KENYATTA NATIONAL HOSPITAL



TENDER DOCUMENT

FOR

THE DISPOSAL OF USED CARTRIDGES (EMPTIES)

TENDER NO: KNH/T/D/09/2022-2023

TENDER DOCUMENT

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TENDER DOCUMENTS FOR DISPOSAL

(1)	NAME AND CONTACT ADDRESSES OF PROCURING ENTITY
	Name
	Address
	Email address
(2)	Invitation to Tender (ITT) No.
(3)	Tenderer's Name

INVITATION TO TENDER

PROCURINGENTITY: KENYATTA NATIONAL HOSPITAL, P.O BOX 20723-00200 CONTRACT NAME AND DESCRIPTION –DISPOSAL OF USED CARTRIDGES (EMPTIES)

The **Kenyatta National Hospital** now invites sealed tenders from eligible candidates to DISPOSE OF USED CARTRIDGES (EMPTIES)

- 2. Interested eligible candidates may obtain further information at the address provided below. Items will be sold as they are without any encumbrances.
- 3. Interested tenderers may inspect the goods to be sold during office hours N/A
- 4. A complete set of tender documents may be obtained by interested candidates from the procuring entity upon payment of non-refundable fees of *Kshs.1*, 000.00 in cash or banker's cheque payable via Mpesa Paybill No. 626088 or shall not charge a fee where Disposal document is obtained Electronically
- 5. Tenderers will be required to pay in advance a refundable deposit as indicated in the Appendix to Instructions to tenderers.
- 6. Completed tenders must be delivered to the address below on or before 17/05/2023 at 10.00 a.m. Electronic Tenders [will not] be permitted.
- 7. Prices quoted should be net, must be in Kenya Shillings and shall remain valid for the period to be determined by the Procuring Entity from the closing date of the tender.
- 8. Tenders will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Tenders will be publicly opened in the presence of the Tenderers' designated representatives who choose to attend at the address below.
- 9. Late tenders will be rejected.
- 10. The addresses referred to above are:
 - A. Address for obtaining further information, and for inspecting the goods to be sold.

THE CHIEF EXCUTIVE OFFICER KENYATTA NATIONAL HOSPITAL P.O BOX 20723-00200 NAIROBI

В.	<u>Address</u>	for	Su	<u>bmi</u>	<u>ssion</u>	of	<u>Tende</u>	rs

KENYATTA NATIONAL HOSPITAL P.O BOX 20723-00200

procurement@knh.0r.ke

C. Address for Opening of Tenders.

KENYATTA NATIONAL HOSPITAL P.O BOX 20723-00200 UPPER HILL NAIROBI

	[Authorized Official (name, designation, Signature and date)]	
Name		
	(Official of the Procuring Entity issuing the invitation)	
Designation		
Signature		_
Date		

SECTION I -INSTRUCTIONS TO TENDERERS

1 EligibleTenderers

- 1.1 This Invitation for Tenders is open to all tenderers eligible as described in the Appendix to instructions to tenderers.
- 1.2 Tenderers shall be under a declaration of ineligibility for corrupt or fraudulent practices
- 1.3 The Procuring Entity's employees, committee members, board members and their Spouses, Child, Parent, Brothers or Sister.Child, Parent, BrotherorSisterofaSpousearenoteligibletoparticipateinthetenderunless wherespecificallyallowedundersection131oftheAct.
- 1.4 A Kenyan tenderer shall provide evidence of having fulfilled his/her tax obligations by producing a valid tax compliancecertificateortaxexemptioncertificateissuedbytheKenyaRevenueAuthority.

2. Cost of Tendering

- 2.1 Thetenderershallbearallcostsassociated with the preparation and submission of its tender, and the Procuring Entity, will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.
- 2.2 The Procuring Entity shall allow the tenderer to review the tender document and the goods to be sold free of charge before tendering.

3. The Tender Document

- 3.1 Thetenderdocumentcomprises the documents listed below and any addenda is sued in accordance with clause 2.5 of these instructions to tenderers.
 - i) Invitation to tender,
 - ii) Instructions to tenderers,
 - iii) Schedule of items and prices,
 - iv) Conditions of Tender,
 - v) Form of tender,
 - vi) Confidential Business Questionnaire Form,
 - vii) Tender Commitment Declaration Form.
- 2.1 The tenderer is expected to examine all instructions, forms, terms and specifications in the tender documents. Failuretomeetalltherequirementsofthetenderwillbeatthetenderer's risk and may result in the rejection of its tender.

