

Approved for tabling *Pat SNA*
25/7/19

PARLIAMENT OF KENYA



THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT-THIRD SESSION

REPORT OF PUBLIC ACCOUNTS COMMITTEE

ON

PROCUREMENT OF EXTERNAL AUDIT SERVICES FOR THE OFFICE OF THE
AUDITOR-GENERAL FOR THE FINANCIAL YEARS 2014/15, 2015/16, 2016/17 AND
2017-2018



Office of the Clerk
The National Assembly,
Parliament Buildings, Main Parliament Building
NAIROBI

July 2019

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CHAIR'S FOREWORD

The Public Accounts Committee derives its mandate from Standing Order 205 (2) of the National Assembly, which provides that "the Public Accounts Committee (PAC) shall be responsible for the examination of the accounts showing the appropriations of the sum voted by the House to meet the public expenditure and of such other accounts laid before the House as the Committee may think fit". The primary mandate of PAC is therefore to oversight the expenditure of public funds by ministries/departments/agencies, to ensure value for money and adherence to government financial regulations and procedures. The Committee executes its mandate on the basis of annual and special audit reports prepared by the Office of the Auditor-General (OAG).

Pursuant to the provisions of Article 226(4) of the Constitution, the National Assembly is required to appoint a professionally qualified accountant to audit the Office of the Auditor-General.

In fulfillment of the requirement of the above provision, the Committee received a recommendation of award of Tender of the said services from the Office of the Clerk of the National Assembly. The Committee observed the progress made on the procurement of External Audit Services. The Committee further observed that an offer had been made to M/s PKF Kenya subject to approval by the National Assembly pursuant to Article 226 (4) of the Constitution.

It is against this backdrop that the Committee and having satisfied itself that due process was followed, the Committee resolved to recommend to the National Assembly the approval of the award of hire of External Audit Services for the Office of the Auditor-General for the Financial Years 2014/2015; 2015/2016; 2016/2017; and, 2017-2018 to M/S PKF Kenya pursuant to the provisions of Article 226(4) of the Constitution.

On behalf of the Public Accounts Committee (PAC), and pursuant to provisions of Standing Order 181(3), it is my pleasant privilege and honour to commit this Report of the Committee to this August House.



Hon. James Opiyo Wandayi, MP

PREFACE

Mandate of the Public Accounts Committee

The Public accounts Committee (PAC) established under Standing Order 205 is responsible for examination of the accounts showing the appropriates of the sum voted by the House to meet the public expenditure and of such other accounts laid before the House as the Committee may think it.

Objective of the Report

The Objective of this Report is to inform the House on the process followed in identifying a professionally qualified accountant who will provide external audit services to the office of the Auditor-General for the four (4) years period 2014/2015, 2015/2016, 2016/2017 and 2017-2018.

Committee Membership

Chairperson

Hon. James Opiyo Wandayi, MP
Ugunja Constituency

Orange Democratic Movement Party

Vice- Chairperson

Hon. Jessica Nduku Kiko Mbalu, CBS MP
Kibwezi East Constituency

Wiper Democratic Movement Kenya Party

Members

Hon. Junet Mohammed Nuh, MP
Suna East Constituency
Orange Democratic Movement Party

Hon. Maj. (Rtd.) (Dr.) Eseli Simiyu, CBS,MP
Tongaren Constituency
Ford- Kenya Party

Hon. Tom J. F. Kajwang, MP
Ruaraka - Constituency
Orange Democratic Movement Party

Hon. Christopher Nakuleu Doye, MP
Turkana North Constituency
Jubilee Party

Hon. Patrick Makau King'ola, MP
Mavoko Constituency
Wiper Democratic Movement Kenya Party

Hon. Florence Mwikai Mutua, MP
Woman Representative - Busia County
Orange Democratic Movement Party

Hon. Mathias Robi Nyamabe, MP
Kuria West Constituency
Jubilee Party

Hon. (Dr.) Otiende Amollo, MP
Rarieda Constituency
Orange Democratic Movement Party

Hon. Gideon Koske Kimutai, MP
Chepalungu Constituency
Chama Cha Mwananchi Party

Hon. Michael Mwangi Muchira, MP
Ol Jororok Constituency
Jubilee Party

Hon. Francis Kuria Kimani, MP
Molo Constituency
Jubilee Party

Hon. Samson Ndindi Nyoro, MP
Kiharu Constituency
Jubilee Party

Hon. Peter Francis Masara, MP
Suna West Constituency
Independent Member

Hon. Michael Thoyah Kingi, MP
Magarini Constituency
Orange Democratic Movement Party

Hon. James Gichuhi Mwangi, MP
Tetu Constituency
Jubilee Party

Hon. Daniel Kipkogei Rono, MP
Keiyo South Constituency
Jubilee Party

Hon. Qalicha Gufu Wario, MP
Moyale Constituency
Jubilee Party

1.5 Committee Secretariat

Oscar Namulanda

Principal Clerk Assistant II

Josh Kosiba

Senior Fiscal Analyst

Peter Mwaura

Senior Legal Counsel II

Nebert Ikai

Third Clerk Assistant

Caroline M. Njue

Research Officer III

Salat Abdi Ali

Senior Serjeant At Arms

Stephen Nyakuti

Audio Officer

1. Introduction

Article 226(4) of the Constitution provides that, the accounts of the Office of the Auditor-General shall be audited and reported on by a professionally qualified accountant appointed by the National Assembly.

In fulfillment of the requirement of the above provision, the National Assembly tendered through Request for Proposal for Provision of External Audit Services for the Office of the Auditor General on three occasions vide open Tenders Nos NA/REF/012017-2018 (*see Appendix I*), NA /REF/02/2017-2018(*see Appendix II*) and NA/RFP/01/2018-2019 (*see Appendix III*). In all the three occasions the tendering process was non-responsive.

The report on the non-responsive tendering process was presented to the Public Accounts Committee. The Committee resolved that there was need to give the process another trial.

Various stakeholders expressed their concern over the issue which had been highlighted in the local media and as a result the National Assembly engaged the Institute of Certified Public Accountants of Kenya (ICPAK) and both parties agreed to work together to ensure that a suitable firm is identified in line with the Public Procurement and Asset Disposal Act 2015 to audit the Auditor General.

Subsequently the National Assembly initiated a fresh process to identify the firm to audit the Office of the Auditor-General for the four (4) years of 2014/2015, 2015/2016, 2016/2017 and 2017-2018 through TENDER NO. NA/RFP/02/2018-2019 (*see Appendix IV*).

2. The Tendering Process

2.1 Advertising

The Tender was advertised on 5th April, 2019 through an Open Tender in the Daily Nation, the Standard, Business Daily, The Star Newspapers and in the Parliament and Treasury Supplier Portal websites.

The advert provided that the successful firm's responsibilities should include:-

- (a) Conducting independent audit of the Organization's activities/operations in line with International Standards on Auditing and International Financial Reporting Standards and guidelines by Public Sector Accounting Standards Board.

- (b) Expressing an opinion on whether the financial statements are prepared, in all material respects, in accordance with the applicable financial reporting standards and frameworks, whether the Organization has maintained proper books of accounts, and whether the accompanying financial statements give a true and fair view of the financial position of the office of the Auditor General.
- (c) Reviewing and evaluating the Organization's internal control and risk management system and advising Management and the Board on adequacy/effectiveness of the system, and proposals for its improvement.
- (d) Reviewing adequacy of the Organization's Information Systems and related infrastructure.
- (e) Providing any other value-addition services consistent with the audit of the Organization.

2.2 Pre-Bid Meeting

A pre-bid meeting with interested bidders was held on 17th April, 2019 to elaborate on the requirements of the tender. A total of eleven (11) representatives of interested bidders attended the pre-bid meeting.

Following the pre-bid meeting, the National Assembly issued an addendum ((see Appendix V). which among other guidelines, extended the tender closing date from 24th April 2019 to 3rd May 2019. The Tender required bidders to submit separate technical and financial bids.

2.3 Bid Response

The following seven (7) firms responded by submitting their bids:-

No.	Bidder No.	Bidder's Name
1.	B1	Nelson & Francis Associates
2.	B3	Mazars
3.	B4	PKF Kenya
4.	B5	Ronalds and Associates
5.	B6	Ernest and Martin Associates
6.	B8	Ambale & Company Limited
7.	B9	Kiarie Kangethe & Associates

2.3.1 Evaluation

A Technical Evaluation Committee was appointed by the Accounting Officer on 15th April, 2019 pursuant to Section 46 of the Public Procurement and Asset Disposal Act, 2015 to evaluate the bids submitted by the seven (7) bidders.

The Evaluation Committee concluded the evaluation exercise on 24th May, 2019 and submitted the Evaluation Report to the Head of the Procurement Function as per the provisions of the Public Procurement and Asset Disposal Act, 2015.

The above seven (7) bids were subjected to an evaluation process as per the criteria outlined in the Request for Proposal (RFP) Document issued to the bidders. The evaluation process entailed the following four (4) stages:-

- (a) Preliminary/Mandatory Evaluation
- (b) Technical Evaluation
- (c) Financial Evaluation
- (d) Determination of the highest combined score.

Arising from the evaluation process, the following three (3) firms were disqualified at the preliminary /mandatory evaluation stage for the following specified reasons:-

Bidder No.	Bidder's Name	Reasons for disqualification
B1	Nelson & Associates	<ul style="list-style-type: none">❖ Did not attach a valid tax compliance certificate❖ Did not submit a certificate of registration as firm from ICPAK❖ The practicing certificates of registration submitted were not valid. Expired in year 2018
B3	Mazars	<ul style="list-style-type: none">❖ Did not submit the tender security❖ Their documents were not properly paginated❖ Did not submit a detailed firm profile as required
B9	Kiarie Kangethe & Company, CPA	<ul style="list-style-type: none">❖ Did not submit a bid security for the tender.❖ Did not submit the original and copies of the RFP document as required❖ Did not confirm the firm or its staff and partners are not aware of any conflict of interest or submit a sworn

Bidder No.	Bidder's Name	Reasons for disqualification
		declaration as required.

2.3.2 Technical Evaluation

The following four (4) firms proceeded to the 2nd stage of the evaluation which involved allocating of technical scores.

Upon being subjected to the 2nd stage of the evaluation, the bids for the following two (2) firms were disqualified for having scored below the set pass mark of 75% and above as set out in the Tender Documents due to the indicated reasons:-

Reasons for disqualifications for Bidder No. 6 and 8

	Bidder No.	Bidder's Name	Technical Score	Weaknesses in the submitted bids
1.	B6	Ernest and Martin Associates	67	<ul style="list-style-type: none"> ▪ The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs. 1,200,000 per year)-page 106). ▪ The CV of the lead partner was not comprehensive as it did not provide detailed background information on level experience ▪ The CVs of the proposed personnel were not comprehensive as they lacked information on level of experience of the personnel. ▪ No policy on rotation of staff as required
2.	B8	Ambale & Company Limited	55	<ul style="list-style-type: none"> ▪ The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs.850,000 per year) ▪ The CV of the lead partner was not elaborate as it lacked details of the experience of the partner ▪ The chapter on understanding of the ToRs was not elaborate.

	Bidder No.	Bidder's Name	Technical Score	Weaknesses in the submitted bids
				<ul style="list-style-type: none"> ▪ The CVs of the proposed personnel were not detailed as they lacked the background information on experience of the personnel ▪ No policy on rotation of staff as required ▪ They did not provide a comprehensive suggestion on ToRs ▪ Did not provide adequate methodology and work plan for the assignment ▪ The general understanding of the assignment was not adequate

The following two (2) firms were responsive to the technical requirements of the RFP Document having scored above the set pass mark of 75%:-

	Bidder No.	Bidder's Name	Technical Score
1	4	PKF Kenya	90
2	5	Ronalds and Associates	83.40

2.3.3 Financial Evaluation

The Request for Proposal (RFP) Document provided that only bids that score above the set pass mark of 75% would have their financial bids opened hence the bids for the two (2) responsive firms were opened on 22nd May, 2019 in the presence of their representatives as follows:-

Bidder No.	Bidder's Name	Technical score	Financial Proposal Amount (Kshs.)
4	PKF Kenya	90	41,185,220.00
5	Ronalds and Associates	83.40	31,636,320.00

The Request for Proposal (RFP) Document under Clause 2.8.5 provided that the formulae for computing the weighted combined technical and financial score with a view to determining the highest ranked score.

