

**REPUBLIC OF KENYA**



**OFFICE OF THE ATTORNEY GENERAL AND DEPARTMENT OF JUSTICE P.O BOX 40112-00100 NAIROBI**

E-MAIL: [procurement@ag.go.ke](mailto:procurement@ag.go.ke) WEBSITE: [www.statelaw.go.ke](http://www.statelaw.go.ke)

**REGISTRATION OF SUPPLIERS  
FOR OAG & DOJ AND ASSETS RECOVERY AGENCY  
FOR THE FINANCIAL YEARS 2018-2019 & 2019-2020**

**COMPANY NAME:** .....

**TENDER NO:** .....

**CATEGORY NO:** .....

**DESCRIPTION:** .....

.....

**IF SPECIAL GROUP, PLEASE INDICATE BELOW: (✓)**

**WOMEN:**

**YOUTH:**

**PEOPLE WITH DISABILITIES:**

**CLOSING DATE & TIME: Tuesday 28<sup>th</sup> August, 2018 at 10.00 A.M.**

## INVITATION TO TENDER

Date of invitation: Tuesday **14<sup>th</sup> August, 2018**  
 Tender name: **REGISTRATION OF SUPPLIERS  
 FOR THE FINANCIAL YEARS 2018-2019 & 2019-2020**

The Office of the Attorney-General and Department of Justice and Assets Recovery Agency invites applications for Registration of Suppliers from interested eligible bidders for the financial years **2018/2019** and **2019/2020** for the following items/services.

### CATEGORY A: SUPPLY AND DELIVERY OF GOODS

Category No.	Tender No.	Item description.	Eligibility.
<b>A1.</b>	OAG&DOJ/004/2018-2019	Supply of Cleaning materials, detergents and soap etc	Youth, Women & Persons with Disability
<b>A2.</b>	OAG&DOJ/005/2018-2019	Supply of electrical equipment and fittings	Youth, Women & Persons with Disability
<b>A3.</b>	OAG&DOJ/006/2018-2019	Supply of telephone equipment and accessories	Youth, Women & Persons with Disability
<b>A4.</b>	OAG&DOJ/007/2018-2019	Supply of staff uniform and CMT Charges	Youth, Women & Persons with Disability
<b>A5.</b>	OAG&DOJ/008/2018-2019	Supply of office furniture and equipment	Open to All
<b>A6.</b>	OAG&DOJ/009/2018-2019	Supply of computer accessories ,toners, software's and office consumables etc	Youth, Women & Persons with Disability
<b>A7.</b>	OAG&DOJ/010/2018-2019	Supply of motor vehicles, tyres, tubes and batteries.	Open to All
<b>A8.</b>	OAG&DOJ/011/2018-2019	Supply and design of branded promotional materials(T-shirts, banners, carrier bags, Caps etc	Youth, Women & Persons with Disability
<b>A9.</b>	OAG&DOJ/012/2018-2019	Supply of hardware/building materials and paints	Open to All
<b>A10.</b>	OAG&DOJ/013/2018-2019	Supply of printers, computers, copiers, shredders and UPS.	Open to All
<b>A11.</b>	OAG&DOJ/014/2018-2019	Supply and delivery of general textile materials, curtains/sheers.	Youth, Women & Persons with Disability
<b>A12.</b>	OAG&DOJ/015/2018-2019	Supply and delivery of foodstuffs and beverages	Youth, Women & Persons with Disability
<b>A13.</b>	OAG&DOJ/016/2018-2019	Supply of general office stationery.	Youth, Women & Persons with Disability
<b>A14.</b>	OAG&DOJ/017/2018-2019	Supply of newspapers and periodicals	Open to All
<b>A15.</b>	OAG&DOJ/018/2018-2019	Supply and delivery of library books	Open to All
<b>A16.</b>	OAG&DOJ/019/2018-2019	Supply and delivery of bottled water.	Youth, Women & Persons with Disability
<b>A17.</b>	OAG&DOJ/020/2018-2019	Supply and delivery of calling cards	Youth, Women & Persons with Disability

