

**African Union
Inter African Bureau for Animals Resources
(AU-IBAR)**

Minutes of AU –IBAR tender committee

**Rehabilitating and renovation of AU-IBAR Office premise
At Kenindia Business Park Building
Museum Hill, Westands Road**

Nairobi, Kenya

November 2005 to February 2006

BACKGROUND

The Government of Kenya has accommodated AU/IBAR in Maendeleo House since 1980, a period covering 25 years. The building has greatly deteriorated over the last five years as a result of poor management. The tenants have suffered from perennial water shortage, poor maintenance, poor safety standards, particularly as regards the lifts. Despite several complaints particularly about maintenance to the Management of Maendeleo House, the situation did not improve. In addition Maendeleo House has not been able to provide ample and appropriate parking for AU/IBAR. Moreover the building hosts all kinds of different tenants.

Another factor was that over the years, the AU/IBAR core and Project staff complement increased, resulting in demands for more space. Some departments were forced to rent space outside the building, which led to lack of team-work, and coordination, increased communication costs wastage of time. The total office space in Maendeleo House is 11,000 sq. ft while the real needs of the organization are at least 20,000 sq ft

From the year 2003, lack of water and non-operational lifts became consistent. As a result of this, the host Government declined to renew the lease on a long term basis and decided to pay rent on a monthly basis till such time as AU/IBAR found alternative office accommodation.

There was a general consensus that the office accommodation in the building did not befit the corporate image of a reputable diplomatic mission or organization. Moreover most of the private organizations and Government offices previously accommodated in the building opted to move out to more appropriate office environments.

After several meetings with the host Government, AU/IBAR was given the green light to go ahead and identify suitable premises and then notify the Government of Kenya for necessary action and follow up.

Consequently, the Government proceeded to survey and run several tenders. It was during this process that the Kenindia Business Park was identified.

The Kenindia Business Park building was considered appropriate and that it meets the requirements of the organization for several reasons. It is within the boundaries of the City of Nairobi, approximately 2 kms from the City Centre and the central business district and is situated in the Chiromo (Westlands) area. The location has a good number of banks, shops, hotels and transportation within easy reach. The complex has ample free parking for up to 80 vehicles. It has provision for a modern conference room that can seat up to two hundred people comfortably; there is space for a cafeteria, and a large library.

It was considered the kind of investment that would build donor confidence in AU/IBAR and as one that would completely change the image of the organization for the better.

Since AU/IBAR had limited funds and there was no provision in its budget for upgrading and portioning of the building, Messrs. Matrix, Architects and Rosewood were requested to present proposals on a informal and non-remunerative basis, in order for AU/IBAR to get an idea what costs would be involved in carrying out this exercise.

The Director submitted a formal request for assistance to AU Headquarters on the basis of the estimations submitted by Messrs. Matrix Architects

These plans and the Bill of Quantities were reviewed and approved by the AU Architect. After the completion of the works, the AU Architect would approve that the work has been completed as per the above plans and Bill of Quantities and that it could be officially commissioned.

After approving the drawings and Bills of Quantities, the building was officially handed over to the Architects, Duncan Kitololo Architects for the work to begin.

Commissioning of the Intended Works on The New Office Premises

1. Meeting between the African Union, The Government of the Republic of Kenya and Kenindia Assurance Company on the acquisition and partitioning of the new building for AU/IBAR

The meeting on the acquisition and partitioning of the new building was held on Wednesday 12th October 2005 at 10.30 hours in the AU/IBAR Conference Room on 5th Floor, Maendeleo House, Nairobi, Kenya

There following were in attendance:

Representing the African Union

Mrs. Ennet Nkambule Director, Administration and Human Resource Development	Chairperson
Mr. Ben Kioko Legal Counsel, Commission of the African Union	Member
Dr. Modibo Traoré Director, AU/IBAR	Resource Person, AU/IBAR
Mr. Yemisrach Hailu Ag. Head of Buildings, Equipment and Transportation Services and Ag. Secretary of the AU Commission Tender Board	Member
Mr. Wubishet Alemu Representing PBFA	Member
Ms. Betty Irangi	Resource Person, AU/IBAR

Representing the Government of the Republic of Kenya (Lessee)

Mr. Henry Ole Ndiema Senior Deputy Secretary Ministry of Livestock and Fisheries	Lessee
Mr. Frederick Ndonge Head of Procurement Ministry of Livestock and Fisheries	Lessee
Mr. Julius Mathae Assistant Head of Procurement Ministry of Livestock and Fisheries	Lessee

Representing Kenindia Assurance Company Limited

Mr. Praful Damji
Deputy General Manager
Kenindia Assurance Company Limited Lessor

Mr. Okundi
Lawyer
Kenindia Assurance Company Limited Lessor

Mr. Gitonga
Caretaker
Kenindia Assurance Company Limited Lessor

Key issues raised and agreements reached;

- ✦ Commitment by the Lessor and the Lessee to finalize the Lease Agreement
- ✦ Requirements from all parties concerned for this to happen
- ✦ How to take the process forward with minimum delay

At the end of an extensive exchange of views and taking into account the commitments and actions already taken by the Lessor and the lessee to it was agreed that the different parties involved in the negotiations would take all the necessary measures to ensure that the following outstanding issues were concluded:

Kenindia Assurance

Will take all the necessary measures to ensure that

- ✦ The certificates of fitness for Lift, Fire hydrants, Water pumps , generators and other electrical systems are made available to the Government of Kenya by 17th October 2005;
- ✦ All commitments made earlier regarding fencing, painting, site arrangements, new gates *inter alia* are fulfilled within three weeks from 17th October 2005 and that the site is completely handed over no later than 6th November 2005.

The Ministry of Livestock and Fisheries Development

Shall:

- ✦ Ensure that urgent action is taken once the Landlord submits the certificates of fitness;
- ✦ Supply a copy of the Lease Agreement to the African Union /IBAR to make the latter aware of the various commitments and to facilitate submission of any comments and observations that the latter may have;

- ✚ Issue a confirmation letter to the African Union Commission on the basis of which the AU will commence the partitioning of offices.

Lessor and Lessee jointly

- ✚ Agreed to ensure that the Lease Agreement is signed on or before 13th November 2005 or as soon as possible. The lease is to commence on 1st December 2005.

The Commission of the African Union

- ✚ On the basis of the commitments above the African Union Commission would start the partitioning, carpeting and fixing of vertical blinds and cabling and prioritize those works that would enable AU/IBAR to move into the premises on the agreed date.

