

REPUBLIC OF KENYA



MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN  
DEVELOPMENT

STATE DEPARTMENT FOR HOUSING AND URBAN DEVELOPMENT

AHP APPLICATION FORMS

for

AFFORDABLE HOUSING PROGRAM 2022 – 2025 CYCLE  
CALL FOR APPLICATIONS FOR STRATEGIC PARTNERS

TENDER NO. MLPWHUD/SDHUD/AHP/141/2022-2023

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# ABBREVIATIONS

AHP	Affordable Housing Program
CA	Contracting Authority
DFGs	Development Framework Guidelines
EBITDA	Earnings Before Income, Tax, Depreciation and Amortization
EDGE	Excellence in Design for Greater Efficiencies
GoK	Government of Kenya
ICT	Information Communication Technology
ID	Government Identification Document
IFC	International Finance Corporation
KES	Kenya Shillings
KYC	Know Your Client
MLPWHUD	Ministry of Lands, Public Works, Housing and Urban Development
MSMEs	Micro and Small and Medium Enterprises
NHC	National Housing Corporation
PIN	Personal Identification Number
PPADA	Public Procurement and Asset Disposal Act
PPRA	Public Procurement Regulatory Authority
RFP	Request for Proposal
SDHUD	State Department for Housing and Urban Development
SPPP	Specially Permitted Procurement Procedure
TPS	Tenant Purchase Scheme
USD	United States Dollar
VAT	Value Added Tax

# INVITATION TO SUBMIT RESPONSES TO THE CALL FOR APPLICATIONS FOR STRATEGIC PARTNERS

Tender No. MLPWHUD/SDHUD/AHP/141/2022-2023

Tender Name: Affordable Housing Program 2022–2025 Cycle – Call for Applications for Strategic Partners

1. The **State Department for Housing and Urban Development** invites sealed applications in response to the Affordable Housing Program 2022 – 2025 Cycle Call for Application for Strategic Partners.
2. The submission and evaluation of applications will be conducted through the Specially Permitted Procurement Method using a standardized Call for Application for Strategic Partners document.
3. Application responses shall be quoted in Kenya Shillings and shall include all taxes. Responses to the Call for Applications shall remain valid as indicated in this document.
4. Prospective applicants are required to submit their applications separately and independently with their applications clearly marked as per the applicable categories of Strategic Partners which is provided in **Section 3.1.1: Developer Category** elsewhere in this document.
5. The terms of the definitive agreement between the Contracting Authority and the shortlisted Strategic Partners will be agreed upon in separate bid or tender processes for relevant AHP projects, as advertised from time to time.
6. The applicants shall chronologically serialize all pages of the response to the Call for Application submitted. Application documents must be tape bound and not Spiral bound. Spiral bound applications shall be automatically disqualified.
7. This Call for Application is subject to applicable preference and reservation schemes under relevant applicable law and prospective applicants will be required to demonstrate how they intend to apply them in their submissions.
8. Completed responses to the Call for Applications must be delivered to the address below on or before **29<sup>th</sup> March 2023 at 11.00 a.m. East African Time**. Electronic submissions **WILL NOT** be permitted.
9. Responses to the Call for Applications will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. The Call for Applications will be publicly opened in the presence of the applicants' designated representatives who choose to attend at the address below. The addresses referred to above are:

**A. Address for obtaining further information**

State Department for Housing and Urban Development  
Ardhi House, 6<sup>th</sup> Floor Room 606 B, 1<sup>st</sup> Ngong Avenue  
P.O. Box 30119 - 00100 Nairobi

**B. Address for Submission of Tenders**

State Department for Housing and Urban Development  
Ardhi House, 6<sup>th</sup> Floor, Tender Box, 1<sup>st</sup> Ngong Avenue  
P.O. Box 30119 - 00100 Nairobi

**C. Address for Opening of Tenders**

State Department for Housing and Urban Development  
Ardhi House, 6<sup>th</sup> Floor, Boardroom, 1<sup>st</sup> Ngong Avenue  
P.O. Box 30119 -00100 Nairobi

**Head, Supply Chain Management Services**

**Date: 7<sup>th</sup> March 2023**

# 1. INTRODUCTION

The Government of Kenya has committed to deliver a series of ambitious social programs to promote long-term economic development for the country of which delivery of decent and adequate housing is a key agenda. The Government is targeting the delivery of 250,000 housing units per year and seeking to grow the level of homeownership across the country. The Government, through the State Department for Housing and Urban Development (SDHUD), has set aside several pieces of land towards achieving the same.

Through the Specially Permitted Procurement Procedure (SPPP), as stipulated under Section 114a of the Public Procurement and Asset Disposal Act 2015 (PPADA), SDHUD as the Contracting Authority (CA) now invites applications from interested and eligible Strategic Partners, in the category of developers, both local and international, with expertise in development of affordable mass housing to undertake projects under the AHP within the cycle period 2022 – 2025 as detailed below:

<b>Category A</b>	Capability to undertake projects with greater than 100,000 Number of Housing units as a Master Developer.
<b>Category B</b>	Capability to undertake projects with between 10,000 and 100,000 Number of Housing units as a Master Developer.
<b>Category C</b>	Capability to undertake projects with between 1,000 and 9,999 Number of Housing units.
<b>Category D</b>	Capability to undertake projects with under 1,000 Number of Housing units.

The intention of this process is to identify Strategic Partners who are developers with experience in undertaking development risk by funding, constructing, and selling housing developments. The eligible Strategic Partners must prove their ability to undertake the developments through demonstration of financial and technical capacity. AHP projects under this framework will be undertaken without transfer of risks or investor obligations to the Government.

Eligible prospective investors with financing and experience in undertaking housing projects are hereby invited to submit a response to this Call for Applications. Interested parties should be well versed with AHP Development Framework Guidelines (DFGs), the list of projects in the AHP Project Pipeline, as well as guidelines and requirements set forth in the instructions to AHP call for Applications for Strategic Partners, available on the SDHUD website: [www.housingandurban.go.ke](http://www.housingandurban.go.ke) and Affordable Housing Portal [www.bomayangu.go.ke/ahp](http://www.bomayangu.go.ke/ahp) . Interested parties are advised to familiarize themselves with these documents as they form part of the requirements for submission and evaluation.

This call for applications for Strategic Partners applies to the AHP project pipeline as well as other affordable housing projects which meet the criteria set forth in the DFGs whether on Private or Public land. Private land owners willing to strategically partner for affordable housing projects in line with the DFGs are also invited to apply.

This Call for Application for Strategic Partners document serves to identify interested investors, assess their requisite technical and financial capability for undertaking projects as Strategic Partners. Section 2 provides important background information to Strategic Partners. Section 3 provides the required organizational, technical, and financing information for a responsive submission together with details on the evaluation criteria. Section 3 also provides information on the evaluation process and the negotiation process. Section 4 provides the standard forms for submission of the required information.

## **2. INFORMATION TO STRATEGIC PARTNERS**

- 2.1. The Government is committed to collaborating with private sector investors to facilitate delivery of adequate, accessible, and affordable housing to all Kenyans in line with its national development agenda through various delivery models.
- 2.2. The State Department for Housing and Urban Development (SDHUD) is issuing this Call for Application for Strategic Partners to identify local and international developers with an interest in undertaking affordable housing projects on both public and private land.
- 2.3. Applications in response to the Call for Applications for Strategic Partners will be categorized as follows:
  - i. Category A for those developers with the capability to undertake projects with greater than 100,000 number of housing units as a Master Developer.
  - ii. Category B for those developers with the capability to undertake projects with between 10,000 and 100,000 number of housing units as a Master Developer.
  - iii. Category C for those developers with the capability to undertake projects with between 1,000 and 9,999 number of housing units.
  - iv. Category D for those developers with the capability to undertake projects with under 1,000 number of housing units.
- 2.4. Interested Applicants may obtain a full range of expertise by associating with other firms or entities in a consortium.
  - 2.4.1. For the purposes of this Call for Applications for Strategic Partners, the term "Consortium" means an association with or without a legal personality distinct from that of its members, of more than one firm where one member has the authority to conduct all business for, and on behalf of, any and all the members of the consortium, and where the members of the consortium are jointly and severally liable to the Client for the performance of the Contract.
  - 2.4.2. Interested parties applying as a consortium and/or associating with individual consultants and/or other firms must provide a signed Consortium



Agreement (in the case of a Consortium) that has been executed by all members.

- 2.4.3. In the case of a Consortium, a registered power of attorney for the authorized representative of each consortium member, and a registered power of attorney for the representative of the lead member to represent all consortium members, are required.
- 2.5. The State Department for Housing and Urban Development will receive submissions from prospective Strategic Partners and evaluate them accordingly. Interested applicants are advised that SDHUD will evaluate and carry out a thorough due diligence on interested investors in addition to the assessment of their financial and technical capacity as provided in this document.
- 2.6. Successful Strategic Partners will be eligible to receive invitations to participate in tenders for projects on public land as well as submit unsolicited proposals on pieces of land in the pipeline. Strategic Partners will also be invited to submit eligible affordable housing projects on private land in order to get access to benefits under AHP including tax incentives.
- 2.7. From time to time, the State Department for Housing and Urban Development will issue, and advertise as required, tenders or bids for housing projects on public land. The advertisements will note which category of developers are eligible to submit responses. It is important to note that the terms of engagement as well as project delivery models for these projects will be provided in the requisite tender documents. The responses to the advertised projects will be received, evaluated, and successful bidders invited to undertake negotiations for the various projects.
- 2.8. The State Department for Housing and Urban Development can also receive unsolicited bids for pieces of land in its pipeline and/or on advertised pieces of land that have not attracted any interest from other developers. These unsolicited bids will equally be received, evaluated, and successful bidders invited to undertake negotiations on those prospective projects.
- 2.9. For projects on private land, the State Department for Housing and Urban Development will receive submissions from Strategic Partners and evaluate them accordingly. Upon completing the evaluation, the Strategic Partner will receive communication on the status of their project as an AHP project eligible to receive the various benefits and tax incentives.
- 2.10. Interested applicants are advised to familiarize themselves with the Affordable Housing Program, the Development Framework Guidelines (DFGs), the AHP Pipeline (which will be updated from time to time), and other materials available from the Contracting Authority as they will guide the implementation of AHP projects.

