

ANNEX ONE (1)

FORM-TECH-1: PROPOSAL SUBMISSION FORM

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{Location, Date}

To: [Name and address of GDC]

Dear Sirs:

We, the undersigned, offer to undertake an investment on [Insert title of] in accordance with your RFP dated [Insert Date] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal.

{If the Investor is a joint venture, insert the following: We are submitting our Proposal in association/as a consortium/as a joint venture with: {Insert a list with full name and the legal address of each member, and indicate the lead member}. We have attached a copy {insert: "of our letter of intent to form a joint venture" or, if a JV is already formed, "of the JV agreement"} signed by every participating member, which details the likely legal structure of and the confirmation of joint and severable liability of the members of the said joint venture.

OR

{If the Investor's Proposal includes Sub-Investors, insert the following :} We are submitting our Proposal with the following firms as Sub-Investors: {insert a list with full name and address of each Sub-Investor.}

We hereby declare that:

- a) All the information and statements made in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this Proposal may lead to our disqualification by the GDC or maybe sanctioned by the PPRA.
- b) Our Proposal shall be valid and remain binding upon us for the period of time specified in the Data Sheet, ITI-13.
- c) We have no conflict of interest in accordance with ITI-3.
- d) We meet the eligibility requirements as stated in ITI-7, and we confirm our understanding of our obligation to abide by the Government's policy in regard to corrupt, fraudulent and prohibited practices as per ITI-5.
- e) In competing for (and, if the award is made to us, in executing) the Contract, we undertake to observe the laws against fraud and corruption, including bribery, as well as laws against anti-competitive practices, including bid rigging in force in Kenya; we hereby certify that we have taken steps to ensure that no person acting for us or on our behalf engages in any type of Fraud and Corruption or anti-competitive practices.
- f) We confirm that we are not insolvent, in receivership, bankrupt or on the process of being of being wound up.
- g) The Investor shall declare in the Technical Proposal Submission Form, that in competing for and executing a contract, it shall undertake to observe the laws of Kenya against fraud and corruption including bribery, as well as against anti-competitive practices including bid-rigging.
- h) We are not guilty of any serious violation of fair employment laws and practices. We undertake to observe the laws of Kenya against fraud and corruption including bribery, as well as against collusive and anti-competitive practices, including bid rigging. To this effect we have signed the "Certificate of Independent Proposal Determination" attached below. We also undertake to adhere by the Code of Ethics for persons participating in Public Procurement and Asset Disposal Activities in Kenya, copy available from _____ (sp ecify website) during the procurement process and the execution of any resulting contract.

- (l) We, along with any of our sub-Investors are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the PPRA.
- (e) Except as stated in the ITI30 and Data Sheet, we undertake to negotiate a Contract on the basis of the proposed Tariffs and other agreed terms related to this investment.
- (j) Our Proposal is binding upon us and subject to any modifications resulting from the Contract negotiations.
- (k) We understand that the GDC is not bound to accept any Proposal that it receives.

We undertake, if our Proposal is accepted and the Contract is signed, to initiate the Services related to the assignment as stated and agreed on negotiations.

We remain,
Yours sincerely,

Authorized Signature *{In full and initials}*: Name and Title of Signatory:

Name of Investor *(company's name or JV's name)*:

Contact information *(phone and e-mail)*:

{For a joint venture, either all members shall sign or only the lead member, in which case the power of attorney to sign on behalf of all members shall be attached}

ANNEX TWO (2)

FORM TECH-2: INVESTOR'S ORGANIZATION AND EXPERIENCE

Form TECH-2: a brief description of the Investor's organization and an outline of the recent experience of the Investor in the proposed industry. In the case of a joint venture, information on similar investment shall be provided for each partner.

NB: For start-up investment, a proposal of the company structure shall be provided and at least 2-credible referees on the ability of the Start-up to undertake the investment. One of the Reference should be from a reputable Bank.

Investor's Organization

Provide here a brief description of the background and organization of your company, and-in case of a joint venture-of each member for this assignment.

ANNEX THREE (3)

FORM - TECH-3: COMMENTS AND SUGGESTIONS

Form TECH-3: The Investor to provide comments and suggestions Information Sheet (Section 3) that could improve the quality/effectiveness of the investment proposal.

ANNEX FOUR (4)

FORM TECH -4: DESCRIPTION OF INVESTMENT APPROACH AND TIMELINES

Form TECH-4: a description of the investment approach and timelines including deliverable timelines. This to include facilitation required from GDC and other key parties/partners. The information provided here will be useful information to in ensuring that GDC meets their obligations to the investors.

ANNEX FIVE (5)

FORM TECH- 5: JOINT VENTURE COMPOSITION (If applicable)