Major Decisions taken at the meeting

- a) The AU Architect should prepare the Tender document after modification and finalization of the revised plan with the external Architect
- b) The Tender Documents and the revised working drawings will be submitted to the AU/IBAR office by Friday 14th October 2006
- c) The AU/IBAR Tenders Committee will invite at least three different contractors through selective bidding to submit their offers latest by 21st October 2006
- d) The Technical analysis will be undertaken by the external Architect and will be communicated to the AU/IBAR Tender Committee for final selection and award of the contract
- e) The design firm MATRIX Interiors Limited should only be allowed to work the architectural works, which include plans of Electrical, telephone and LAN cabling
- f) The design firm MATRIX Interiors should not participate in the bid for the construction works
- g) The Budget to be utilized for the project would be from the AU Acquisition of Property Budget.

Commissioning of the AU/IBAR Tender Committee

The AU/IBAR Tender Committee, composed as detailed below, was formally mandated by the AU Commission Tender Board to start the process of the tendering exercise and to consider all tenders and to make all decisions with regard to the award of tenders for the works and related expenses.

- Dr. Modibo Traoré Director/Head of Mission (Chair)

- Dr. René Bessin AU PACE Unit Coordinator Member
- Mr. Wubishet Alemu Finance and Administration Officer, AU/IBAR
- Ms. Miriam Mulure Bilingual Secretary, AU/IBAR
- Ms. Aruwa-Nyabundi HR/Admin Assistant, AU/IBAR

This report is jointly submitted by the members of the AU/IBAR Tender Committee as a true reflection of the recording of its proceedings on the award of tender for the upgrading, partitioning and related works completed on the new AU/IBAR office premises at the Kenindia Business Park, Museum Hill, Westlands Road, Nairobi, Kenya.

SECTION 1

AWARD OF TENDER FOR THE PARTITIONING AND UPGRADING OF AU/IBAR OFFICE PREMISES

Permission was granted to AU/IBAR by the AU Commission Tender Board to proceed with the tendering process for the partitioning, carpeting, fixing of vertical blinds and cable installations in the new office premises offered by the Government of the Republic of Kenya to the African Union's InterAfrican Bureau for Animal Resources based in Nairobi, Kenya.

To this end, the members of the AU/IBAR Tender Committee held consultations and agreed to invite the following companies to bid for the intended works:

- Messrs. Supreme Contractors, Enterprise Road Nairobi
- Messrs. Bhogal Constructions Ltd Lunga Lunga Road Nairobi
- Messrs. Mugoya Construction Ltd, Mombasa Road,
- Messrs. Cementers Construction Ltd, Lunga Lunga Road, Nairobi
- Messrs. Laxmanbhai Construction Ltd, Laxcom House
- Messrs. Seyani Brothers Ltd, Nairobi, Kenya
- Messrs. Samani Construction, Nairobi
- Messrs. Komal Construction Ltd Nairobi, Kenya
- Messrs. Hayer Bishen Singh, Kalyan House, Nairobi
- Messrs. TRIAD Architects, TRIAD House, Muthaiga,
- Messrs. Multi Options, Baricho Road, Nairobi, Kenya
- Messrs. V. K. Contractors, Lunga Lunga Road, Nairobi, Kenya

Declinations/failure to collect tender documents

Two of the companies invited to bid, namely V.K. contractors and TRIAD Architects declined to bid. V.K. Contractors informed the Secretary that they were too busy to bid for the tender while TRIAD picked up the documents but returned them after informing the secretary that they would not bid.

Bhogal Constructions and Supreme Contractors failed to pick up the documents.

The Secretary to the Committee duly informed the Finance and Administration Officer, Member of the AU Tender Committee of these developments.

The rest of the companies collected the set of documents comprising the approved drawings and Bill of Quantities.

The companies were instructed to submit their sealed bids to the office of the Secretary to the Committee no later than 5pm on Monday 14th November 2005.

Number of bids received

By close of business on Monday 14th November 2005, a total of six bids had been received.

The meeting for the opening of the bids was scheduled for Tuesday 15th November 2005 at 10am in the office of the Director, AU/IBAR and the Tender Committee was asked to be present as well as Mr. Duncan Kitololo the Consultant Architect.

Evaluation criteria agreed by the tender committee

It was agreed that the following would be the criteria for qualification

- Lowest bid (Lowest three bidders to be considered)
- Submission of comprehensive price list
- Provision of a Guarantor

Opening of bids received

	Tendered	Tender Amount	Surety provided	Position
1.	Cementers Construction Ltd	39,905,050	None	5
2.	Laxmanbhai Construction	-	-	-
3.	Seyani Brothers	32,091,420	None	3
4.	Samani Construction	29,847,450	None	2
5.	Mugoya Construction	28,155,750	None	1
6.	Komal Construction	33,439,049	None	4
7.	Hayer Bishen Singh	39,257,700	None	6
8.	Multi Options	-	-	-

Confirmation of this information with appropriate signatures is attached to the present document.

Confirmation of qualification for analysis of bids

In view of the agreed criteria for qualification, the following four companies therefore qualified for **Evaluation Stage** in order of merit based on lowest figure as none of them provided sureties:

	Company	Amount tendered	Position
1	Mugoya Construction	28,155,750	1
2	Samani Construction	29,847,450	2
3	Seyani Brothers	32,091,420	3
4	Komal Construction	33,439,049	4

The original completed bid documents from these companies were consequently submitted to Duncan Kitololo the Consultant to review and submit a detailed analysis to the Tender Committee at a meeting scheduled for this purpose at 10 am on Wednesday 16th November 2005 in the office Director.

That meeting would at that time study the Evaluation Report and award the tender based on the recommendations made and other agreed criteria as stipulated under Section 2 Clause 1.10 of the provisions of the Guidelines on Tendering Procedure which state that in determining the winner of a bid, the Board shall examine where relevant, the recommendations contained in the

evaluation report or analysis. The Board shall take into account all factors including financial and technical capabilities as well as past performance in the case of suppliers' with a business history with the Organization in order to satisfy itself that the bidder selected can perform the contract.

Evaluation of bids

The works involved in this tender were partitioning in aluminum frame gypsum boards, floor carpeting, window dressing consisting of vertical blinds and eventual painting of existing walls and slab soffittes of slabs and beams to make good, and other associated specialist works; as described in the Bills of quantities and in accordance with the Contract drawings and any other drawings which may be issued in application thereof.

Tenders were selected on the basis of reputé, especially as regards to interior works and ability to execute similar works, having in mind the urgency required of the works.