- 2.11. SDHUD will facilitate Strategic Partners in fast tracking approvals and provision of horizontal infrastructure to project sites as part of the benefits of undertaking AHP projects.
- 2.12. SDHUD will also support access to tax benefits for Strategic Partners including access to VAT Exemptions for Affordable Housing Program projects, noting that there will be a post-implementation audit on the development to ensure that the application of VAT exemptions was in line with the provisions in the law, and material non-compliances may result in revocation and recovery of the VAT exemptions.
- 2.13. Strategic Partners will be expected to have a framework for local content no less than the minimum local legislative requirements, with a focus on integrating MSMEs, Jua Kali, and other Affirmative Action Groups in the project supply chain and employment. There will be a post-implementation audit on the project to establish the extent to which integration of MSMEs, Jua Kali sector, and affirmative action groups was conducted, and material non-compliance may result in revocation and recovery of the VAT exemptions.
- 2.14. To obtain further information on the AHP projects and on the local conditions, interested applicants are encouraged to submit any clarifications, inquiries, and questions in writing via email to [procurementhousingandurban@gmail.com](mailto:procurementhousingandurban@gmail.com).

### 3. RESPONSE QUALIFICATION

The response for the RFP will be comprised of one submission in three parts:

- i. Organizational and Legal Submission;
- ii. Technical Submission; and
- iii. Financial and Commercial Submission.

#### 3.1. ORGANIZATIONAL AND LEGAL SUBMISSION

##### 3.1.1. Developer Category

3.1.1.1. Applicants should clearly indicate using the Developer Standard Form provided in *Section 4.1.1 :Developer Category Form* whether they are applying as a sole applicant or as a Consortium, noting that submission requirements differ for each type of applicant.

3.1.1.2. Applicants should also clearly indicate their Developer Category noting that the evaluation criteria differ among the four categories noted below:

Category A	Capability to undertake projects with greater than 100,000 number of housing units as a Master Developer.
Category B	Capability to undertake projects with between 10,000 and 100,000 number of housing units as a Master Developer.
Category C	Capability to undertake projects with between 1,000 and 9,999 number of housing units.

Category D	Capability to undertake projects with under 1,000 number of housing units.
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- 3.1.2. The organizational and legal submission is intended to provide the Contracting Authority with information on the Applicant.
- 3.1.3. Applicants are requested to provide the following documents in a separately bound document which must be serialized and sequentially paginated:
- i. Certified copies of the Certificate of Incorporation for the Applicant's company;
  - ii. Certified copies of CR12 or equivalent for the Applicant's company;
  - iii. A description of the ownership structure for the Bidder's / Consortium's company
  - iv. A Tax Compliance Certificate for the Applicant's company that is valid at the time of submitting the response to the Call for Applications;
  - v. Notarized or Certified Power of Attorney and Board Resolution/s allowing the signatory to submit the bid, negotiate, and possibly execute any Project Agreement(s) on behalf of the Applicant's Company;
  - vi. In the case of a Consortium, a Notarized or Certified Power of Attorney allowing the signatory of the Lead Firm in the Consortium to submit the bid, negotiate, and possibly execute any Project Agreement(s) on behalf of the consortium member;
  - vii. A signed self-declaration form that neither the Applicant nor its affiliates are debarred on the Public Procurement Regulatory Authority (PPRA) list of ineligible firms and individuals;
  - viii. A signed self-declaration form from the Applicant that they have not, and will not, be involved in corrupt or fraudulent practices;
  - ix. A signed declaration from the Applicant that they shall make a disclosure of all housing and infrastructure projects to which they have committed themselves to as developer;
  - x. A signed self-declaration form from the Applicant that they will not utilize funds from proceeds of crime, terrorism, and/or money laundering for the project(s);
  - xi. Contact information for the individuals responsible for communication with the Contracting Authority. Information requirements include:
    - Company Name
    - Contact Details (Contact Person, Address, Tel., E-Mail)
    - Parent Company Name (If Applicable)
    - Parent Company Contact Details (Address, Tel., E-Mail)
  - xii. A signed Consortium Agreement, in the case of a Consortium.
- 3.1.4. For Applicants submitting a response as a Consortium, all consortium members must provide the above noted organizational and legal submission documents.

- 3.1.5. In the case of a Consortium, a Consortium Agreement, indicating that consortium members are jointly and severally liable to the Client, that is signed and executed by all consortium members must be provided.
- 3.1.6. The Applicants shall be required to meet the financial and technical criteria.
- 3.1.7. The Applicant shall be expected to provide a duly notarized Power of Attorney and Board Resolution/s demonstrating the person to whom powers have been given to submit the bid, negotiate and possibly execute the Project Agreement.
- 3.1.8. In the case of a Consortium, a Notarized or Certified Power of Attorney allowing the signatory of the Lead Firm in the Consortium to submit the bid, negotiate, and possibly execute any Project Agreement(s) on behalf of the consortium member must be provided.
- 3.1.9. Where certified copies of documents are requested, applicants should ensure that they are certified by an Advocate of the High Court or notarized.
- 3.1.10. It is critical that applicants provide clear contact information for the individuals responsible for communication with the Contracting Authority in this submission.
- 3.1.11. **Applicants are notified that all the documents in the Organization and Legal Submission section are mandatory. Applicants who do not provide these documents will be considered non-responsive and will therefore be disqualified.**

## **3.2. TECHNICAL SUBMISSION**

The technical submission is intended to provide the Contracting Authority with information on the technical experience of the Applicant and their capacity to participate in the Development as a Strategic Partner. Applicants are requested to provide the following in a separately bound or file document:

### **3.2.1. Summary Description**

- 3.2.2.1. Applicants should provide a Summary Description and Approach for how they propose to undertake the implementation of an Affordable Housing Development.
- 3.2.2.2. In the case of a Consortium, the roles of each Consortium member must be clearly indicated.

### **3.2.2. Profiles Demonstrating Experience and Expertise**

- 3.2.3.1. Applicants should provide evidence of undertaking similar projects (complexity and value of projects) in the format described in *Section 3.2.4.: Guidelines On Submission Of Project Profiles*.
- 3.2.3.2. Applicants are encouraged to include projects demonstrating:

- i. Satisfactory experience in the execution of projects of a broadly similar nature to the one envisaged under the project;
  - ii. Ability to take on development risk;
  - iii. Ability to successfully undertake pre-sale strategies and plans; and
  - iv. Experience in raising capital to fund similar projects.
- 3.2.3.3. Applicants are required to provide at least one (1) project profile of a successfully completed project in the last ten (10) years.
- 3.2.3.4. Applicants demonstrating affordable housing development projects<sup>1</sup> undertaken in the last ten (10) years will have an advantage.
- 3.2.3.5. **Applicants are advised that all projects submitted should demonstrate the Applicant's ability to take on development risk i.e., fund, build, and sell housing development projects – this means experience as a contractor employed on a development project does not qualify.**

### 3.2.3. Guidelines on Submission of Project Profiles

- 3.2.4.1. Applicants should demonstrate experience in undertaking similar projects through submission of profiles of the work undertaken, time taken to raise the capital as well as demonstrate the use of funds to the project until completion.
- 3.2.4.2. The profiles, which should be submitted as part of the technical submissions, as described above, should contain the following details:
  - i. Name and location of development;
  - ii. Names and telephone numbers of the client, if any;
  - iii. A reasonably detailed description of the project, including design, construction, and financing structure;
  - iv. The Applicant's role in project development, design, development permits, financing, construction, regeneration (if any), operation, maintenance, and marketing;
  - v. Development timeline, including construction start and completion dates;
  - vi. Completion certificates for completed projects;
  - vii. Total development costs for the project;
  - viii. Contract agreements with the contractor for the projects;
  - ix. Proof of capital raised for the project by providing financing agreements for projects and letter of attestation on equity injected into the project;
  - x. Proof of successful pre-sales through a letter of attestation on the level of pre-sales achieved in each project;
  - xi. Project cash flow for each of the projects; and

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<sup>1</sup>For purposes of this RFP, an affordable housing project is a housing development with units costing less than KES 6 Mn per unit with contract sum of at least KES 100 million

- xii. Reference information for Applicants' Contractor or Lead Consultant in each of the projects provided in the format below:

Company Name
Contact Details (Contact Person, Address, Tel., E-Mail)
Parent Company Name (If Applicable)
Parent Company Contact Details (Address, Tel., E-Mail)
(If Applicable) Local Company Name
Relevant Contact Details (Contact Name, Address, Tel., E-Mail)

### 3.2.4. Information on Litigation and Claims

Applicants are required to provide a letter from their external Legal Counsel detailing the status of any claims, litigation, judgments, notices of violations, or administrative enforcement actions arising out of the developments they have previously undertaken.

### 3.2.5. Personnel Qualification

Applicants will be assessed on the quality of personnel in their teams and will be required to demonstrate that they have staff available and dedicated to this project with the expertise noted below. Applicants are advised that these are not the Consultants that will be working on the project but members of the core team who work in the Applicant's Company.

#### 3.2.6.1. Expertise in Real Estate Development

Applicants should provide information on staff with real estate development experience including design of real estate developments, successfully executing pre-sales strategies and marketing plans, project management of the development during construction, and successful handover to buyers. Information demonstrating real estate development expertise should include:

- At least two (2) members of staff with at least three (3) years' experience in real estate development, available and designated for the project;
- At least two (2) members of staff with professional specialization or qualification in real estate development; and
- Participation of the two (2) team members above in at least two (2) housing development projects in the last 10 years.

#### 3.2.6.2. Expertise in Financial Structuring and Fund-Raising

Applicants should provide information on staff with financial structuring and fundraising experience including:

- At least one (1) member of staff with at least three (3) years' experience in finance, available and designated for the project;
- At least one (1) member of staff with professional specialization or qualification in finance; and

- Participation of the team member above in at least two (2) housing development projects in the last 10 years.

