year	Non-Performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and Kenya Shilling equivalent)
<i>(insert year)</i>	<i>(insert amount and percentage)</i>	Contract Identification: <i>(indicate complete contract name/number, and any other identification)</i> Name of Procuring Entity: <i>(insert street/city/country)</i> Reason(s) for non-performance: <i>(indicate main reason(s))</i>	<i>(insert amount)</i>
Pending Litigation, in accordance with Section III, Evaluation and Qualification Criteria			
<input type="checkbox"/> No pending litigation in accordance with Section III, Evaluation and Qualification Criteria, Sub-Factor 2.3.			
<input type="checkbox"/> Pending litigation in accordance with Section III, Evaluation and Qualification Criteria, Sub-Factor 2.3 as indicated below.			

Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), Kenya Shilling Equivalent (exchange rate)
		Contract Identification: _____ Name of Procuring Entity: _____ Address of Procuring Entity: _____ Matter in dispute: _____ Party who initiated the dispute: _____ Status of dispute: _____	
		Contract Identification: Name of Procuring Identity: Address of Procuring Entity: Matter in dispute: Party who initiated the dispute: Status of dispute:	
Litigation History in accordance with Section III, Evaluation and Qualification Criteria			
<input type="checkbox"/> No Litigation History in accordance with Section III, Technical Evaluation Criteria (11) <input type="checkbox"/> Litigation History in accordance with Section III, Technical Evaluation Criteria (11) as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), Kenya Shilling Equivalent (exchange rate)
<i>(insert year)</i>	<i>(insert percentage)</i>	Contract Identification: <i>(indicate complete contract name, number, and any other identification)</i> Name of Procuring Entity: <i>(insert full name)</i> Address of Procuring Entity: <i>(insert street/city/country)</i> Matter in dispute: <i>(indicate main issues in dispute)</i> Party who initiated the dispute: <i>(indicate "Procuring Entity" or "Contractor")</i> Reason(s) for Litigation and award decision <i>(indicate main reason(s))</i>	<i>(insert amount)</i>

Include details relating to potential bid-rigging practices such as previous occasions where tenders were withdrawn, joint bids with competitors, subcontracting work to unsuccessful tenderers, etc.

Professional Indemnity cover

We have noted the disparity in the amounts in words and figures in the mandatory requirement (MR 9) on page 26 and wish to clarify that the Professional Indemnity cover is Kenya Shillings two hundred million (Kes.200,000,000.00).

All other requirements and conditions of the tender remain the same.

MANAGING TRUSTEE/CEO