The tender requirements were:

- ✦ Bidders must be registered with the Ministry of Roads and Public Works in relevant categories
- ✦ Submission of a duly filled and signed form of tender.
- ✦ Tenders were received and opened in the presence of tenderers and/or their representatives at 08.00am on 15th November 2005 at the Client's offices, Maendeleo House 5th floor (see Appendix 1).

TABLE A : TENDERED AMOUNTS, VARIANCE AND ERROR

Item	Tenderer	Amount	%Variance from estimate	% Error
1.	Ms. Mugoya Construction Ltd P O Box 47011 – 00100 Nairobi	28,155,750.00	-2.4%	0.0%
2	Ms. Samani Construction Ltd P O Box 10356 – 00100 Nairobi	29,847,450.00	+3.4%	0.00%
3	Ms. Seyani Brothers & Co Ltd P O Box 60070 – 00200	32,091,420.00	+11.2%	+0.2%
4	Ms Komal Construction Ltd P O Box 13498 Nairobi	33,439,049.00	+15.9%	-1.0%
5.	Ms. Cementers Ltd P O Box	38,905,050.00	Not analyzed	Not analyzed
6.	Ms. Hayer Bishen Singh	39,257,700.00	Not analyzed	Not analyzed

	Ltd Tubman Road Nairobi			
7.	Ms.Laxmanbhai Construction Ltd Limuru Road Nairobi	No tender		
8.	Ms. Multi Options Ltd P O Box 17606 – 00500 Nairobi	No tender		
9.	Official Estimate	28,858,990.00		

Eight (8 n0) tenderers had picked the documents and only six (Number 6) submitted bids. .

Their tender fingers are tabulated hereunder (Table A) in ascending order including their variance from the official estimate and percentage errors (only for the four lowest tenders).

Tender responsiveness

The employer will determine whether each tender is substantially responsive to the requirements of the tender documents.

TABLE B: RESPONSIVENESS

	Tenderer	Form of tender	Registration in relevant category	Remarks
1.	Ms. Mugoya Construction Ltd P O Box 47011 – 00100 Nairobi	Y	Y	Responsive
2	Ms. Samani Construction Ltd P O Box 10356 – 00100 Nairobi	Y	Y	Responsive
3	Ms. Seyani Brothers & Co Ltd P O Box 60070 – 00200	Y	Y	Responsive
4	Ms Komal Construction Ltd P O Box 13498 Nairobi	Y	Y	Responsive
5.	Ms. Cementers Ltd P O Box	Y	Y	Responsive
6.	Ms. Hayer Bishen Singh Ltd Tubman Road Nairobi	Y	Y	Responsive
7.	Ms.Laxmanbhai	X	Y	Not responsive

	Construction Ltd Limuru Road Nairobi			
8.	Ms. Multi Options Ltd P O Box 17606 – 00500 Nairobi	X	Y	Not responsive

(Minimum qualifying criteria)

X – Means not responsive and hence to be recommended for disqualification.

Y – Means responsive; to undergo further analysis.

It is observed that of the eight (8 no) tenders, two (2 no) bidders did not conform to the said conditions and have been automatically disqualified for the following reasons:

M/s Laxmanbhai Construction Limited

This tender was disqualified because the tender documents were not completed;

M/s Multi Options Limited

This tender was disqualified because the tender documents were not completed.

Official Tender estimate figure

The official estimate for the proposed works as per the official estimates is Kshs 28,858,990.00 (say twenty eight million, eight hundred and fifty eight thousand, nine hundred and ninety Kenya shillings),

Detailed analysis:

The three lowest responsible bids were subjected to further analysis and the report is as follows:

Messrs. Mugoya Construction Company Limited

This was the lowest responsive tender at kshs 28,155,750 with no arithmetic error.

Pricing was noted to be far below the market rates and inconsistent throughout the Bill of Quantities. The tender is 2.4% below the official estimate. This percentage rises to 25.2% when only purely builders' work is considered. This is the amount arrived at when the provisional amounts within the builder's work are deducted from the total builders work.

This can be explained in two ways: The bidder has front-loaded on the preliminaries and under-priced on the actual builders work. His preliminaries amount to Kshs 2,608,775 whereas the rates for some items are almost half the market rates (see Table D). This would mean that the bidder, if awarded the tender may try to capitalize on time extensions which would make the contract figure higher to the client's disadvantage.

Indeed, investigations indicate that the bidder is claim conscious. The bidder may be intentioned on laying premature claims for payment of preliminaries when little of the builders' works is done.

Ms Samani Construction Company Limited

The bidder submitted the second lowest responsive tender in the sum Kshs 289,847,450 with no arithmetic error.

The tender is 3.4% above the official estimate. This percentage rises to 8.7% when only purely builder's work is considered.

The pricing is fair for the Builders works items and is almost at par with the market rates. As regards the preliminaries, the rates are way under the estimates. The contractor may have allowed for the items in the rates for builders works thus rendering his bid inconsistent. Among the most critical preliminary items he needed to have allowed for are insurance, project manager's office, water, electricity and sanitation for the works.

The risk with this bidder was the possibility of contractual claims arising from this oversight on preliminaries.

M/S Seyani Brothers And Company Ltd

This bidder submitted the third lowest responsive tender of Kshs. 32,091,420 with an arithmetic error of 0.2% to their advantage.

The pricing is fair for the builders' work items and consistent throughout the Bill of Quantities. The bid is 11.2% above the official estimate. This percentage rises to 19.10% when only purely builders' work is considered.

The pricing is fair for the builders' work items and within market rates. As regards the preliminaries, the rates are quite consistent although higher than the official estimates.

Ms Komal Construction Limited

This bidder submitted the fourth lowest responsive tender of Kshs 33,439,049 with an arithmetic error of 1.0% to their disadvantage.

The pricing is high for the builders' work items and is above the market rates. As regards the preliminaries, the rates are very high although this is proportionate to builders' work rates thereby exempting the client from possible claims.

General Observations

As can be observed from table A, the tenders were most competitive with four of the tenders being within 15% of the estimate.

The client has stressed that these works are urgent. The contractor selected to carry out the works should be able to carry quality workmanship that is required of these works within the required time frame.