**CATEGORY B: PROVISION OF SERVICES**

<b>Category No.</b>	<b>Tender No.</b>	<b>Item description</b>	<b>Eligibility</b>
<b>B1.</b>	OAG&DOJ/021/2018-2019	Provision of editing, design and printing services	Youth, Women & Persons with Disability
<b>B2.</b>	OAG&DOJ/022/2018-2019	Repair and servicing of motor vehicles	Open to All
<b>B3.</b>	OAG&DOJ/023/2018-2019	Provision of pest control services	Youth, Women & Persons with Disability
<b>B4.</b>	OAG&DOJ/024/2018-2019	Provision of garbage collection services	Open to All
<b>B5.</b>	OAG&DOJ/025/2018-2019	Provision of cleaning of curtains and sofa sets	Youth, Women & Persons with Disability
<b>B6.</b>	OAG&DOJ/026/2018-2019	Supply and delivery of flower bouquet's, decorations and arrangements.	Open to All
<b>B7.</b>	OAG&DOJ/027/2018-2019	Installation and maintenance of air conditioners	Open to All
<b>B8.</b>	OAG&DOJ/028/2018-2019	Provision of coding and identification of assets is for both OAG & DOJ and Asset Recovery Agency	Open to All
<b>B9.</b>	OAG&DOJ/029/2018-2019	Provision of repair, maintenance and servicing of Generators and water pumps.	Open to All
<b>B10.</b>	OAG&DOJ/030/2018-2019	Provision of hotel accommodation and seminar/conference facilities in towns/cities in the entire country i.e within Nairobi, Kisumu, Mombasa, Malindi, Kwale, Nakuru, Eldoret, Nyeri, Machakos, Isiolo, Mandera, Meru, Embu, Naivasha, Garissa etc	Open to All
<b>B11.</b>	OAG&DOJ/031/2018-2019	Provision of language translation and Braille services	Open to All
<b>B12.</b>	OAG&DOJ/032/2018-2019	Provision of asset valuation services	Open to All
<b>B13.</b>	OAG&DOJ/033/2018-2019	Provision of training and human development services	Open to All
<b>B14.</b>	OAG&DOJ/034/2018-2019	Provision of professional photography and video coverage services	Open to All
<b>B15.</b>	OAG&DOJ/035/2018-2019	Provision of insurance services	Open to All
<b>B16.</b>	OAG&DOJ/036/2018-2019	Provision of motor vehicle fuel and petrol station services	Open to All
<b>B17.</b>	OAG&DOJ/037/2018-2019	Provision of internet connectivity services i.e Cabling, Servers e.t.c	Open to All
<b>B18.</b>	OAG&DOJ/038/2018-2019	Provision of Cleaning services	Youth, Women & Persons with Disability
<b>B19.</b>	OAG&DOJ/039/2018-2019	Provision of maintenance and repair of photocopiers, scanners and fax machines	Open to All
<b>B20.</b>	OAG&DOJ/040/2018-2019	Provision of office partitioning	Open to All

		services	
<b>B21.</b>	OAG&DOJ/041/2018-2019	Provision of car hire services	Open to All
<b>B22.</b>	OAG&DOJ/042/2018-2019	Provision of repair and maintenance of CCTV cameras	Open to All
<b>B23.</b>	OAG&DOJ/043/2018-2019	Provision of auctioneering services	Open to All
<b>B24.</b>	OAG&DOJ/044/2018-2019	Provision of developments, hosting and maintenance of website /professional ICT support services	Open to All
<b>B25.</b>	OAG&DOJ/045/2018-2019	Provision of installation, testing and servicing of Digital PABX and telephone accessories	Open to All
<b>B26.</b>	OAG&DOJ/046/2018-2019	Provision of warehousing and material handling services	Open to All

Interested eligible candidates may obtain further information from and inspect the tender documents at **Supply Chain Management Office, 1<sup>st</sup> FLR, Room No. 103, Office of the Attorney General - Sheria House, Harambee Avenue** during normal working hours. Any clarifications required should be received at least seven days before the closing date of the tender. Any addendum if necessary will be communicated in the websites indicated below.

Complete tender document may be obtained free of charge by downloading from PPIP Portal [www.tenders.go.ke](http://www.tenders.go.ke) or the Office of the Attorney General website [www.statelaw.go.ke](http://www.statelaw.go.ke). Those who download the document and intend to apply must forward their particulars to the **Supply Chain Management Office** for records and for the purpose of receiving any clarifications and addenda.