### **3.2.6. Qualification for Financial and Commercial Evaluation**

**In order to qualify for the next stage, Applicants must score at least 70% of the allocated points in the technical evaluation. Only Applicants meeting this threshold will have their financial and commercial submissions evaluated.**

## **3.3. FINANCIAL AND COMMERCIAL SUBMISSION**

The financial and commercial submission is intended to provide the Contracting Authority with information of the financial capacity and commercial strategy of the Developer to undertake the development. Applicants are requested to provide the following in a separately bound or file submission:

### **3.3.1. Demonstration of Financial Capacity**

3.3.1.1. Applicants are required to provide the following information demonstrating their financial capacity:

- i. Certified copies of audited financial statements for the Applicant's Company for the last three (3) years showing cash and cash equivalents.
- ii. A signed resolution by the Board of Directors undertaking to commit own equity of up to 30% of the Project value or equivalent of the works undertaken in the development. The Board resolution should be accompanied by a Power of Attorney authorizing the signatory/signatories to the Board of Resolution.

3.3.1.2. Applicants may provide consolidated financial statements if cash and cash equivalents are had in separate project companies.

### **3.3.2. Demonstration of Financial Performance\***

3.3.2.1. Demonstration of financial performance will be evaluated using the following metrics:

- i. Annual turnover from the audited financial statements for the last three (3) years;
- ii. Net worth or equity from the audited financial statements for the last three (3) years; and
- iii. Debt Profile: EBITDA / Interest from the audited financial states for the last three (3) years.

3.3.2.2. Applicants are required to provide calculations of the above financial performance metrics in three separate and clearly labelled tables as provided in the Standard Forms below.

3.3.2.3. Applicants may provide consolidated financial statements if cash and cash equivalents are had in separate project companies.

**3.3.3. Details of the Applicant’s Primary Bankers**

3.3.3.1. Applicants are required to provide details on their primary bankers including contact details in the following format:

Bank Name
Contact Person Name
Contact Person Designation
Contact Person Address
Contact Person Telephone
Contact Person E-Mail

3.3.3.2. Applicants should include in this submission a letter with an express authorization copied to the Banker confirming that the Contracting Authority can contact the Banker for a reference on the Bidder.

**3.4. ADDITIONAL REQUESTS FOR INFORMATION**

3.4.1. Should Applicants require additional information in relation to this Call for Applications such request should be made in writing to the Client via email at: **[procurementhousingandurban@gmail.com](mailto:procurementhousingandurban@gmail.com)**.

3.4.2. In due course, should the Contracting Authority require additional information on the references submitted by the Applicants, the Contracting Authority may request such information from the interested parties.

3.4.3. The Contracting Authority reserves the right to request oral presentations from interested firms if this is deemed necessary.

**3.5. PREPARATION AND SUBMISSION OF THE APPLICANTS’ RESPONSE**

3.5.1. Applicants are advised that responses shall be written and submitted in the English language. Any requested and/or other supporting documentation provided in any other language must be accompanied by certified translations.

3.5.2. Applicants are required to separate their submissions into three different bound documents for the:

- i. Organizational and Legal Submission;
- ii. Technical Submission; and
- iii. Financial and Commercial Submission.



- 3.5.3. In preparing the submissions to this Call for Applications, applicants are expected to familiarize themselves with the affordable housing program and real estate development in Kenya, as well as applicable policies, laws, and regulations.
- 3.5.4. Applicants are advised of the requirement to include at least 40% local content for provision of goods, services, and labor, in their project plans.
- 3.5.5. Applicants are advised that their submissions must be paginated, serialized, tape bound and signed by the authorized signatory on all pages including attachments.
- 3.5.6. Applicants should submit hard copies, together with a soft copy, of their responses on or before the date of tender closure at the address provided in the *INVITATION TO SUBMIT RESPONSES TO THE CALL FOR APPLICATIONS FOR STRATEGIC PARTNERS* section of this document.
- 3.5.7. The submissions must remain valid until a Project Agreement is signed with respect to the development.
- 3.5.8. Information relating to evaluation of submissions to this Call for Applications and recommendations concerning awards shall not be disclosed to Applicants or to other persons not officially concerned with the process, until the process is completed up to signing of any Project Agreement(s).
- 3.5.9. Corrupt or Fraudulent Practices
  - 3.5.9.1. The Contracting Authority requires that the Applicants observe the highest standards of ethics during the selection and award of Strategic Partners and also during the performance of the assignment.
  - 3.5.9.2. Applicants shall sign and provide a declaration that they have not and will not be involved in corrupt or fraudulent practices.
  - 3.5.9.3. The Contracting Authority will reject a contract award if it determines that the Applicants selected as the successful Strategic Partner has engaged in corrupt or fraudulent practices during the Call for Application for Strategic Partners process.
  - 3.5.9.4. Further, Applicants who are found to have indulged in corrupt or fraudulent practices risk being debarred from participating in public procurement in Kenya.

### **3.6. EVALUATION AND AWARD PROCESS**

- 3.6.1. Following the receipt of submissions, the Contracting Authority will appoint an evaluation committee who will evaluate the submissions on the basis of completeness of information provided by Applicants as well as responsiveness to the criteria set out in this Call for Applications document.

- 3.6.2. The following evaluation criteria will be used by the Contracting Authority to establish and select the successful Strategic Partner. Applicants should therefore meet these criteria without material deviations, reservation, or omission.
- 3.6.3. The Contracting Authority will conduct due diligence on the submissions provided by the Applicants, including but not limited to:
  - 3.6.3.1. Verification of documents including certified copies and certifying entities or individuals.
  - 3.6.3.2. Verification of company documentation including certificate of incorporation, memorandum of articles, IDs and PINs of Directors, and other related documents.
  - 3.6.3.3. Verification of project profiles and experience including contacting previous clients.
  - 3.6.3.4. Verification of financial documents and references from financiers, lenders, and banks, as case may be.
- 3.6.4. The Contracting Authority will subject the successful Applicants to due diligence and Know Your Client (KYC) processes using various approaches and competent agencies.
- 3.6.5. Upon completion of the evaluation of the Call for Applications submissions, the Applicants with the qualifying scores will be invited provided with Strategic Partner certificates.
- 3.6.6. Awarded Strategic Partners will be invited to participate in future project bids on public land, from time to time as projects are advertised. They may also submit unsolicited proposals for land that may have not attracted responses in previous advertisements or propose new projects for land in the AHP pipeline. Strategic Partners may also propose projects for private land for which they wish to be under the AHP program, provided they are aligned with the program framework.

### 3.7. EVALUATION CRITERIA – Category A: Greater than 100,000 units

#### 3.7.1. Evaluation Criteria for Organizational and Legal Submission

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
1	<b>ORGANIZATION AND LEGAL WITH EVIDENCE ATTACHED</b>		
	<i>Please note that all the documents in this section are mandatory. Applicants who do not provide these documents will not be assessed for technical and financial capability.</i>		
1.1	Certified copies of the Certificate of Incorporation or equivalent for the Applicant's company		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.2	Certified copies of CR12 or equivalent for the Applicant's company		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.3	A description of the ownership structure for the Bidder's / Consortium's company		Mandatory
1.4	Tax Compliance Certificate that is valid at the time of submitting the response to the Call for Applications		Mandatory
1.5	Notarized or Certified Power of Attorney and Board Resolution/s allowing the signatory to submit the bid, negotiate, and possibly execute the Project Agreement on behalf of the Applicant's Company.		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
1.6	Notarized or Certified Power of Attorney allowing the signatory of the Lead Firm in the Consortium to submit the bid, negotiate, and possibly execute any Project Agreement(s) on behalf of the consortium member.		<b>Mandatory for Consortiums Only</b>
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.7	Consortium Agreement that is signed and executed by all members of the consortium.		<b>Mandatory for Consortiums Only</b>
1.8	A signed declaration that neither the Applicant nor its affiliates are listed on Public Procurement Regulatory Authority (PPRA) list of ineligible firms and individuals.		<b>Mandatory</b>
1.9	A signed declaration from the Applicant that they shall make a disclosure of all housing and infrastructure projects to which they have committed themselves to as developer.		<b>Mandatory</b>
1.10	A signed declaration from the Applicant that they have not, and will not, be involved in corrupt or fraudulent practices		<b>Mandatory</b>
1.11	A signed declaration form from the Applicant that they will not utilize funds from proceeds of crime, terrorism, and/or money laundering for the project(s).		<b>Mandatory</b>
1.12	Contact information for the individuals responsible for communication with the Contracting Authority.		<b>Mandatory</b>

### 3.7.2. Evaluation Criteria for Technical Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
2	<b>TECHNICAL SUBMISSION</b>		50
2.1	<b>Profiles Demonstrating Experience and Expertise</b>		29
2.1.1	<b>Summary Description and Approach on Implementation of Affordable Housing Developments</b>		5
	<ul style="list-style-type: none"> <li>Description is well-organized, coherent, and shows logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		5
	<ul style="list-style-type: none"> <li>Description is well-organized, but not as coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		3
	<ul style="list-style-type: none"> <li>Description is not well-organized, not coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		1
2.1.2	<b>At least (1) No. successfully completed development projects in the last ten (10) years</b>		9
	<ul style="list-style-type: none"> <li>1 No. Project of similar nature, complexity, and magnitude (over KES 20 billion)</li> </ul>		9
	<ul style="list-style-type: none"> <li>No project of similar nature, complexity, and magnitude (over KES 20 billion)</li> </ul>		0
	<i>Please note that each qualifying project will be half of the max points provided, up to the maximum points available.</i>		
2.1.3	<b>At least one (1) affordable housing project in the last ten (10) years</b>		5
	<ul style="list-style-type: none"> <li>At least one (1) No. affordable housing project</li> </ul>		5

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>No affordable housing project</li> </ul>		0
	<i>Please note that for purposes of this RFP, an affordable housing project is a housing development with units costing less than KES 6 Mn per unit with contract sum of at least KES 100 million</i>		
<b>2.1.5</b>	<b>Proof of capital raised for the projects provided</b>		5
	<ul style="list-style-type: none"> <li>Financing agreements and letters of attestation on equity injected into projects provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>Financing agreements and letters of attestation on equity injected into projects provided for some of the projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>Non-disclosure of financing agreements and letters of attestation on equity injected into projects.</li> </ul>		0
<b>2.1.6</b>	<b>Proof of successful pre-sales for the projects provided</b>		5
	<ul style="list-style-type: none"> <li>Letters of attestation on the level of pre-sales achieved provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>Letters of attestation on the level of pre-sales achieved provided for some projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>No letters of attestation on the level of pre-sales achieved.</li> </ul>		0
<b>2.2</b>	<b>Litigation and Claims</b>		2
	<ul style="list-style-type: none"> <li>Letter from external Legal Counsel attests that there are no claims, litigation, judgments, notices of violations, or administrative enforcement actions arising from any of the projects.</li> </ul>		2
	<ul style="list-style-type: none"> <li>Letter from external Legal Counsel provides details on the status of any claims, litigation, judgments, notices of violations, or administrative enforcement actions provided.</li> </ul>		1