4 Clarification of Documents

- 4.1 A prospective tenderer requiring any clarification of the tender document may notify the Procuring Entity in writingorbypostattheentity'saddressindicated in the Invitation fortenders. The Procuring Entity will respond in writing to any request for clarification of the tender documents, which it receives not later than thirty(30) days prior to the deadline for the submission of tenders, prescribed by the Procuring Entity. Written copies of the Procuring entities response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective tenderers that have received the tender document.
- 4.2 Clarification of tenders shall be requested by the tenderer to be received by the Procuring Entity not later than 7 days prior to the deadline for submission of tenders.
- 4.3 The Procuring Entity shall reply to any clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.

5 Amendment of Documents

- 5.1 At any time prior to the deadline for submission of tenders, the Procuring Entity, may for any reasons, whether at its own initiative or in response to a clarification requested by a prospective tenderer, modify the tender documents by amendment
- 5.2 All prospective candidates that have received the tender documents will be notified of the amendment in writing or by post and will be binding on them.
- 5.3 In order to allow prospective tenderers reasonable time in which to take the amendment in to account in preparing their tenders, the Procuring Entity, at its discretion, may extend the deadline for the submission of tenders.

6 Tender Prices and Currencies

- 6.1 The tenderer shall indicate on the appropriate Price Schedule the unit prices and total tender price of the items it proposes to purchase under the contract.
- 6.2 Prices quoted by the tenderer shall be fixed during the tender validity period and not subject to variation on any account. A tender submitted with an adjustable price quotation will be treated as non- responsive and will be rejected.
- 6.3 The Price quoted shall be in Kenya Shillings.

7 Tender deposit

- 7.1 The tenderer shall put a deposit for every item tendered for in the amount indicated in the schedule of items and prices, to the Bank account indicated in SectionIII-Schedule of Items and Prices
- 7.2 Failure to put the required deposit for any item tendered for will lead to disqualification of the tender for the item.
- 7.3 Unsuccessful Tenderer's tender deposit will be discharged or returned as promptly as possible but not later than Seven (7) days after the expiration of the period of tender validity prescribed by the Procuring Entity.
- 7.4 The successful Tenderer's tender deposit will be credited to his tender prices o that it forms part of the amount of the tender and the tender will be required to pay the tender priceless the deposit security.
- 7.5 The tender deposit shall be forfeited:
 - a) If atenderer withdraws its tender during the period often der validity specified by the Procuring Entity.
 - b) In the case of a successful tenderer, if the tenderer fails to pay the balance of the tender price.

8 Validity of Tenders

- Tenders shall remain valid for 60 days or as specified in the appendix to instruction to tenderers after date of tender opening prescribed by the Procuring Entity, pursuant to paragraph2.10. Tendervalid for ashorter period shall be rejected by the Procuring Entity as non-responsive.
- 8.2 In exceptional circumstances, the Procuring Entity may solicit the Tenderer's consent to an extension of the period of validity. There quest and the responses there to shall be made in writing. The tender deposit provided under paragraph 2.7 shall also be suitably extended. A tenderer may refuse the request without forfeiting its tender deposit. A tenderer granting their quest will not be required nor permitted to modify its tender.

9. Viewing of Tender Items

9.1 Prospective tenders are advised to view the items to be sold before tendering. This will enable them to arrive at the most reasonable and competitive tenders. Tenders are based on "AS WHERE IT IS AND THE CONDITION IT IS IN" and the conditions of the items are not guaranteed or warranted by the seller.

8.1

10. Sealing and Marking of Tenders

10.1

10.2

12.2

13.1

The Tenderer shall deliver the Tender in a single, sealed envelope bearing the name and Reference number of the Tender, addressed to the Procuring Entity and awarning not to open before the time and date for Tenderopening date. Within the single outer envelope the Tenderer shall place another sealed envelope containing the list of and prices of the items tendered for and addressed as follows.