Bidders who wish to seek any clarifications may do so vide [procurement@ag.go.ke](mailto:procurement@ag.go.ke) not later than 7 days before the tender closing date. All responses shall be communicated in the websites indicated above.

The tender is to run for the financial years 2018-2019 & 2019-2020.

Completed tender documents are to be submitted in one hard copy enclosed in plain sealed envelope, marked with the **TENDER NUMBER..... "CATEGORY NO. .... FOR THE SUPPLY / PROVISION OF ....."** and be deposited in the tender box provided at Ground Floor Sheria House or be addressed and posted to:

**SOLICITOR-GENERAL  
OFFICE OF THE ATTORNEY GENERAL & DEPARTMENT OF JUSTICE  
P.O. BOX 40112 - 00100  
NAIROBI**

So as to be received on or before **Tuesday 28<sup>th</sup> August, 2018** at 10.00 am.

Bulky tender documents shall be received and registered at Room 103 during normal working hours.

The tenders will be opened immediately thereafter in the presence of the tenderers/representatives who choose to attend the opening at Sheria House 5<sup>th</sup> Floor boardroom at 10.00 am.

The Office of the Attorney General and Department of Justice reserves the right to cancel the tender before award.

Ag Head, Supply Chain Management  
**For: Solicitor General**

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## **PRE-QUALIFICATIONS/REGISTRATION INSTRUCTIONS**

### **1.1 Introduction**

The Office of the Attorney General and Department of Justice herein after referred to as the Procuring Entity, requests interested applicants/ candidates who meet the criteria set out by the procuring entity to apply for pre-qualification for submission of tenders.

### **1.2 Pre-qualification Objectives**

The Pre-qualification is for the supply and delivery of assorted items and provision of services under relevant tenders in the Office of the Attorney General, during the period of the financial year ending 30<sup>th</sup> June, 2020.

The suppliers register will be updated after six months.

### **1.3 Invitation for Pre-qualification.**

Registered firms/entities under the laws of Kenya are invited to submit their PRE-QUALIFICATION documents to the **SOLICITOR GENERAL, THE OFFICE OF THE ATTORNEY GENERAL AND DEPARTMENT OF JUSTICE** for pre-qualification of submission of tenders. Completed bids should be submitted for relevant pre-qualification category. The procuring entity requires firms/ entities to give mandatory information for pre-qualification.

### **1.4 Experience**

Firms/ entities should prove that they have successfully supplied and or delivered similar goods and provided similar services to Public Procuring Entities.

### **1.5 Pre-Qualification Documents.**

Pre-Qualification documents/forms include the following:

- i) Form PQ 1 Pre-Qualification Documents (**Mandatory**)
- ii) Form PQ 2 Pre-Qualification Data
- iii) Form PQ 3 Supervisory personnel
- iv) Form PQ 4 Financial position
- v) Form PQ 5 Past Experience
- vi) Form PQ 6 Sworn Statement
- vii) Form PQ 7 Confidential Business Questionnaire
- viii) Form PQ 8 Litigation History

In order to be considered for Pre-qualification, firms/entities **MUST** attach copies of documents required in form PQ1 and complete all the information in the forms PQ 2 - PQ 8

## **1.6 Submission of pre-qualification Documents.**

One copy of the completed pre-qualification document should be submitted to the following physical address:

**SOLICITOR GENERAL,  
ATTORNEY GENERAL CHAMBERS AND DEPARTMENT OF JUSTICE,  
P. O. Box 40112-00100  
NAIROBI**

or deposited at the Tender Box located at the reception area, Sheria House, Ground Floor on or before **Tuesday 28<sup>th</sup> August, 2018** at 10.00 am.

## **1.7 Questions Arising From Tender Documents.**

Any questions arising from the pre-qualification documents should be directed to the Solicitor General, Attorney General Office through Procurement Office: E-Mail: [procurement@ag.go.ke](mailto:procurement@ag.go.ke) and/or Postal address:-

**The Solicitor General,  
The Office of the Attorney General and Department of Justice,  
Sheria House,  
P.O. Box 40112-00100,  
NAIROBI**

## **1.8 Invitation to Tender.**

Bid documents (quotations) will be made available only to those firms /entities whose applications have been accepted by the procuring entity upon scoring 70 points and above.

