



LAW SOCIETY OF KENYA

LAW SOCIETY OF KENYA
LAVINGTON, OPP VALLEY ARCADE, GITANGA ROAD
P.O BOX 72219 - 00200 NAIROBI, KENYA

REQUEST FOR PROPOSAL (RFP)

SECTION 1

LETTER OF INVITATION

Dated: 6TH MAY 2024

Dear Sir/Madam,

RE: TENDER FOR DESIGN & IMPLEMENTATION OF AN INTEGRATED BESPOKE ERP (LSK/2024/05/01)

Law Society of Kenya (LSK) invites proposals for this tender. More details on the services are provided in the attached Terms of Reference (TOR):

The Request for Proposal (RFP) includes the following documents:

- Information to Vendor
- Clarification & Amendments
- Preparation of Proposals
- Submission & Opening
- Bid Evaluation
- Negotiations
- Award of Contract
- Standard Forms
- Terms of Reference (TOR)

Please inform us, upon receipt, that you have received this letter of invitation.

The Original & Copy of the Technical proposal shall be placed in a sealed envelope, marked “**TECHNICAL PROPOSAL**”. The Original & Copy of the Financial Proposal shall be placed in a sealed envelope marked “**FINANCIAL PROPOSAL**”. Both envelopes shall be put in an outer envelope & sealed. This outer envelope shall bear the name & address of the bidder & be marked “**TENDER FOR DESIGN & IMPLEMENTATION OF AN INTEGRATED BESPOKE ERP (LSK/2024/05/01)**” and should be addressed to:

**PROCUREMENT DEPARTMENT
LAW SOCIETY OF KENYA
LAVINGTON, GITANGA ROAD
P.O BOX 72219 - 00200 NAIROBI, KENYA**

PROCUREMENT@LSK.OR.KE

and deposited in the Tender Box located at the reception of the above address, so as to be received not later than **11.00 AM on 16th May 2024**. The technical bids will be opened on the same day in the presence of bidder representatives. Bidding documents must be TAPE bound & serialized on each page.

Yours faithfully,

**FLORENCE W. MUTURI
CHIEF EXECUTIVE OFFICER
LAW SOCIETY OF KENYA.**

SECTION 2

1. INFORMATION TO TENDERERS

The Law Society of Kenya (LSK) is an organization mandated to advise and assist members of the legal profession, the government and the larger public in all matters relating to the administration of justice in Kenya. LSK was established by an Act of Parliament; The Law Society of Kenya Act (Chapter 18 of the Laws of Kenya).

By law, one must be a member of LSK in order to practice as an advocate of the High Court of Kenya. Currently, membership stands at over 20,000 practicing advocates.

LSK wishes, in line with its strategic objectives, to implement an integrated ERP to deliver value to its stakeholders:

Please note that:

- 1) LSK shall not reimburse bidders any costs related to the entire proposal process.
- 2) LSK is not bound to accept any of the proposals submitted.
- 3) LSK reserves the right to accept all or part of the proposed set of software modules.

The bidders are required to observe the highest standard of ethics during the selection & execution of such contracts. In pursuance of this policy, the client: -

- a) Defines for the purposes of this provision, the terms set forth below as follows:
 - i. "Corrupt Practice" means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the selection process or in contract execution and
 - ii. "Fraudulent Practice" means a misrepresentation of facts in order to influence a selection process or the execution of a contract to the detriment of the client and includes collusive practices among bidders (prior to or after submission of proposals) designed to establish prices as artificial, non-competitive levels and to deprive the client of the benefits of free and open competition.
- b) Will reject a proposal for award if it determines that the bidder recommended for award has engaged in corrupt or fraudulent activities in competing for the contract in question.
- c) Will declare a bidder ineligible for contract award if it at any time determines that the bidder has engaged in corrupt or fraudulent practices in competing for, or in executing, a similar contract; and
- d) Will have the right to require that, a provision be included requiring bidder to permit the client to inspect their accounts and records relating to the performance of the contract.

2. TENDERERS' ELIGIBILITY

- a) This tender is only open to tenderers who offer software development and implementation services with control over intellectual property (IP) of the said web-based software and mobile application.
- b) This tender shall not permit joint ventures (JV) and sub contracts.
- c) International firms must have a local office operating within the republic of Kenya.
- d) Tenderers involved in corrupt or fraudulent practices or debarred from participating in public procurement shall not be eligible.
- e) LSK employees, council members and their relatives (spouse & children) are not eligible to participate in the tender unless where specially allowed under section 131 of the Act.