- a) Bear the name and address(including telephone number and email) of the Tenderer;
- b) Bear the name and Reference number of the Tender;
- c) Bear the name and address of the Procuring Entity; and
- d) Attach a payment slip or certified banking details from abank, warranting the deposit payment made for the items tender for.

If all envelopes are not sealed and marked as required, the *Procuring Entity* will assumeno responsibility for the misplacement or premature opening of the Tender, or failure to contact the tenderer in case of advice on the status of the tender or refund of deposit. Tenders that are misplaced or opened prematurely will not be accepted.

Deadline for Submission of Tenders

Tenders must be received by the Procuring Entity at the address specified not later than...(day,dateandtime).

The Procuring Entity may, at its discretion, extend this deadline for the submission often ders by amending the tender documents in accordance with paragraph 2.5. in which case all rights and obligations of the Procuring Entity and tenderers previously subject to the deadline will thereafter be subject to the deadline as extended.

12. Modification of tenders

- 12.1 The tenderer may modify or withdraw its tender after the tender's submission, provided that written notice of the modification, including substitution or withdrawal of the tender is received by the Procuring Entity prior to the deadline prescribed for submission of tenders.
 - The Tenderer's modification or withdrawal notice shall be prepared, sealed, marked, and dispatched in accordance with the provisions of paragraph 2.9.1. A withdrawal notice may also be sent by fax or email but followed by assigned confirmation copy, post marked not later than the deadline for submission of tenders.
- 12.2 No tender maybe modified after the deadline for submission of tenders

13 Withdrawals and tenders

No tender maybe withdrawn in the interval between the deadline for submission often ders and the expiration of the period often dervalidity specified by the tenderer. Withdrawal of atender during this interval may result in the tenderer's forfeiture of its tender deposit, pursuant to paragraph2.7.5

14 Opening of Tenders

- 14.1 The Procuring Entity will open all tenders in the presence of tenderer's 'representatives who choose to attend at 10:00am Tuesday the 17th May 2023 and in the location specified in the invitation to tender. The tenderer's or representatives who are present shall sign a register evidencing their attendance.
- 14.2 The tenderers' names, tender modifications or withdrawals, tender prices, and the presence or absence of requisite tender deposit and such other details as the Procuring Entity, at its discretion, may consider appropriate, will be announced at the opening.
- 14.3 The Procuring Entity will prepare minutes of the tender opening.

15 Clarification of tenders

15.1

16.3

- To assist in the examination, evaluation and comparison of tenders the Procuring Entity may, at its discretion, ask the tenderer for a clarification of its tender. The request for clarification and the response shall be in writing, and no change in the prices or substance of the tender shall be sought, offered, or permitted.
- 15.3 Any effort by the tenderer to influence the Procuring Entity in the Procuring Entity's tender evaluation, tender comparison or contract award decisions may result in the rejection of the tenderers' tender.

16 Evaluation and Comparison of Tenders

- 16.1 The Procuring Entity will examine the tenders to determine whether they are complete, whether the tenderer has fulfilled the eligibility criteria, whether any computation errors have been made, whether required deposits have been furnished, whether documents have been properly signed and whether the tenders are generally in order. After examination a tender that will be determined to be substantially non- responsive, will be rejected by the Procuring Entity.
- 16.2 Provided that the Tender is substantially responsive, the Procuring Entity shall handle errors on the following basis:
 - a) Any error detected if considered a major deviation that affects the substance of the tender, shall lead to disqualification of the tender as non-responsive.
 - b) Any errors in the submitted tender arising from a miscalculation of unit price, quantity, subtotal and total bid price shall be considered as a major deviation that affects the substance of the tender and shall lead to disqualification of the tender as a major deviation that affects the substance of the tender and shall lead to disqualification of the tender as non-responsive and
 - c) If there is a **discrepancy between words and figures, the amount in words shall prevail**, unless the amount expressed in words is related to an arithmetic error, in which case the amounting figures shall prevail.
 - The Procuring Entity will evaluate and compare the tenders, which have been determined to be substantially responsive.
- 16.4 The tender evaluation committee shall evaluate the tender within 30 days of the validity period from the date of opening the tender.