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>No letter from external Legal Counsel on claims, litigation, judgments, notices of violations, or administrative enforcement actions has been provided.</li> </ul>		0
<b>2.3</b>	<b>Bidders are local developers</b>		2
	<ul style="list-style-type: none"> <li>Bidders are local developers</li> </ul>		2
	<ul style="list-style-type: none"> <li>Bidders are not local developers</li> </ul>		0
<b>2.4</b>	<b>Personnel Qualification and Experience</b>		17
<b>2.4.1</b>	<b>Project Personnel – Real Estate Development Experience</b>		8
<b>2.4.1.1</b>	<b>Real Estate Development Experience</b>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least ten (10) years' real estate development experience</li> </ul>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least five (5) years' real estate development experience</li> </ul>		1
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least three (3) years' real estate development experience</li> </ul>		0.5
<b>2.4.1.2</b>	<b>Professional Specialization and Qualifications in Real Estate Development</b>		2
	<ul style="list-style-type: none"> <li>At least two (2) team members with professional specialization or qualification in real estate development</li> </ul>		2
	<ul style="list-style-type: none"> <li>At least one (1) team member with professional specialization or qualification in real estate development</li> </ul>		1

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
2.4.1.3	<b>Participation in Housing Development Projects</b>		3
	<ul style="list-style-type: none"> <li>Participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		3
	<ul style="list-style-type: none"> <li>No participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		0
2.4.2	<b>Project Personnel – Financial Structuring and Fund-Raising Experience</b>		8
2.4.2.1	<b>Financial Structuring and Fund-Raising Experience</b>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least ten (10) years in financial structuring and fund-raising experience</li> </ul>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least five (5) years in financial structuring and fund-raising experience</li> </ul>		1
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least three (3) years in financial structuring and fund-raising experience</li> </ul>		0.5
2.4.2.2	<b>Professional Specialization and Qualifications in Real Estate Finance</b>		2
	<ul style="list-style-type: none"> <li>At least two (2) team members with professional specialization or qualification in real estate finance</li> </ul>		2
	<ul style="list-style-type: none"> <li>At least one (1) team member with professional specialization or qualification in real estate finance</li> </ul>		1
2.4.2.3	<b>Participation in Housing Development Projects</b>		3



ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ Participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		<b>3</b>
	<ul style="list-style-type: none"> <li>▪ No participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		<b>0</b>
<b>2.4.3</b>	<b>Inclusion of local professionals</b>		<b>1</b>
	<ul style="list-style-type: none"> <li>▪ Applicants' project personnel include local professionals</li> </ul>		<b>1</b>
	<ul style="list-style-type: none"> <li>▪ Applicants' project personnel do not include local professionals</li> </ul>		<b>0</b>

## Evaluation Criteria for Financial Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
3	<b>FINANCIAL SUBMISSION</b>		50
3.1	<b>Demonstration of Financial Capacity</b>		15
3.1.1	<b>Certified copies of audited financial statements for the last three (3) years showing cash and cash equivalents of up to [KES 10 billion].*</b>		10
	<ul style="list-style-type: none"> <li>Audited financial statements show at least [KES 10 billion] in cash and cash equivalents for all three (3) years.</li> </ul>		10
	<ul style="list-style-type: none"> <li>Audited financial statements show at least [KES 10 billion] in cash and cash equivalents for any two (2) years.</li> </ul>		7
	<ul style="list-style-type: none"> <li>Audited financial statements show at least [KES 10 billion] in cash and cash equivalents for anyone (1) year.</li> </ul>		4
	<ul style="list-style-type: none"> <li>Audited financial statements show less than [KES 10 billion] in cash and cash equivalents for all three (3) years.</li> </ul>		0
	<p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are had in separate project companies.</i></p>		
3.1.2	<b>A signed resolution by the Board of Directors of the Bidder undertaking to commit own equity up to [30%] of the Project value of the proposed portion of the development. The Board resolution should be accompanied by a Power of Attorney authorizing the signatory / signatories to the Board of Resolution.</b>		5
	<ul style="list-style-type: none"> <li>Signed resolution of 30% together with Power of Attorney provided</li> </ul>		5
	<ul style="list-style-type: none"> <li>Signed resolution of between 10% and 29% together with Power of Attorney provided</li> </ul>		3
	<ul style="list-style-type: none"> <li>Signed resolution of below 10% together with Power of Attorney provided</li> </ul>		1

	<ul style="list-style-type: none"> <li>▪ Non-responsive on provision of signed resolution and/or Power of Attorney</li> </ul>		0
	<ul style="list-style-type: none"> <li>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</li> </ul>		
<b>3.2</b>	<b>Demonstration of Financial Performance</b>		<b>30</b>
<b>3.2.1</b>	<b>Provision of audited financial statements showing audited turnover for the last three (3) years*</b>		<b>15</b>
	<ul style="list-style-type: none"> <li>▪ Annual Turnover greater than or equal to KES 10 billion</li> </ul>		15
	<ul style="list-style-type: none"> <li>▪ Annual Turnover between KES 5 billion and 10 billion</li> </ul>		10
	<ul style="list-style-type: none"> <li>▪ Annual Turnover below KES 5 billion</li> </ul>		5
	<ul style="list-style-type: none"> <li>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</li> </ul>		
<b>3.2.2</b>	<b>Provision of calculations of net worth or equity from the audited financial statements for the last three (3) years*</b>		<b>10</b>
	<ul style="list-style-type: none"> <li>▪ Net worth greater than or equal to KES 10 billion</li> </ul>		10
	<ul style="list-style-type: none"> <li>▪ Net worth between KES 5 billion and 10 billion</li> </ul>		6
	<ul style="list-style-type: none"> <li>▪ Net worth below KES 5 billion</li> </ul>		2
	<ul style="list-style-type: none"> <li>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</li> </ul>		
<b>3.2.3</b>	<b>Provision of calculations for Debt Profile: EBITDA / Interest (x times) from the audited financial states for the last three (3) years*</b>		<b>5</b>
	<ul style="list-style-type: none"> <li>▪ Debt profile greater than or equal to 2x</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Debt profile between 1.5x and 2x</li> </ul>		3

	▪ Debt profile between 1x and 1.5x		<b>1</b>
	▪ Debt profile below 1x		<b>0</b>
	<i>* Applicants may provide consolidate financial statements if cash and cash equivalents are in separate project companies.</i>		
<b>3.3</b>	<b>Details of Primary Banker for Reference Check</b>		<b>5</b>
	▪ Details of the primary banker provided in the format required and letter of authorization for a reference check on cash and cash equivalents.		<b>5</b>
	▪ Non-responsive on provision of primary banker details and/or letter of authorization for a reference check.		<b>0</b>

### 3.8. EVALUATION CRITERIA – Category B: Between 10,000 and 100,000 units

#### 3.8.1. Evaluation Criteria for Organizational and Legal Submission

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
1	<b>ORGANIZATION AND LEGAL WITH EVIDENCE ATTACHED</b>		
	<i>Please note that all the documents in this section are mandatory. Applicants who do not provide these documents will not be assessed for technical and financial capability.</i>		
1.1	Certified copies of the Certificate of Incorporation or equivalent for the Applicant's company		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.2	Certified copies of CR12 or equivalent for the Applicant's company		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.3	A description of the ownership structure for the Bidder's / Consortium's company		Mandatory
1.4	Tax Compliance Certificate that is valid at the time of submitting the response to the Call for Applications		Mandatory
1.5	Notarized or Certified Power of Attorney and Board Resolution/s allowing the signatory to submit the bid, negotiate, and possibly execute the Project Agreement on behalf of the Applicant's Company.		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
1.6	Notarized or Certified Power of Attorney allowing the signatory of the Lead Firm in the Consortium to submit the bid, negotiate, and possibly execute any Project Agreement(s) on behalf of the consortium member.		<b>Mandatory for Consortiums Only</b>
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.7	Consortium Agreement that is signed and executed by all members of the consortium.		<b>Mandatory for Consortiums Only</b>
1.8	A signed declaration that neither the Applicant nor its affiliates are listed on Public Procurement Regulatory Authority (PPRA) list of ineligible firms and individuals.		<b>Mandatory</b>
1.9	A signed declaration from the Applicant that they shall make a disclosure of all housing and infrastructure projects to which they have committed themselves to as developer.		<b>Mandatory</b>
1.10	A signed declaration from the Applicant that they have not, and will not, be involved in corrupt or fraudulent practices		<b>Mandatory</b>
1.11	A signed declaration form from the Applicant that they will not utilize funds from proceeds of crime, terrorism, and/or money laundering for the project(s).		<b>Mandatory</b>
1.12	Contact information for the individuals responsible for communication with the Contracting Authority.		<b>Mandatory</b>

### 3.8.2. Evaluation Criteria for Technical Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
2	<b>TECHNICAL SUBMISSION</b>		50
2.1	<b>Profiles Demonstrating Experience and Expertise</b>		29
2.1.1	<b>Summary Description and Approach on Implementation of Affordable Housing Developments</b>		5
	<ul style="list-style-type: none"> <li>Description is well-organized, coherent, and shows logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		5
	<ul style="list-style-type: none"> <li>Description is well-organized, but not as coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		3
	<ul style="list-style-type: none"> <li>Description is not well-organized, not coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		1
2.1.2	<b>At least (1) No. successfully completed development projects in the last ten (10) years</b>		9
	<ul style="list-style-type: none"> <li>1 No. Project of similar nature, complexity, and magnitude (over KES 10 billion)</li> </ul>		9
	<ul style="list-style-type: none"> <li>No project of similar nature, complexity, and magnitude (over KES 10 billion)</li> </ul>		0
	<i>Please note that each qualifying project will be half of the max points provided, up to the maximum points available.</i>		
2.1.3	<b>At least one (1) affordable housing project in the last ten (10) years</b>		5