Recommendations

In view of the foregoing analysis and observations, it was recommended that the tender submitted by the third lowest responsive bidder MS Seyani Brothers and Company Limited of P O Box 60070 – 00200 Nairobi with an amount of Thirty Million, Ninety One Thousand, Four Hundred and Twenty (Kshs 32,091,420) be considered for acceptance. This would be subject to the following four conditions:

- ✦ That the contractor will be able to negotiate his figures to get close to the lowest bid
- ✦ That the contractor will be able to work without an advance payment requirement
- ✦ That the Contractor (or any such selected Contractor) will submit a Performance Bond as required by the procedure laid down in the Preliminaries
- ✦ That the Contractor will submit a company CV with relevant Registration documents attached.

Tender Recommendation

Following the tender analysis report submitted to the tender committee on 17th November 2005, the committee requested the two short listed contractors forming the second and third lowest bids to re-evaluate their prices.

The contractors, Ms Samani Construction Ltd and Ms Seyani Brothers and Co Ltd were asked to prepare as follows:

- ✦ To omit from their pricing Prime Cost Sums forming works by specialist subcontractors i.e. electrical works, data and telephone cabling,
- ✦ To omit from their pricing Provisional Sum items forming specialist works within their builders works i/e/ flagpoles, carpet supply and fixing and attendant profits.
- ✦ To reduce on their original builders rates where necessary.

Analysis of Revised Bids by Samani And Seyani

The lowest proposal is from Ms Samani Construction Ltd with Kshs. 15,918,050

The difference between the proposals is a negligible Kshs 49,270.

The lowest builder's works proposal is from Ms Seyani Brothers and Company Limited at Kshs 14,180,490.

The difference between the proposals is Kshs 1,217,560.

In view of the foregoing the consultant architect recommended that Ms. Seyani Brothers & Co Ltd be retained as the main contractors for the project due to their lower builders works quotation and realistic preliminary costs.

Additionally the contractors have been consistent with their pricing throughout and were considered able to achieve the projected works and prime cost items seamlessly.

Selection of winning bid

The selection of a contractor who would be able to complete the assignment in the shortest time possible was crucial as ASU/IBAR was being pushed by its landlord to have completely vacated the premises at Maendeleo House by 31st January 2006.

As the Government had stopped payments to Maendeleo from 30th November 2006 which was the date agreed earlier for AU/IBAR to move, the new date of 31st January 2006 was negotiated and agreement reached that the rents for December 2005 and January 2006 at Kshs 437,000 per month be charged against the partitioning and carpets that it was agreed would be left behind in Maendeleo House.

After going through the Architects report and proposal, the AU/IBAR Tender Committee invited representatives of the two companies retained, Seyani Brothers and Samani Construction for separate discussions and presentation of how they intended to carry out the works and confirmation of the timeframe they would require to complete the works.

The contracts were asked to commit in writing when they would be able to deliver the finished building to AU/IBAR for occupation.

Messrs. Seyani Brothers were the contractor who gave a written undertaking that they would be able to deliver the building within the desired time frame which was at 31st January, 2006.

This being the case, the Tender Committee unanimously agreed to award the tender to Messrs. Seyani Brothers for an agreed and final cost of Kshs. **14,180,490 (say Fourteen Million One Hundred and Eighty Thousand, Four Hundred and Ninety Kenya Shillings).**

SECTION II

SUB-CONTRACTS

**SUPPLY, INSTALLATION AND COMMISSIONING OF
LOCAL AREA NETWORK**

**SUPPLY, INSTALLATION AND COMMISSIONING OF
ELECTRICAL CABLING**

2. Supply, Installation and Commissioning of Local Area Network

The terms of reference were as outlined in the Bill of Quantities.

Invitation to bid was on a selective basis due to time constraints. Consequently the following companies were invited to bid:

- ✦ **City Link of P O Box 42445, Nairobi, Kenya**
- ✦ **Ecopath.Net of P O Box 1139, 00100 Nairobi, Kenya**
- ✦ **Namini Investments Limited of P O Box 140482, 00100, Nairobi, Kenya**
- ✦ **Master Power Systems Limited of P O Box 976,00606, Nairobi, Kenya**
- ✦ **Smoothtel & Data Solutions Limited of P O Box 13789, 00100, Nairobi, Kenya**

The committee agreed that the following would be the qualification criteria:

- ✦ Provision of postal address
- ✦ Indication of physical location that can be vetted and proven to exist
- ✦ Authorization by the Communications Commission of Kenya to carry out business
- ✦ A Value Added Tax (VAT) Certificate of Registration indicating registration number
- ✦ A Personal Identification Number (PIN) registration certificate indicating number
- ✦ A Certificate of incorporation as a company authorized to do business

Name	Postal address	Physical location	Registration by CCK	VAT Number	PIN Number	Certificate of incorporation	Amount tendered
City Link	Vetted	Vetted	Yes	0102990K	PO111218D	C68875	2,663,600
Ecopath	Vetted	Vetted	No	0128189S	A002754660	No	2,415,240
Namini Investments	Vetted	Vetted	No	0131565Q	P051150385U	C103477	2,754,300
Master Power Systems	Vetted	Vetted	No	Not available	Not available	Not available	3,179,310
Smoothtel & Data Solutions	Vetted	Vetted	Yes	0127454L	P051168413T	C114248	2,878,321

Bids analysis

CityLink Limited

CityLink Limited met all the requirements to carry out ICT works at AU/IBAR's new office premises on Chiromo Road. Based on their profile and BQ submissions they appeared competent enough to handle the Structured Cabling requirements.

Ecopath.Net

Ecopath.net did not meet all the requirements to carry out the works as required.

Namini Investments Limited

Namini Investments Limited met some of the requirements. ... Their lack of authorization to carry out telecommunications business was the major limiting factor vis-à-vis their expertise and experience in the work to be done.

Smoothtel & Data Solutions Limited

Smoothtel Limited met all the requirements. Based on their profile and BQ (even though revised) they were considered competent enough to handle our structured cabling requirements.

Recommendation:

Only City Link Limited and Smoothtel & Data Solutions Limited met all the requirements and it was evident from their profiles that they are competent to carry out the said works. City Link Limited offered Kshs 2,663,600.00 while Smoothtel Limited quoted t Kshs 2,878,321.00.

City Link Limited had the lower quotation and would ideally be awarded the contract. However, Smoothtel has previous dealings with IBAR. The company installed the PABX. They have proved their competence, a fact that had to be taken into consideration. Smoothtel agreed to come down on their figure could till not match City Link's offer. The possible reason is the method Smoothtel confirmed they will use to carry out the backbone trunking which though expensive and differs from what the other vendors use, would prove more efficient and quicker to install.

