

EXPRESSION OF INTEREST FOR PROVISION OF CONSULTANCY SERVICES TO CONDUCT LEGAL AUDIT

1. Background

Development Bank of Kenya (DBK) is a tier 3 bank with 2 branches in Nairobi. The bank has limited but higher value transactions. It's regulated by Central Bank of Kenya. DBK is obliged to adhere to various compliance requirements including the requirement to conduct a comprehensive and independent legal compliance audit every two years.

2. Objective

To carry out a comprehensive and independent legal compliance audit on the operations of the Bank with an objective of assessing the Bank's compliance with all relevant laws, regulations, circulars and standards.

3. Scope of services

- a) To analyze the operations of the Bank in relation to its mandate, as a state corporation and as a body corporate.
- b) To identify and report on the relevant laws, regulations, circulars and standards governing, touching on and ancillary to the operations of the Bank.
- c) To identify and report on the specific provisions/compliance standards required by the legislation or instruments identified in (2) above.
- d) To examine and report on the Bank's adherence to the legislation or instruments identified in (3) above.
- e) To identify and report on the pertinent legal risks emanating from any non-compliance and proposed resolution of the risks.
- f) To provide appropriate recommendations for resolution of and or corrective measures for any unfavorable findings.

4. Eligibility criteria

The Expression of Interest must be accompanied by the consultants' qualifications, professional capabilities and documentary evidence of having successfully completed assignment/ project of similar nature. Interested firms should provide specific information which will be the basis for shortlisting and further invite to respond to comprehensive terms of reference as indicated below:

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a) **Technical/Functional Skills and Requirements**

- i) Trained on conduct of Legal and Compliance Audit.
- ii) Member of the Law Society of Kenya in good standing.
- iii) Experience having conducted a comprehensive legal compliance audit for a public institution.
- iv) Adequate resources and staff with expertise in legal and compliance audit to complete assignment within sixty (60) days.
- v) Curriculum Vitae of the Lead Legal Auditor.
- vi) Submit evidence of experience in undertaking similar assignments.

b) **Mandatory requirements**

- i) Submit a copy of certificate of incorporation/business registration.
- ii) Submit a valid tax compliance/Exemption certificate from Kenya Revenue Authority.
- iii) Submit a copy of valid Training Certificate on Legal and Compliance Audit.
- iv) Provide valid certificate of practice from the Law Society of Kenya.
- v) Provide Company profile of the firm indicating the contact details including physical address, telephone number, email and contact person on behalf of the bidder.
- vi) Confidential Business Questionnaire.
- vii) Copy of CR 12 for Limited companies issued within the last one year.
- viii) Self-declaration letter that the consultant is not debarred in the matters of Public Procurement and Asset Disposal Act, 2015.
- ix) Self-declaration that the person or tenderer will not engage in any corrupt or fraudulent practice.
- x) Access to Government Procurement Opportunities (AGPO) Certificate from National Treasury where applicable

5. Clarifications

The Bank shall promptly respond to all request for any clarification relating to expression of interest where such request is received before the deadline for submission. Any request for clarification must be sent in writing by electronic mailed to:

**Procurement Officer,
Development Bank of Kenya,
P.O. Box 30483-00100 Nairobi, Kenya**

Email: procurement@dbk.com

6. Submission

Completed EOI proposal shall be submitted in ONE (1) “ORIGINAL hard copy and in CD/Flash Disk saved in PDF format clearly labelled your company name and placed in separate sealed envelopes The two envelopes shall be placed in an outer envelope and sealed bear the Bank’s address, EOI name and number and clearly marked “DO NOT OPEN before day, date and time of EOI closing/Opening date.

EXPRESSION OF INTEREST FOR PROVISION OF CONSULTANCY SERVICES TO CONDUCT LEGAL AUDIT”

The pre-qualification application must be delivered (by hand or registered mail) to:

**Tender Box at Development Bank of Kenya Offices on 16th Floor, Finance House
Loita street, Nairobi or be addressed to:**

**Chief Executive Officer,
Development Bank of Kenya,**

**P.O. Box 30483 – 00100 Nairobi, Kenya
Telephone: +254 724253980/1**

Email: procurement@devbank.com; Website: <http://www.devbank.com>.