3. CLARIFICATION & AMENDMENTS

- a) Bidders may request for clarification on any section of the RFP document or its Annexure any day before the proposal submission closing date. Any request for clarification must be requested for & responded to in writing (No call or visits) via email to: PROCUREMENT@LSK.OR.KE
- b) At any time before the submission of proposals, SBC may for any reason, whether at its own initiative or in response to a clarification requested by a bidder, modify the RFP documents by amendment. Any amendment will be sent in writing by mail, facsimile, or electronic mail to all bidders and will be binding on them. SBC may at its discretion extend the deadline for the submission of proposals.

4. SCOPE AND DELIVERABLES

Successful bidder, upon award, shall be expected to sign a Scope of Work (SOW) document enumerating, in details, the deliverables for design and implementation of an integrated bespoke ERP which shall include:

- a) Business process mapping
- b) System design & mockups
- c) System development (build)
- d) Quality assurance & testing
- e) Data migration
- f) Knowledge transfer & training
- g) Deployment & Configuration
- h) Integration (modular & 3rd party tools)
- i) Deployment of perpetual licenses
- j) Post Go-Live support

The vendor (bidder) shall also deliver the following modules, as per TOR, within the integrated ERP:

- i. Finance & Accounting
- ii. Procurement
- iii. Member Services
- iv. Continuous Professional Development
- v. Compliance & Ethics
- vi. Advocates Benevolent Association
- vii. Public Interest & Litigation
- viii. Human Resource & Payroll
- ix. Practice Standards
- x. Parliamentary bills
- xi. Appointments register
- xii. Mobile Application (Android & iOS)

5. PREPARATION OF PROPOSALS

a) Technical Proposal:

- i. Bidders are requested to submit proposals written in ENGLISH Language.
- ii. Bidding documents must be TAPE bound & serialized on each page.
- iii. Bidders are expected to examine the documents comprising this RFP in detail. Material deficiencies in providing the information requested may result in rejection of a proposal.
- iv. While preparing the Technical Proposal, bidders must meet the mandatory criteria stated in 7(a).

b) Financial Proposal:

- i. In preparing the Financial Proposal, bidders are expected to take into account the requirements and conditions outlined in RFP documents. All associated costs should be listed including: -
 - Professional fee
 - Data migration charges
 - Training/Capacity building
 - Integration (3rd party) cost
 - Any other cost (specify)
 - Annual Maintenance Cost
- ii. Bidder must provide PERPETUAL licensing model.
- iii. All costs must be expressed in Kenya Shillings.
- iv. Proposals must remain valid for NINETY (90) calendar days after proposal closing date. During this period, the bidders are expected to keep available the professional staff proposed for the assignment. The client will make its best effort to complete negotiations within this period.

6. SUBMISSION & OPENING

- a) The original proposals (Technical proposal and Financial Proposal) shall be prepared in indelible ink. They shall contain no interlineations or overwriting, except as necessary to correct errors made by the bidder. The person or person(s) who signs the proposals must initial any such corrections.
- b) An authorized representative of the bidder should initial & serialize all pages of the proposals.
- c) Tender closing date is **Thursday 16th May 2024 at 11:00AM**
- d) For each Technical and Financial proposal, the bidder shall submit an original and one additional copy clearly marked "ORIGINAL" or "COPY" as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall prevail.
- e) The Original & Copy of the Technical proposal shall be placed in a sealed envelope, marked "TECHNICAL PROPOSAL". The Original & Copy of the Financial Proposal shall be placed in a sealed envelope marked "FINANCIAL PROPOSAL". Both envelopes shall be put in an outer envelope & sealed. This outer envelope shall bear the name & address of the bidder & be marked "TENDER FOR DESIGN & IMPLEMENTATION OF AN INTEGRATED BESPOKE ERP (LSK/2024/05/01)" and should be addressed to;

- f) The completed Technical & Financial Proposal must be delivered at the submission address described on paragraph 6(e). Any proposals received after the closing time stated in paragraph 6(c), shall be rejected, and be returned unopened.
- g) Technical proposals shall be opened on the closing date as per paragraph 6(c). Should the bidder fail to pass evaluation stage in 6(b), their financial proposals shall be returned unopened.
- h) Compliant bidders (passing Preliminary evaluation) shall receive an email notifying them of Product demonstration scheduled for **Friday 24th May 2024** at a time & venue to be confirmed.
- i) The Client reserves the right to award the contract to the best evaluated bidder & shall not be bound to accept the lowest bid.