Having considered all the facts at hand, the Tenders Committee agreed to award the tender to Smoothtel & Data Solutions Limited at a cost of **Kshs 2,873,321** (say **Two million eight hundred and seventy three thousand three hundred and twenty one Kenya Shillings**).

3. Supply, Installation and Commissioning of Electrical Cabling

The terms of reference were as outlined in the Bill of Quantities.

Invitation to bid was on a selective basis because of time constraints. Consequently the following companies were invited to bid:

- ✦ **Relcon Power Systems of P O Box 38744, Nairobi, Kenya**
- ✦ **Mirage Lite Ltd of P O box 10392, Nairobi, Kenya**
- ✦ **Master Power Systems of P O Box 976, 00606, Nairobi, Kenya**
- ✦ **Mbuttoh Electronics (address not provided)**

The committee agreed that the following would be the qualification criteria:

- ✦ Provision of postal address
- ✦ Indication of physical location that can be vetted and proven to exist
- ✦ Registration by the Ministry of Energy as an Electrical contractor
- ✦ A Value Added Tax (VAT) Certificate of Registration indicating registration number
- ✦ A Personal Identification Number (PIN) registration certificate indicating number
- ✦ A Certificate of incorporation as a company authorized to do business

Name	Postal address	Physical location	Registration by the Ministry of Energy	VAT Number	PIN Number	Certificate of incorporation	Amount tendered
Relcon Power Systems	Vetted	Not provided	Not provided	Not provided	Not provided	Not provided	3,371,820
Mirage Lite Ltd	Vetted	Vetted	Yes	0022738V	P000606225Q	C.49498	3,276,495
Master Power Systems	Vetted	Vetted	No	Not available	Not available	Not available	3,314,455
Mbuttoh Electronics	Not provided	Not provided	Not provided	Not provided	Not available	Not available	741,229

Bids analysis

It is evident from the foregoing that Mirage Lite was the only company invited to bid that provided all the information required and also, the only one that met all the technical requirements to carry out electrical works at the new offices premises. Based on their profile and BQ submissions, it was clear to the committee that they were competent to handle the power and lighting requirements at the new office.

Award of tender

Having taken due note of the foregoing, the Tender Committee agreed to award the tender to Mirage Lite for a total sum of **Kshs. 3,276,495 (say three million, two hundred and seventy six thousand, four hundred and ninety five thousand Kenya shillings only).**

SECTION III

RELOCATION RELATED CONTRACTS AWARDS

**TELEPHONE LINES SUPPLY AND INSTALLATION OF AN
IMPROVED TELEPHONE SYSTEM (TELKOM KENYA)**

**LANDSCAPING, GARDENING AND MAINTENANCE (INITIAL
PHASE - INTERNAL)**

PACKING, REMOVAL AND UNPACKING

**SUPPLY AND FIXING OF FLAGPOLES FOR THE FLAGS OF
THE AFRICAN UNION COUNTRIES**

1. Telephone Lines Supply and Installation of an Improved Telephone System (Telkom Kenya)

Telkom Kenya is the only company in Kenya that supplies telephones lines. Therefore, this is the only company that was considered in this exercise.

Telkom Kenya Limited's latest high-speed services were considered. This new switch service otherwise known as ISDN (integrated services digital network) is capable of providing both basic rate access (BRA) and Primary Rates Access (PRA).

It is particularly recommended for companies or organizations recording increases in operations volumes and who to support those increases.

The system provides thirty (30) independent 64Kbps communication channels. ISDN has a wide range of useful applications compared to the traditional system, that makes it the most suitable choice for many business organizations. The connection comes with a package of Direct Inward Dialing and Direct Outward Dialing amongst many other value added facilities which also include call/video conferencing, personalized billing for individual extensions, lease lines back-up and LAN interconnections.

With an ISDN line containing such a powerful communication capabilities, the majority of the major organizations in and around Nairobi have switched to ISDN services which give them the advantage of advertising one single number. Another advantage is on billing where only a single invoice will be sent to you.

The installation charge for the above premium service is as shown below:

The details of payments made in connection with this installation were therefore as follows:

Connection charge	Kshs 174,825
Refundable deposit	Kshs 69,000
Total	Kshs 243,825

Say Two hundred and forty three thousand, eight hundred and twenty five.

2. Packaging, Removal and Unpacking

Process:

- ✦ Identification of potential Bidders:
- ✦ Survey of Properties/goods to be moved by the potential bidders
- ✦ Quotations

Method of identification

The Tender Committee based its identification process on researched information (from other like organizations, AU staffers, internet and personal experience/knowledge).

Criteria

Reputation; Experience; Reliability

The Companies

The companies identified were: Express Kenya Ltd; Kate Freight & Travel; Schenker; Transami; Urgent Cargo; and Removals & Freight. However, only Schenker, Kate and Urgent Cargo submitted proposals given the short period in which quotations were required to be submitted. TRANSAMI said they could only undertake the survey exercise after the Christmas break; EXPRESS Kenya took too long to commit time to carry out the survey, while REMOVALS could not be reached due to communication difficulties.

Expectations

Each Company needed to state how long it would take to move AU out of its present office premises into the new site.

5. Quotations

	Timeframe	Conditions for payment	Price (Kshs)
1. Schenker	1 week 3 days	50% down payment	905,000 (minus VAT)
2. Kate	2 weeks	80% down payment	528,960 (plus VAT)
3. Urgent Cargo	4 days	100% in advance	522,000 (plus VAT)

6. Analysis and recommendation

Having studied the quotations received, the Committee formed the opinion that Schenker's quotation was on the high side while URGENT Cargo had rather rigid conditions such as the additional expenses they would have leeway to levy, to their advantage. For instance, a surcharge of 5% on the invoice amount would be payable by AU should any delay occur on the organization's account. The Committee also expressed doubt concerning Urgent Cargo's ability to pack and move the office within the four days they indicated on their quote.

The Committee consequently decided to invite KATE for further discussions to explore any possible reductions on price and agree on payment modalities, as per AU practices. Confirmation was also required from KATE in writing that they would be able to complete the assignment within the two weeks indicated on their quote should they be awarded the contract.