Responsive	No. Requirements	Responsive or Non Responsive
MR 1	Copy of Valid Trading License / permit - county licence	
	Submit two tender documents labeled original and copy securely bound.	
MR 2	All pages of Tender documents Must be Sequentially Serialized by the tenderer.	
MR 3	Must Submit a copy of the Certificate of incorporation or Registration Certificate	
MR 4	Must Submit a copy of Valid Tax Compliance certificate or a letter from the authority that the country of origin does not pay tax or tax exemption certificate.	
MR 5	Must submit dully filled Tender form, signed and stamped	
MR 6	Must submit dully filled Declaration and Commitment form to the code of ethics, signed and stamped	
MR7	Must submit dully filled Self declaration forms SD1& SD2	
MR8	Must duly fill, stamp and signed Confidential Business Questionnaire Form.	
MR9	Declaration and commitment to the code of Ethics	

At this stage, the tenderer's submission will either be responsive or non-responsive. The non-responsive submissions in any of the above mandatory requirements will be eliminated from the entire evaluation process and will not be considered further.

17. Award Criteria

17.1 The Procuring Entity will award the contract to the successful tenderer (s) whose tender has been determined to be substantially responsive and has been determined to be the highest tendered price, subject to the reserve price.

18 Notification of Intention to enter into a Contract/Notification of Award

- 18.3 Prior to the expiration of the period of tender validity, the Procuring Entity will notify the successful tenderer in writing that its tender has been accepted.
- 18.4 Simultaneously the other tenderers shall be notified that their tenders have been unsuccessful.

18 Canvassing/Contacting the Procuring Entity

- 18.1 No tenderer shall contact the Procuring Entity on any matter relating to its tender, from the time of the tender opening to the time the contract is awarded.
- 18.2 Any effort by a tenderer to influence the Procuring Entity in its decisions on tender evaluation, tender comparison, or contract award may result in the rejection of the tenderer's tender.

SECTION II - SCHEDULE OF ITEMSAND PRICES

Notes on schedule of Items and Prices

- 1. The Procuring Entity will prepare the schedule of items being sold, marking each item with a unique number. Where items are to be sold as a lot, the lots must be clearly indicated in the schedule.
- 2. The schedule of items and prices will include a column for the deposit to be paid by the tenderer for the item and lot. The deposit amount should be indicated by the Procuring Entity.
- 3. The tenderer shall complete the tender by preparing and completing the Table below, indicating the items tendered for and the prices offered and striking out those not tendered for. The Procuring Entity willcompletecolumns 1-4 and 7 and the Tenderer will complete columns 5 and 6, and sign as indicated below.

SCHEDULE OF ITEMSAND PRICES

1	2	3	4	5	6	7	8
Item	Description of	Unit of	Total	Reserved	Unit price	Total Tender	Required
No.	Item	Issue	Quantity	price	(KSH)	Price	Deposit
1	Disposal of used	Nos	N/A	100.00			5,000.00
	Cartridges						
2							
3							
4							
5							

The Deposit(s) have been made to the Account as detailed below (details to be completed by the Procuring Entity).

Name of Account Holder

Name of the Bank		
	D 137	
and City		
	banking correspondent (If any)	
	Name of Tenderer	
	Name of Authorized official	
	Signature	
	Date	

SECTION III - CONDITIONS OF TENDER

- 1.1 A tenderer may tender for each item or each lot and may tender for as many items or lots she/she wishes.
- 1.2 A tenderer will pay a deposit in advance before the closing date of the tender for each item or lot tendered for as indicated in the schedule of items and prices.
- 1.3 Tenderers who will be awarded contracts will be required to pay for the items after 14 days and not later than 21days. Failure to which the contract award will be cancelled and the deposit forfeited. If there is an administrative review, the review procedures shall be followed.
- 1.4 Tenderers who will not be awarded contracts will be refunded the deposits within fourteen (14) days after notification of the communication of the contract awards.
- 1.5 Tenderers will be required to collect the items they have paid for within fourteen (14) days after making the payment, failure to which storage charges will be charged as indicated in the appendix to Conditions of Tender.
- 1.6 TheProcuringEntitywillretainconfidentialreservepricesforalltheitems.Itemstenderedforbelowthereserve price will be retained by the Procuring Entity.