7. BID EVALUATION

The client shall use the Quality and Cost-Based Selection (QCBS) method where the final score shall be an average of the combined technical & financial.

Since the assignment is to design, build & implement an integrated bespoke ERP, the bidders are encouraged to display competitive innovation in their proposals.

a) **Stage 1: Preliminary Evaluation**

All compliance documents, 1-5 below, must be certified by commissioner for oaths.

Bidders who fail to meet any of the following mandatory requirements will be declared nonresponsive.

Such bids will not be evaluated further:

1	Certificate of Incorporation/Registration
2	CR12 (valid within the last 6 months)
3	Tax PIN Certificate
4	Tax Compliance Certificate
5	Valid Business Permit
6	License Declaration Form (Perpetual)
7	Filled & Signed Confidential Business Questionnaire
8	Dully filled, Signed & Stamped Tender Form
9	Provide annual audited accounts for 3 years (2021, 2022 & 2023)

b) **Stage 2: Technical evaluation**

- i. Bidders shall only be considered if they are compliant with Stage1
- ii. Stage2 shall comprise of Desktop (bid response) & Demo (product) evaluation
- iii. Maximum score for stage2 shall be **70%**
- iv. Evaluation template shall be used to score; *See Annex marked "Section 3M"*
- v. Pass mark shall be **60%**

c) Stage 3: Financial evaluation

- i. Bidders shall only be considered if they pass Stage2.
- ii. The financial cost breakdown must be presented as per 3(b) of Section 2 above.
- iii. Ranking (total price) of lowest to highest shall be done where Lowest financial bid (**Lb**) shall get maximum score of **30**. Financial score (Sf) for the other bids shall be; **Sf=30 x (Lb/B)**
- iv. Where "Sf" = financial score, "Lb" = Lowest bid, "B" = price of bid in consideration.

Special Note:

- i. *The client may opt to carry out due diligence & post qualification evaluation*
- ii. *From the time the bids are opened to the time the contract is awarded, if any bidder wishes to contact the client on any matter related to the proposal, they should do so in writing at the address stated in 4(e). Any efforts by the bidder to influence the client's decision may result in rejection of their proposal.*

8. NEGOTIATIONS

- a) Negotiations will be held at the address stated in the Letter of Invitation, with the objective of reaching an agreement on key project aspects & sign a contract.
- b) Negotiations will focus on the Financial proposal, project resourcing (staff), project plan, scope refinement, methodology, logistics, matters arising from product demonstration, and any other value additions. The outcome shall be incorporated in the project Contract and "Statement of Works".

9. AWARD OF CONTRACT

- a) The client shall, after negotiations, issue a **Letter of Award** to the successful bidder while unsuccessful bidders shall be notified via email.
- b) The successful candidate is expected to attend a meeting on **Tuesday 4th June 2024**, at the Client's premises, to sign the Contract & commence (kick-off) the project.
- c) The client decision regarding the award of contract shall be final.

10. CONFIDENTIALITY

Information relating to evaluation of proposals and recommendations concerning awards shall not be disclosed to the candidates who submitted the proposals or to other persons not officially concerned with the process until the successful candidate has been notified that they have been awarded the contract.



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LAVINGTON, OPP VALLEY ARCADE, GITANGA ROAD
P.O BOX 72219 - 00200 NAIROBI, KENYA

(LSK/2024/05/01)

SECTION 3A: FORM OF TENDER

MAY 16, 2024

Tender Number: LSK/2024/05/01

**TO CHIEF EXECUTIVE OFFICER
LAW SOCIETY OF KENYA
LAVINGTON, GITANGA ROAD
P.O BOX 72219 - 00200
NAIROBI-KENYA**

Gentlemen and/or Ladies,

1 Having examined the tender documents including Nos. **LSK/2024/05/01**, of which is hereby duly acknowledged, we, the undersigned, offer to **DESIGN & IMPLEMENT AN INTEGRATED BESPOKE ERP (LSK/2024/05/01)** in conformity with the said tender documents for the sum of {-----} **inclusive of taxes** or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Tender.

2 We undertake, if our Tender is accepted, to provide the services in accordance with the services schedule specified in the Schedule of Requirements.

3 If our Tender is accepted, we will obtain the performance guarantee in a sum equivalent to (N/A) Percent of the Contract Price for the due performance of the Contract, in the form prescribed by LSK.

