



**REGISTRATION OF BIOSAFETY EXPERTS  
FOR A PERIOD OF TWO (2) YEARS.**

**REFERENCE NUMBER: NBA/PRO/02/2022-2023**

**CHIEF EXECUTIVE OFFICER  
NATIONAL BIOSAFETY AUTHORITY  
NACOSTI BUILDING 2<sup>ND</sup> FLOOR, LORESHO, OFF WAIYAKI WAY  
TEL: 020 2642920  
CELL: 0713854132**

**CLOSING DATE: 31<sup>ST</sup> AUGUST 2022**

Email: [nbaprocurement@biosafetykenya.go.ke](mailto:nbaprocurement@biosafetykenya.go.ke)  
[info@biosafetykenya.go.ke](mailto:info@biosafetykenya.go.ke)

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## **SECTION 1: INVITATION FOR REGISTRATION**

### **REFERENCE NUMBER: NBA/PRO/02/2022-2023 REGISTRATION OF TECHNICAL BIOSAFETY EXPERTS**

The National Biosafety Authority (NBA) is a State Corporation established under the provisions of the Biosafety Act No. 2 of 2009 to exercise supervision and control over the development, transfer, handling and use of Genetically Modified Organisms (GMOs) with a view to ensuring safety to human and animal health as well as the provision of adequate level of protection to the environment.

The Authority intends to register eligible technical biosafety experts, both firms and individuals to be placed in our Pool of Biosafety Experts for a period of two (2) years and who may from time to time be appointed to provide expert advice on biotechnology and biosafety related assignments.

The following must be submitted together with the Registration documents for the applicants to be registered and included in the list of Registered Biosafety Experts for a period of two (2) years:

#### **For Registered firms;**

- Copy of pin certificate
- Copy of Valid Tax Compliance certificate
- Copy of Certificate of Registration
- Copy of a valid business permit
- Registration Submission Form (Section IV)
- Dully filled confidential questionnaire (Attached in the Tender Document)
- Duly filled and signed Nomination Form for the Biosafety Roster of Experts for each of the expert (Annex 1)
- Copies of CV of personnel to be involved in the expert reviews or biosafety related assignments
- Copies of academic and professional qualifications of the experts.

#### **For individual Expert Reviewers**

- Copy of pin certificate
- Registration Submission Form (Section IV)
- Copy of CV of the expert
- Dully filled confidential questionnaire (Attached in the Tender Document)
- Duly filled and signed Nomination Form for the Biosafety Roster of Experts (Annex 1)
- Copies of academic and professional qualifications of the expert

Interested eligible Biosafety Experts or Expert Firms may obtain further information and registration documents from the National Biosafety Authority website [www.tender.go.ke](http://www.tender.go.ke) or [www.biosafetykenya.go.ke](http://www.biosafetykenya.go.ke) or PPIP portal: [www.tenders.go.ke](http://www.tenders.go.ke) free of charge or at the Supply Chain Management Office, situated at the NACOSTI Building, 2<sup>nd</sup> Floor, Loresho, Off Waiyaki Way.

Completed Nomination Forms for Biosafety Experts and Tender Documents are to be enclosed in plain sealed envelopes, clearly marked with the tender number and tender name and be deposited

in the Tender Box so as to be received on or before **31<sup>st</sup> August, 2022 at 2:00 pm**. Duly filled documents may also be scanned and sent electronically by email [nbaprourement@biosafetykenya.go.ke](mailto:nbaprourement@biosafetykenya.go.ke) or [info@biosafetykenya.go.ke](mailto:info@biosafetykenya.go.ke) on or before the deadline.