SECTION IV - STANDARD FORMS

Note on Standard Forms

The form of tender, the confidential business questionnaire form and the tender deposit commitment declaration form must be completed by the tenderers and returned with the tender .Failure to complete any of these forms will lead to the disqualification of the tenderer.

1. Form of Tender

То						Date:	
10				••••		Tender No	
	[Name and add			••••			
Ge	entlemen and/or Lac	lies:					
1.	the sa	ersigned, offeidother sums a	er to purchase tender as may be aso	and collect a documen certained in a	ts f	offered to us in co for the al tender amount	onformity with sum t in words and
2.	We undertake, is requirements of		is accepted,	to pay for a	nd collect the	e items in accord	dance with the
3.		nstructions to	o tenderers,an	d it shall rem		rs from the date f upon us and may	
4. SC	We understand the CHEDULE OF ITE			ecept the high	est or any ter	nder that you may	y receive.
				T _	1 -	T =	
m	Description of Item	Unit of Issue	4 Total Quantity	5 Reserved price	Unit price (KSH)	7 Total Tender Price	8 Required Deposit
	Disposal of used Cartridges	Nos	N/A	100.00			N/A
Da	ted this		day of	,		20	
[Si	gnature]			[In the ca			
Du	ly authorized to sign	tender for and	l on behalf of				

Confidential Business Questionnaire Form

You are requested to give the particulars indicated in Part1 and either Part2 (a), 2(b) or2(c) whichever applies to your type of business.

You are advised that it is a serious offence to give false information on this form.

You are requested to give the particulars indicated inPart1 and either Part2 (a), 2(b) or2(c) whichever applies to your type of business.

You are advised that it is a serious offence to give false information on this form

ETC.

Name			
Designation			
Signature and Comp	any stamp or Seal		
Date			
6. Tender deposit c	ommitment Declaration Form	1	
_			
		,	
As indicated in the s	chedule of items and prices, we	do confirm that we have put d	eposits for the items tendere
s supported by the a	attached copies of receipts as fo	ollows:-	
TOPINA NI		D '4	D 'AN IDA
ITEM No. or Lot No.	Item Description	Deposit (Kshs.)	Receipt No. and Date
1	N/A	N/A	
2			N/A
3			
4			
5			
th animin a Official			
thorizing Official _	(Name)		
	(Name)		
	(Name)		
signation	(Name)		
	(Name)		
signation	(Name)		

SELF-DECLARATION FORMS

FORM SD1

SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT2015.

			being a resident of do hereby make a statement as
fol	llows:-		
1.		(Insert name of the Con	mpany) who is a Bidder in respect of Tender No scription) for
2.	THAT the aforesaid Bidder, its Dir procurement proceeding under Par		e not been debarred from participating in
3.	THAT what is deponed to herein a	above is true to the best of my k	knowledge, information and belief.
 (Ti	itle)	(Signature)	(Date)
Bio	dder's Official Stamp		

FORM SD2

SELF-DECLARATION THAT THE PERSON/TENDERER WILL NOT ENGAGE IN ANY CORRUPT OR FRAUDULENT PRACTICE.

1.	THAT I am the Chief Executive/Managing Director/Principal Officer/Director of
2.	THAT the aforesaid Bidder, its servants and/or agents/subcontractors will not engage in any corrupt or fraudulent practice and has not been requested to pay any inducement to any member of the Board, Management, Staff and/or employees and/or agentsof
3.	THAT the aforesaid Bidder, its servants and/or agents /subcontractors have not offered any inducement to any member of the Board, Management, Staff and/or employees and/or agents of(name of the procuring entity).
4.	THAT the aforesaid Bidder will not engage/has not engaged in any corrosive practice with other bidders participating in the subject tender
5.	THAT what is deponed to herein above is true to the best of my knowledge information and belief.
 (T	tle) (Signature) (Date)