## **1.9 Additional Information.**

The procuring entity reserves the right to request submission of additional information from prospective bidder.

## **2.0 Brief Contract Regulations /Guidelines.**

### **2.1 Taxes on imported materials.**

The supplier will have to pay customs and excise duty and VAT as applicable for all imported materials to be supplied unless exempted

### **2.2 Customs Clearance.**

The contractors/suppliers shall be responsible for custom clearance of imported goods and materials.

### 3.0 Pre-Qualification Data Instructions

#### 3.0.1 Pre-qualification Data instructions.

The attached forms PQ1, PQ2, PQ3, PQ4, PQ5, PQ6, PQ7 and PQ8 are to be completed by prospective Firms/entities wishing to be pre-qualified for submission of tenders/quotations for the specified categories. Documents required to be submitted as required in form PQ1 must also be attached

Pre-qualification application forms which are not duly completed and submitted in the prescribed manner shall not be considered. All the documents must be completed in **ink** and in **English language**.

#### 3.0.2. Qualification Criteria.

**Firms /entities must meet the following criteria to qualify:**

- i) Must have the legal capacity to enter into the contact (**Attach copy of Registration/Incorporation Certificate**)
- ii) Must not be insolvent, in receivership, bankrupt or being wound up their business activities have not been suspended, and they are not subject of legal proceedings for any of the foregoing;
- iii) Must have fulfilled obligations to pay taxes and social security contributions, and for that purposes, documentary evidence to be provided by a foreign candidate to demonstrate that it meets the criterion in this paragraph may consist of a written declaration to that effect by the candidate (**Attach copies of PIN, VAT and Valid TAX Compliance Certificates**)
- iv) Must declare that you, your servants or agents have not offered any inducement to any procuring entity;
- v) Must possess the necessary professional and technical qualifications, competence financial resources, equipment and other physical facilities, managerial capability, experience in the particular procurement reputation and the personnel to perform the contract.

**It should be understood that the pre-qualification information from prospective firms /entities is for the exclusive use by the procuring entity.**



### **3.3 Essential Criteria for Pre-qualification.**

#### **3.3.1**

##### **a) Experience**

Prospective bidders **MUST** have experience in the supply of goods and services, show competence, willingness and capacity to service the contract

##### **b) Capacity,**

Bidders should have experience and capability to organize supply and delivery, of goods and services at short notice.

#### **3.3.2 Personnel**

The names, relevant information and the curriculum vitae of key personnel involved in the execution of the contract must be indicated in the form PQ 3.

#### **3.3.3 Financial position**

The prospective bidders /entity's financial position will be determined from the latest audited and certified accounts, quick assets, fixed assets and financial statements submitted with the pre-qualification documents.

#### **3.3.3 Liquidity**

Considerations will be given to the financial availability as working capital, taking into account the amount of completed orders and ongoing projects. However, bidders should provide evidence of financial capacity to execute contract.

#### **3.3.5 Past performance**

Past performance will be given due consideration in the pre-qualifying Process. Letters of reference from past customers/clients should be in form PQ5 where applicable.

### **3.4 Statement**

Application must include a sworn statement form confirming the accuracy of the information given by the bidder.

### **3.5 Withdrawal of Pre-qualification.**

Should conditions change between the time of submitting the bid and the opening date, which in the opinion of the procuring entity would substantially change the qualification and ability to execute the contract/quotation such as and not limited to bankruptcy, change in ownership, the procuring entity reserves the right to reject the tender from such a bidder even though initially pre-qualified.

### 3.6 Pre-Qualification Criteria Marking Scheme.

#### EVALUATION CRITERIA I: for AGPO Registered Special Groups [Youth, Women & PWD's only]

##### Mandatory requirements, Preliminary Evaluation

S/No.	Pre- Qualification Documentation	Requirement
1.	Copy of Certificate of Registration/Incorporation	Mandatory
2.	Copy of VAT Registration Certificate	Mandatory
3.	Copy of PIN Certificate of firm/company/individual	Mandatory
4.	Valid TAX Compliance Certificate	Mandatory
5.	Valid AGPO Certificate for firms applying under the (youth, women and people with disabilities) category.	Mandatory

*Note:* AGPO firms who meet the above criteria shall be considered as responsive.