Tenders will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Tenders will be publicly opened in the presence of the Tenderers' designated representatives who choose to attend at the address below. The addresses referred to above are:

**A. Address for obtaining further information.**

**NATIONAL BIOSAFETY AUTHORITY  
P.O BOX 28251-00100 NAIROBI.  
NACOSTI BUILDING, 2<sup>ND</sup> FLOOR, LORESHO, OFF WAIYAKI WAY  
TEL: 0713854132/020 2642920  
EMAIL: [nbaprourement@biosafetykenya.go.ke](mailto:nbaprourement@biosafetykenya.go.ke)**

**B. Address for Submission of Tender.**

**NATIONAL BIOSAFETY AUTHORITY  
P.O BOX 28251-00100 NAIROBI.  
NACOSTI BUILDING, 2<sup>ND</sup> FLOOR, LORESHO, OFF WAIYAKI WAY  
EMAIL: [nbaprourement@biosafetykenya.go.ke](mailto:nbaprourement@biosafetykenya.go.ke) or [info@biosafetykenya.go.ke](mailto:info@biosafetykenya.go.ke)**

**C. Address for Opening Tender**

**NATIONAL BIOSAFETY AUTHORITY  
P.O BOX 28251-00100 NAIROBI.  
NACOSTI BUILDING, 2<sup>ND</sup> FLOOR, LORESHO, OFF WAIYAKI WAY**



**FA Ann Karimi  
FOR AG. CHIEF EXECUTIVE OFFICER**

## **SECTION II: TENDER SUBMISSION CHECKLIST**

This list contains the mandatory requirements for the registration which **must** be met by each of the applicants (Expert Firms or Individual Experts), failure to which shall result to disqualification.

### **A. EXPERT FIRMS**

<b>No.</b>	<b>Documents requirements to be submitted</b>	<b>Pass/Fail</b>
1.	Registration Submission Form (Section IV)	
2.	Duly filled and signed Nomination Forms for the Biosafety Roster of Experts	
3.	Copy of the Firm Certificate of incorporation / registration.	
4.	Valid Tax Compliance Certificate.	
5.	Copy of a valid business permit	
6.	Duly filled, signed and stamped confidential business questionnaire (Indicate all the Directors and respective shares).	
7.	Submit a statement in the Company letterhead indicating that the firm is not insolvent, in receivership, bankrupt or in the process of being wound up.	
8.	Submit a statement in indicating that the tenderer is not debarred in the matter of the Public Procurement and Asset Disposal Act 2015 has not been convicted of corrupt or fraudulent practices (Section V, Part 2(d))	
9.	Curriculum Vitae (CV) of the proposed experts	
10.	Copies of academic and professional certificates and testimonials of the proposed experts	
11.	Letter of availability/expression of interest for proposed experts for the assignment, signed by the firm (Addressed to the CEO, NBA)	
12.	Serialization/numbering of the bid document	
13.	All forms duly filled as required	
<b>PASS/FAIL</b>		

## B. INDIVIDUAL EXPERTS

No.	Documents requirements to be submitted	Pass/Fail
1.	Registration Submission Form (Section IV)	
2.	Duly filled and signed Nomination Form for the Biosafety Roster of Experts	
3.	Copy of Pin/VAT certificate	
4.	Duly filled, signed and stamped confidential business questionnaire (Attached in the Tender Document)	
5.	Submit a statement in indicating that the tenderer is not debarred in the matter of the Public Procurement and Asset Disposal Act 2015 has not been convicted of corrupt or fraudulent practices (Section V, Part 2(d))	
6.	Curriculum Vitae (CV) of the expert	
7.	Copies of academic certificate and professional certificates and testimonials of the expert	
8.	Letter of availability/expression of interest for the assignment signed by the individual expert (Addressed to the CEO, NBA)	
9.	Serialization/numbering of the bid document	
10.	All forms duly filled as required	
<b>PASS/FAIL</b>		

