

REPUBLIC OF KENYA



MINISTRY OF FOREIGN AFFAIRS

**TENDER DOCUMENT**

**KENYA HIGH COMMISSION**

**45 PORTLAND PLACE, LONDON W1B 1AS**

TENDER FOR PROVISION OF CONVEYANCING  
SERVICES FOR PURCHASE OF PROPERTY FOR

KENYA HIGH COMMISSION

LONDON

MFA/KHCL/002/2022-2023

**TENDER LAUNCHED ON 20<sup>th</sup> July 2022**

**TENDER CLOSING ON: 27<sup>th</sup> July 2022**

## INVITATION TO TENDER

**PROCURING ENTITY:** MINISTRY OF FOREIGN AFFAIRS, KENYA

**CONTRACT NAME AND DESCRIPTION:** TENDER FOR PROVISION OF CONVEYANCING SERVICES FOR PURCHASE OF PROPERTY FOR USE AS CHANCERY BY KENYA HIGH COMMISSION, LONDON

1. The Kenya High Commission London, on behalf of the Ministry of Foreign Affairs of Kenya, invites sealed tenders for the provision of conveyancing legal services for the proposed purchase of Chancery for use by Kenya High Commission London, United Kingdom.
2. Bidders shall submit a Technical Proposal and a Financial Proposal in one envelope submitted to:

**The High Commissioner  
Kenya High Commission  
LONDON W1B 1AS**

**The tender shall be placed in the tender box provided at the Kenya High Commission on or before 27<sup>th</sup> July, 2022 at 12:00noon UK Time,**

3. The fees quoted should be expressed as absolute figure and net inclusive of all taxes and any reimbursable costs and must be in Sterling Pounds (£) and shall remain valid for 90 days from the closing date of the tender.
4. The Bids shall be opened immediately thereafter in the presence of the bidders or their representatives who choose to attend at the **Mission offices**.
5. Only Financial bids of firms that attain a technical score of 70% and above shall be subjected to financial evaluation.
6. The general conditions of contract stipulated by the standard tender document for Non-Consulting Services, at [www.ppra.go.ke](http://www.ppra.go.ke) apply in this tender, except where the general conditions are amended by the tender data, special conditions and the **legal and conveyance services in the UK**.

The Government of Kenya reserves the right to accept or reject any or all tender without giving reason thereof.

## TERMS OF REFERENCE

### 1.0 BACKGROUND

The Government of Kenya is in the process of purchasing an office property in London for use as its Chancery. The Kenya High Commission in London invites sealed bids from interested eligible firms to tender to undertake Property Conveyancing Services as detailed below:

The Terms of Reference for the conveyancing services to be rendered shall include:

- a) Taking instructions from purchaser and give initial legal advice on the steps to be undertaken and time frame within which the transaction is expected to be completed;
- b) Undertaking due diligence including carrying out title search on the property to establish the title register, title plan and any encumbrance;
- c) Receive from the seller supporting sale documents, examine them and make any necessary enquiries with seller's solicitor(s), consider their responses and thereafter provide comprehensive legal advice on the documents and information received;
- d) Examine the draft sale agreement and supporting documents and advise as may be appropriate.
- e) Exchange the final contract documents with vendor's solicitors and present the same to the Client for execution;
- f) Liaise with Mission on issues of tax exemptions for registration of the transaction at HM Land Registry.
- g) Complete the transfer of the property and registration of the title in the name of the Government of the Republic of Kenya.
- h) To carry out any other task related to the transaction as may be assigned or instructed by the client from time to time.

### 4.0 CLARIFICATIONS

Interested parties may request for clarifications up to Three (3) days before the submission date. Any clarification will be sent in writing to Kenya High Commission, 45 Portland Place, London W1B 1AS. Tel. +4402076362371 Fax +44 020 73230717 or via email address: [info@kenyahighcom.org.uk](mailto:info@kenyahighcom.org.uk)

### 5.0 SUBMISSIONS

Both the technical and financial bids should be submitted in a sealed envelope bearing the name and contacts of the tenderer, and addressed to:

**The High Commissioner  
Kenya High Commission  
London W1B 1AS**

The tender should be placed in the tender box provided at the Kenya High Commission so as to be received on or before 27<sup>th</sup> July, 2022, 12:00noon UK local time.

## 2.0 QUALIFICATIONS

Interested Solicitors Firms should submit copies of:

- a) Law firms profile including qualifications of at least three (3) of the conveyancing Partners /Associates;
- b) Proof of law firm current registration with Solicitors Regulatory Authority;
- c) Current practicing certificate of partners/associates dealing with conveyancing,
- d) Have practicing experience of at least five (5) years.
- e) Provide proof of professional indemnity cover.
- f) Knowledge of Kenyan law would be an added advantage.