Upon application of the specified formulae as per the criteria, the results of the weighted combined score for the two (2) firms were as follows:-

	Bidder No.	Bidder's Name	Technical Score (a)	Weighted Technical Score (b)= (a weighted to 80%)	Financial Proposal Amount (Kshs.) (c)	Weighted financial score (d)=c weighted to 20%	Total Weighted Score e =b +c	Ranking
1	4	PKF Kenya	90	$90/100 \times 80 = 72$	41,185,220	$31,636,320/41,185,220 \times 20 = 15.36$	$72 + 15.36 = 87.36$	Highest ranked
2	5	Ronalds and Associates	83.40	$83.40 / 100 \times 80 = 66.72$	31,636,320	20	$66.72 + 20 = 86.72$	2 nd highest ranked

The highest ranked firm was M/S PKF Kenya with a combined score of 87.36 with a total consultancy fee of Kshs. 41,185,220.00 for auditing the accounts of the Auditor-General for the four (4) Financial Years (see Appendix VI).

2.3.4 Recommendation for Award

The Evaluation Committee recommended the highest ranked firm, PKF Kenya for consideration of the award. The Head of Procurement did not raise any objection on the recommendation (see Appendix VII) and the Director, of Litigation Compliance concurred (see Appendix VIII) with the professional opinion issued by the Head of Procurement.

A notification of intention to enter into a contract was issued to M/s PKF Kenya and accepted on 17th June, 2019. There was no appeal from any of the other bidders within the prescribed period.

A negotiation committee has been appointed in accordance to section 46-4(a) of the Public Procurement and Assets Disposal Act, 2015 to negotiate on other contractual terms.

3. Comparative Analysis with Previous Awards

It is worth noting that the Parliamentary Service Commission previously engaged M/s Baker Tilly Meralli's to audit the Auditor-General for the Financial Years 2011/2012, 2012/2013 and 2013/2014.

After the expiry of the above contract, the Parliamentary Service Commission in 2016 attempted to identify a professionally qualified accountant to provide external audit services to the office of the Auditor-General for the three (3) years period 2014/2015; 2015/2016; and, 2016/2017 but the process was not approved by the House.

4. Observation of the Public Accounts Committee

At its meeting held Tuesday, 24th July, 2019, The Committee observed the progress made on the procurement of External Audit Services. The Committee further observed that an offer had been made to M/s PKF Kenya subject to approval by the National Assembly pursuant to Article 226 (4) of the Constitution.

Subsequently, the Committee resolved that there was need to move a Motion in the House to approve the award.

5. Recommendations of the Committee

The Committee recommends to the National Assembly-

- 1. To note the contents of this Report.**
- 2. To approve the award of hire of External Audit Services for the Office of the Auditor-General for the Financial Years 2014/2015; 2015/16; 2016/2017; and, 2017-2018 to M/S PKF Kenya pursuant to the provisions of Article 226(4) of the Constitution.**

Sign.....
Hon. James Opiyo Wandayi, MP
Chairman, Public Accounts Committee

25-7-2019

APPENDIX

- Appendix I -Extracts of the Newspaper Advertisements/Tender Notice No.
NA/REF/01/2017-2018
- Appendix II -Extracts of the Newspaper Advertisements/Tender Notice No.
NA/REF/02/2017-2018
- Appendix III -Extracts of the Newspaper Advertisements/Tender Notice No.
NA/RFP/01/2018-2019
- Appendix IV -Extracts of the Newspaper Advertisements/Tender Notice No.
NA/RFP/02/2018-2019
- Appendix V -Addendum to the Tender and Evaluation Requirements on Tender Notice No.
NA/RFP/02/2018-2019
- Appendix VI -Evaluation Report
- Appendix VII - Professional Opinion from the Head of Procurement
- Appendix VIII- Legal Opinion from the Directorate of Litigation and Compliance,
Parliament
- Appendix IX- Notification of Award of Tender
- Appendix X- Acknowledgement and Acceptance of the Offer
- Appendix XI- Minutes of the Public Accounts Committee for the 197th Meeting

Independence > Anglophone minority has been protesting against perceived discrimination

Cameroon region declares 'split'

Seven killed as drive for a Republic grows

BUEA, Cameroon, Monday

At least seven people were killed in Cameroon's restive anglophone belt at the weekend as a separatist group made a symbolic declaration of independence.

The separatists chose October 1, the anniversary of the official reunification of the anglophone and francophone parts of Cameroon, to declare independence for "Ambazonia", the name of the state they want to create.

Since November, the anglophone minority has been protesting against perceived discrimination.

The government deployed security forces at the weekend in English-speaking regions, notably Buea in the southwest and Bamenda, the main town in the northwest and a hub of anglophone agitation.

Several people were admitted to hospital in Bamenda Sunday after clashes between demonstrators and police, according to a medical source.

"At least one person was injured by live fire" in Bamenda, where the situation was "very tense", a source close to the local authorities told AFP.

The "security forces had to resort to tear gas and sometimes to shots to disperse the protesters", the source said by telephone.

Bamenda residents contacted



Background

EU HAS CALLED FOR RESPECT OF LAW

The European Union called on all sides to be responsible and "respect the rule of law and avoid any act of violence." The crisis provoked by the protests, which was exacerbated at the start of 2017 when internet access was cut for three months, has intensified in recent weeks with the push to symbolically proclaim independence of the English-speaking regions.

by AFP reported "shooting" by the security forces without giving further details.

One of the leaders of the op-

Cameroon police officials with riot equipment patrol along a street in the administrative quarter of Buea some 60kms west of Douala on October 1, 2017.

position Social Democratic Front (SDF), Joshua Osih, told AFP the security forces were "firing real bullets at the protesters" but stressed that he was not a supporter of the secessionist movement.

In Ndop, 40 kilometres from Bamenda, two people were "shot dead", according to sources, while one was killed in Kumbo on the sidelines of the protests, city mayor Donatus Njong said.

Also in Kumbo, three prison inmates were shot and killed trying

to escape while security forces were mobilised for the deployments in anglophone regions, a source close to regional authorities said.

A young man was shot dead by security forces on Saturday in the southwest town of Kumba, known as a rebellious city since the start of the protests, sparking clashes between security forces and the local population. "They fired at him during a security operation," a nurse who requested anonymity told AFP.

PHOTO | AFP

South Sudan to invest more in healthcare

BY JOSEPH ODUHA
NATION Correspondent
JUBA, Monday

South Sudanese President Salva Kiir has promised to scale up investment in health sector countrywide.

President Kiir said an improved health sector would curb the number of mostly government officials and rich individuals seeking treatment abroad.

He made the remark on Saturday while inaugurating the modernisation and expansion of the Juba Teaching Hospital. President Kiir ordered the Health and Finance ministers to scale up training of medical workers to ensure the provision of better services.

"We need to make quality healthcare services available to all the people of South Sudan."

"With the modernisation at expansion of the country's public main hospital (Juba Teaching Hospital), along with all the infrastructural development projects, the landscape of health system will completely change for the people who have been deprived of quality services," President Kiir said.

He described access to quality health service as a basic human right.



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We highly regret any inconveniences caused.

CONTACTS:

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REPUBLIC OF KENYA



PARLIAMENT OF KENYA THE NATIONAL ASSEMBLY

TENDER NOTICE

The National Assembly invites interested, eligible and competent firms to submit sealed bids for the following services as specified in the tender documents:-

Tender No.	Service Description	Pre-bid meeting	Closing Date
1) NA/03/2017-2018	Upgrading of the chamber system (Multi Media Digital Network Congress System)	Monday, 9 th October 2017 at 1100am	Thursday, 19 th October 2017 at 10.00am
2) NA/05/2017-2018	Provision of Internet Services	Tuesday, 10 th October 2017 at 1100am	Thursday, 19 th October 2017 at 1100am
3) NA/RFP/01/2017-2018	Provision of External Audit services for the office of the Auditor General	Not Applicable	Thursday, 19 th October 2017 at 1200noon

Interested and eligible tenderers may download the tender document FREE OF CHARGE from the Parliament website www.parliament.go.ke or the National Treasury's IFMIS Portal on: <http://supplier.treasury.go.ke/site/tenders.go/index.php/public/tenders>.

Interested tenderers may obtain further information from the Procurement Office on 13th Floor, Protection House, Nairobi within normal working hours.

Duly completed bid document (original and copy) are to be enclosed in plain sealed envelopes, marked with the tender number, name and as prescribed in the respective Tender document and be submitted to the Procurement office or be addressed to:-

The Clerk of the National Assembly,
Parliament of Kenya,
P. O. Box 41842-00100
NAIROBI

so as to be received on or before as specified in the above table and tender documents.

Tenders will be opened immediately thereafter in the presence of the Candidates who choose to attend or their representatives, at Protection House, 2nd floor, Nairobi at the Junction of Parliament Road and Hiale Selassie Avenue, Nairobi.

Prices quoted should be net inclusive of all taxes for provision of the services as specified and must be in Kenya Shillings and shall remain valid for (120) days from the closing date of the tender. Firms should submit a valid Tender security of Kshs. 50,000.00 as specified and in the prescribed format.

The Parliamentary Service Commission (PSC) reserves the right to accept or reject any tender and does not bind itself to accept the lowest or any tender.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

APPENDIX T

REPUBLIC OF KENYA


**TWELFTH PARLIAMENT
THE NATIONAL ASSEMBLY**
SUBMISSION OF MEMORANDA
**Approval by the National Assembly of the persons nominated
to be appointed as Cabinet Secretaries**

Pursuant to Article 152(2) of the Constitution, H.E the President and Commander in Chief of the Defence Forces of the Republic of Kenya is empowered to nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries. In exercise of the said powers, H.E the President has nominated the following persons for appointment as Cabinet Secretaries for the respective ministries indicated below:-

Nominee	Ministry
1. Prof. Margaret Kobia	Public Service, Youth and Gender Affairs
2. Hon. John Munyes	Petroleum and Mining
3. Amb. (Dr.) Monica Juma	Foreign Affairs and International Trade
4. Ms. Farida Karoney	Lands, Housing & Urban Development
5. Hon. Peter Munya	East African Community and Northern Corridor Development
6. Mr. Keriko Tobiko	Environment and Forestry
7. Mr. Simon Chelugui	Water and Sanitation
8. Hon. Ukur Yatani	Labour and Social Protection
9. Mr. Rashid Achesa Muhamed	Sports and Heritage

The National Assembly, by a resolution made on 14th December 2018, resolved that upon receipt from the President of the names of persons nominated for appointment to State Offices under Article 152(2) of the Constitution, the Speaker of the National Assembly shall forthwith refer the messages containing the names to the relevant Committee for consideration.

Following the receipt of the nominations from H.E the President on 29th January 2018, the Speaker has forwarded the names to the Committee on Appointments which is mandated to vet and consider the suitability of the nominees for appointment and submit its report to the House for approval.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites interested members of the public to submit any representations by written statement on oath (affidavit), that they may have on the suitability or otherwise of the nominees for appointment as Cabinet Secretaries.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; or hand-delivered to the Office of the Clerk, First Floor, Main Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; so as to be received on or before Wednesday, 7th February 2018, at 5.00 p.m.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA


**TWELFTH PARLIAMENT
THE NATIONAL ASSEMBLY**
**INVITATION FOR VETTING BY THE COMMITTEE
ON APPOINTMENTS STANDING ORDER (204)**
**Approval by the National Assembly of the persons nominated to
be appointed as Cabinet Secretaries**

Pursuant to Article 152(2) of the Constitution and Section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, the National Assembly invites the following nine (9) persons who have been nominated for appointment as Cabinet Secretaries for vetting by the Committee on Appointments.