## SECTION III: - INFORMATION TO TENDERERS (ITT)

### 3.1 Introduction

- 3.1.1 NBA will register and enlist prospective Tenderers for the provision of Biosafety expert reviews on GMO Applications from among those who will have submitted their Registration documents in accordance with the Registration requirements to undertake the assignments described herein for two (2) years.
- 3.1.2 The Registration of Biosafety expert reviewers does not constitute a retainer.
- 3.1.3 The Registration Tender document and the Tenderers response thereof shall be the basis for Registration. Tenderers must familiarize themselves with the requirements described in this document including all attachments and take them into account while preparing their response.
- 3.1.4 Tenderers will be informed in writing of the results of their application.
- 3.1.5 Tenderers will meet all costs associated with preparation and submission of their applications.
- 3.1.6 **National Biosafety Authority** Act require that Tenderers observe the highest standards of ethics and professionalism in the procurement process and execution of Service Level Agreements. In pursuance of this Act, NBA:
- a. Defines, for the purpose of this provision, the terms set forth below:
    - i. "**Corrupt practice**" means the offering, giving, receiving or soliciting of anything of value to influence the action of an officer of the Procurement Entity/Purchaser/Employer in the Registration process; and
    - ii. "**Fraudulent practice**" means a misrepresentation of facts in order to influence the Registration process to the detriment of the Purchaser/Employer, and includes collusive practices among Tenderers (prior to or after submission of Tenders) designed to establish prices at artificial, non-competitive levels and to deprive the Procurement Entity of the benefits of free and open competition.
  - b. Will reject a Tender for Registration if it determined that a Tenderer has engaged in corrupt or fraudulent activities in competing for the tender in question;
  - c. Will declare a Tenderer ineligible, for Registration if at any time it determines that Tenderer has engaged in corrupt or fraudulent practices in competing for, or in executing, a similar tender; and
  - d. Will have the right to inspect the business premises of the Tenderer.
- 3.1.8 Tenderers shall furnish information as described in the Registration tender document.
- 3.1.9 Tenderers shall be aware of the provisions on fraud and corruption stated in herein after.

### 3.2 Scope of Services

The scope of services for the identified biosafety experts (firms or individuals) will include among other duties; review of GMO Applications to give scientific opinions before decisions are made by the Authority and undertake any biosafety related duties as may be assigned by NBA.

### **3.3. Terms of Reference (TORS) for Biosafety Expert Reviewers (Firms or Individual Experts)**

Biosafety Experts may be engaged by the Authority to undertake different assignments depending on their academic qualifications and experiences. The reviews will include risk assessment, including risk management measures for all GMO Applications, and socio-economic impact assessment for GMO applications being considered for commercial approval.

#### **(a) Terms of Reference (TORs) for Biosafety Expert Reviewers on Risk Assessment and Risk Management of Genetically Modified Organisms (GMOs)**

Biosafety experts with Biological Sciences background with at least a Master's degree in relevant fields such as; Biological Sciences, Biotechnology, Biochemistry, Environmental Sciences, Agricultural Sciences, Veterinary Sciences, Applied Sciences, or other equivalent fields from recognized institutions, will be engaged on need basis to undertake the following assignments;

1. To examine GMO application documents and undertake a scientific risk assessment, taking into account general principles for the conduct of risk assessment with special reference but not limited to information on;

- i. Recipient or parental organism (the unmodified organism(s)).
- ii. Potential risks that may be associated with the donor organism(s) and its origin.
- iii. Potential risks that may be associated with the genetically modified organism(s).
- iv. The receiving environment.
- v. The intended or potential uses of the genetically modified organism(s).
- vi. Risk management measures proposed by the applicant with an indication of whether they are adequate.
- vii. Any other relevant information.
- viii. General recommendations for approval with conditions (if any), or otherwise with reasons.

2. Submit a review report on above parameters to the National Biosafety Authority within set timelines.

3. To undertake biotechnology and biosafety related consultancies, studies, surveys, advisories, and any other assignments as may be requested by the National Biosafety Authority.