After discussions with KATE and following their submission of the undertaking in writing, the Committee awarded the contract to KATE for the agreed renegotiated amount of **Kshs 492,304 (say Four hundred and ninety two thousand three hundred and four Kenya Shillings only).**

3. Landscaping, Gardening and Maintenance (Initial Phase - Internal)

Invitation to bid was on a selective basis because of time constraints. All those invited to bid carried out exhaustive surveys on the site prior to making quotations

Consequently the following were the quotations received and which the Tenders Committee considered:

QUOTATIONS

COMPANY	MAINTENANCE (KSHS)	TERMS OF PAYMENT	TOTAL AMOUNT (KSHS)
Felix O. Ndege PO Box 63499 Nairobi Tel: 0721 766811	-	Down payment 50% Balance Upon completion	200,000
GILT SERVICES LIMITED PO Box 46224-00100 Nairobi Tel: 218276 0722 770948 Contact: Selah Nakhala Ngaywa Marketing Manager	1 or 2 months free	Down payment: 50% Balance: Upon completion	875,000
LAND CONNECTIONS PO Box 6436-00200 Nairobi Tel: 0722-378848 Contact: Paul Essendi, General Manager	2 months free	Down payment 60% Balance Upon completion	930,000
PLANT DISPLAYS PO Box 24175-00502 Nairobi Tel/Fax: 882757 Contact: T.J. Pye	External Works *30,000 per month <u>Internal Works:</u> *21,000 per month *Rates negotiable	External Works Down payment 30% As work progresses 40% Balance Upon completion Internal Works Down payment 30% Balance Upon completion	493,000 30,000 52,050 21,000
			596,050

Bids analysis:

1. The lowest bid received was for Kshs 200,000 for the entire exercise from Mr. Ndege. However, considering the various reports and given the extent of the work that would be involved, the Tender Committee formed the opinion that a sound working financial and resource base was necessary for the work to be done to the expected standard. As an individual contractor it would be difficult for Mr. Ndege to deliver.
2. The bids by GILT SERVICES LTD and LAND CONNECTIONS of Kshs 875,000 and 930,500 respectively, even with their offer of a complementary 2 months for maintenance were considered too high and were therefore automatically disqualified from further consideration by the Committee.
3. The Last bid submitted by PLANT DISPLAYS came to a total figure of Kshs.596,050 (i.e. External works 493,000 + 30,000 maintenance + Internal works 52,050 + 21,000 maintenance). They indicated that they could give some small discount on the maintenance fees.

Award of the tender

At the end of its deliberations, the Tender Committee came to the following conclusion:

1. That an offer be made to Plant displays who gave the most comprehensive work survey report. The business owner, Mr. Pye appeared flexible and indicated that they would be willing to discuss a further discount on the maintenance fees.
2. He was ready to start the work immediately, on the internal works.
3. The Tender committee concluded that the external works could be undertaken later or staggered so they could coincide with the rains.

The tender for the internal works was therefore awarded to Plant Displays for an amount **Kshs 52,050 (Say Fifty two thousand and fifty Kenya Shillings).**

4. Supply and fixing of flagpoles at the AU/IBAR Office Complex at the Kenindia Business Park, Museum Hill, Nairobi

Invitation to bid was on a selective basis because of time constraints. All those invited to bid carried out exhaustive surveys on the site prior to making quotations

Specifications

- ✦ Companies invited to bid were to be asked to consider and submit their proposals according to the following guidelines and specifications:
- ✦ All the flagpoles shall stand 6 meters above the ground
- ✦ The flagpoles shall all be made of aluminum/steel alloy
- ✦ The flagpoles shall be sprayed white
- ✦ The ropes and pulleys needed to hoist and lower the flags shall be fitted to the flagpoles
- ✦ The distance between the flagpoles shall be uniform and exact

Consequently the following were the quotations received from the companies indicated and which the Tenders Committee considered:

QUOTATIONS

	Supplier	Units	Unit price in KShs	Total Price net of VAT in Kshs
1	Relab Engineering & General Contractors	52	24,680	1,283,360
2	Numen Construction Ltd	52	24,003	1,248,196
3	Joint General Supplies	52	49,975	2,598,700

The members of the tenders committee sat on Wednesday 14 June to consider the bids received and outlined above. In all cases a standard advance payment of 50% was stipulated upon completion of 30% of the total works to be carried out.

It emerged that the lowest and most competitive offer was by Numen Construction. The board further requested and received samples of the flag posts and the fixing placement was also demonstrated by the bidding companies.

In accordance with the mandate given by the AU Tender Board the AU/IBAR Tender Committee being satisfied that the exercise had been followed and the procedure for awarding of tenders had been rigorously observed, it was agreed that the tender be awarded to Numen Construction.

The contract was awarded to Numen Construction Ltd and it was agreed that the work will be carried for a total sum of **Kshs 1,248,156 (say Kenya Shillings One Million, two hundred and forty eight thousand, one hundred and fifty six)**

SECTION IV

SERVICE CONTRACTS

GENERAL CLEANING AND JANITORIAL SERVICES IN & AROUND THE OFFICE PREMISES

SECURITY SERVICES

- 1. General Cleaning and Janitorial Services In & Around the Office Premises**

OVERVIEW

Unlike its former office premises, AU/IBAR would be housed in much larger premises, standing on its own compound. The premises have been vacant for sometime which has resulted in accumulation of dirt and waste in and around the block, with pavements overgrown with weeds.

The office block also has high windows and a large area of glass surfaces, open corridors and stairways.

This background clearly depicts the nature and scale of work that the cleaning services contracted for the job would have to undertake. The initial pre-occupation cleaning would need to be thorough. The nature of the building also dictates that the cleaning services supervisor would have to be a person who is keen on detail and has enough time and energy to bring the premises 'back to life'.

The Committee agreed that the following would be the criteria for selection:

1. Competitive but cost effective rates/charges
2. Be legally registered
3. Reputable and with relevant experience
4. Sound financial base
5. Adequately equipped and managed
6. Reliable, well remunerated staff
7. Flexibility
8. Professionalism

Invitation to bid was on a selective basis because of time constraints. All those invited to bid carried out exhaustive surveys on the site prior to making quotations.