The proceedings will take place at the Mini Chamber, County Hall, Parliament Buildings on Thursday 8th February and Friday 9th February, 2018 as indicated below:-

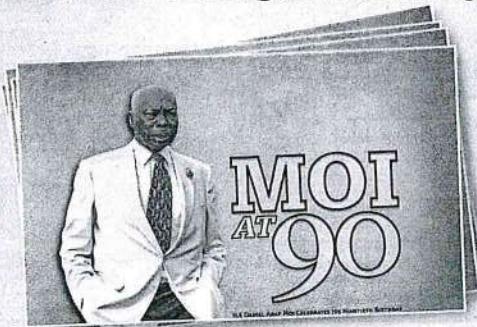
Nominee	Ministry	Vetting Date	Vetting Time
1. Prof. Margaret Kobia	Public Service, Youth and Gender Affairs	Thursday 8/2/18	9.00 a.m.
2. Hon. John Munyes	Petroleum and Mining	Thursday 8/2/18	10.30 a.m.
3. Amb. (Dr.) Monica Juma	Foreign Affairs and International Trade	Thursday 8/2/18	12.00 p.m.
4. Ms. Farida Karoney	Lands, Housing & Urban Development	Thursday 8/2/18	2.00 p.m.
5. Hon. Peter Munya	East African Community and Northern Corridor Development	Thursday 8/2/18	3.30 p.m.
6. Mr. Keriko Tobiko	Environment and Forestry	Friday 9/2/18	9.00 a.m.
7. Mr. Simon Chelugui	Water and Sanitation	Friday 9/2/18	10.30 a.m.
8. Hon. Ukur Yatani	Labour and Social Protection	Friday 9/2/18	12.00 p.m.
9. Mr. Rashid Achesa Muhamed	Sports and Heritage	Friday 9/2/18	2.00 p.m.

All candidates should bring with them originals of their identity cards, academic and professional certificates and any other supporting documents and testimonials.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

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REPUBLIC OF KENYA


**PARLIAMENT OF KENYA
THE NATIONAL ASSEMBLY**
TENDER NOTICE

The National Assembly invites interested, eligible and competent firms to submit sealed bids for the following services as specified in the tender documents:-

TENDER NUMBER	SERVICE DESCRIPTION	CLOSING AND OPENING DATE
1) Tender No. NA/06/2017-2018	Provision of Group Insurance covers for:- • Mortgage life insurance cover • Domestic fire insurance cover	Friday, 16 th February 2018 at 11.00am
2) Tender No. RFP/02/2017-2018	Provision of External Audit services for the office of the Auditor General	Friday, 16 th February 2018 at 12.00noon

Interested and eligible tenderers may download the tender document FREE OF CHARGE from the Parliament website www.parliament.go.ke or the National Treasury's IFMIS Portal on: <http://supplier.treasury.go.ke/sits/tenders.go/index.php/public/tenders>.

Interested tenderers may obtain further information from the Procurement Office on 13th Floor, Protection House, Nairobi within normal working hours.

Duly completed bid document (original and copy) are to be enclosed in plain sealed envelopes, marked with the tender number, name and as prescribed in the respective Tender document to be deposited in the tender box located at the reception of 2nd floor, Protection House or be addressed to:-

The Clerk of the National Assembly,
Parliament of Kenya,
P.O. Box 41842-00100
NAIROBI

so as to be received on or before Friday, 16th February 2018 at the specified time in the table above and in the Tender Documents.

Tenders will be opened immediately thereafter in the presence of the Candidates who choose to attend or their representatives, at Protection House, 2nd floor, Nairobi at the Junction of Parliament Road and Haile Selassie Avenue, Nairobi.

Prices quoted should be net inclusive of all taxes for provision of the services as specified and must be in Kenya Shillings and shall remain valid for (120) days from the closing date of the tender. Firms should submit a valid Tender security as specified in the tender documents and in the prescribed format.

The National Assembly reserves the right to accept or reject any tender and does not bind itself to accept the lowest or any tender.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

APPENDIX II

Change > Paul Kagame is hailed for his role in halting the genocide and turning around Rwanda's economy

Rwanda votes for new 80 seats Parliament

In special plan, 27 seats are reserved for women, youth and the disabled leaving only 53 for battle

KIGALI, Monday

Rwandans voted in parliamentary elections today that are expected to shore up the power of President Paul Kagame's ruling party a year after he was re-elected with 98 per cent of the vote.

The Rwandan Patriotic Front (RPF), in power for 24 years, its allied parties and one critical opposition party are vying for 53 of the 80 seats in parliament.

The remaining 27 seats are reserved for women, youth and the disabled and they are elected by special councils and national committees. "Our party is gaining momentum across the country despite numerous hurdles. We are hopeful that we will win at least ten seats in



Rwanda's President Paul Kagame looks on as he arrives for the official inauguration ceremony of Emmerson Mnangagwa President of Zimbabwe on August 26.

parliament," said Frank Habineza of the Democratic Green Party, the only permitted critical opposition party, casting his vote in Kigali.

Mr Habineza secured only 0.45 per cent of the vote in last year's presidential

election.

There were strict restrictions on opposition parties who were given only three weeks to campaign. Currently all 53 seats up for grabs are held by the RPF and parties that are allied with it or back

government policies.

Long queues of voters waited to cast their ballots. Provisional results are expected late today.

"Turnout began as high as we expected and the elections are being conducted in a peaceful manner. In total we expect over six million voters and many youths who will be voting for the first time," Charles Munyaneza, executive secretary of the National Electoral Commission told AFP.

Instead of voting for individual lawmakers, Rwandans vote for a party which then decides the candidates to enter parliament. To win at least one seat, a party has to get at least five per cent of the total votes cast.

Kagame cast his vote from Rwanda's embassy in Beijing on Sunday, where he is attending the Forum on China Africa-Cooperation (FOCAC).

Mr Kagame has been the de facto leader of Rwanda since 1994 when as

a 36-year-old his rebel army routed extremist Hutu forces who slaughtered an estimated 800,000 people -- mainly minority Tutsis -- and seized Kigali. His victory last year came after 98 per cent of Rwandans approved a constitutional amendment in a 2015 referendum that granted him the right to run for a third term.

Mr Kagame is hailed for his role in halting the genocide and turning around Rwanda's economy but criticised for his iron-fisted rule with rights groups regularly accusing him of ruling through fear and crushing free speech.

A prominent critic of Kagame, 36-year-old Diane Rwigara, tried to contest the 2017 presidential election but was disqualified and arrested on charges of treason, inciting insurrection and forging documents. Her mother is also in jail on similar charges and their family property was auctioned off on charges of tax evasion. (AFP)

Germany hosts Boko Haram crisis talks

BY MOHAMMED MOMOH
NATION Correspondent

Nigeria, Germany, Norway and the UN on Monday opened talks in Berlin on the \$1.56 billion Boko Haram humanitarian funds requirement.

The two-day conference is one of the 2018 largest pledging forums for the Lake Chad region.

The conference will focus on humanitarian assistance, civilian protection, crisis prevention and stabilisation for the region which has been devastated by insurgents since 2009.

More than 30,000 people have been killed in the Nigeria's North-east, the Lake Chad Basin belt of Niger, Cameroon and Chad. Many economic and public infrastructure have been destroyed, throwing more than 6 million people into poverty.

Nigeria alone was currently hosting more than 2.4 million internally displaced persons (IDPs) in various camps.

The rehabilitation of the IDPs and the restoration of the region has become an international concern that has generated several pledges.

REPUBLIC OF KENYA



PARLIAMENT OF KENYA THE NATIONAL ASSEMBLY

REQUEST FOR PROPOSALS

FOR

PROVISION OF EXTERNAL AUDIT SERVICES FOR PURPOSES OF AUDITING THE OFFICE OF THE AUDITOR GENERAL FOR A FOUR YEAR PERIOD 2014/15, 2015/16, 2016/17 AND 2017-2018"

(RFP NO. NA/RFP/01/2018-2019)

Article 226(4) of the Constitution mandates the National Assembly to appoint Auditors to carry out annual audits of the Office of the Auditor-General.

In this regard, the National Assembly invites sealed bids from interested, qualified and competent audit firms to provide External Audit Services for purposes of auditing the Office of the Auditor General for a period of four (4) years as indicated above.

Interested tenders may download the tender document FREE OF CHARGE from the Parliament website parliament.go.ke or the National Treasury's IFMIS Portal on: <http://supplier.treasury.go.ke/site/tenders.go/index.php/public/tenders>.

There will be a pre-bid meeting with interested firms on Wednesday 12th September, 2018 at 11.00am on 2nd Floor, Protection House, Nairobi in order to elaborate more on the requirements of the tender. Firms are requested to submit their clarifications on or before the meeting to allow the National Assembly consolidate and respond to the issues raised.

Duly completed Proposal documents (Original and copy) are to be enclosed in plain sealed envelopes, marked with the proposal number, name and as prescribed and be deposited in the tender box provided on 2nd Floor, Protection House, Nairobi or be addressed to:-

The Clerk of the National Assembly
Parliament of Kenya
P. O. Box 41842-00100
NAIROBI

so as to be received on or before Friday, 21st September, 2018 at 11.00am and as specified in the Request for Proposal document.

Proposals will be opened immediately thereafter in the presence of the firms who choose to attend or their representatives, on 2nd Floor, Protection House at the Junction of Parliament Road and Halls Selsasse Avenue, Nairobi.

The National Assembly reserves the right to accept or reject any proposal and does not bind itself to accept the lowest or any tender.

CLERK OF THE NATIONAL ASSEMBLY

COUNTY ASSEMBLY OF TANA RIVER



SECOND ASSEMBLY

NOTICE TO THE NOMINEES AND MEMBERS OF THE PUBLIC IN THE MATTER OF APPROVAL HEARING FOR THE NOMINATED COUNTY CHIEF OFFICERS

Pursuant to the provisions of Section 45 of the County Governments Act, 2012 and Section 6 and 7 of the Public Appointments (County Assemblies Approval) Act (No. 5 of 2017), the following candidates who have been nominated for appointment as County Chief Officers shall appear before the relevant County Assembly sectoral committees as listed below for approval hearing. The hearings shall be held at Laza Leisure in Hala on the dates and time indicated below:

S/NO	NAME OF NOMINEE	DEPARTMENT	COMMITTEE	DATE	TIME
1.	Mr. George J. Kase	Health and Sanitation	Health And Sanitation	12/09/2018	3.00PM-4.00PM
2.	Madam Bona Fatuma Gato	Education and vocational training	Education, Youth, Sports, Gender, and Social Services	13/09/2018	11.00AM-12.00 NOON
3.	Hero Said Bwanamaka	Finance and Economic Planning	Finance and Economic Planning	13/09/2018	3.00PM-4.00PM

The nominees are required to collect the vetting questionnaires from the office of the Clerk of the County Assembly during official working hours on Monday, 10th September, 2018 and Tuesday, 11th September, 2018. Nominees should return the questionnaires together with certified copies of the documents listed below on or before Tuesday, 11th September, 2018 at 4.00pm:

- Letter of application
- ID Card
- Curriculum Vitae and testimonials
- Copies of relevant academic and professional credentials
- Current clearance certificates from the following bodies:
 - Kenya Revenue Authority
 - Criminal Investigation Department
 - Higher Education Loans Board
 - Credit Reference Bureau, and
 - Ethics and Anti-Corruption Commission

Candidates are advised to carry original copies of the above-mentioned documents on the day of the approval hearing.

Members of the public are invited to attend the committee sittings for approval hearing and/or submit any information or comments on the suitability or otherwise of the nominees. Written submissions and evidence of the same may be made by way of sworn affidavit or statement on oath and forwarded or hand delivered to the Clerk, County Assembly of Tana River, P. O. Box 113-70101, Assembly Buildings, Hala or emailed to info@tanariverassembly.go.ke; to be received on or before Tuesday, 11th September, 2018 at 4.00pm.

ABDULLAHI DAYIB HUSSEIN
CLERK, COUNTY ASSEMBLY OF TANA RIVER

APPENDIX III

APPENDIX IV



COUNTY GOVERNMENT OF KERICHO DEPARTMENT OF HEALTH SERVICES

EXPRESSION OF INTEREST FOR CONSULTANCY SERVICES FOR DESIGN AND EQUIPPING OF NEW CANCER CENTRE

REF: CGK/EOI/HS/001/2018/2019

The County Government of Kericho, Department of Health Services hereby invites Expression of Interest from Consortia comprised of experienced and reputable firms for the provision of consultancy services who will design and supervise the construction and equipping of the new cancer Centre at Kericho County Referral Hospital.