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ At least one (1) No. affordable housing project</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ No affordable housing project</li> </ul>		0
	<i>Please note that for purposes of this RFP, an affordable housing project is a housing development with units costing less than KES 6 Mn per unit with contract sum of at least KES 100 million</i>		
<b>2.1.5</b>	<b>Proof of capital raised for the projects provided</b>		<b>5</b>
	<ul style="list-style-type: none"> <li>▪ Financing agreements and letters of attestation on equity injected into projects provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Financing agreements and letters of attestation on equity injected into projects provided for some of the projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ Non-disclosure of financing agreements and letters of attestation on equity injected into projects.</li> </ul>		0
<b>2.1.6</b>	<b>Proof of successful pre-sales for the projects provided</b>		<b>5</b>
	<ul style="list-style-type: none"> <li>▪ Letters of attestation on the level of pre-sales achieved provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Letters of attestation on the level of pre-sales achieved provided for some projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ No letters of attestation on the level of pre-sales achieved.</li> </ul>		0
<b>2.2</b>	<b>Litigation and Claims</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>▪ Letter from external Legal Counsel attests that there are no claims, litigation, judgments, notices of violations, or administrative enforcement actions arising from any of the projects.</li> </ul>		2



ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>Letter from external Legal Counsel provides details on the status of any claims, litigation, judgments, notices of violations, or administrative enforcement actions provided.</li> </ul>		1
	<ul style="list-style-type: none"> <li>No letter from external Legal Counsel on claims, litigation, judgments, notices of violations, or administrative enforcement actions has been provided.</li> </ul>		0
<b>2.3</b>	<b>Bidders are local developers</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>Bidders are local developers</li> </ul>		2
	<ul style="list-style-type: none"> <li>Bidders are not local developers</li> </ul>		0
<b>2.4</b>	<b>Personnel Qualification and Experience</b>		<b>17</b>
<b>2.4.1</b>	<b>Project Personnel – Real Estate Development Experience</b>		<b>8</b>
<b>2.4.1.1</b>	<b>Real Estate Development Experience</b>		<b>3</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least ten (10) years' real estate development experience</li> </ul>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least five (5) years' real estate development experience</li> </ul>		1
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least three (3) years' real estate development experience</li> </ul>		0.5
<b>2.4.1.2</b>	<b>Professional Specialization and Qualifications in Real Estate Development</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members with professional specialization or qualification in real estate development</li> </ul>		2

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>At least one (1) team member with professional specialization or qualification in real estate development</li> </ul>		1
<b>2.4.1.3</b>	<b>Participation in Housing Development Projects</b>		3
	<ul style="list-style-type: none"> <li>Participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		3
	<ul style="list-style-type: none"> <li>No participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		0
<b>2.4.2</b>	<b>Project Personnel – Financial Structuring and Fund-Raising Experience</b>		8
<b>2.4.2.1</b>	<b>Financial Structuring and Fund-Raising Experience</b>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least ten (10) years in financial structuring and fund-raising experience</li> </ul>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least five (5) years in financial structuring and fund-raising experience</li> </ul>		1
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least three (3) years in financial structuring and fund-raising experience</li> </ul>		0.5
<b>2.4.2.2</b>	<b>Professional Specialization and Qualifications in Real Estate Finance</b>		2
	<ul style="list-style-type: none"> <li>At least two (2) team members with professional specialization or qualification in real estate finance</li> </ul>		2
	<ul style="list-style-type: none"> <li>At least one (1) team member with professional specialization or qualification in real estate finance</li> </ul>		1

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
2.4.2.3	<b>Participation in Housing Development Projects</b>		<b>3</b>
	<ul style="list-style-type: none"> <li>▪ Participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		<b>3</b>
	<ul style="list-style-type: none"> <li>▪ No participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		<b>0</b>
2.4.3	<b>Inclusion of local professionals</b>		<b>1</b>
	<ul style="list-style-type: none"> <li>▪ Bidders project personnel include local professionals</li> </ul>		<b>1</b>
	<ul style="list-style-type: none"> <li>▪ Bidders project personnel do not include local professionals</li> </ul>		<b>0</b>

### 3.8.3. Evaluation Criteria for Financial Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
3	<b>FINANCIAL SUBMISSION</b>		50
3.1	<b>Demonstration of Financial Capacity</b>		15
3.1.1	<b>Certified copies of audited financial statements for the last three (3) years showing cash and cash equivalents of up to [KES 5 billion].</b>		10
	<ul style="list-style-type: none"> <li>▪ Audited financial statements show at least [KES 5 billion] in cash and cash equivalents for all three (3) years.</li> </ul>		10
	<ul style="list-style-type: none"> <li>▪ Audited financial statements show at least [KES 5 billion] in cash and cash equivalents for any two (2) years.</li> </ul>		7
	<ul style="list-style-type: none"> <li>▪ Audited financial statements show at least [KES 5 billion] in cash and cash equivalents for anyone (1) year.</li> </ul>		4
	<ul style="list-style-type: none"> <li>▪ Audited financial statements show less than [KES 5 billion] in cash and cash equivalents for all three (3) years.</li> </ul>		0
	<p style="text-align: center;"><i>* Applicants may provide consolidate financial statements if cash and cash equivalents are in separate project companies.</i></p>		
3.1.2	<b>A signed resolution by the Board of Directors of the Bidder undertaking to commit own equity up to [30%] of the Project value of the proposed portion of the development. The Board resolution should be accompanied by a Power of Attorney authorizing the signatory / signatories to the Board of Resolution.</b>		5
	<ul style="list-style-type: none"> <li>▪ Signed resolution of 30% together with Power of Attorney provided</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Signed resolution of between 10% and 29% together with Power of Attorney provided</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ Signed resolution of below 10% together with Power of Attorney provided</li> </ul>		1

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ Non-responsive on provision of signed resolution and/or Power of Attorney</li> </ul> <p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i></p>		0
<b>3.2</b>	<b>Demonstration of Financial Performance</b>		<b>30</b>
<b>3.2.1</b>	<b>Provision of audited financial statements showing audited turnover for the last three (3) years</b>		<b>15</b>
	<ul style="list-style-type: none"> <li>▪ Annual Turnover greater than or equal to KES 5 billion</li> </ul>		15
	<ul style="list-style-type: none"> <li>▪ Annual Turnover between KES 3 billion and 5 billion</li> </ul>		10
	<ul style="list-style-type: none"> <li>▪ Annual Turnover below KES 3 billion</li> </ul> <p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i></p>		5
<b>3.2.2</b>	<b>Provision of calculations of net worth or equity from the audited financial statements for the last three (3) years</b>		<b>10</b>
	<ul style="list-style-type: none"> <li>▪ Net worth greater than or equal to KES 5 billion</li> </ul>		10
	<ul style="list-style-type: none"> <li>▪ Net worth between KES 3 billion and 5 billion</li> </ul>		6
	<ul style="list-style-type: none"> <li>▪ Net worth below KES 3 billion</li> </ul> <p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i></p>		2
<b>3.2.3</b>	<b>Provision of calculations for Debt Profile: EBITDA / Interest (x times) from the audited financial states for the last three (3) years</b>		<b>5</b>

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	▪ Debt profile greater than or equal to 2x		5
	▪ Debt profile between 1.5x and 2x		3
	▪ Debt profile between 1x and 1.5x		1
	▪ Debt profile below 1x		0
	<i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i>		
<b>3.3</b>	<b>Details of Primary Banker for Reference Check</b>		<b>5</b>
	▪ Details of the primary banker provided in the format required and letter of authorization for a reference check on cash and cash equivalents.		5
	▪ Non-responsive on provision of primary banker details and/or letter of authorization for a reference check.		0

### 3.9. EVALUATION CRITERIA – Category C: Between 1,000 and 9,999 units

#### 3.9.1. Evaluation Criteria for Organizational and Legal Submission

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
1	<b>ORGANIZATION AND LEGAL WITH EVIDENCE ATTACHED</b>		
	<i>Please note that all the documents in this section are mandatory. Applicants who do not provide these documents will not be assessed for technical and financial capability.</i>		
1.1	Certified copies of the Certificate of Incorporation or equivalent for the Applicant's company		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.2	Certified copies of CR12 or equivalent for the Applicant's company		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.3	A description of the ownership structure for the Bidder's / Consortium's company		Mandatory
1.4	Tax Compliance Certificate that is valid at the time of submitting the response to the Call for Applications		Mandatory
1.5	Notarized or Certified Power of Attorney and Board Resolution/s allowing the signatory to submit the bid, negotiate, and possibly execute the Project Agreement on behalf of the Applicant's Company.		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
1.6	Notarized or Certified Power of Attorney allowing the signatory of the Lead Firm in the Consortium to submit the bid, negotiate, and possibly execute any Project Agreement(s) on behalf of the consortium member.		<b>Mandatory for Consortiums Only</b>
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.7	Consortium Agreement that is signed and executed by all members of the consortium.		<b>Mandatory for Consortiums Only</b>
1.8	A signed declaration that neither the Applicant nor its affiliates are listed on Public Procurement Regulatory Authority (PPRA) list of ineligible firms and individuals.		<b>Mandatory</b>
1.9	A signed declaration from the Applicant that they shall make a disclosure of all housing and infrastructure projects to which they have committed themselves to as developer.		<b>Mandatory</b>
1.10	A signed declaration from the Applicant that they have not, and will not, be involved in corrupt or fraudulent practices		<b>Mandatory</b>
1.11	A signed declaration form from the Applicant that they will not utilize funds from proceeds of crime, terrorism, and/or money laundering for the project(s).		<b>Mandatory</b>
1.12	Contact information for the individuals responsible for communication with the Contracting Authority.		<b>Mandatory</b>



### 3.9.2. Evaluation Criteria for Technical Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
2	<b>TECHNICAL SUBMISSION</b>		50
2.1	<b>Profiles Demonstrating Experience and Expertise</b>		29
2.1.1	<b>Summary Description and Approach on Implementation of Affordable Housing Developments</b>		5
	<ul style="list-style-type: none"> <li>▪ Description is well-organized, coherent, and shows logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Description is well-organized, but not as coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ Description is not well-organized, not coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		1
2.1.2	<b>At least (1) No. successfully completed development projects in the last ten (10) years</b>		9
	<ul style="list-style-type: none"> <li>▪ 1 No. Project of similar nature, complexity, and magnitude (over KES 5 billion)</li> </ul>		9
	<ul style="list-style-type: none"> <li>▪ No project of similar nature, complexity, and magnitude (over KES 5 billion)</li> </ul>		0
	<i>Please note that each qualifying project will be half of the max points provided, up to the maximum points available.</i>		
2.1.3	<b>At least one (1) affordable housing project in the last ten (10) years</b>		5