The table here below indicates the details of the companies invited to bid as well as their respective proposals:

Quotes received - Summary of cost and extras

NAME OF FIRM	STAFF Compliment/Welfare scheme	PROPOSED No. of workers	VALUE ADDITIONS/ EXTRAS	CHARGES (KES)
NESCO Hughes Bldg, Muindi Mbingu Street PO Box 54867-00200 Nairobi Tel: 224599; Fax: 310416 Email: nesco@todays.co.ke Contact: Philip Mulili, Operations Manager	About 150 cleaners	8 Cleaners 1 supervisor	<ul style="list-style-type: none"> ▪ Current cleaners 	93,946 +VAT
Rentokil Initial Witu Road, Off Lusaka Road PO Box 44360-00100 Nairobi Tel: 552300/530228/555019 Fax: 550520/535453 Contact: Patrick Mumo Hygiene Consultant	148 cleaners, excluding casuals	10 Cleaners 1 Supervisor	<ul style="list-style-type: none"> ▪ Soap dispensers ▪ Supply & Disposal bins for LCs @ Kshs.500 per bin per month 	142,680 + VAT
Pro-Clean Services Limited Old-Mutual Building, Kimathi Str. PO Box 7987-00100 Nairobi Tel: 317490; Fax: 317491 Contact: J.A. Okuku Managing Director	65 cleaners	12 Cleaners 1 Supervisor	<ul style="list-style-type: none"> ▪ Tissues 	141,350
Blue City Products Harambee Plaza Haile Selassie Av, Basement 2 PO Box 6300 Nairobi Tel: 0722 683194 Contact: John B.A. Maguke Director-Operations	120 cleaners	12 Cleaners 1 Supervisor	<ul style="list-style-type: none"> ▪ Gardening (unable to get further clarification – no working phones) ▪ - Charges to remain unchanged for 3 years 	142,000
PARAPET cleaning services Wilson airport. PO Box 10491-00100 Nairobi Tel: 60766/606064/5; Tel/Fax: 607774 Email: parapet@wananchi.com Contact: Alex Nyaga Managing Director	500 cleaners Generally appears to cater well for staff welfare	12 Cleaners 1 Supervisor	<ul style="list-style-type: none"> ■ toilet paper dispenser (lockable) free ■ Supply & Disposal bins for LCs Kshs.250 p/bin p/month 	138,000

Factors considered in analyzing the bids

As explained in an earlier section of this document, the environment of the new office premises was different in several ways from the surroundings in the former office premises at Maendeleo House.

The building for example has different types of floors including ceramic, wooden and carpeted sections. This indicates that the different surfaces will require a variety of cleaning materials and equipment. Furthermore, the surface area to be cleaned is much wider than that covered by the two floors previously occupied at Maendeleo House

Arising from the above, the Service Provider chosen must be seen to have adequate equipment, staffing, and a useful range of cleaning materials.

Cleaning service providers have access to offices and are therefore in a sensitive area of work. In assessing the bids the Tender Committee therefore closely monitored the following areas during the analysis exercise:

Legalities

- ✦ Is the company registered?
- ✦ Does it have all the necessary documents such as certificate of VAT, PIN etc..
- ✦ Do they possess a tax compliance certificate?
- ✦ Do they submit NSSF & NHIF that are deducted from the employees on a timely basis?
- ✦ Do they have proper books e.g Accounts, Audited accounts also assists the client to note that they are dealing with a financially stable company that is self sustaining

Personnel

- ✦ Are they highly security vetted prior to employment?
- ✦ Are they well trained in dealing with the proper cleaning procedures and techniques as well as handling of specialized cleaning equipment and detergents?
- ✦ Are they well remunerated, well above the government minimum wage requirements?
- ✦ Are they provided with fringe benefits such as medical, meal allowances, transport etc.
- ✦ Are they provided with decent uniforms and protective clothing i.e gloves etc. to ensure that the occupational health and safety standards are observed as well as enhancing the corporate image of the client's premises?
- ✦ Does the cleaning contractor provide the necessary insurances as pertains to workman's compensation and/or group personal accident covers?

The Tender Committee was of the opinion that these requirements are necessary to ensure that the client is not subjected to unnecessary involvement in other dealing with industrial related issues, petty theft, security threats, de motivated staff and other sub-standard working related conditions.

Detergents

- ✚ Use of the right detergents for the right job is key in order to avoid premature damage and resultant replacement or repair of the floor finishes. This exercise, if not properly checked, can be expensive for the client if quality detergents, which are relatively costly, are not identified and used for the right job.

Equipment

- ✚ Does the contractor have adequate and proper commercial cleaning equipment to maintain the property?
- ✚ Will the equipment be exclusively used at the client's premises?

Insurances

- ✚ In case of any unforeseen circumstances or accidents, does the cleaning contractor have the necessary public liability and/or professional Indemnity covers to compensate the client in the event such incidents do occur?

Past and present clientele check

- ✚ It is important that a client performs an in-depth analysis on the contractor's clients to get views on how they provide the said services to the said clients. Site visits as well as evidence of written recommendations from these clients will assist you in identifying if indeed you will be getting value for your money.

Statutory requirements

It's important to check that the cleaning contractor is indeed legally compliant within the statutes of the law. This will assist the client in ensuring that they will be doing business with a company which upholds high integrity, practices and right ethical codes of its vocation.

RECOMMENDATIONS

NESCO, the present service provider offered the lowest bid at about Kshs.79, 000 exclusive of VAT. Although it would have been logical to award the tender to this company, the Tender Committee rightfully agreed that NESCO was unlikely to be able to efficiently render the services required in the new building to the required standards. NESCO has limited staff, equipment and capacity. This however raises questions about staff welfare and capacity with regards to equipment.

In considering the bids, we must also take into account the interest of other tenants who will share the premises with AU/IBAR and the standards expected. Also account could

At the end of an extensive review of the bids submitted, the Committee arrived at its conclusion after considering the following:

1. Parapet, was the bidder with the most comprehensive, quality services. The company is well equipped and structured to give AU the desired image. They are

well established and unlikely to compromise on quality. Their experience with UNEP and other diplomatic organs was considered a definite advantage.

2. Rentokil came second for the most competitive rate after NESCO (Approx. Kshs.120,000).
3. Although the NESCO bid was lowest, their status raised a key concerns as regards their ability and capacity as well as ability to be aptly equipped to carry out the assignment.
4. Pro-Clean was the 3rd cheapest and offered a clear plan of how they would to operate.

At the end of its deliberations, the Committee awarded the tender to PARAPET for a trial period of two months for **Kshs 138,000 (say one hundred and thirty eight thousand Kenya shillings only).**

The Committee further noted that the details of cleaning including schedules would be discussed with the service provider. It was further suggested that the new firm, if confirmed after the assessment of the initial two month trial period, could be approached to absorb some of the cleaners from NESCO.