SUBMISSION

Interested and eligible consultants may download detailed information from the county website www.kericho.go.ke

The expression of interest is to be submitted in a plain sealed envelope with Tender Name and Reference number clearly marked on the envelope and addressed to:

**The Chief Officer,
Health Services,
County Government of Kericho,
P.O Box 112-20100 Kericho.**

missions to be deposited in the tender box located at the Kericho County Referral Hospital, Administration Block, 1st Floor on or before 10.00am 23rd April 2019.

Late submissions forwarded by facsimile or e-mail will not be considered.

The Chief Officer, Health Services.



PARLIAMENT OF KENYA THE NATIONAL ASSEMBLY

REQUEST FOR PROPOSALS

FOR

PROVISION OF EXTERNAL AUDIT SERVICES FOR PURPOSES OF AUDITING THE OFFICE OF THE AUDITOR GENERAL FOR THE FOUR (4) YEARS -2014/15, 2015/16, 2016/17 AND 2017-2018"

(RFP NO. NA/RFP/02/2018-2019)

Article 226(4) of the Constitution mandates the National Assembly to appoint Auditors to carry out annual audits of the Office of the Auditor-General.

In this regard, the National Assembly invites sealed bids from interested, qualified and competent audit firms to provide External Audit Services for purposes of auditing the four (4) years accounts of the Office of the Auditor General.

Interested tenderers may download the tender document **FREE OF CHARGE** from the Parliament website www.parliament.go.ke or the National Treasury's IFMIS Portal on: <http://supplier.treasury.go.ke/site/tenders.go/ndex.php/public/tenders>.

There will be a pre-bid meeting with interested firms on Wednesday, 17th April 2019 at 11.00am on 2nd Floor, Protection House, Nairobi in order to elaborate more on the requirements of the tender. Firms are requested to submit their clarifications to the Office of the Clerk of the National Assembly or email: clerk@parliament.go.ke on or before the meeting to allow the National Assembly consolidate and respond to the issues raised.

Duly completed Proposal documents (Original and copy) are to be enclosed in plain sealed envelopes, marked with the proposal number, name and as prescribed and be deposited in the tender box provided on 2nd Floor, Protection House, Nairobi or be addressed to:-

**The Clerk of the National Assembly
Parliament of Kenya
P. O. Box 41842-00100
NAIROBI**

so as to be received on or before Wednesday, 24th April, 2019 at 11.00am and as specified in the Request for Proposal document.

Proposals will be opened immediately thereafter in the presence of the firms who choose to attend or their representatives, on 2nd Floor, Protection House at the Junction of Parliament Road and Halls Selassie Avenue, Nairobi.

The National Assembly reserves the right to accept or reject any proposal and does not bind itself to accept the lowest or any tender.

CLERK OF THE NATIONAL ASSEMBLY



COUNTY GOVERNMENT OF MOMBASA EXTENSION OF WAIVER!



ON PENALTIES AND INTEREST ON ALL RATEABLE PROPERTIES (RESIDENTIAL, COMMERCIAL, INDUSTRIAL & AGRICULTURAL)



H.E. Hon Hassan Ali Joho, EGH
Governor, Mombasa County

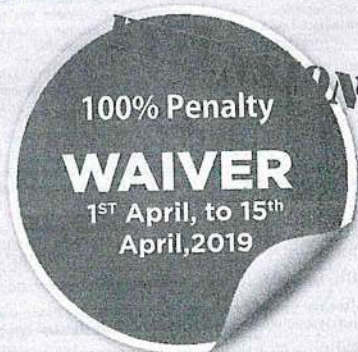
NOTICE is hereby given to the public that H.E. Hassan Ali Joho, Governor Mombasa County extends the 100% waiver on penalties and interest for residential, commercial, industrial and agricultural property rates. The extension of waiver period starts as from 1st April 2019 to 15th April 2019. You are hereby notified to clear outstanding dues before the notice lapses. Failure to this, the County Government shall initiate recovery through legal proceedings and not limited to repossession of the defaulter's land. Payments can be made at the following bank account.

Banking slips should be submitted for issuance of official receipts at the Mombasa County Assembly, Treasury Square.

Account No: 01050089324300 Mombasa County Government Revenue Account Bank: National Bank, Bondeni branch Code: NBKEKENX

For any inquiries please contact us on: landrates@mombasa.go.ke or through P.O.Box 90440-80100 Mombasa You can also visit the County Website: www.mombasa.go.ke

H.E. Hon Hassan Ali Joho, EGH Governor, Mombasa County



**"Lipa Kodi
Epuka Hodi"**

APPENDIX IV

NEWS GENERAL

RECORDING

Khalwale condemns recall of Ruto allies' security details

Deputy President's allies termed it political persecution, but police say it's part of reforms

CALISTUS LUCHETU
@TheStarKenya



Withdrawing the security details of Deputy President William Ruto's allies is meant to frustrate his 2022 presidential bid, former Kakamega Senator Boni Khalwale has said.

He said the move by Interior CS Fred Matiang'i and his PS Karanja Kibicho will plunge the country into chaos.

"I want to tell CS Matiang'i and his PS Kibicho not to use their office to further their political agenda by playing into the 2022 inheritance politics to decide who will take over from President Uhuru Kenyatta," Khalwale said in Lurambi constituency, Kakamega county.

"If anything happens to one of these leaders whose security has been withdrawn, the country would burst into chaos."

He said Kenyans will not agree to only be governed by "the so-called noble families". The children of poor people must have an opportunity to lead, Khalwale said.

He said before the 1994 Rwandan genocide, President Juvenal Habyarimana's security was withdrawn and his plane shot down, leading to the massacre.

Last week the security details of



Nakuru Senator Susan Kihika. Ichung'wa /FILE



Nbu Governor Ferdinand Waititu, Kandara MP Alice Wahome



Kikuyu MP Kimani

several leaders, including Kiambu Governor Ferdinand Waititu, Nakuru Senator Susan Kihika and MPs Kimani Ichung'wa (Kikuyu), Kimani Ngunjiri (Bahati) and Alice Wahome (Kandara), were recalled in what they termed "political persecution".

The five are allied to DP Ruto. While the leaders claim the move was political, the police say the withdrawal of security officers was in order.

Security bosses have defended the move, saying it was part of ongoing

reforms to have some Administration Police officers become the official bodyguards of politicians and top government officers, including Cabinet secretaries, principal secretaries as well as MPs.

ANTI-AUTO SCHEME

Some influential figures in the Jubilee government are scheming to deny economic development to Rift Valley, Sotik MP **Dominic Koskel** (pictured) has said. He said a number of key projects had been suspended with no communication from the authorities. The idea is to deny DP **William Ruto** political support in the region in 2022, Koskel said



REPUBLIC OF KENYA



PARLIAMENT OF KENYA
THE NATIONAL ASSEMBLY

INVITATION TO TENDER
ADDENDUM

TO TENDER NO. NA/RFP/02/2018-2019 FOR PROVISION OF EXTERNAL AUDIT CONSULTANCY SERVICES FOR THE OFFICE OF THE AUDITOR GENERAL

Following the Invitation to Tender for the above mentioned consultancy services on Friday, 5th April 2019 and a Pre-Bid Meeting held on Wednesday, 17th April 2019, the National Assembly has issued an addendum to the tender.

The tender closing date has been extended to Friday, 3rd May 2019 at 11.00am.

The detailed addendum can be accessed and downloaded by interested firms in the Parliamentary website; www.parliament.go.ke.

CLERK OF THE NATIONAL ASSEMBLY

POLICE CALL THEM CRIMINALS

Two bodies with bullet wounds found in thicket

ERNEST CORNEL/ Two bodies of male adults have been found in a thicket in Bamburi, Magadoroni, with gunshot wounds.

One of the victims has been identified as Emanuel Chivondo, 28. The other was Chivondo's landlord, people who saw the bodies said on Sunday.

Nyali subcounty police commander Simon Thirikwa said the bodies were dumped on Saturday night but discovered on Sunday.

He said one body had a police

jacket and belt. They were criminals, he said. "I don't know who killed them," the police boss told the Star on the phone.

Police say there is no policy on extrajudicial killings, only a few rogue officers who will be punished.

Residents who spoke in confidence said they heard no gunshots on Saturday, suggesting the execution occurred elsewhere.

A rights group has questioned the killings.



One of the bodies found with gunshot wounds /ERNEST CORNEL

TO BUY DRILLING RIGS

Wangamati seeks aid to end water shortage in county

JOHN NALIANYA/ Bungoma Governor Wycliffe Wangamati has urged the national government to help end the water shortage in the county.

Speaking at a function in Lugulu, Webuye West constituency, on Monday, he said the county cannot deal with water without partners.

"We must collaborate with regional water management bodies to solve this problem. The national government holds most of the water and irrigation funds that can drive such a massive programme," he said.

The governor said in the 2019-20 budget, he is going to buy three water drilling rigs to drill boreholes around the county as a stop-gap measure for dry seasons.

He urged residents to conserve the environment. The county boss said the South Korean government is funding Phases 1 and 2 of the Mt Elgon water project.

99-453101XZ

99-453101XZ

APPENDIX VII

REPUBLIC OF KENYA



PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

REPORT

BY

THE EVALUATION COMMITTEE

ON

TENDER NO. NA/RFP/02/2018-2019

FOR

**CONSULTANCY SERVICES ON PROVISION OF
EXTERNAL AUDIT SERVICES FOR THE PURPOSE OF
AUDITING THE OFFICE OF THE AUDITOR GENERAL
FOR FOUR YEARS PERIOD 2014/15, 2015/16,
2016/17 AND 2017-2018**

May 2019

[Signature]

[Signature]

[Signature]

Donat Jumbale 24/05/2019
[Signature]

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REPORT BY THE EVALUATION COMMITTEE ON TENDER NO. NA/RFP/02/2018-2019 FOR CONSULTANCY SERVICES ON PROVISION OF EXTERNAL AUDIT SERVICES FOR THE OFFICE OF THE AUDITOR GENERAL FOR FOUR (4) YEARS PERIOD 2014/15, 2015/16, 2016/17 AND 2017-2018"

1) INTRODUCTION

The National Assembly is established pursuant to Article 93 of the Constitution. Article 226(4) of the Constitution provides that the accounts of the Office of the Auditor-General shall be audited and reported on by a professionally qualified accountant appointed by the National Assembly.

Pursuant to this Constitution requirement, the National Assembly invited for proposals from interested firms through a competitive Tender No. NA/RFP/02/2018-2019 as per the provisions of Section 116 of the Public Procurement and Asset Disposal Act, 2015.

2) OBJECTIVES OF THE ASSIGNMENT

To identify a professionally qualified accountant that will provide external audit services to the office of the Auditor General for the four (4) years period 2014/15, 2015/16, 2016/17 and 2017-2018.

3) SCOPE OF THE SERVICES

The successful firm's responsibilities include:-

- a) Conducting independent audit of the Organization's activities/operations in line with International Standards on Auditing and International Financial Reporting Standards and guidelines by Public Sector Accounting Standards Board.
- b) Expressing an opinion on whether the financial statements are prepared, in all material respects, in accordance with the applicable financial reporting standards and frameworks, whether the Organization has maintained proper books of accounts, and whether the accompanying financial statements give a true and fair view of the financial position of the office of the Auditor General.
- c) Reviewing and evaluating the Organization's internal control and risk management system and advising Management and the Board on adequacy/effectiveness of the system, and proposals for its improvement.
- d) Reviewing adequacy of the Organization's Information Systems and related infrastructure.
- e) Providing any other value-addition services consistent with the audit of the Organization.

4) TENDERING PROCESS

a) Advertisement

The Tender No. NA/RFP/02/2018-2019 for provision of external audit services for the Office of the Auditor General was advertised in the Daily Nation, Standard and Star Newspapers on 5th April 2019. The same was posted in the Parliament's website and the National Treasury's IFMIS Supplier Portal (extracts of the newspaper cuttings are attached as Appendix I) as requirements of the Public Procurement and Asset Disposal Act, 2015.

b) Pre-bid meeting/conference

A pre-bid meeting was held on 17th April 2019 with interested bidders with a view to elaborating more on the requirements of the tender.

A total of eleven (11) representatives of interested bidders attended the pre-bid meeting (The Minutes of the pre-bid is attached as Appendix II).