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ At least one (1) No. affordable housing project</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ No affordable housing project</li> </ul>		0
	<i>Please note that for purposes of this RFP, an affordable housing project is a housing development with units costing less than KES 6 Mn per unit with contract sum of at least KES 100 million</i>		
<b>2.1.5</b>	<b>Proof of capital raised for the projects provided</b>		5
	<ul style="list-style-type: none"> <li>▪ Financing agreements and letters of attestation on equity injected into projects provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Financing agreements and letters of attestation on equity injected into projects provided for some of the projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ Non-disclosure of financing agreements and letters of attestation on equity injected into projects.</li> </ul>		0
<b>2.1.6</b>	<b>Proof of successful pre-sales for the projects provided</b>		5
	<ul style="list-style-type: none"> <li>▪ Letters of attestation on the level of pre-sales achieved provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Letters of attestation on the level of pre-sales achieved provided for some projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ No letters of attestation on the level of pre-sales achieved.</li> </ul>		0
<b>2.2</b>	<b>Litigation and Claims</b>		2
	<ul style="list-style-type: none"> <li>▪ Letter from external Legal Counsel attests that there are no claims, litigation, judgments, notices of violations, or administrative enforcement actions arising from any of the projects.</li> </ul>		2

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>Letter from external Legal Counsel provides details on the status of any claims, litigation, judgments, notices of violations, or administrative enforcement actions provided.</li> </ul>		1
	<ul style="list-style-type: none"> <li>No letter from external Legal Counsel on claims, litigation, judgments, notices of violations, or administrative enforcement actions has been provided.</li> </ul>		0
<b>2.3</b>	<b>Bidders are local developers</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>Bidders are local developers</li> </ul>		2
	<ul style="list-style-type: none"> <li>Bidders are not local developers</li> </ul>		0
<b>2.4</b>	<b>Personnel Qualification and Experience</b>		<b>17</b>
<b>2.4.1</b>	<b>Project Personnel – Real Estate Development Experience</b>		<b>8</b>
<b>2.4.1.1</b>	<b>Real Estate Development Experience</b>		<b>3</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least ten (10) years' real estate development experience</li> </ul>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least five (5) years' real estate development experience</li> </ul>		1
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least three (3) years' real estate development experience</li> </ul>		0.5
<b>2.4.1.2</b>	<b>Professional Specialization and Qualifications in Real Estate Development</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members with professional specialization or qualification in real estate development</li> </ul>		2

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>At least one (1) team member with professional specialization or qualification in real estate development</li> </ul>		1
<b>2.4.1.3</b>	<b>Participation in Housing Development Projects</b>		3
	<ul style="list-style-type: none"> <li>Participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		3
	<ul style="list-style-type: none"> <li>No participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		0
<b>2.4.2</b>	<b>Project Personnel – Financial Structuring and Fund-Raising Experience</b>		8
<b>2.4.2.1</b>	<b>Financial Structuring and Fund-Raising Experience</b>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least ten (10) years in financial structuring and fund-raising experience</li> </ul>		3
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least five (5) years in financial structuring and fund-raising experience</li> </ul>		1
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least three (3) years in financial structuring and fund-raising experience</li> </ul>		0.5
<b>2.4.2.2</b>	<b>Professional Specialization and Qualifications in Real Estate Finance</b>		2
	<ul style="list-style-type: none"> <li>At least two (2) team members with professional specialization or qualification in real estate finance</li> </ul>		2
	<ul style="list-style-type: none"> <li>At least one (1) team member with professional specialization or qualification in real estate finance</li> </ul>		1

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
2.4.2.3	<b>Participation in Housing Development Projects</b>		3
	▪ Participation of the team members above in at least two (2) housing development projects over the last 10 years		3
	▪ No participation of the team members above in at least two (2) housing development projects over the last 10 years		0
2.4.3	<b>Inclusion of local professionals</b>		1
	▪ Bidders project personnel include local professionals		1
	▪ Bidders project personnel do not include local professionals		0

### 3.9.3. Evaluation Criteria for Financial Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
3	<b>FINANCIAL SUBMISSION</b>		50
3.1	<b>Demonstration of Financial Capacity</b>		15

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
3.1.1	<b>Certified copies of audited financial statements for the last three (3) years showing cash and cash equivalents of up to [KES 3 billion].</b>		10
	▪ Audited financial statements show at least [KES 3 billion] in cash and cash equivalents for all three (3) years.		10
	▪ Audited financial statements show at least [KES 3 billion] in cash and cash equivalents for any two (2) years.		7
	▪ Audited financial statements show at least [KES 3 billion] in cash and cash equivalents for anyone (1) year.		4
	▪ Audited financial statements show less than [KES 3 billion] in cash and cash equivalents for all three (3) years.		0
	<i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i>		
3.1.2	<b>A signed resolution by the Board of Directors of the Bidder undertaking to commit own equity up to [30%] of the Project value of the proposed portion of the development. The Board resolution should be accompanied by a Power of Attorney authorizing the signatory / signatories to the Board of Resolution.</b>		5
	▪ Signed resolution of 30% together with Power of Attorney provided		5
	▪ Signed resolution of between 10% and 29% together with Power of Attorney provided		3
	▪ Signed resolution of below 10% together with Power of Attorney provided		1
	▪ Non-responsive on provision of signed resolution and/or Power of Attorney		0
	<i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i>		

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
3.2	<b>Demonstration of Financial Performance</b>		30
3.2.1	<b>Provision of audited financial statements showing audited turnover for the last three (3) years</b>		15
	▪ Annual Turnover greater than or equal to KES 3 billion		15
	▪ Annual Turnover between KES 1.5 billion and 3 billion		10
	▪ Annual Turnover below KES 1.5 billion		5
	<i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i>		
3.2.2	<b>Provision of calculations of net worth or equity from the audited financial statements for the last three (3) years</b>		10
	▪ Net worth greater than or equal to KES 3 billion		10
	▪ Net worth between KES 1.5 billion and 3 billion		6
	▪ Net worth below KES 1.5 billion		2
	<i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i>		
3.2.3	<b>Provision of calculations for Debt Profile: EBITDA / Interest (x times) from the audited financial states for the last three (3) years</b>		5
	▪ Debt profile greater than or equal to 2x		5
	▪ Debt profile between 1.5x and 2x		3
	▪ Debt profile between 1x and 1.5x		1
	▪ Debt profile below 1x		0

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i>		
<b>3.3</b>	<b>Details of Primary Banker for Reference Check</b>		<b>5</b>
	<ul style="list-style-type: none"> <li>▪ Details of the primary banker provided in the format required and letter of authorization for a reference check on cash and cash equivalents.</li> </ul>		<b>5</b>
	<ul style="list-style-type: none"> <li>▪ Non-responsive on provision of primary banker details and/or letter of authorization for a reference check.</li> </ul>		<b>0</b>

### 3.10. EVALUATION CRITERIA – Category D: Below 1,000 Units

#### 3.10.1. Evaluation Criteria for Organizational and Legal Submission

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
<b>1</b>	<b>ORGANIZATION AND LEGAL WITH EVIDENCE ATTACHED</b>		
	<i>Please note that all the documents in this section are mandatory. Applicants who do not provide these documents will not be assessed for technical and financial capability.</i>		
<b>1.1</b>	Certified copies of the Certificate of Incorporation or equivalent for the Applicant's company		<b>Mandatory</b>



ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.2	Certified copies of CR12 or equivalent for the Applicant's company		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.3	A description of the ownership structure for the Bidder's / Consortium's company		Mandatory
1.4	Tax Compliance Certificate that is valid at the time of submitting the response to the Call for Applications		Mandatory
1.5	Notarized or Certified Power of Attorney and Board Resolution/s allowing the signatory to submit the bid, negotiate, and possibly execute the Project Agreement on behalf of the Applicant's Company.		Mandatory
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.6	Notarized or Certified Power of Attorney allowing the signatory of the Lead Firm in the Consortium to submit the bid, negotiate, and possibly execute any Project Agreement(s) on behalf of the consortium member.		Mandatory for Consortiums Only
	<i>Please note that foreign entities should be submit notarized power of attorney and local companies should submit documents certified by an Advocate of the High Court</i>		
1.7	Consortium Agreement that is signed and executed by all members of the consortium.		Mandatory for Consortiums Only

ITEM	REQUIREMENTS	SUBMITTED	MANDATORY
		(Y/N)	
1.8	A signed declaration that neither the Applicant nor its affiliates are listed on Public Procurement Regulatory Authority (PPRA) list of ineligible firms and individuals.		<b>Mandatory</b>
1.9	A signed declaration from the Applicant that they shall make a disclosure of all housing and infrastructure projects to which they have committed themselves to as developer.		<b>Mandatory</b>
1.10	A signed declaration from the Applicant that they have not, and will not, be involved in corrupt or fraudulent practices		<b>Mandatory</b>
1.11	A signed declaration form from the Applicant that they will not utilize funds from proceeds of crime, terrorism, and/or money laundering for the project(s).		<b>Mandatory</b>
1.12	Contact information for the individuals responsible for communication with the Contracting Authority.		<b>Mandatory</b>

### 3.10.2. Evaluation Criteria for Technical Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
2	<b>TECHNICAL SUBMISSION</b>		50
2.1	<b>Profiles Demonstrating Experience and Expertise</b>		29
2.1.1	<b>Summary Description and Approach on Implementation of Affordable Housing Developments</b>		5