#### **b) Terms of Reference (TORs) for Biosafety Expert Reviewers on Socio-Economic Impact Assessment of Genetically Modified Organisms**

Biosafety experts with Social Sciences background with at least a Master's degree in relevant fields such as; Business studies, Social Sciences or other equivalent fields from recognized institutions will be engaged on need basis to undertake the following assignments;

1. To examine GMO application documents and undertake an assessment taking into account general principles for the assessment of socio-economic considerations with special reference to;

- i. Socio-economic impacts (positive or negative) that may be experienced on release of the genetically modified organisms (GMOs) into the environment or placing on the market, including but not limited to;

- Impact of the GM technology on food security and sustainability;



- Access to the Technology by farmers, including royalties (if any);
  - Expected incomes and potential benefits of the GM technology to farmers;
  - Cost of GM seeds compared to other seeds/planting materials;
  - Implication of commercialization of the GM technology on Trade (national, regional and international level);
  - Proposed measures put in place for assurance of freedom of choice by consumers between GM and other existing technologies;
  - Monitoring and Stewardship plans of the technology post commercialization.
- ii. Any other relevant information.
  - iii. General recommendations for approval with conditions (if any), or otherwise with reasons.
2. Submit a review report on socio-economic impact assessment, to the National Biosafety Authority within set timelines.
  3. To undertake biotechnology and biosafety related consultancies, studies, surveys, advisories, and any other assignments as may be requested by the National Biosafety Authority.

### **3.4 Deliverables**

At the end of each assigned work, the Expert Firm or Individual Expert Reviewer will submit to the Authority;

- a) Review reports and recommendations for GMO Applications assigned to the expert(s) within set timelines;
- b) Survey, study, consultancy reports on assignments given to the experts from time to time.

### **3.5 Clarifications of Registration documents**

Tenderers may request a clarification on the Tender Registration document up to seven (7) days before the Tender submission date. Any request for clarification must be sent in writing by postal mail or electronic mail to the NBA address [nbaprourement@biosafetykenya.go.ke](mailto:nbaprourement@biosafetykenya.go.ke) or [info@biosafetykenya.go.ke](mailto:info@biosafetykenya.go.ke) . NBA will respond in writing by normal postal mail or electronic mail to such requests and will send copies of the response to all Tenderers who intend to submit tenders.

### **3.6 Preparation of Tender Documents**

3.6.1 Tenderers are requested to submit a Tender written in English language.

3.6.2 Tenderers are expected to examine the documents comprising this Request for registration in detail. Material deficiencies in providing the information requested may result in rejection of a Tender.

3.6.3 Tenderers are required to meet the Registration criteria stipulated hereinafter. Those who do not meet the requirements need not submit tenders. Only tenders, which fulfil these requirements, will be considered for detailed evaluation.

3.6.4 The Registration documents shall not include any financial proposal information.

### **3.7 Period of Validity**

The request for Registration must remain valid for not less than one hundred and forty (140) days from the date of submission. NBA will make best effort to complete the evaluation and communicate within this period.

### **3.8 Qualification Criteria**

#### **Category A: Expert Firms**

Registration will be based on meeting the minimum requirements to pass in the criteria set as shown below:

- (i) Registration Submission Form (Section IV)
- (ii) Duly filled and signed Nomination Form for the Biosafety Roster of Experts (by individual experts)
- (iii) Copy of Certificate of incorporation / registration
- (iv) Copy of registration certificate of the consultancy firm by a relevant professional body  
(Where applicable)
- (v) Valid Tax Compliance Certificate.
- (vi) Valid Business Permit
- (vii) Duly filled, signed and stamped confidential business questionnaire (Indicate all the Directors and respective shares).
- (viii) Curriculum Vitae (CV) of the proposed key staff
- (ix) Copies of academic and professional certificates of the proposed key Staff.
- (x) Letters of availability for the assignment signed by the proposed key staff
- (xi) Serialization/numbering of the bid document
- (xii) All forms duly filled as required
- (xiii) Team Leader Must have either Biological or Social Sciences background with at least a Master's degree in relevant fields such as; Biological Sciences, Biotechnology, Biochemistry, Environmental Sciences, Agricultural Sciences, Veterinary Sciences, Applied Sciences, Business studies, Social Sciences or other equivalent fields from recognized institutions.