4 We agree to abide by this Tender for a period of {-----} from the date fixed for tender opening of the Instructions to tenderers, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

5 Until a formal Contract is prepared and executed, this Tender, together with your written acceptance thereof and your notification of award, shall constitute a binding Contract between us.

Full Name of Authorized Representative:

Position/ Title:

Name of Firm:

Signature:.....



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(LSK/2024/05/01)

SECTION 3B: CONFIDENTIAL BUSINESS QUESTIONNAIRE

You are requested to give the particulars indicated in Part 1 and either Part 2 (a). 2(b) or 2(c) whichever applies to your type of business.

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

PART 1 - GENERAL:

Business name {-----} Location of business Premises {-----} Plot No {-----}
{-----} Street/Road {-----} Postal Address {-----} Tel No. {-----}
{-----} Email address {-----}

Nature of business {-----}

Current Trade Licences No. {-----} Expiring date {-----}

Maximum value of business which you can handle at any one time: **Kshs** {-----} Name of your bankers {-----}, Branch {-----}

PART 2(C) - REGISTERED COMPANY:

Private or Public: {-----}

State the nominal and issued capital of the company:

Nominal Kshs. {-----} Issued Kshs. {-----}

Give details of all directors as follows:

	Name	Nationality	Citizenship	Shares
1				
2				

- Attach proof of citizenship (Compulsory)
- Attach certified copy of Form CR12 (Compulsory)

PART 3: INTEREST IN THE FIRM:

Is there any person/persons in the LAW SOCIETY OF KENYA who has interest in this firm?

Yes /No** {-----}

I certify that the information given above is correct.

Full Name of Authorized Representative:

Position/ Title:

Name of Firm:

Signature:.....



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(LSK/2024/05/01)

SECTION 3C: POWER OF ATTORNEY

MAY 16, 2024

Tender Number: LSK/2024/05/01

**TO CHIEF EXECUTIVE OFFICER
LAW SOCIETY OF KENYA
LAVINGTON, GITANGA ROAD
P.O BOX 72219 - 00200
NAIROBI-KENYA**

Gentlemen and/or Ladies,

RE: TENDER FOR DESIGN & IMPLEMENTATION OF AN INTEGRATED BESPOKE ERP (LSK/2024/05/01)

Full name of the person: {-----} Position/Title {-----}

Representing of

{Company Name-----},

{Physical address-----}

{Postal address-----}

{Email-----}

Organized and existing under the laws of KENYA, hereby appoint the following person(s) as Authorized Representative (s) for acting and effecting all the necessary formalities for and on behalf of our firm in tendering for this Contract.

Full Name of Authorized Representative:

Position/ Title:

Name of Firm:

Signature:.....

In witness where of the undersigned have executed this Power of Attorney under its legal signature and company seal/stamp on this **16th day of May 2024**

Signature:

Sworn at:

Commissioner for Oaths



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P.O BOX 72219 - 00200 NAIROBI, KENYA

(LSK/2024/05/01)

SECTION 3D: AFFIDAVIT

REPUBLIC OF KENYA
UNDER THE OATHS AND STATUTORY DECLARATION ACTS
CHAPTER 15 LAWS OF KENYA
AFFIDAVIT

I, {-----}, of post office box number {-----} Nairobi in the Republic of Kenya do hereby make and state as follows:-

1. **THAT** I am an adult male of sound mind residing and working for gain in Nairobi and therefore competent to swear this affidavit.
2. **THAT** I am the holder of Kenyan Identity Card Number {-----}.
3. **THAT** I am a Director of {-----} holding the position of {-----}.
4. **THAT** I am involved in the day to day running of the aforesaid Company.
5. **THAT** the said company has not filed any case against the Government, any Company and or person since its inception.
6. **THAT** the aforesaid company has no case(s) in any court of the Republic of Kenya in the past or present and has never had any complaint from Kenya Police, or any authority.
7. **THAT** I swear this affidavit to confirm that {-----} has no litigation history.
8. **THAT** what is stated to hereinabove is true to the best of my knowledge, information and belief.