## 3.0 REPORTING REQUIREMENTS

The appointed lawfirm shall report to the Head of Mission during the execution of the legal assignment.

## Section II – Tender Data Sheet (TDS)

The following specific data shall complement, supplement, or amend the provisions in the Instruction to Tenderers (ITT) of Standard Tender Document for request for Consulting services at [www.ppra.go.ke](http://www.ppra.go.ke) issued by the Public Procurement Regulatory Authority (PPRA). Whenever there is a conflict, the provisions herein shall prevail over those in ITT.

### 2.1 The Consultant Selection method is: Least Cost Selection method

ITT reference	The bid shall comprise the following
	<b>Technical bid</b>
	Technical bid submission form
	Firm's profile
	Work schedule and planning of deliverables
	Team composition, assignment and key experts input
	Mandatory supporting documents
	<b>Financial proposal</b>
	Financial bid submission form

ITT Reference	EVALUATION AND COMPARISON OF TENDER		
Preliminary evaluation	<b>a) Preliminary examination for Determination of Responsiveness</b>		
	<b>Mandatory Requirements</b>	<b>Responsiveness</b>	
		YES	NO
	Lawfirm Profile (Company/Individuals history, experience, list of shareholders/partners and the Directors with their contact details)		
	Certificate of business incorporation/registration of the firm in the UK.		
	Registration by the Solicitor's Regulation Authority		
	Current practicing certificate		

(Non-submission of the mandatory requirements will lead to automatic disqualification)

### (b) Technical Evaluation Criteria

ITT reference	Criteria/Description	Maximum Score
	<b>Experience of the firm</b>	<b>50</b>
	Qualifications of firm/individuals within firm	20
	Years of experience of the firm	15
	List at least five (5) assignments carried out in the last five years	15
	<b>Methodology and Approach</b>	<b>50</b>
	Description/appropriateness of methodology	20
	Timelines to complete assignment	20
	General responsiveness of the lawfirm to client queries.	10
	<b>TOTAL</b>	<b>100</b>

The minimum technical score is 70% for the evaluation of the Financial Proposal.

**(C) Financial Evaluation Criteria**

The tender shall be awarded to the lowest evaluated bidder, subject to negotiation. In the event the negotiation with the lowest evaluated bidder is not successful, the next lowest evaluated bidder shall be invited for negotiations.

**SPECIAL CONDITIONS OF CONTRACT**

The following Special Conditions of Contract (SCC) shall supplement and/or amend the General Conditions of Contract (GCC) of the Standard Tender Document for Non-consulting services at [www.ppra.go.ke](http://www.ppra.go.ke) issued by the Public Procurement Regulatory Authority (PPRA) Whenever there is a conflict, the provisions herein shall prevail over those in the GCC.

<b>GCC Reference</b>	<b>Amendments of, and Supplements to, Clauses in the General Conditions of Contract</b>
Applicable law	The contract shall be governed and interpreted in accordance with the Kenyan law.
Arbitration	Arbitration shall be conducted under <b>London Court of International Arbitration</b>
Payment	Terms of payment shall be subject to negotiation

**1. TECHNICAL PROPOSAL SUBMISSION FORM**

We, the undersigned firm of solicitors offer to provide Conveyancing legal Services in accordance with your Tender Document dated\_\_\_\_\_ and our proposal. We are hereby submitting our technical proposal and a financial proposal sealed in a sealed envelope.

Yours Sincerely,

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

Name and title of Signatory \_\_\_\_\_

Contact Information

Phone \_\_\_\_\_

Email \_\_\_\_\_

**2. Legal Firm’s organization and experience**

Provide a brief description of the background and organization of your company, listing previous similar assignments successfully completed.

Assignment Name	Approximate value in Sterling Pounds

**3. Comments and Suggestions**

The Legal Firm to provide comments and suggestions on the terms of reference or any other related issues,



4. Work schedule and planning for deliverables

Deliverables	Days				

5. Team Composition , assignment and key experts inputs

Expert	Position	Assignment& Input

**FINANCIAL PROPOSAL SUBMISSION FORM**

We the undersigned firm of solicitors offers to provide the Conveyancing legal services for the purchase of the proposed property for the Chancery for Kenya High Commission in London in accordance with the Request for Proposals dated\_\_\_\_\_ and our technical proposal.

Our attached Financial Proposal is for the amount of £\_\_\_\_\_Sterling Pounds including taxes.

Yours Sincerely,

Signature of the Legal firm’s authorized representative \_\_\_\_\_

Title \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

**Summary of Costs**

S/No	Description	Weight
1	Fees remuneration (as a lumpsum cost for all services)	
2	Breakdown of cost of reimbursable activities	
3	Taxes	
4	Miscellaneous	
5	<b>Grand Total</b>	

Name: \_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

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

**Witnessed by:**

Name: \_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

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