Security services

It must be noted that Nairobi security needs have now been made more complex not just by the large international population, but by the alleged threat by terrorist attacks and the sophistication of thugs, carjackers etc. It is to be noted that the AU/IBAR premises are posed to host dignitaries and highly placed personalities and it must therefore be able to respond to such needs as and when called upon to do so. This therefore calls for a well-equipped and modern Security outfit that is in tune with the fast evolving environment and security demands

General outlay of premises:

Currently called *Kenindia Business Park*, the proposed new AU/IBAR is a 3-storeyed building and a basement parking lot and stands on a 5-acre piece of land approximately and is owned by Kenindia Insurance Company. It can be accessed either from Waiyaki Way (a major highway into the City), or through Westlands Road off Museum Hill.

Its immediate surroundings:

- ✚ inside the compound is a residential house, occupied by one of the Kenindia Directors;
- ✚ From the Museum Hill side of the compound along Westlands Road turning into the drive towards the office building, there are more residential houses including a compound with abandoned buildings separated by only a fence from the offices, on the eastern end;
- ✚ Waiyaki Way (a major highway into the city) and CFC Bank run along the western section.

The immediate and most crucial security installations to be put into place were considered to be the following:

- ✚ Creation of a barrier before or after the main gate to facilitate vehicle screening
- ✚ A vehicle search mirror for the screening
- ✚ Fitting of adequate security lights to ensure the compound is well lit at night
- ✚ Connecting the electric fence to a security alarm response outfit.
- ✚ Appropriate installation of smoke detectors and fire extinguishers (within the floors and at the basement parking)

The criteria agreed on by the Committee for identification of companies invited to bid were the following; :

- ✚ Reputation:
- ✚ Experience:
- ✚ Demonstrated potentiality:
 - (Is there evidence of sound material and financial resource base: staffing, equipment...?)
- ✚ Overall Product and ability to deliver
 - (does it offer, in your view, adequate risk management? And provide an effective security cover?)
- ✚ Professionalism and alertness, thereby meeting the standards required from such a company to offer such services to a diplomatic mission, (management capability)

Consequently, bids were invited from the following reputable and well know companies in Kenya which also serve most of the intemational organizations located in Nairobi, Kenya”

- ✦ **Factory Guards**
- ✦ **KK Security**
- ✦ **Securicor**
- ✦ **Securex**
- ✦ **BM Security**
- ✦ **Wells Fargo**

All but BM and Wells Fargo sent quotations: BM informed the committee that they only undertake surveys for existing clients, while Wells Fargo failed to submit.

The number and mode of employment of the guards would of course have a direct impact on the final cost of the service. It was therefore necessary to consider the following in order to give the companies to be invited to bid the right direction:

1. Does management wants security guards posted on each Floor;
2. How many guards should be deployed at the Main Entrance?
3. Will the foot gate on Waiyaki Way be used in addition to the entrance off Westlands Road in which case it would need to manned?
4. There is a definite need for a dog handler and a dog for the night patrol and this would impact on the cost.
5. Equally the charges will be affected by the need to install an alarm system and the type of alarm to be installed.

The number of guards can be adjusted and other security gadgets/needs added as funds become available (CCTV, etc)

The Committee agreed that the most basic combination would be guards, dog handler(s) to enforce the night patrols and alarm system. While it was important to keep an eye on the cost of the service, this should not be the primary factor in arriving at a decision as this could result in the real security issues being compromised. The crucial factor would be gauging the selected company’s ability to deliver effective and efficient services.

The bids received from the different companies were as follows:

COMPANY	Number of guards proposed	TOTOTAL CHARGES (minus alarm costs)
FACYORY GUARDS	12 +1 dog handler	219,750
KK SECURITY	11 + dog handler	237,445
SECURICOR	7 incl. Dog handler	180,070
SECUREX	6 incl. Dog handler	175,110

Analysis

Factory Guards, the current service providers at our Maendeleo offices, have been in place for some time. They have been operating on short-term (3 months) contracts.

The KK Security Group was perceived to be well established financially, with the required human and material resources as well as a continuous updating system in terms of training for its staff and in adjusting to future security needs

After considering all matters at hand, while the Committee was of the view that KK Security was the front runner for the award of the contract, there was a general consensus that it would not be wise to change the security group at such a crucial stage as this in itself contribute to comprising the security.

This being the case, it was agreed that the contract be awarded to the incumbent, Factory Guards for the reasons stated above. It was strongly felt however that before informing the company officially of the award, serious discussions should be held with the management of the firm in order to point out the various concerns the organization had expressed regarding the quality of their services.

Overall there has been laxity and apparent lack of supervision and follow up on issues raised. Indeed in the recent past, there have been incidents of locks and doors being broken or tampered with and security desks left unmanned. These issues had been raised with the supervisory team on several occasions without action being taken.

The issues were raised with the supervisory team and it was underscored that there was need for the company to prove themselves within the three months period that the contract was awarded for. The situation would be reviewed at the end of those three months at which point a final decision would be taken on the matter.

Main gate	2 guards
Main reception	2 guards
Visitors + Basement parking	1 guard
Total day	5 guards
Night	
Front patrol and Main gate	1 guard
Rear patrol and 1 dog + handler	
Total night	1 guard + 1 dog + handler

Therefore total number of manned security will be 6 guards + 1 dog and one handler.

The 2 guards at the main gate will be shifted to man the new gate to the IBAR premises once operational.

Shifting to the new premises

Security had to be enhanced at the new premises once the shifting commenced on 28th January 2006 as Kenindia removed their security immediately the moving started.

To this end it was necessary to deploy an extra guard during the day and one guard at night.

The contract was therefore awarded to Factory Guards.

The interim cost comprising the two extra guards was arrested at.....

While the global per month that would be payable once the extra security was removed would be -----

With the award of the security tender, the AU/IBAR Tender Committee completed its mandate as directed by the AU Commission Tender Board to handle all major matters pertaining to the consideration of bids and proposals and award of tenders for the works to be carried out in the new offices.

The members of the AU/IBAR Tenders Committee hereby append their signatures to confirm that that this report is a true reflection of the proceedings and agreed and joint decisions of all the Members Committee as regards it mandate.

Dr. Modibo T. Traoré

Chair

Dr. René Bessin

Deputy Chair

Mr. Wubishet Alemu

Member

Ms. Gladys Aruwa-Nyabundi

Secretary

Ms. Miriam Mulure

Member

The image shows five handwritten signatures in black ink, each written over a horizontal dotted line. The signatures are: 1. A large, stylized signature for the Chair, Dr. Modibo T. Traoré. 2. A signature for the Deputy Chair, Dr. René Bessin. 3. A signature for the Member, Mr. Wubishet Alemu. 4. A signature for the Secretary, Ms. Gladys Aruwa-Nyabundi. 5. A signature for the Member, Ms. Miriam Mulure.