#### EVALUATION CRITERIA II: for the Citizen Contractors [Open to all]

Stage I: Mandatory requirements, Preliminary Evaluation			
S/No.	Pre- Qualification Documentation	Requirement	
1.	Copy of Certificate of Registration/Incorporation	Mandatory	
2.	Copy of VAT Registration Certificate	Mandatory	
3.	Copy of PIN Certificate of firm/company/individual	Mandatory	
4.	Valid TAX Compliance Certificate	Mandatory	
Tenderers participating in the tender categories indicated below <b>must</b> provide evidence of certification by the <b>relevant regulatory agencies</b> as indicated.			
5.	5 (i) <b>B15.</b> OAG&DOJ/035/2018-2019, Provision of insurance services - copy of <b>IRA</b> (Insurance Regulatory Authority) certification	Mandatory	
	5 (ii) <b>B20.</b> OAG&DOJ/040/2018-2019, Provision of office partitioning services - copy of <b>NCA</b> (National Construction Authority) certification	Mandatory	
	5 (iii) <b>B23.</b> OAG&DOJ/043/2018-2019, Provision of auctioneering services - copy of <b>ALB</b> (Auctioneers Licensing Board) certification	Mandatory	
<i>Note:</i> firms who meet the above criteria shall be considered as responsive and therefore subjected to technical evaluation.			
Stage II: Technical Evaluation			
S/No.	Required Information	Form type	Points scored
1.	Registration Documentation	PQ 1	20
2.	Pre-qualification Data	PQ 2	10
3.	Supervisory personnel	PQ 3	5
4.	Financial position	PQ 4	20
5.	Past experience <i>2 marks</i> each for at least 5 attached documentary evidence.	PQ 5	10
6.	Sworn statement	PQ 6	5
7.	Confidential Questionnaire	PQ 7	20

8.	Litigation History	PQ 8	10
	<b>TOTAL POINTS</b>		<b>100</b>
<b>Note:</b>			
Tenderers who score at least 70 % points will be considered as responsive.			
However firms participating in the tender categories indicated below and who will be responsive both in the preliminary and technical evaluation will be subjected to a further <b>mandatory site visit</b> to determine their suitability			
<b>Stage III: Site Visit</b>			
<b>S/No</b>	<b>Tender category</b>	<b>Requirement</b>	
1.	1(i) <b>B10.</b> OAG&DOJ/030/2018-2019, Provision of hotel accommodation and seminar/conference facilities is for towns/cities in the entire country i.e within Nairobi, Kisumu, Mombasa, Malindi, Kwale, Nakuru, Eldoret, Nyeri, Machakos, Isiolo, Mandera, Meru, Embu, Naivasha, Garissa etc	Site visit	
	1(ii) <b>B26.</b> OAG&DOJ/046/2018-2019, Provision of warehousing and material handling services	Site visit	

### 3.7 Qualification mark/Pass mark

The Qualification mark is **70%** points and above.

## Form PQ 1 –Pre- Qualification Documentation

### Mandatory requirements, Preliminary Evaluation

S/No.	Pre- Qualification Documentation	Requirement
1.	Copy of Certificate of Registration/Incorporation	Mandatory
2.	Copy of VAT Registration Certificate	Mandatory
3.	Copy of PIN Certificate of firm/company/individual	Mandatory
4.	Valid TAX Compliance Certificate	Mandatory
5.	Valid AGPO Certificate for firms applying under the (youth, women and people with disabilities) category.	Mandatory
Tenderers participating in the tender categories indicated below <b>must</b> provide evidence of certification by the <b>relevant regulatory agencies</b> as indicated.		
6.	5 (i) <b>B15</b> . OAG&DOJ/035/2018-2019, Provision of insurance services - copy of <b>IRA</b> (Insurance Regulatory Authority) certification	Mandatory
	5 (ii) <b>B20</b> . OAG&DOJ/040/2018-2019, Provision of office partitioning services - copy of <b>NCA</b> (National Construction Authority) certification	Mandatory
	5 (iii) <b>B23</b> . OAG&DOJ/043/2018-2019, Provision of auctioneering services - copy of <b>ALB</b> (Auctioneers Licensing Board) certification	Mandatory

**Form PQ 2 – Pre-Qualification Data.**

**1. Tender category applied for.....**

Name of Category .....