#### **Category B: Individual Biosafety Expert Reviewers**

- i. Registration Submission Form (Section IV)
- ii. Duly filled Nomination Form for Biosafety Expert Reviewer
- iii. Pin/VAT certificate
- iv. Duly filled, signed and stamped confidential business questionnaire (Form attached)
- v. Curriculum Vitae (CV) of the expert duly signed by the proposed individual

- vi. Copies of academic certificate and professional certificates
- vii. Letter of availability for the assignment signed by the expert
- viii. Serialization/numbering of the bid document
- ix. The expert must have either Biological or Social Sciences background with at least a Master's degree in relevant fields such as; Biological Sciences, Biotechnology, Biochemistry, Environmental Sciences, Agricultural Sciences, Veterinary Sciences, Applied Sciences, Business studies, Social Sciences or other equivalent fields from recognized institutions.

## A. TENDER REQUIREMENTS /EVALUATION

### EXPERT FIRMS

Bidders must attach evidence to fulfil the following requirements failure to which they shall be disqualified:

No.	Documents requirements to be submitted	Pass/Fail
1.	Duly filled Nomination Form for Biosafety Expert Reviewer ( <b>Annex 1</b> )	
2.	Copy of Certificate of incorporation / registration	
3.	Copy of registration certificate of the Expert firm by a relevant professional body ( <i>where applicable</i> )	
4.	Valid Tax Compliance Certificate.	
5.	Registration Submission Form (Section IV)	
6	Duly filled, signed and stamped confidential business questionnaire (Indicate all the Directors and respective shares) (Section V)	
7	Submit a statement in indicating that the tenderer is not debarred in the matter of the Public Procurement and Asset Disposal Act 2015 has not been convicted of corrupt or fraudulent practices (Section V, Part 2(d))	
8	Curriculum Vitae (CV) of the proposed key staff	
9	Copies of academic and professional certificates	
10	Letters of availability for the assignment signed by the proposed key staff	
11	Serialization/numbering of the bid document	
12	All forms duly filled as required	
PASS/FAIL		

## INDIVIDUAL BIOSAFETY EXPERT REVIEWERS

No.	Documents requirements to be submitted	Pass/Fail
1.	Duly filled Nomination Form for Biosafety Expert Reviewer ( <b>Annex 1</b> )	
2.	Pin / VAT Certificate.	
3	Registration Submission Form (Section IV)	
4	Duly filled and signed confidential business questionnaire (Section V)	
5	Submit a statement in indicating that the tenderer is not debarred in the matter of the Public Procurement and Asset Disposal Act 2015 has not been convicted of corrupt or fraudulent practices (Section V, Part 2(d))	
6	Curriculum Vitae (CV) of the expert	
7	Copies of academic certificate and professional certificates	
8	Letters of availability for the assignment signed by the expert	
9	Serialization/numbering of the bid document	
10	All forms duly filled as required	
<b>PASS/FAIL</b>		

### 3.9 Notification of Registration

**3.9.1:** NBA will promptly notify all successful Candidates.

**3.9.2:** The selected Individual Experts or Expert Firms will be expected to commence any allocated assignment on receipt of any instructions from NBA.

**3.9.3:** Upon Registration, NBA does not bind itself to assign any case to any of the registered Firms/ Experts but shall endeavour to ensure equitable distribution of the available briefs among the registered Firms/ Experts taking into account their experience and qualifications.

**SECTION IV: - REGISTRATION SUBMISSION FORM**

**To:  
CHIEF EXECUTIVE OFFICER  
NATIONAL BIOSAFETY AUTHORITY  
NACOSTI BUILDING 2<sup>ND</sup> FLOOR, LORESHO, OFF WAIYAKI WAY**

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

Tender No.: \_\_\_\_\_

Dear Sir,

We/I, the undersigned, offer to provide the required services in accordance with your instructions and we hereby submit our/my Registration Document.