Following the pre-bid meeting, the National Assembly issued an addendum which among other guidelines, extended the tender closing date from 24th April 2019 to 3rd May 2019. The addendum attached as Appendix III).

c) Tender submission deadline

The Tender submission deadline was on 3rd May 2019 at 11.00am.

d) Bid response

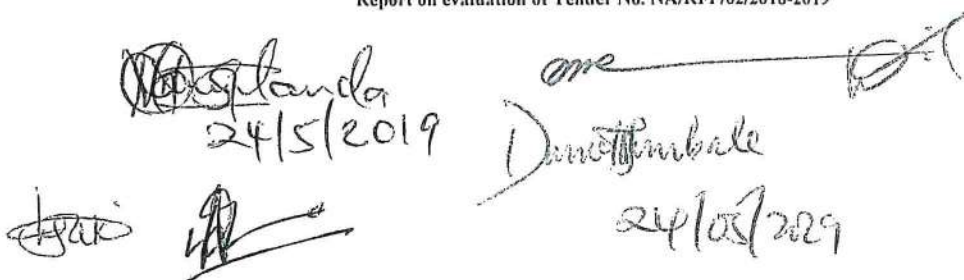
Seven (7) submitted their RFP documents within the bid submission deadline and were opened by the Tender Opening Committee as follows:-

Table 1.0-List of Bidders

	Bidder No.	Bidder's Name
1.	1	Nelson & Francis Associates
2.	3	Mazars
3.	4	PKF Kenya
4.	5	Ronalds and Associates
5.	6	Ernest and Martin Associates
6.	8	Ambale & Company Limited
7.	9	Kiarie Kangethe & Associates

Note:

- o Tender Opening Register and Minutes attached are attached as Appendix IV
- o According to the Tender Opening Committee Minutes, Bids No. 2 and 7 were meant for another different tender not for provision of External Audit Services.

The bottom of the page contains several handwritten signatures and dates. On the left, there is a signature that appears to be 'D. S. Kiarie' with the date '24/5/2019' written below it. To the right of this, there is another signature, possibly 'D. M. Kangethe', also with the date '24/5/2019'. On the far right, there is a signature that looks like 'D. M. Kangethe' with the date '24/05/2019' written below it. There are also some other less legible signatures and marks.

5) EVALUATION PROCESS

a. Appointment of the Evaluation Committee

The Clerk of the National Assembly through a letter dated 15th April 2019 appointed an Ad-hoc Evaluation Committee as per Section 46 of the Public Procurement and Asset Disposal Act, 2015 comprising the following members:-

1) Mr. Peter Meikoki	-Chief Accountant	-Chairman
2) Ms. Lucy Kimathi	-Principal Clerk Assistant	-Member
3) Mr. Oscar Namulanda	-Principal Clerk Assistant	-Member
4) Ms. Sylvia Adera	-Legal Counsel	-Member
5) Mr. Daniel Jumbale	-Finance Officer	-Member
6) Mr. Joseph A. Njagi	-Senior Procurement Officer	-Secretary

(Letter of appointment is attached as Appendix V).

b. Evaluation process

The Evaluation Committee embarked on the exercise on 13th May 2019 after receiving the approved Minutes of the Tender Opening Committee meeting and concluded the evaluation on 24th May 2019 after the opening of the financial proposals for the responsive firms. The Committee scrutinized the Tender document; all the documentation related to this Tender and its mandate as spelt out in the letter of appointment and also in the relevant provisions of the Public Procurement and Asset Disposal Act, 2015.

c. The Evaluation Stages

The Committee resolved to undertake the evaluation exercise in the following four(4) main stages and as per the criteria specified in the RFP document:-

- ❖ Preliminary Evaluation Stage
- ❖ Detailed Technical Evaluation Stage
- ❖ Financial Proposal Evaluation stage
- ❖ Recommendation of award.

(i) PRELIMINARY EVALUATION STAGE

The bidders were evaluated based on the requirements specified in the tender document on a 'Yes/No basis' and the results were as follows:-

Table 2.0-results of preliminary evaluation stage

	EVALUATION CRITERIA	BIDDER NUMBERS						
		B1	B3	B4	B5	B6	B8	B9
1)	Must submit separate envelopes of technical and financial bids. The envelope containing technical requirements <u>should not contain any financial information</u> with regard to the firm's bid for the services.	YES	YES	YES	YES	YES	YES	NO
2)	Provide Certificate of Registration/Incorporation.	YES	YES	YES	YES	YES	YES	YES
3)	Provide a valid Tax Compliance Certificate from KRA	NO	YES	YES	YES	YES	YES	YES
4)	Duly signed joint venture/consortium agreement for firms collaborating	YES	N/A	YES	N/A	YES	N/A	N/A
5)	Submit a firm's profile detailing among others, the names of the Sole Proprietor/the Partners, key staff and organizational structure.'	YES	NO	YES	YES	YES	YES	YES
6)	CVs of at least three (3) key staff with relevant academic and professional qualifications and adequate experience in undertaking assignments of similar magnitude preferably in large Government Institutions and Regulatory bodies.	YES	YES	YES	YES	YES	YES	YES
7)	Provide a bid security of Kshs. 50,000.00 valid for 150 days from a reputable bank or insurance company approved by PPRA and in the prescribed format.	YES	NO	YES	YES	YES	YES	NO
8)	Fully filled and stamped Confidential Business Questionnaire	YES	YES	YES	YES	YES	YES	YES
9)	A list of five (5) major clients, their location, description of the assignment, date, duration of the assignment and contact details of the clients personnel	YES	YES	YES	YES	YES	YES	YES
10)	Recommendation letters from at least three (3) large firms/institutions	YES	YES	YES	YES	YES	YES	YES
11)	Proof of registration with ICPAK as a firm	NO	YES	YES	YES	YES	YES	YES
12)	Submission of valid Partner's Practicing certificates	NO	YES	YES	YES	YES	YES	YES
13)	Submission of a valid Sole Proprietor/Partners' Certificate of good standing from ICPAK.	YES	YES	YES	YES	YES	YES	YES
14)	Confirmation that the firm or its staff and partners are not aware of any conflict of interest	YES	YES	YES	YES	YES	YES	NO
15)	Submission of a well bound, serialized and paginated bid document	YES	NO	YES	YES	YES	YES	YES
	RESPONSIVE(R) /NON-RESPONSIVE (NR)	NR	NR	R	R	R	R	NR

Key:

Bid No.	Bidder's Name	Bid No.	Bidder's Name
B1	Nelson & Francis Associates	B6	Ernest and Martins Associates
B3	Mazars	B8	Ambale and Company
B4	PKF	B9	Kiarie Kangethe
B5	Ronalds and Associates		

NR-Non-responsive

Observations under the Preliminary Stage of the Evaluation

- a) The following firms were disqualified at the preliminary stage of the evaluation for the reasons indicated in the table below:-

[Handwritten signatures and dates]
 24/5/2019
 24/7/2019

Table 3.0-reasons for disqualification

Bidder No.	Bidder's Name	Reasons for disqualification
B1	Nelson & Associates	<ul style="list-style-type: none"> ❖ Did not attach a valid tax compliance certificate ❖ Did not submit a certificate of registration as firm from ICPAK ❖ The practicing certificates of registration submitted were not valid. Expired in year 2018
B3	Mazars	<ul style="list-style-type: none"> ❖ Did not submit the tender security ❖ Their document was not properly paginated ❖ Did not submit a detailed firm profile as required
B9	Kiarie Kangethe & Company, CPA	<ul style="list-style-type: none"> ❖ Did not submit a bid security for the tender. ❖ Did not submit the original and copies of the RFP document as required ❖ Did not confirm the firm or its staff and partners are not aware of any conflict of interest or submit a sworn declaration as required.

- b) The following firms fulfilled the mandatory preliminary requirements of the RFP Document hence qualified for the 2nd stage of the evaluation:-

	Bidder No.	Bidder's Name
1.	4	PKF Kenya
2.	5	Ronalds and associates
3.	6	Ernest and Martin in a Joint venture with JM Gitau & Company
4.	8	Ambale & Company Limited

(ii) DETAILED TECHNICAL EVALUATION STAGE

- a) The stage involved allocating of scores as per the specified criteria in the RFP Document.
- b) The Evaluation Committee adopted the following evaluation criteria:-

Table 4.0-Evaluation matrix under detailed technical evaluation stage

Item	Consultancy skills, competencies and key staff evaluation criteria parameters	Max. Points
A.	SPECIFIC EXPERIENCE OF THE CONSULTANT AND PROFILE OF THE FIRM RELEVANT TO THE ASSIGNMENT	25 Marks
I.	a) Brief Company profile covering: Organization structure and staffing set-up for the relevant staff to be engaged in the task <i>(2marks)</i> A list of five (5) major Clients, their location, description of the assignment, date, duration of the assignment and contact details of persons in client's organization who supervised the assignment (name of the person, telephone and email address); <i>(10 marks) -2 marks for each client</i> Contact details-address, telephone numbers, email <i>(1mark)</i> Firm's staff policy on rotational of staff/substitution etc <i>(2marks)</i>	
II.	b) Provide proof/evidence of minimum three (3) past assignments of similar nature and magnitude (both private/ public sector institutions) in the last 5 years by the company <i>(10marks)</i>	
B.	ADEQUACY OF THE PROPOSED WORK PLAN AND METHODOLOGY IN RESPONDING TO THE TOR	30 marks
	a) General understanding of the Terms of Reference for this assignment <i>(10marks)</i>	
	b) Adequacy of the following in responding to the Terms of Reference;	
	I) Methodology <i>(5marks)</i>	
	II) Approach <i>(5marks)</i>	
	III) Work Plan <i>(5marks)</i>	

Item	Consultancy skills, competencies and key staff evaluation criteria parameters	Max. Points
	c) Consultant's suggestions on improvement to the Commission's Terms of Reference (5 marks)	
C.	QUALIFICATIONS AND COMPETENCE OF KEY STAFF FOR THE ASSIGNMENT	45 marks
III.	Provide CVs and relevant certificates of at least 1 lead Consultant, 2 Associates and any other relevant staff for the project. Proof of working for the company should be given. TEAM LEADER/LEAD CONSULTANT (15 marks) <ul style="list-style-type: none"> Master's Degree or post graduate degree in accounts, finance, business administration or any other related field (1mark) Have attained full professional qualifications in CPA (K), ACCA, CIMA or their equivalent (3marks) Full member of ICPAK in good professional standing (attach current certificate) (1 mark). At least ten (10) years professional experience in audit and management assignments (5 marks) Thorough understanding of the Public Sector /Government laws, regulations, operations, policies and guidelines (3marks). Thorough understanding of the International auditing reporting requirements (2 marks) 	
IV.	THREE (3) ADDITIONAL STAFF (Max. 10marks for each additional staff)	
	STAFF ONE <ul style="list-style-type: none"> Advanced degree in accounts, finance, business administration or any other related field (1 mark). Have attained full professional qualifications in CPA (K), ACCA, CIMA or their equivalent (2 marks). Membership to ICPAK or its equivalent and in good professional standing (attach current certificate)(2marks) Adequate and strong experience in audit, risk management, management, regulatory affairs etc (5 marks) 	
	STAFF TWO <ul style="list-style-type: none"> Advanced degree in accounts, finance, business administration or any other related field (1 mark). Have attained full professional qualifications in CPA (K), ACCA, CIMA or their equivalent (2 marks). Membership to ICPAK or its equivalent and in good professional standing (attach current certificate)(2marks) Adequate and strong experience in audit, risk management, management, regulatory affairs etc (5 marks) 	
	STAFF THREE <ul style="list-style-type: none"> Advanced degree in accounts, finance, business administration or any other related field (1 mark). Have attained full professional qualifications in CPA (K), ACCA, CIMA or their equivalent (2 marks). Membership to ICPAK or its equivalent and in good professional standing (attach current certificate)(2marks) Adequate and strong experience in audit, risk management, management, regulatory affairs etc (5 marks) 	
	TOTAL MARKS SCORED	100
	RESPONSIVE(R) /NON-RESPONSIVE (NR)	

c) Upon evaluation, the following is the summarized scores for the four bidders:-

Table 5.0-summarized evaluators score

	Bidder No.	Bidder's Name	Evaluators					Total score	Average score
			Peter	Lucy	Oscar	Sylvia	Danny		
1.	4	PKF Kenya	89	91	91	92	87	450	90
2.	5	Ronalds and associates	83	85	81	84	84	417	83.40
3.	6	Ernest and martin	66	70	69	64	66	335	67
4.	8	Ambale & Company Limited	57	55	55	54	54	275	55