Bidder's Official Stamp

DECLARATION AND COMMITMENT TO THE CODE OF ETHICS

I	(person) on behalf of (Name of the Business/
Company/Firm)	declarethatIhavereadandfullyunderstoodthe
contents of the Public Procurement & Asset Disp	osal Act, 2015, Regulations and the Code of Ethics for persons
participating in Public Procurement and Asset Disp	posal Activities in Kenya and my responsibilities under the Code.
I do hereby commit to abide by the provisions of tl	ne Code of Ethics for persons participating in Public
Procurement and Asset Disposal.	
Name of Authorized signatory	
Sign	
Position	
Office address	Telephone
E-mail	
Name of the Firm/Company	Date
(Company Seal/ Rubber Stamp where applicable	le)
Witness	
Name	
Sign	Date

LETTER OF NOTIFICATION OFAWARD

constitute a contract between us and yourselves for sale of the said items.

Entity] [Date]

To:[nameandaddressoftheContractor] This is to notify you that your Tender dated[date] for the purchase of the items and at prices listed on the table below is hereby accepted

by......(NameofProcuringEntity).

Please acknowledge receipt of this letter of notification by signing the attached copy and returning it to us within 14 days of the issue of the notification to signify your acceptance of this award. Your signing the attached copy will

On signature of the copy of the letter of notification, you are required to pay the balance of the tender price within 14 days and collect the items.

In connection with this a ward ,you may contact the Officer(s)whose particulars appear below on the subject matter of this letter of notification of award.

OFFEREDITEMSANDPRICES

[Letter head paper of the Procuring

1	2	4	5	6
Item	Description of Item	Total Quantity	Unit price	Offered Price
No.				
1				
2				
3				
4				
TOTAL	PRICE OF ALL ITEMS			XXXXX

Authorized Signature:
Name and Title of Signatory:
Name of Procuring Entity

COPY OF THE LETTER OF NOTIFICATION OF AWARD

(To be signed by the Purchaser) [Letter head paper of the Procuring Entity] [Date]

To: [name and address of the Purchaser]

Please acknowledge receipt of this letter of notification by signing the attached copy and returning it to us within 14 days of the issue of the notification to signify your acceptance of this award. Your signing the attached copy will constitute a contract between us and yourselves for sale of the said items.

On signature of the copy of the letter of notification, you are required to pay the balance of the tender price within 14 days and collect the items.

In connection with this award, you may contact the Officer (s)whose particularsappearbelowonthesubjectmatter of this letter of notification of award.

OFFERED ITEMS AND PRICES

1	2	4	5	6
Item	Description of Item	Total Quantity	Unit price	Offered Price
No.				
1				
2				
3				
4				
TOTAL	PRICE OF ALL ITEMS			XXXXX

Authorized Signature:	••••
Name and Title of Signatory:	
Name of Procuring Entity:	
Officer(s) to be contacted	
NameofOfficer	

Telephone Number	
Email Address	
Physical Address (City, Street, Building, Floor	number and room number)
SIGNED BY THE PURCHASER	
award. We understand that the award will remai	execute the sale of the items as per conditions of the n cancelled and no deposits will be refunded if we do
award. We understand that the award will remai	*
award. We understand that the award will remainot: a) Returnthislettersignedwithin14days;or	*
award. We understand that the award will remainot: a) Returnthislettersignedwithin14days;or b) Paythebalanceofthetenderamountwithin	n cancelled and no deposits will be refunded if we do fourteen(14)days after notification of the award. he items we have paid for within fourteen (14) days
award. We understand that the award will remainnot: a) Returnthislettersignedwithin14days;or b) Paythebalanceofthetenderamountwithin We further understand that if we do not collect t	n cancelled and no deposits will be refunded if we do fourteen(14)days after notification of the award. he items we have paid for within fourteen (14) days

Name and Title of Signatory

REQUEST FOR REVIEW

FORM FOR REVIEW (r.203(1))

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD APPLICATION NO......OF......20...... **BETWEEN**APPLICANT ANDRESPONDENT (Procuring Entity) Request for review of the decision of the............ (Name of the Procuring Entity ofdated the...day REQUEST FOR REVIEW I/We....,the above named Applicant(s), of address: Physical address...........P. O. Box review the whole/part of the above mentioned decision on the following grounds, namely: 1. 2. By this memorandum, the Applicant requests the Board for an order/orders that: 1. 2. FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on......day of20..... **SIGNED**

Board Secretary