Legal name of firm .....

Postal office address.....

City.....

Telephone number.....Person to contact.....

Position in the organization.....

**2. Organization and Business Information**

Management/personnel.....

Director.....Secretary.....

General Manager.....Treasury.....

Others.....

Partnership (if any).....

Names of [partners.....

Date of incorporation/Registration.....

Under the present management since.....

Net worth equivalent of Kshs.....

Bank reference and address.....

Enclose copy of organization chart of the firm indicating the main functions of each individual.

**Form PQ 3- Supervisory personnel**

Name .....

Age.....

Academic qualifications.....

Professional qualifications.....

Length of service with contractor and supplier position held.....

Construction/supplies of goods or services experience

- a) Name of project .....
- b) Character and nature of project.....
- c) Contract value.....
- d) Location of project.....
- e) Period of project.....
- f) Title and responsibility in the project.....
- g) Other.....

Proposed technical personnel and position in the project:

- a)
- b)
- c)
- d)
- e)
- f)

**Form PQ 4- Financial position**

Attach a copy of firm's two recent audited and certified accounts (2015-2016 and 2016-2017) giving a summary of fixed assets and current liabilities or any other financial information.

**Form PQ-5 Past Experience**

**Note:** Attach at least 5 documentary evidence

**List of clients in the last two years**

Names of applicant’s clients and values of contract/orders.

- 1. (i) Name of client (organization).....
  - (ii) Address of client (organization).....
  - (iii) Name of contact person at client (organization) .....
  - (iv) Telephone no. of client.....
  - (v) Value of contract.....
  - (vi) Time(date).....
  
- 2. (i) Name of client (organization).....
  - (ii) Address of client (organization).....
  - (iii) Name of contact person at client (organization) .....
  - (iv) Telephone no. of client.....
  - (v) Value of contract.....
  - (vi) Time(date).....
  
- 3. (i) Name of client (organization).....
  - (ii) Address of client (organization).....
  - (iii) Name of contact person at client (organization) .....
  - (iv) Telephone no. of client.....
  - (v) Value of contract.....
  - (vi) Time(date).....
  
- 4. (i) Name of client (organization).....
  - (ii) Address of client (organization).....



- (iii) Name of contact person at client (organization) .....
- (iv) Telephone no. of client.....
- (v) Value of contract.....
- (vi) Time(date).....

- 5. (i) Name of client (organization).....
- (ii) Address of client (organization).....
- (iii) Name of contact person at client (organization) .....
- (iv) Telephone no. of client.....
- (v) Value of contract.....
- (vi) Time(date).....

**Form PQ-6 Sworn Statement**

I..... hereby state:

1. That if pre-qualified, I undertake to participate in submission of a tender or quotation when called to do so.
2. That in the event of change of legal, technical or financial conditions or the contractual capacity, we are under legal obligation to inform the procuring entity of any change and we acknowledge its right to review the pre-qualification made.
3. That the information provided in this application is accurate to the best of my knowledge and belief.

Date.....

Applicant's  
Company Name.....

Represented by.....

Signature.....

(Full name and designation of the authorized person)

**Form PQ-7 Confidential Business Questionnaire**

You are requested to give the particulars indicated in part 1 and either part 2(a) 2(b) or 2(c) whichever applies in 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.....  
Current trading license no.....expiry date.....  
Maximum value of business you can handle at any one given time  
Kshs.....  
Name of your bankers.....branch.....

**Part 2(a) Sole proprietor**

Your name in full.....age.....  
Nationality.....country of origin.....  
Citizen detail.....

**Part 2(b) Partnership**

Name	Nationality	citizenship details	shares
1.....			
2.....			
3.....			
4.....			
5.....			

**Part 2(c) Registered Company**

Private or Public

State the nominal and issued capital of the company

Nominal Kshs.....

Issued Kshs.....

Give details of all directors as follows:

Name	Nationality	Citizen details	Shares
1.....			
2.....			
3.....			
4.....			
5.....			
6.....			

Date.....signature and stamp.....

- If Kenyan, indicate under “citizen details” whether by birth, naturalization or registration.