Our/my Application is binding to us/me and if found acceptable we/I shall be pleased to be included in the list of registered firms / consultants

We/I understand you are not bound to accept any application you receive.

We/I remain,

Yours sincerely,

Authorized Signature: .....

Name and Title of Signatory .....

Name of Tenderer/Applicant .....

Address: .....

**SECTION V: CONFIDENTIAL REGISTRATION BUSINESS QUESTIONNAIRE FORM**

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

**Part 1 – General (For Registered Firms Only)**

1.1 Business Name: .....

1.2 Location of Business Premises. ....

1.3 Plot No..... Street/Road Postal Address .....

Tel No. .... Fax.....

E mail .....

1.4 Nature of Business .....

1.5 Registration Certificate No. ....

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

1.7 Name of your Bankers .....Branch .....

**Part 2 (a) – Sole Proprietor/Individual Biosafety Expert**

2a.1 Your Name in Full .....

2a.2 Nationality .....

Country of Origin .....

Citizenship Details .....

**Part 2 (b) Partnership (For Firms Only)**

**2b.1 Given details of Partners as follows:**

Name	Nationality	Citizenship Details	Shares
1.....			
2.....			
3.....			
4.....			

**Firm profile (attach).....**

**Part 2(c ) Associate Firms**

Kindly indicate whether your firm associates or collaborates with any international law firms. If so, kindly indicate the name(s) of the firm(s) and their expertise. This is for informational purposes and shall not be scored.

**Part 2 (d) – Debarment (For all Experts)**

I / We declare that I/ we have not been debarred from any procurement process and shall not engage in any fraudulent or corrupt acts with regard to this or any other tender by NBA and any other public or private institutions.

Full Names  
Signature .....  
Dated this ..... day of ..... 2022  
In the capacity of .....  
Duly authorized to sign Tender for and on behalf of .....

**Part 2 (e) – Criminal Offence (For all Experts)**

I / We, individually or jointly have not been convicted of any criminal offence relating to professional (mis)conduct or the making of false statements or misrepresentations as to my/our qualifications to enter into a procurement contract within a period of five (5) years preceding the commencement of this Registration procurement.

Full Names .....  
Signature .....  
Dated this ..... day of ..... 2022  
In the capacity of .....

Duly authorized to sign Tender.....

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

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

For and on behalf of M/s

In the capacity of

Dated this ..... day of ..... 2022

Firms Official Rubber Stamp .....

3.2 Does any person/person in NBA have interest in the firm? Yes\_\_\_\_\_ No\_\_\_\_\_

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

- .....
- .....
- .....
- .....
- .....

3.4 Are you under a declaration of ineligibility for corrupt and fraudulent practices? YES\_\_\_\_\_ No\_\_\_\_\_

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

- .....
- .....
- .....
- .....
- .....

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

Date ..... Signature of Expert/Firm.....

**Part 4 – Interest in the Firm**

Is there any person/persons in NBA or any other public institution who has interest in your application? Yes /No? (Delete as necessary) Institution (Title) (Signature) (Date)



**Part 5 Experience (For Registered Firms Only)**

Please list here below 3 major companies/ clients you have acted for in the last five (5) years in related services.

Company Name	Nature of service/ consultancy	Contract/Order No.	Value
1.			
2.			
3.			

Contact person (Full Names) .....

Email address .....

Cell phone No. ....

**Part 6 Declaration**

I/we the undersigned state that the above information is correct and that I/We give the National Biosafety Authority, authority to seek any other references concerning my application/our firm from whatever sources deemed relevant e.g. Office of the Registrar of Companies, Bankers etc.

Full names .....

For and on behalf of M/s .....

Dated this ..... day of ..... 2022

Sign..... For individual experts

Sign and Company's Stamp .....

*For Registered Firms, affix Company stamp.*

**ANNEX 1: NOMINATION FORM FOR THE BIOSAFETY ROSTER OF EXPERTS**

*Refer to the Annex uploaded in the website; [www.biosafetykenya.go.ke](http://www.biosafetykenya.go.ke)*