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24/5/2019

- d) The RFP Document specified 75% and above as the pass mark under the technical evaluation stage.
- e) The following firms did not qualify as they scored below the set pass mark of 75%:-

	Bidder No.	Bidder's Name	Evaluators					Total score	Average score
			Peter	Lucy	Oscar	Sylvia	Danny		
1.	6	Ernest and Martin	66	70	69	64	66	335	67
2.	8	Ambale & Company Limited	57	55	55	54	54	275	55

- f) The reasons the two (2) scored below the set pass mark hence their disqualifications were as follows:-

Table 6.0- Reasons for disqualifications for Bidder No. 6 and 8

	Bidder No.	Bidder's Name	Total score	Average score	Weaknesses
1.	6	Ernest and martin	335	67	<ul style="list-style-type: none"> The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs. 1,200,000 per year)-page 106). The CV of the lead partner was not comprehensive as it did not provide detailed background information on level experience The CVs of the proposed personnel were not comprehensive as they lacked information on level of experience of the personnel No policy on rotation of staff as required
2.	8	Ambale & Company Limited	275	55	<ul style="list-style-type: none"> The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs.850,000 per year) The CV of the lead partner was not elaborate as it lacked details of the experience of the partner The chapter on understanding of the ToRs was not elaborate. The CVs of the proposed personnel were not detailed as they lacked the background information on experience of the personnel No policy on rotation of staff as required They did not provide a comprehensive suggestion on ToRs Did not provide adequate methodology and work plan for the assignment The general understanding of the assignment was not adequate

RECOMMENDATIONS BY THE EVALUATION COMMITTEE UNDER DETAILED TECHNICAL EVALUATION STAGE

The Evaluation Committee recommended the following two (2) firms having attained the set pass mark score of 75%and above be considered for the opening of their financial bids:-

Table 7.0- technically responsive bids (Bidder No. 4 and 5)

	Bidder No.	Bidder's Name	Total score	Average score
1	4	PKF Kenya	450	90
2	5	Ronalds and Associates	417	83.40

6) FINANCIAL PROPOSALS EVALUATION STAGE

a) The Financial Proposals for the two (2) technically responsive firms were opened on Wednesday, 22nd May 2019 in the presence of representatives of the two (2) firms (The Minutes of the Financial Proposals Opening Meeting are attached as Appendix VI)

b) The results are as tabulated below:-

Table 8.0- financial proposal amounts (bidder No. 4 and 5)

	Bidder No.	Bidder's Name	Technical Score	Financial Proposal Amount (Kshs.)
	4	PKF Kenya	90	41,185,220.00
	5	Ronalds and Associates	83.40	31,636,320.00

c) Evaluation of the Financial Proposals

✓ The Evaluation Committee evaluated the financial bids as follows:-

- Checking the arithmetic errors
The financial bids by the two (2) firms had no arithmetic errors.
- Calculating the weighted average as per the formula provided below:-

The formulae for determining the Financial Score (Sf) shall, unless an alternative formulae is indicated in the Appendix "ITC", be as follows:-

$Sf = 100 \times \frac{Fm}{F}$ where Sf is the financial score; Fm is the lowest priced financial proposal and F is the price of the proposal under consideration.

PKF Kenya

$$100 \times \frac{31,636,320.00}{41,185,220.00} = 76.8$$

Ronalds & Associates

$$100 \times \frac{31,636,320.00}{31,636,320.00} = 100$$

Weighted to 20% as per the formula provided:-

$$\frac{76.8 \times 20}{100} = 15.36$$

$$\frac{100 \times 20}{100} = 20$$

d) Ranking of the financial proposals

The proposals were ranked as per the following criteria provided in the RFP document under clause:-

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[Signature]

- Proposals will be ranked according to their combined technical (St) and financial (Sf) scores using the weights (T =the weight given to the Technical Proposal; P = the weight given to the Financial Proposal; $T + P = 1$) indicated in the Appendix.
- The combined technical and financial score, S , is calculated as follows:- $S = St \times T\% + Sf \times P\%$.
- The firm achieving the highest combined technical and financial score will be invited for negotiations.

e) The results of the weighted scores and ranking are as follows:-

Table 9.0- Weighted scores for responsive firms (Bidder No. 4 and 5)

	Bidder No.	Bidder's Name	Technical Score (a)	Weighted Technical Score (b)= (a weighted to 80%)	Financial Proposal Amount (Kshs.) (c)	Weighted financial score (d)=c weighted to 20%)	Total Weighted Score e = b + c	Ranking
1	4	PKF Kenya	90	$90/100 \times 80 = 72$	41,185,220	$31,636,320/41,185,220 \times 20 = 15.36$	$72 + 15.36 = 87.36$	Highest ranked
2	5	Ronalds and Associates	83.40	$83.40 / 100 \times 80 = 66.72$	31,636,320	20	$66.72 + 20 = 86.72$	2 nd highest ranked

Observations under the Financial Proposals Evaluation Stage

The highest ranked bidder as per the evaluation criteria is PKF Kenya at a combined weighted score of **87.36** and a total amount of **Kshs. 41,185,220.00**

7) CONCLUSION/SUMMARY

- This was an open Tender that attracted a total of seven (7) bids and there was a pre-bid meeting where interested bidders were taken through the requirements of the RFP document.
- Three (3) bidders were disqualified at the preliminary stage and two (2) bidders at the detailed technical evaluation stage.
- Based on the recommendation letters submitted and the respective supporting documents provided in their bids, comparable assignment undertaken by the two (2) responsive firms are as follows:-

Table 10.0- comparable past assignments undertaken by Bidder No. 4 and 5

	Bidder No.	Bidder's Name	Total score	Average score	Clients	Assignment value (kshs.)
3	4	PKF Kenya	450	90	Kenya Red Cross Society	16,000,000
					Royal Danish Embassy	20,000,000
					United Millers Limited	4,191,900

	Bidder No.	Bidder's Name	Total score	Average score	Clients	Assignment value (kshs.)
					National Treasury	18,000,000
					Kenafic Group	8,500,000
					Devki Steel	9,000,000
4	5	Ronalds and Associates	417	83.40	Unclaimed Financial Assets Authority	8,516,200
					The Kenya Network Information Centre (KENIC)	1,250,000
					JKUAT	30,000,000
					Kenya Premier League	1,050,000
					Society Of Clerks At The Table	812,000
					Kenyatta National Hospital	1,750,000

- d. PKF Kenya has undertaken higher monetary value assignments as compared to Ronalds and Associates.
- e. The method of selection for this assignment is Quality and Cost Based Selection Criteria pursuant to Section 124(1) of the Public Procurement and Asset Disposal Act, 2015.
- f. The evaluation criteria on page 17 of the RFP Document provided that the firm that scores the highest combined score (technical and financial) shall be considered for award and PKF Kenya had the highest score at 87.36% as compared to Ronalds and Associates at 86.72%.

8) RECOMMENDATIONS BY THE EVALUATION COMMITTEE

Based on the foregoing analysis and evaluation of all the proposals submitted, the Evaluation Committee recommends, M/S PKF Kenya having scored the highest combined score of 87.36 % be considered for award of the contract for provision of External Audit Services for the purpose of auditing the office of the Auditor General for the four (4) years period 2014/15, 2015/16, 2016/17 and 2017-2018 at a Total Contract Amount of Kshs. 41,185,220.00 as per the provisions of the RFP Document.

Report compiled and signed by the following Evaluation Committee members:-

1. Mr. Peter Meikoki

.....

Date.....24/8/2019

2. Ms. Lucy Kimanthi

.....

Date.....24/5/2019

3. Mr. Oscar Namulanda

.....

Date.....24/5/2019

4. Ms. Sylvia Adera

.....

Date.....24/05/2019

5. Mr. Danny Jumbale

.....

Date.....24/05/2019

6. Mr. Joseph A. Njagi

.....

Date.....24/5/2019

[Handwritten signatures and dates at the bottom of the page, including "Oscar Namulanda 24/5/2019", "Sylvia Adera", "Danny Jumbale 24/05/2019", and "Joseph A. Njagi"]

APPENDIX

- I. Extracts of the newspaper Advertisements/Tender Notice.**
- II. The Minutes of the Pre-bid meeting held on 17th April 2019**
- III. Addendum to the tender and evaluation requirements.**
- IV. Minutes of the Tender Opening Committee held on 3rd May 2019.**
- V. Letter of appointment to the Evaluation Committee.**
- VI. Minutes of the Financial Proposals Opening Meeting of 22nd May 2019.**

MEMO

FROM : Clerk of the National Assembly

TO :	Mr. Peter Meikoki	Chief Accountant	Chair
	Mr. Oscar Namulanda	Senior Clerk Assistant	Member
	Ms. Sylvia Adera	Legal Counsel	Member
	Ms. Lucy Kimathi	Clerk Assistant	Member
	Mr. Daniel Jumbale	Finance Officer	Member
	Mr. Joseph A. Njagi	Senior Procurement Officer	Secretary

DATE : 15th April 2019

REF. NO. : Procurement 2018-2019/146

SUBJECT : APPOINTMENT TO THE TENDER EVALUATION COMMITTEE FOR THE PROVISION OF EXTERNAL AUDIT CONSULTANCY SERVICES FOR THE OFFICE OF THE AUDITOR GENERAL (TENDER NO. NA/RFP/02/2018-2019)

The above tender was advertised in the print media on Friday, 5th April 2019 and closes on **Wednesday, 24th April, 2019 at 11.00am.**

You are hereby appointed to the Tender Evaluation Committee to evaluate proposals received by the Tender Opening Committee.

Please note and comply with the following provisions of Section 80(1 and 7) of the Public Procurement and Asset Disposal Act, 2015 with regard to evaluation of tenders:-

- 1) The Evaluation Committee appointed by the Accounting Officer pursuant to section 46 of this Act shall evaluate and compare the responsive tenders other than tenders rejected under section 82(3).*
- 2) The evaluation and comparison shall be done using the procedures and criteria set out in the tender documents and, in the tender for professional services, shall have regard to the provisions of this Act and statutory instruments issued by the relevant professional associations regarding regulation of fees chargeable for services rendered.*
- 3) The following requirements shall apply with respect to the procedures and criteria referred to in subsection (2):-*
 - a) The criteria shall, to the extent possible, be objective and quantifiable;*
 - b) each criterion shall be expressed so that it is applied, in accordance with the procedures, taking into consideration price, quality, time and service for the purpose of evaluation; and*

- 4) The Evaluation Committee shall prepare an evaluation report containing a summary of the evaluation and comparison of tenders and shall submit the report to the person responsible for procurement for his or her review and recommendation.*
- 5) The person responsible for procurement shall, upon receipt of the evaluation report prepared under sub-section (4), submit such report to the Accounting Officer for approval as may be prescribed in regulations.*
- 6) The evaluation shall be carried out within a maximum period of thirty days.*
- 7) The evaluation report shall be signed by each member of Evaluation Committee.*

Notwithstanding subclause (6) and in view of the urgency of these requirements, please ensure the evaluation is completed within the shortest time possible.



JEREMIAH NDOMBI,
FOR: CLERK OF THE NATIONAL ASSEMBLY.

APPENDIX VII

MEMO

To : Clerk of the National Assembly

From : Chief Procurement Officer, NA

Date : 7th June 2019

REF. NO. : Professional Opinion No. NA/2018-2019/057

Subject : PROFESSIONAL OPINION ON PROCUREMENT OF EXTERNAL AUDIT SERVICES FOR THE OFFICE OF THE AUDITOR GENERAL (TENDER NO. NA/RFP/02/2018-2019)

1) BACKGROUND INFORMATION

- a. The National Assembly intends to engage a firm for provision of external Audit services for the purpose of auditing the office of the Auditor General for the four years 2014/2015, 2015/16, 2016/2017 and 2017-2018.
- b. The Tender was advertised on 5th April 2019 through an Open Tender in the Daily Nation, the Standard, Business Daily and Star Newspapers and also in the Parliaments website and the Treasury's IFMIS supplier Portal.
- c. A pre-bid meeting with interested bidders was held on 17th April 2019 to elaborate the requirements of the tender.
- d. The Tender submission and opening date was on 3rd May 2019 at 11.00am. The Tender required bidders to submit separate technical and financial bids.
- e. The following seven(7) firms responded by submitting their bids:-

	Bidder No.	Bidder's Name
1.	1	Nelson & Francis Associates
2.	3	Mazars
3.	4	PKF Kenya
4.	5	Ronalds and Associates
5.	6	Ernest and Martin Associates
6.	8	Ambale & Company Limited
7.	9	Kiarie Kangethe & Associates

- f. An Evaluation Committee was appointed by the Accounting Officer on 15th April 2019 pursuant to Section 46 of the Public Procurement and Asset Disposal Act, 2015 to evaluate the bids submitted by the seven (7) bidders.
- g. The Evaluation Committee concluded the evaluation exercise on 24th May 2019 and submitted the Evaluation Report to the Head of the Procurement Function as per the provisions of the Public Procurement and Asset Disposal Act, 2015.