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ Description is well-organized, coherent, and shows logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Description is well-organized, but not as coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ Description is not well-organized, not coherent, and doesn't show logical progression on how delivery of affordable housing will be undertaken (including roles of consortium members, in the case of a consortium)</li> </ul>		1
<b>2.1.2</b>	<b>At least (1) No. successfully completed development projects in the last ten (10) years</b>		<b>9</b>
	<ul style="list-style-type: none"> <li>▪ 1 No. Project of similar nature, complexity, and magnitude (over KES 1 billion)</li> </ul>		9
	<ul style="list-style-type: none"> <li>▪ No project of similar nature, complexity, and magnitude (over KES 1 billion)</li> </ul>		0
	<i>Please note that each qualifying project will be half of the max points provided, up to the maximum points available.</i>		
<b>2.1.3</b>	<b>At least one (1) affordable housing project in the last ten (10) years</b>		<b>5</b>
	<ul style="list-style-type: none"> <li>▪ At least one (1) No. affordable housing project</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ No affordable housing project</li> </ul>		0
	<i>Please note that for purposes of this RFP, an affordable housing project is a housing development with units costing less than KES 6 Mn per unit with contract sum of at least KES 100 million</i>		
<b>2.1.5</b>	<b>Proof of capital raised for the projects provided</b>		<b>5</b>

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ Financing agreements and letters of attestation on equity injected into projects provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Financing agreements and letters of attestation on equity injected into projects provided for some of the projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ Non-disclosure of financing agreements and letters of attestation on equity injected into projects.</li> </ul>		0
<b>2.1.6</b>	<b>Proof of successful pre-sales for the projects provided</b>		<b>5</b>
	<ul style="list-style-type: none"> <li>▪ Letters of attestation on the level of pre-sales achieved provided for all projects.</li> </ul>		5
	<ul style="list-style-type: none"> <li>▪ Letters of attestation on the level of pre-sales achieved provided for some projects.</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ No letters of attestation on the level of pre-sales achieved.</li> </ul>		0
<b>2.2</b>	<b>Litigation and Claims</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>▪ Letter from external Legal Counsel attests that there are no claims, litigation, judgments, notices of violations, or administrative enforcement actions arising from any of the projects.</li> </ul>		2
	<ul style="list-style-type: none"> <li>▪ Letter from external Legal Counsel provides details on the status of any claims, litigation, judgments, notices of violations, or administrative enforcement actions provided.</li> </ul>		1
	<ul style="list-style-type: none"> <li>▪ No letter from external Legal Counsel on claims, litigation, judgments, notices of violations, or administrative enforcement actions has been provided.</li> </ul>		0
<b>2.3</b>	<b>Bidders are local developers</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>▪ Bidders are local developers</li> </ul>		2

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ Bidders are not local developers</li> </ul>		0
<b>2.4</b>	<b>Personnel Qualification and Experience</b>		<b>17</b>
<b>2.4.1</b>	<b>Project Personnel – Real Estate Development Experience</b>		<b>8</b>
<b>2.4.1.1</b>	<b>Real Estate Development Experience</b>		<b>3</b>
	<ul style="list-style-type: none"> <li>▪ At least two (2) team members designated to the project with at least ten (10) years' real estate development experience</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ At least two (2) team members designated to the project with at least five (5) years' real estate development experience</li> </ul>		1
	<ul style="list-style-type: none"> <li>▪ At least two (2) team members designated to the project with at least three (3) years' real estate development experience</li> </ul>		0.5
<b>2.4.1.2</b>	<b>Professional Specialization and Qualifications in Real Estate Development</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>▪ At least two (2) team members with professional specialization or qualification in real estate development</li> </ul>		2
	<ul style="list-style-type: none"> <li>▪ At least one (1) team member with professional specialization or qualification in real estate development</li> </ul>		1
<b>2.4.1.3</b>	<b>Participation in Housing Development Projects</b>		<b>3</b>
	<ul style="list-style-type: none"> <li>▪ Participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		3
	<ul style="list-style-type: none"> <li>▪ No participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		0

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
<b>2.4.2</b>	<b>Project Personnel – Financial Structuring and Fund-Raising Experience</b>		<b>8</b>
<b>2.4.2.1</b>	<b>Financial Structuring and Fund-Raising Experience</b>		<b>3</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least ten (10) years in financial structuring and fund-raising experience</li> </ul>		<b>3</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least five (5) years in financial structuring and fund-raising experience</li> </ul>		<b>1</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members designated to the project with at least three (3) years in financial structuring and fund-raising experience</li> </ul>		<b>0.5</b>
<b>2.4.2.2</b>	<b>Professional Specialization and Qualifications in Real Estate Finance</b>		<b>2</b>
	<ul style="list-style-type: none"> <li>At least two (2) team members with professional specialization or qualification in real estate finance</li> </ul>		<b>2</b>
	<ul style="list-style-type: none"> <li>At least one (1) team member with professional specialization or qualification in real estate finance</li> </ul>		<b>1</b>
<b>2.4.2.3</b>	<b>Participation in Housing Development Projects</b>		<b>3</b>
	<ul style="list-style-type: none"> <li>Participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		<b>3</b>
	<ul style="list-style-type: none"> <li>No participation of the team members above in at least two (2) housing development projects over the last 10 years</li> </ul>		<b>0</b>
<b>2.4.3</b>	<b>Inclusion of local professionals</b>		<b>1</b>

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ Bidders project personnel include local professionals</li> </ul>		<b>1</b>
	<ul style="list-style-type: none"> <li>▪ Bidders project personnel do not include local professionals</li> </ul>		<b>0</b>

## Evaluation Criteria for Financial Submission

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
3	<b>FINANCIAL SUBMISSION</b>		50
3.1	<b>Demonstration of Financial Capacity</b>		15
3.1.1	<b>Certified copies of audited financial statements for the last three (3) years showing cash and cash equivalents of up to [KES 1 billion].</b>		10
	<ul style="list-style-type: none"> <li>Audited financial statements show at least [KES 1 billion] in cash and cash equivalents for all three (3) years.</li> </ul>		10
	<ul style="list-style-type: none"> <li>Audited financial statements show at least [KES 1 billion] in cash and cash equivalents for any two (2) years.</li> </ul>		7
	<ul style="list-style-type: none"> <li>Audited financial statements show at least [KES 1 billion] in cash and cash equivalents for anyone (1) year.</li> </ul>		4
	<ul style="list-style-type: none"> <li>Audited financial statements show less than [KES 1 billion] in cash and cash equivalents for all three (3) years.</li> </ul>		0
	<p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i></p>		
3.1.2	<b>A signed resolution by the Board of Directors of the Bidder undertaking to commit own equity up to [30%] of the Project value of the proposed portion of the development. The Board resolution should be accompanied by a Power of Attorney authorizing the signatory / signatories to the Board of Resolution.</b>		5
	<ul style="list-style-type: none"> <li>Signed resolution of 30% together with Power of Attorney provided</li> </ul>		5
	<ul style="list-style-type: none"> <li>Signed resolution of between 10% and 29% together with Power of Attorney provided</li> </ul>		3
	<ul style="list-style-type: none"> <li>Signed resolution of below 10% together with Power of Attorney provided</li> </ul>		1



ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	<ul style="list-style-type: none"> <li>▪ Non-responsive on provision of signed resolution and/or Power of Attorney</li> </ul> <p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i></p>		0
<b>3.2</b>	<b>Demonstration of Financial Performance</b>		<b>30</b>
<b>3.2.1</b>	<b>Provision of audited financial statements showing audited turnover for the last three (3) years</b>		<b>15</b>
	<ul style="list-style-type: none"> <li>▪ Annual Turnover greater than or equal to KES 1 billion</li> </ul>		15
	<ul style="list-style-type: none"> <li>▪ Annual Turnover between KES 500 million and 1 billion</li> </ul>		10
	<ul style="list-style-type: none"> <li>▪ Annual Turnover below KES 500 million</li> </ul> <p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i></p>		5
<b>3.2.2</b>	<b>Provision of calculations of net worth or equity from the audited financial statements for the last three (3) years</b>		<b>10</b>
	<ul style="list-style-type: none"> <li>▪ Net worth greater than or equal to KES 1 billion</li> </ul>		10
	<ul style="list-style-type: none"> <li>▪ Net worth between KES 500 million and 1 billion</li> </ul>		6
	<ul style="list-style-type: none"> <li>▪ Net worth below KES 500 million</li> </ul> <p><i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i></p>		2
<b>3.2.3</b>	<b>Provision of calculations for Debt Profile: EBITDA / Interest (x times) from the audited financial states for the last three (3) years</b>		<b>5</b>

ITEM	REQUIREMENTS	POINTS SCORED	MAX POINTS
	▪ Debt profile greater than or equal to 2x		5
	▪ Debt profile between 1.5x and 2x		3
	▪ Debt profile between 1x and 1.5x		1
	▪ Debt profile below 1x		0
	<i>* Applicants may provide consolidated financial statements if cash and cash equivalents are in separate project companies.</i>		
<b>3.3</b>	<b>Details of Primary Banker for Reference Check</b>		<b>5</b>
	▪ Details of the primary banker provided in the format required and letter of authorization for a reference check on cash and cash equivalents.		5
	▪ Non-responsive on provision of primary banker details and/or letter of authorization for a reference check.		0

## 4. STANDARD FORMS FOR RESPONSE SUBMISSION

### 4.1. STANDARD FORMS

- Developer Category Form

- FORM SD1 – Self Declaration That the Bidder Is Not Debarred in The Matter of The Public Procurement and Asset Disposal Act 2015
- FORM SD2 – Self Declaration That the Bidder Will Not Engage in Any Corrupt or Fraudulent Practices
- FORM SD3 – Self Declaration That the Bidder Will Make Disclosure of All Housing and Infrastructure Projects to Which They Have Committed Themselves
- FORM SD4 – Self Declaration That the Bidder Will Not Utilize Funds from Proceeds of Crime, Terrorism, and/or Money Laundering
- Bidder Contact Information Form
- Litigation History Form
- Project Profile Form
- Curriculum Vitae Form
- Demonstration of Financial Performance Calculations

**4.1.1. Developer Category Form**

DEVELOPER CATEGORY SELECTION			
<b>1.</b>	<b>Please type "YES" to indicate whether you are applying as sole applicant Developer or as Consortium.</b>		
	Developer (sole applicant)	<ul style="list-style-type: none"> <li>▪ <i>We are not associating with other firms as a Consortium.</i></li> <li>▪ <i>We have submitted our sole company documents.</i></li> <li>▪ <i>We have provided a Power of Attorney authorizing the representative to sign on behalf of the company.</i></li> </ul>	
	Consortium	<ul style="list-style-type: none"> <li>▪ <i>We are associating with other firms as a Consortium in order to strengthen our offering to the Client.</i></li> <li>▪ <i>We have a signed Consortium Agreement agreeing to be jointly and severally liable to the Client with respect to undertaking projects as a Strategic Partner.</i></li> <li>▪ <i>We have all submitted our separate company documents.</i></li> <li>▪ <i>We have provided a Power of Attorney authorizing the representative to sign on behalf of the company.</i></li> <li>▪ <i>We have provided a Power of Attorney authorizing the Lead Firm to sign on behalf of the Consortium</i></li> </ul>	

DEVELOPER CATEGORY SELECTION			
2.	Please type "YES" alongside the category of technical capacity for which you are applying.		
	<i>Please note that only local Strategic Partners will be considered for projects with a number of housing units below 1,000.</i>		
	Category A	Capability to undertake projects with greater than 100,000 number of housing units as a Master Developer.	
	Category B	Capability to undertake projects with between 10,000 and 100,000 number of housing units as a Master Developer.	
	Category C	Capability to undertake projects with between 1,000 and 10,000 number of housing units.	
	Category D	Capability to undertake projects with under 1,000 number of housing units.	