On or before: **18th June , 2021 at 10:00 a.m.** The EOI shall be opened immediately on **30th June, 2021 at 11:00 a.m.** and in the presence of tenderers’ representatives who choose to attend. in the presence of tenderers’ representatives who choose to attend strictly observing MOH protocols on Covid -19 Pandemic.

Only firms shortlisted under this procedure will be invited to submit their Technical and Financial proposals under the Request for Proposals (RFP).

CHIEF EXECUTIVE OFFICER

**CONFIDENTIAL REGISTRATION BUSINESS
QUESTIONNAIRE FORM**

You are requested to give the particulars indicated in Part 1; either Part 2(a), 2(b) or 2(c) whichever applies to your type of business; and Part 3. You are advised that it is a serious offence to give false information on this form.

Part 1 – General

1.1 Business Name

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1.2 Location of Business Premises.

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..... 1.3 Plot

No.....

Street/Road

Postal Address

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Tel No. Fax.....

E mail

1.4 Nature of Business

1.5 Registration Certificate No.

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1.6 Maximum Value of Business which you can handle at
any one time –

Kshs.....

1.7 Name of your BankersBranch

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Part 2 (a) – Sole Proprietor

2a.1 Your Name in Full

2a.2 Nationality

Country of Origin

• Citizenship Details

Part 2 (b) Partnership

2b.1 Given details of Partners as follows:

Name	Nationality	Citizenship Details	Shares
1.....			
2.....			
3.....			
4.....			
Part 2 (c) - Debarment			
<p>I / We declare that I/ we have not been debarred from any procurement process and shall not engage in any fraudulent or corrupt acts with regard to this or any other tender by DBK and any other public or private institutions.</p> <p>Date</p> <p>Name of duly authorized person.....</p> <p>Signature of duly authorized person.....</p>			
Part 2 (d) - Criminal Offence			
<p>I / We, individually or jointly have not been convicted of any criminal offence relating to professional (mis)conduct or the making of false statements or misrepresentations as to my/our qualifications to enter into a procurement contract within a period of five (5) years preceding the commencement of this Registration procurement.</p> <p>Date</p> <p>Name of duly authorized person.....</p> <p>Signature of duly authorized person.....</p>			

Part 3 – Conflict of Interest

3.1 I / We, the undersigned state that I/ we have no conflict of interest in relation to this Registration.

- 1.....
- 2.....
- 3.....

Date

Name of duly authorized person.....

Signature of duly authorized person.....

3.2 Does any person/person in DBK have
interest in the firm?Yes___No___

3.3 If answer in '3.2' above is YES give details.

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3.4 Are you under a declaration of ineligibility for corrupt and
fraudulent practices?YES_____No___

3.5 If answer in '3.4' above is YES give details:

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I / We DECLARE that the information given on this form is correct
to the best of my/our knowledge and belief and that I/We give
DBK authority to seek any otherreferences concerning my/our
firm from whatever sources deemed relevant.

Date Signature of Candidate.....

FORMAT OF CURRICULUM VITAE (CV) FOR PROPOSED PROFESSIONAL STAFF

Proposed Position: _____

Name of Firm: _____

Name of Staff: _____

Profession: _____

Date of Birth: _____

Years with Firm: _____ Nationality: _____

Membership in Professional Societies: _____

Detailed Tasks Assigned: _____

Key Qualifications:

[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations].

Education:

[Summarize college/Company and other specialized education of staff member, giving names of schools, dates attended and degree[s] obtained.]

Employment Record:

[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments.]

Certification:

I, the undersigned, certify that these data correctly describe me, my qualifications, and my experience.

_____ Date: _____

[Signature of staff member]

_____ Date: _____
[Signature of authorized representative of the firm]

Full name of staff member: _____

Full name of authorized representative: _____

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

I,of P. O. Box being a resident

of

..... in the Republic of do hereby make a statement as follows: -

1. **THAT** I am the Chief Executive/Managing Director/Principal

Officer/Director of (*insert name of the Company*) who is a Bidder in respect of **Tender No.** for

.....(*insert tender title/description*) for(*insert name of the Procuring entity*) and duly authorized and competent to make this statement.

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 agents of(*insert name of the Procuring entity*) which is the procuring entity.

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 corruptive practice with other bidders participating in the subject tender

5. **THAT** what is deponed to hereinabove is true to the best of my knowledge information and belief.

Full name.....

Signature.....

Dated thisday of2021.

Suppliers' / Company's Official Rubber Stamp