12/6/19

2) EVALUATION PROCESS

- h. The seven (7) bids were subjected to an evaluation process as per the criteria outlined in the RFP Document issued to the bidders.
- i. The Evaluation Report is attached to this Professional Opinion for your consideration, review and approval.
- j. The following are the key highlights of the Evaluation Report:-
- Evaluation Committee resolved to undertake the evaluation process in the following four (4) stages:-
 - Preliminary/Mandatory Evaluation
 - Technical Evaluation
 - Financial Evaluation
 - Determination of the highest combined score.
 - The following three (3) firms were disqualified at the preliminary /mandatory evaluation stage for the following specified reasons:-

Bidder No.	Bidder's Name	Reasons for disqualification
B1	Nelson & Associates	<ul style="list-style-type: none"> ❖ Did not attach a valid tax compliance certificate ❖ Did not submit a certificate of registration as firm from ICPAK ❖ The practicing certificates of registration submitted were not valid. Expired in year 2018
B3	Mazars	<ul style="list-style-type: none"> ❖ Did not submit the tender security ❖ Their document was not properly paginated ❖ Did not submit a detailed firm profile as required
B9	Kiarie Kangethe & Company, CPA	<ul style="list-style-type: none"> ❖ Did not submit a bid security for the tender. ❖ Did not submit the original and copies of the RFP document as required ❖ Did not confirm the firm or its staff and partners are not aware of any conflict of interest or submit a sworn declaration as required.

- Four (4) firms proceeded to the 2nd stage of the evaluation which involved allocating of technical scores.
- Upon being subjected to the 2nd stage of the evaluation, the bids for the following two (2) firms were disqualified for having scored below the set pass mark of 75% and above due to the indicated reasons:-

Reasons for disqualifications for Bidder No. 6 and 8				
	Bidder No.	Bidder's Name	Technical Score	Weaknesses in the submitted bids
1.	6	Ernest and martin	67	<ul style="list-style-type: none"> ▪ The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs. 1,200,000 per year)-page 106). ▪ The CV of the lead partner was not comprehensive

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	Bidder No.	Bidder's Name	Technical Score	Weaknesses in the submitted bids
				as it did not provide detailed background information on level experience <ul style="list-style-type: none"> The CVs of the proposed personnel were not comprehensive as they lacked information on level of experience of the personnel. No policy on rotation of staff as required
2.	8	Ambale & Company Limited	55	<ul style="list-style-type: none"> The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs.850,000 per year) The CV of the lead partner was not elaborate as it lacked details of the experience of the partner The chapter on understanding of the ToRs was not elaborate. The CVs of the proposed personnel were not detailed as they lacked the background information on experience of the personnel No policy on rotation of staff as required They did not provide a comprehensive suggestion on ToRs Did not provide adequate methodology and work plan for the assignment The general understanding of the assignment was not adequate

- The following two (2) firms were responsive to the technical requirements of the RFP Document having scored above the set pass mark of 75%:-

	Bidder No.	Bidder's Name	Technical Score
1	4	PKF Kenya	90
2	5	Ronalds and Associates	83.40

- The RFP Document provided that only bids that score above the set pass mark of 75% would have their financial bids opened hence the bids for the two (2) responsive firms were opened on 22nd May 2019 in the presence of their representatives as follows:-

Bidder No.	Bidder's Name	Technical score	Financial Proposal Amount (Kshs.)
4	PKF Kenya	90	41,185,220.00
5	Ronalds and Associates	83.40	31,636,320.00

- The RFP Document under Clause 2.8.5 provided that the formulae for computing the weighted combined technical and financial score with a view to determining the highest ranked score.
- Upon application of the specified formulae as per the criteria, the results of the weighted combined score for the two (2) firms were as follows:-

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	Bidder No.	Bidder's Name	Technical Score (a)	Weighted Technical Score (b)= (a weighted to 80%)	Financial Proposal Amount (Kshs.) (c)	Weighted financial score (d)=c weighted to 20%)	Total Weighted Score e = b + c	Ranking
1	4	PKF Kenya	90	$90/100 \times 80 = 72$	41,185,220	$31,636,320/41,185,220 \times 20 = 15.36$	$72 + 15.36 = 87.36$	Highest ranked
2	5	Ronalds and Associates	83.40	$83.40 / 100 \times 80 = 66.72$	31,636,320	20	$66.72 + 20 = 86.72$	2 nd highest ranked

- The highest ranked firm is M/S PKF Kenya with a combined score of 87.36 and a total consultancy fee of Kshs. 41,185,220.00 for the four (4) years.
- The Evaluation Committee recommends the highest ranked firm, PKF Kenya for consideration of the award.

3) PROFESSIONAL OPINION

Section 84 of The Public Procurement and Asset Disposal Act, 2015 provides that the Head of Procurement function of a procuring entity shall, alongside the report to the Evaluation Committee as Secretariat comments, review the Tender Evaluation Report and provide a signed professional opinion to the Accounting Officer on the procurement or asset disposal proceedings.

In providing this professional opinion, the following has been taken into consideration: -

1. Article 226(4) of the Constitution provides that the accounts of the Office of the Auditor-General shall be audited and reported on by a professionally qualified accountant appointed by the National Assembly.
2. In fulfilling this mandate, the National Assembly invited bids from all eligible persons through Tender No. NA/RFP/02/2018-2019 on 5th April 2019.
3. The National Assembly conducted a pre-bid meeting on 17th April 2019 with the interested bidders in order to elaborate the requirements of the tender and as an opportunity for the bidders to seek clarification on any of the requirements in the tender document.
4. The response to the tender was good considering seven (7) firms submitted their proposals document.
5. Section 79(1) of the Public Procurement and Asset Disposal Act, 2015 provides that a tender is responsive if it conforms to all the eligibility and other mandatory requirements of the tender documents.
6. Section 80(1) of the PPADA, 2015 further provides that the Evaluation Committee appointed by the Accounting Officer pursuant to section 46 of this Act, shall evaluate



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and compare the responsive tenders other than tenders rejected under section 82 (3).

7. Section 80 (2) of the PPADA, 2015 provides that the evaluation and comparison shall be done using the procedures and criteria set out in the tender documents. The Evaluation Committee conducted the evaluation exercise as per the criteria and provisions of the RFP Document.
8. Section 124 (1) provides that the Procuring Entity shall select Quality and Cost based Selection (QCBS) Method as the preferred method to be used to evaluate proposals and shall state the selection procedure in the Request for Proposals. Section 124(2) provides Quality and cost based selection as a method that uses competitive process that takes into account the quality of the proposal and the cost of the services in the selection of the successful firm.
9. Section 86 (b) of the PPADA, 2015 provides that the successful responsive proposal with the highest score determined by the procuring entity by combining , for each proposal, in accordance with the procedures and criteria set out in the Request for Proposals, the scores assigned to the technical and financial proposals where Request for Proposals is used.
10. Further Section 127 of the PPADA, 2015 provides that the successful proposal shall be the responsive proposal with the highest score determined by an Accounting Officer in accordance with procedure and criteria set out under Section 86 of the Act.
11. M/S PKF Kenya having scored the highest combined (technical and financial) score of 87.36 is recommended for consideration of award of the contract at a Total Consultancy fee of Kshs. 41,185,220.00.
12. Comparable cost in year 2016 to the previous award with the firm of Baker Tilly Merali's are as follows:-

	Year	Proposed Amount all taxes inclusive (Kshs.)
1	Year 1(2014/2015)	7,842,600
2	Year 2(2015/2016)	8,234,730
3	Year 3 (2016/2017)	8,646,467
	Total Cost for three (3) years	24,723,797

13. The cost of the consultancy is dependent on the nature of the assignment, qualifications and position of the individual personnel in the team, remuneration of staff, the number of persons to be deployed, duration for the assignment, the firm's policy, taxes and duties etc.
14. The whole assignment is expected to be conducted within one (1) year from the date of commencement and each year under audit has to be concluded and approved before the auditor embarks to audit the subsequent years.
15. Funds for resultant expenditure are available under contracted Professional Services budget.


12/6/19

4) RECOMMENDATION TO THE ACCOUNTING OFFICER

The Accounting Officer is requested to consider and approve award to M/S PKF Kenya at a Total Consultancy fee of Kshs. 41,185,220.00 for the consultancy contract on provision of external audit services for the purpose of auditing the office of the Auditor General for a period of four (4) years (2014/2015, 2015/16, 2016/2017 and 2017-2018) for having submitted a responsive proposal that attained the highest combined score.

Kenal - dp

KENNEDY MULANDI MALINDA
CHIEF PROCUREMENT OFFICER, NA
Encls.

ACCOUNTING OFFICER'S /CLERK OF THE NATIONAL ASSEMBLY

After considering the above request on procurement of consultancy services on provision of external audit services to the office of the Auditor General through Tender No. NA/RFP/02/2018-2019, I hereby:-

A. Approve the application as requested;

Or

B. Defer approval/award as submitted for more information to be provided in relation to;

-
-

Or

C. Reject the application for the following reasons that need to be addressed:-

-
-

SIGNATURE

[Signature]

DATE

12/6/19

TO: THE CLERK OF THE NATIONAL ASSEMBLY/
ACCOUNTING OFFICER 2042

FROM: DIRECTOR, LITIGATION AND COMPLIANCE SERVICES

DATE: 10TH JUNE, 2019.

C. P. O.
(i) agree with the legal opinion
(ii) to take further necessary action. J.S.C.
12/6/19

RE: PROFESSIONAL OPINION ON PROCUREMENT OF EXTERNAL
AUDIT SERVICES FOR THE OFFICE OF THE AUDITOR GENERAL (
TENDER NO. NA/RFP/02/2018-2019

The above matter refers.

Upon perusal of the professional opinion rendered by the Chief Procurement Officer, the following is noted:

1. That the evaluation of the bidders was transparent, clear and fair as per the provisions of Article 47 of the Constitution which does state as follows:

" Fair Administrative Action.

47.(1) Every person has the right to administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair."

2. That though Bidder number 4 was higher in their Financial Proposal Amount and would therefore ordinarily not be awarded the tender on the basis on not being the lowest bidder, they scored significantly higher than



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Please acknowledge receipt and acceptance of this offer within seven (7) days from the date of this letter and liaise with the Chief Procurement Officer - National Assembly, with regard to preparation of the said contract.

Yours *Sincerely*



MICHEAL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

Your Ref: Procurement/2018-2019/19
Our Ref: PKF/3278/2019

17 June 2019

The Clerk of the National Assembly,
Clerk's Chambers,
Parliament Buildings,
P O Box 41842-00100,
Nairobi, Kenya.

Dear Sir,

RE: ACKNOWLEDGEMENT AND ACCEPTANCE OF THE OFFER

We acknowledge receipt of the "Notification of Award for Tender No. NA/RFP/02/2018-2019 on Provision of External Audit Services for the Purpose of Auditing the Office of the Auditor General" dated 12 June 2019.

We wish to confirm our unconditional acceptance of the offer and we look forward to execution of the contract.

Yours faithfully,
PKF Kenya

David Kabebere,
Partner



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PKF Kenya and its associates are member firms of the PKF International Limited family of legally independent firms and do not accept any responsibility or liability for the actions or inactions of any individual member or correspondent firm or firms

Appendix X

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APPENDIX

XI

MINUTES OF THE 197TH SITTING OF THE PUBLIC ACCOUNTS COMMITTEE HELD ON TUESDAY 23RD JULY, 2019 IN COMMITTEE ROOM 9 AT 12:00 PM.