Name:

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Signature:

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Date:

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Bidder Official Stamp

**Note: All italicized text is for use in preparing this form and shall be deleted from the final product.**

**4.1.2. FORM SD1 – Self Declaration that the Person/Tenderer is not Debarred**

**SELF DECLARATION THAT THE PERSON/TENDERER IS NOT DEBARRED IN THE MATTER OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015.**

I, ....., of Post Office Box .....  
being a resident of ..... in the Republic of  
..... do hereby make a statement as follows:

1. THAT I am the Company Secretary/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 Contracting Authority*) and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its directors, and subcontractors have not been debarred from participating in procurement proceeding under Part IV of the Act.
3. THAT what is deponed to here in above is true to the best of my knowledge, information, and belief.

Name:

Signature:

Date:

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**4.1.3. FORM SD2 – Declaration Not to Engage in Corrupt or Fraudulent Practices**

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

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 Contracting Authority*) 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 Contracting Authority*) 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 ..... (*Insert name of the Contracting Authority*).
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.

Name:

Signature:

Date:

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**Note: All italicized text is for use in preparing this form and shall be deleted from the final product.**



**4.1.4. FORM SD3 – Disclosure on Housing and Infrastructure Projects**

**SELF DECLARATION THAT THE PERSON/TENDERER WILL MAKE DISCLOSURE OF ALL HOUSING AND INFRASTRUCTURE PROJECTS TO WHICH THEY HAVE COMMITTED THEMSELVES.**

I ..... (person) on behalf of (*Name of the Business/ Company/Firm*) ..... declare that I do here by commit to make disclosure to ..... (*Insert name of the Contracting Authority*) of all housing and infrastructure project to which we have committed ourselves in the manner to be prescribed by the Contracting Authority as soon as the projects are contracted.

Name:

Signature:

Date:

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**Note: All italicized text is for use in preparing this form and shall be deleted from the final product.**

**4.1.5. FORM SD4 – Declaration Not to Utilize Funds from Proceeds of Crime, Terrorism, and/or Money Laundering**

**SELF DECLARATION THAT THE BIDDER WILL NOT UTILIZE FUNDS FROM PROCEEDS OF CRIME, TERRORISM, AND/OR MONEY LAUNDERING**

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 Contracting Authority*) and duly authorized and competent to make this statement.
2. THAT the aforesaid Bidder, its servants and/or agents /subcontractors will not utilize funds from proceeds of crime, terrorism, and/or money laundering in executing the project under the above noted Tender.
3. THAT the aforesaid Bidder, should they be successful, will make disclosure at the time of negotiations to ..... (*Insert name of the Contracting Authority*) on the sources of financing/funding for the project under the above noted Tender.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Note: All italicized text is for use in preparing this form and shall be deleted from the final product.**

**4.1.6. Contact Information for Bidder**

**BIDDER CONTACT INFORMATION FORM**

I ..... (person) on behalf of (*Name of the Business/ Company/Firm*) ..... note that the individual noted below are responsible for communication with the Contracting Authority.

Bidder's Name: \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact Person Address \_\_\_\_\_

Contact Person Telephone or Mobile No. \_\_\_\_\_

Contact Person Email: \_\_\_\_\_

Parent Company Name, if applicable: \_\_\_\_\_

Parent Company Address: \_\_\_\_\_

Parent Company Telephone: \_\_\_\_\_

Parent Company Email: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Note: All italicized text is for use in preparing this form and shall be deleted from the final product.**

**4.1.7. Litigation History**

**LITIGATION HISTORY FORM**

Name of Bidder’s Firm:	
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Firms should provide information on any history of litigation or arbitration resulting from contracts executed in the last five (5) years or currently under execution.

Year	Award FOR or AGAINST Firm	Name of client, cause of litigation and matter in dispute	Disputed amount (current value, Kshs.)

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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#### 4.1.8. Project Experience

##### PROJECT PROFILE FORM

<b>Name of Bidder's Firm:</b>	
<b>NAME OF THE DEVELOPMENT</b>	
<b>LOCATION OF THE DEVELOPMENT</b>	
<b>NAME AND CONTACT OF CLIENT, IF ANY</b>	<b>NAME:</b>
	<b>TELEPHONE:</b>
	<b>EMAIL:</b>
<b>DESCRIPTION OF THE PROJECT:</b> <i>{The description should be reasonably detailed and include information on design, construction, financing structure, etc.}</i>	
<b>BIDDER'S ROLE IN THE PROJECT:</b>	<i>{Provide details of involvement in project covering such details as development permits, financing, construction, regeneration (if any), operation, maintenance and marketing, etc.}</i>
<b>DEVELOPMENT TIMELINE</b>	<i>{Provide details of the project's development timeline including contract close, financial close, construction start and completion dates, etc.}</i>
<b>TOTAL DEVELOPMENT COSTS</b>	<b>KES</b>
	<b>USD</b>
<b>COMPLETION CERTIFICATES FOR COMPLETED PROJECTS</b>	<i>{Provide certified copies as an attachment to the project profile table}</i>

<b>CONTRACT AGREEMENTS WITH THE CONTRACTOR FOR COMPLETED PROJECTS</b>	<i>{Provide certified copies as an attachment to the project profile table}</i>
<b>PROOF OF CAPITAL RAISED FOR THE PROJECT</b>	<i>{Provide certified copies of financing agreements and signed letter of attestation of equity injected into the project as an attachment to the project profile table}</i>
<b>PROOF OF SUCCESSFUL PRE-SALES</b>	<i>{Provide signed letter of attestation on level of pre-sales achieved including related timelines as an attachment to the project profile table}</i>
<b>PROJECT CASH FLOW FOR THE PROJECT</b>	<i>{Provide details of the project's cashflow with timelines as an attachment to the project profile table.}</i>
<b>REFERENCE INFORMATION FOR THE BIDDER'S CONTRACTOR OR LEAD CONSULTANT IN THE PROJECT</b>	
<b>Company Name</b>	
<b>Role on the Project</b>	
<b>Contact Person</b>	
<b>Contact Person Address</b>	
<b>Contact Person Telephone or Mobile No.</b>	
<b>Contact Person Email:</b>	
<b>Parent Company Name, if applicable:</b>	
<b>Parent Company Address:</b>	
<b>Parent Company Telephone:</b>	
<b>Parent Company Email:</b>	

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**Note: All italicized text is for use in preparing this form and shall be deleted from the final product.**

#### 4.1.9. Personnel Information and Experience

##### CURRICULUM VITAE (CV) FORM

*No more than three (3) pages per CV of each team member.*

Position Title	<i>{e.g., Team Leader}</i>
Name of Team Member:	<i>{Insert full name}</i>
Date of Birth:	<i>{day/month/year}</i>
Country of Citizenship	

##### EDUCATION:

*{List college/university or other specialized education, giving names of educational institutions, dates attended, degree(s)/diploma(s) obtained}*

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##### EMPLOYMENT RECORD RELEVANT TO THE ASSIGNMENT:

*{Starting with the present position, list in reverse order. Please provide dates, name of employing organization, titles of positions held, types of activities performed and location of the assignment, and contact information of previous Procuring Entity's and employing organization(s) who can be contacted for references. Past employment that is not relevant to the assignment does not need to be included.}*

<b>Period</b>	<b>Employing organization and your title/position. Contact Information for references</b>	<b>Country</b>	<b>Summary of activities performed relevant to the Assignment</b>
<i>[e.g., May 2011-present]</i>	<i>[e.g., Ministry of ....., advisor/consultant to...]</i>		



	<i>For references: Tel...../e-mail.....; Mr./Ms..... , Deputy Manager]</i>		

**MEMBERSHIP IN PROFESSIONAL ASSOCIATIONS AND PUBLICATIONS:**

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**LANGUAGE SKILLS:**

*{Indicate only languages in which you can work}*

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**ADEQUACY FOR THE ASSIGNMENT:**

<b>Detailed Team Qualifications Required of the Bidder’s Team of Experts:</b>	<b>Reference to Prior Work/Assignments that Best Illustrates Required Qualifications</b>
<i>{List required qualities}</i>	<i>{Reference to prior or current work}</i>

**TEAM MEMBER'S CONTACT INFORMATION:**

Contact Phone No. \_\_\_\_\_

Contact Email: \_\_\_\_\_

**CERTIFICATION:**

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience, and I am available to undertake the assignment in case of an award. I understand that any misstatement or misrepresentation described herein may lead to my disqualification or dismissal by the Contracting Entity, and/or sanctions by the Public Procurement Regulatory Authority (PPRA).

Name of Team Member: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Bidders' Authorized Representative: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Note: All italicized text is for use in preparing this form and shall be deleted from the final product.**

**4.1.10. Financial Performance Calculations**

**DEMONSTRATION OF FINANCIAL PERFORMANCE CALCULATIONS**

<b>Name of Bidder's Firm:</b>	
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**1. ANNUAL TURNOVER**

YEAR	ANNUAL TURNOVER (KES)

**2. NET WORTH OR EQUITY**

YEAR	NET WORTH OR EQUITY (KES)

**3. DEBT PROFILE: EBITDA/INTEREST**

YEAR	EBIDTA (KES)	INTEREST (KES)	EBITDA/INTEREST (#. # x)

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Bidder Official Stamp