PRESENT

- | | | |
|---|---|--------------------------|
| 1. The Hon. James Opiyo Wandaayi, MP | - | Chairman |
| 2. The Hon. Jessica Nduku Kiko Mbalu, MP | - | Vice- Chairperson |
| 3. The Hon. Junet Mohammed Nuh, MP | | |
| 4. The Hon. Maj. (Rtd) (Dr.) Eseli Simiyu, MP | | |
| 5. The Hon. Christopher Doye Nakuleu, MP | | |
| 6. The Hon. Florence Mwikali Mutua, MP | | |
| 7. The Hon. Mathias Nyamabe Robi, MP | | |
| 8. The Hon. Francis Kuria Kimani, MP | | |
| 9. The Hon. Samson Ndindi Nyoro, MP | | |
| 10. The Hon. Qalicha Gufu Wario, MP | | |
| 11. The Hon. Michael Mwangi Muchira, MP | | |
| 12. The Hon. Peter Francis Masara, MP | | |
| 13. The Hon. Gideon Koske Kimutai, MP | | |
| 14. Hon. James Gichuhi Mwangi, MP | | |

APOLOGIES

1. The Hon. Tom J.F Kajwang, MP
2. The Hon. Patrick Makau King'ola, MP
3. The Hon. (Dr.) Otiende Amollo, MP
4. The Hon. Michael Thoyah Kingi, MP
5. The Hon. Daniel Kipkoge Rono, MP

IN ATTENDANCE

NATIONAL ASSEMBLY

- | | |
|----------------------------|---|
| 1. Mr. Michael Sialai | - Clerk of the National Assembly/Accounting Officer |
| 2. Mr. Kennedy M. Malinda | - Chief Procurement Officer |
| 3. Mr. John N. Mutega | - Principal Clerk Assistant I |
| 4. Mr. Oscar Namulanda | - Principal Clerk Assistant II |
| 5. Mr. Nebert Ikai Lomechu | - Clerk Assistant II |
| 6. Mr Peter Mwaura | - Senior Legal Counsel |
| 7. Ms. Caroline Njue | - Research Officer III |
| 8. Mr. Elijah Ichwara | - Audio Officer |
| 9. Mr Bernard Omondi | - Serjeant-at-Arms |
| 10. Ms. Brigitte Moraa | - Administrative Intern |

Office of the Auditor General

- | | | |
|------------------------|---|-------------------------------|
| 1. Ms. Mercy M. Muasya | - | Deputy Director of Audit |
| 2. Mr Elkana Otieno | - | Manager Audit |
| 3. Mr. Justin M. Rucha | - | Parliamentary Liaison Officer |

National Treasury

- | | | |
|-------------------------|---|------------------------------|
| 1. Rev Kimathi Kwiriga | - | Accountant |
| 2. Mr. Geoffrey Mwitari | - | Assistant Accountant General |

MIN No. 803/2018: PRELIMINARIES

The Chairman called the meeting to order at Thirty Minutes past Twelve O'clock followed by a word of prayer and introductions.

MIN NO. 804/2018: CONFIRMATIONS OF MINUTES

Confirmation of the Minutes of the previous sittings were deferred to the next meeting and therefore no matter arose

MIN NO. 805/2018: BRIEF ON PROCUREMENT OF EXTERNAL AUDIT SERVICES FOR THE OFFICE THE AUDITOR GENERAL

Mr. Michael Sialai the Accounting Officer and the Clerk of the National Assembly appeared before the Committee accompanied by Mr. Kennedy Malinda, Chief Procurement Officer and Mr. John Mutege, Principal Clerk Assistant I/Personal Assistant to the Clerk.

The Clerk submitted as follows:

Pursuant to Article 226(4) of the Constitution, the National Assembly is mandated to ensure that the accounts of the Office of the Auditor-General are audited and reported on by a professionally qualified accountant appointed by it.

In line with the above requirement the National Assembly has consequently tendered through Request for Proposal for Provision of External Audit Services for the office of the Auditor General on three occasions vide open Tenders Nos NA/REF/012017-2018, NA /REF/02/2017-2018 and NA/RFP/01/2018-2019. In all the three occasions the tendering process was non responsive.

The report on the non-responsive tendering process was presented to the Public Accounts Committee and it was agreed that there was a need to give the process another trial.

Various stakeholders expressed their concern over the issue which had been highlighted in the local media and as a result the National Assembly engaged the Institute of Certified Public Accountants of Kenya (ICPAK) and both parties agreed to work together to ensure that a suitable firm is identified in line with the Public Procurement and Asset Disposal Act 2015 to audit the Auditor General.

Subsequently the National Assembly initiated a fresh process to identify the firm to audit the Auditor General for the four years 2014/2015, 2015/16, 2016/2017 and 2017-2018 through TENDER NO. NA/RFP/02/2018-2019.

Highlights of the tendering process.

- (a) The Tender was advertised on 5th April 2019 through an Open Tender in the Daily Nation, the Standard, Business Daily, and The Star Newspapers and in the Parliament and Treasury Supplier Portal websites.
- (b) A pre-bid meeting with interested bidders was held on 17th April 2019 to elaborate the requirements of the tender.
- (c) The Tender submission and opening date was on 3rd May 2019 at 11.00am. The Tender required bidders to submit separate technical and financial bids.
- (d) The following seven(7) firms responded by submitting their bids:-

No.	Bidder No.	Bidder's Name
1.	1	Nelson & Francis Associates
2.	3	Mazars
3.	4	PKF Kenya
4.	5	Ronalds and Associates
5.	6	Ernest and Martin Associates
6.	8	Ambale & Company Limited
7.	9	Kiarie Kangethe & Associates

- (e) A Technical Evaluation Committee was appointed by the Accounting Officer on 15th April 2019 pursuant to Section 46 of the Public Procurement and Asset Disposal Act, 2015 to evaluate the bids submitted by the seven (7) bidders.
- (f) The Evaluation Committee concluded the evaluation exercise on 24th May 2019 and submitted the Evaluation Report to the Head of the Procurement Function as per the provisions of the Public Procurement and Asset Disposal Act, 2015.

Evaluation Process

(g) The seven (7) bids were subjected to an evaluation process as per the criteria outlined in the RFP Document issued to the bidders.

(h) The following are the key highlights of the Evaluation Report:-

➤ Evaluation Committee resolved to undertake the evaluation process in the following four (4) stages:-

- Preliminary/Mandatory Evaluation
- Technical Evaluation
- Financial Evaluation
- Determination of the highest combined score.

➤ The following three (3) firms were disqualified at the preliminary /mandatory evaluation stage for the following specified reasons:-

Bidder No.	Bidder's Name	Reasons for disqualification
B1	Nelson & Associates	<ul style="list-style-type: none">❖ Did not attach a valid tax compliance certificate❖ Did not submit a certificate of registration as firm from ICPAK❖ The practicing certificates of registration submitted were not valid. Expired in year 2018
B3	Mazars	<ul style="list-style-type: none">❖ Did not submit the tender security❖ Their document was not properly paginated❖ Did not submit a detailed firm profile as required
B9	Kiarie Kangethe & Company, CPA	<ul style="list-style-type: none">❖ Did not submit a bid security for the tender.❖ Did not submit the original and copies of the RFP document as required❖ Did not confirm the firm or its staff and partners are not aware of any conflict of interest or submit a sworn declaration as required.

➤ Four (4) firms proceeded to the 2nd stage of the evaluation which involved allocating of technical scores.

➤ Upon being subjected to the 2nd stage of the evaluation, the bids for the following two (2) firms were disqualified for having scored below the set pass mark of 75% and above due to the indicated reasons:-

Reasons for disqualifications for Bidder No. 6 and 8

	Bidder No.	Bidder's Name	Technical Score	Weaknesses in the submitted bids
1.	6	Ernest and martin	67	<ul style="list-style-type: none"> ▪ The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs. 1,200,000 per year)-page 106). ▪ The CV of the lead partner was not comprehensive as it did not provide detailed background information on level experience ▪ The CVs of the proposed personnel were not comprehensive as they lacked information on level of experience of the personnel. ▪ No policy on rotation of staff as required
2.	8	Ambale & Company Limited	55	<ul style="list-style-type: none"> ▪ The firm's lacked adequate experience in similar assignments (the highest amount being a contract of Kshs.850,000 per year) ▪ The CV of the lead partner was not elaborate as it lacked details of the experience of the partner ▪ The chapter on understanding of the ToRs was not elaborate. ▪ The CVs of the proposed personnel were not detailed as they lacked the background information on experience of the personnel ▪ No policy on rotation of staff as required ▪ They did not provide a comprehensive suggestion on ToRs ▪ Did not provide adequate methodology and work plan for the assignment ▪ The general understanding of the assignment was not adequate

- The following two (2) firms were responsive to the technical requirements of the RFP Document having scored above the set pass mark of 75%:-

	Bidder No.	Bidder's Name	Technical Score
1	4	PKF Kenya	90
2	5	Ronalds and Associates	83.40

- The RFP Document provided that only bids that score above the set pass mark of 75% would have their financial bids opened hence the bids for the two (2) responsive firms were opened on 22nd May 2019 in the presence of their representatives as follows:-

Bidder No.	Bidder's Name	Technical score	Financial Proposal Amount (Kshs.)
4	PKF Kenya	90	41,185,220.00
5	Ronalds and Associates	83.40	31,636,320.00

- The RFP Document under Clause 2.8.5 provided that the formulae for computing the weighted combined technical and financial score with a view to determining the highest ranked score.
- Upon application of the specified formulae as per the criteria, the results of the weighted combined score for the two (2) firms were as follows:-

	Bidder No.	Bidder's Name	Technical Score (a)	Weighted Technical Score (b)= (a weighted to 80%)	Financial Proposal Amount (Kshs.) (c)	Weighted financial score (d)=c weighted to 20%)	Total Weighted Score e = b + c	Ranking
1	4	PKF Kenya	90	$90/100 \times 80 = 72$	41,185,220	$31,636,320 / 41,185,220 \times 20 = 15.36$	$72 + 15.36 = 87.36$	Highest ranked
2	5	Ronalds and Associates	83.40	$83.40 / 100 \times 80 = 66.72$	31,636,320	20	$66.72 + 20 = 86.72$	2 nd highest ranked

- The highest ranked firm was M/S PKF Kenya with a combined score of 87.36 and a total consultancy fee of Kshs. 41,185,220.00 for the four (4) years.
- The Evaluation Committee recommended the highest ranked firm, PKF Kenya for consideration of the award. The Head of Procurement did not raise any objection on the recommendation and the Director of Litigation concurred with the professional opinion issued by the Head of Procurement.

A notification of intention to enter into a contract was issued to M/s PKF Kenya and accepted on 17th June 2019. There was no appeal from any of the other bidders within the prescribed period.

A negotiation committee has been appointed in accordance to section 46-4(a) of the Public Procurement and Assets Disposal Act, 2015 to negotiate on other contractual term.

Comparable cost in year 2016 to the previous award with the firm of Baker Tilly Merali's are as follows:-

	Year	Proposed Amount all taxes inclusive (Kshs.)
1	Year 1(2014/2015)	7,842,600
2	Year 2(2015/2016)	8,234,730
3	Year 3 (2016/2017)	8,646,467
	Total Cost for three (3) years	24,723,797

The award has been made to M/s PKF Kenya subject to approval by the National Assembly pursuant to Article 226 (4) of the Constitution.

The Public Accounts Committee is requested to note the progress and resolve to move the Motion for consideration of approval of M/s PKF Kenya as per the foregoing provisions of the Constitution.

Committee Observations

1. The above process culminated with an award to M/s PKF Kenya subject to approval by the National Assembly pursuant to Article 226 (4) of the Constitution.
2. No contract agreement has been entered with M/s PKF Kenya subject to approval by the National Assembly pursuant to Article 226 (4) of the Constitution.

Committee Resolution

The Committee resolved to move the Motion for consideration of approval of M/s PKF Kenya as per the foregoing provisions of the Constitution.

MIN NO. 806/2018: ANY OTHER BUSINESS

There being no other business, the sitting was adjourned at Ten Minutes past One O'clock.

Signed..... Date.....
(Chairperson)