SWORN at **NAIROBI**

This **16TH** day of **MAY** 2024

By the said:

{-----}

Before me:

Commissioner for oaths

}
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.....
DEPONENT



LAW SOCIETY OF KENYA

LAW SOCIETY OF KENYA
LAVINGTON, OPP VALLEY ARCADE, GITANGA ROAD
P.O BOX 72219 - 00200 NAIROBI, KENYA

(LSK/2024/05/01)

SECTION 3E: MANDATORY REQUIREMENTS

Attach copies of the following documents, in that order, certified by a commissioner for oaths;

- 1) Certificate of Incorporation/Registration
- 2) CR12 (valid within the last 6 months)
- 3) Tax PIN Certificate
- 4) Tax Compliance Certificate
- 5) Valid Business Permit



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(LSK/2024/05/01)

SECTION 3F: LICENSE DECLARATION FORM

MAY 16, 2024

Tender Number: LSK/2024/05/01

**TO CHIEF EXECUTIVE OFFICER
LAW SOCIETY OF KENYA
LAVINGTON, GITANGA ROAD
P.O BOX 72219 - 00200
NAIROBI-KENYA**

Gentlemen and/or Ladies,

RE: SUPPLY, DEPLOYMENT & CONFIGURATION OF PERPETUAL LICENCES.

We the undersigned, on behalf of {-----} wish to confirm that the proposed ERP solution does not attract any annual license fee. After commissioning of the ERP, we shall supply the Law Society of Kenya (LSK) with a perpetual license that supports unlimited number of users.

This means that LSK shall be free to deploy the system to as many users as they wish without incurring additional charges.

Full Name of Authorized Representative:

Position/ Title:

Name of Firm:

Signature:.....



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(LSK/2024/05/01)

SECTION 3G: SITE REFERENCES

- a) Bidder should list five (5) projects where a bespoke (tailored) solution was deployed.
- b) Replicate this table for each of the 5 projects following each other.
- c) At the end of the 5th table, bidder should attach any of the following evidence for each project; Letter of Award, LPO/LSO, Contract or Certificate of completion

Procuring Entity (Client Name)				
Starting (Month/Year)	Ending (Month/Year)	Duration (Months)	Contract value (KES)	Project Contact
Contract Name				
Deliverables & Description				

Procuring Entity (Client Name)				
Starting (Month/Year)	Ending (Month/Year)	Duration (Months)	Contract value (KES)	Project Contact
Contract Name				
Deliverables & Description				



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(LSK/2024/05/01)

SECTION 3H: PROPOSED TEAM

a) Bidder should list six (6) resources to be deployed in this project.

- i. Project Manager
- ii. Business Analyst (BA)
- iii. System Designer (UI/UX)
- iv. Software Developer (Mobile & Web)
- v. Quality Assurance
- vi. Financial Consultant

b) Replicate this table for each of the 6 resources following each other.

c) At the end of the 6th table, bidder should attach any relevant certifications

Project position	Name of resource	Years with firm
Education (highest)		
Other qualifications		

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 Client.

Resource Name:
Proposed position:

Supervisor Name:
Position/Title:

Signature:.....

Signature:.....



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(LSK/2024/05/01)

SECTION 31: TOOLS & TECHNOLOGIES

Bidder should list their proposed tool(s) or technology to achieve the areas listed in the table.

	Purpose of tool	Tool & Technologies
1	Backend Development (Scripting Language)	
2	Front End development (Framework)	
3	Database (Relational & Non-Relational)	
4	Mobile App (iOS & Android)	
5	UI/UX designer	
6	Source Code editor	
7	Testing (functionality)	
8	Collaboration	



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(LSK/2024/05/01)

SECTION 3J: METHODOLOGY, WORK PLAN & ARCHITECTURE

Give a detailed description of your proposed Methodology, Work plan (Gantt Chart) & Architecture (System & Infrastructure).

SECTION 3K: VENDOR PROFILE

Attach your brief company profile. Bidder should avoid detailed product & services brochures.

SECTION 3L: TERMS OF REFERENCE

Attach your response to the modular user requirements detailed in the Terms of Reference (TOR).



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(LSK/2024/05/01)

SECTION 3M: TECHNICAL EVALUATION

Technical bids shall be evaluated using this template. Client is at liberty to introduce minimal changes to the criteria while retaining the maximum technical score at 70%.

	Maximum score = 70%	
A	Bid Response	
	Completeness of TOR	4
	Ability to meet & surpass expectations (any additional literature)	1
B	Key Staff (Qualification & Competency)	
	Project Manager	1
	Business Analyst (BA)	1
	System Designer (UI/UX)	1
	Software Developer (Mobile & Web)	0.5
	Quality Assurance	1
	Financial Consultant	0.5
C	Experience/Technical Capacity	
	Provide 5 projects where Bespoke solution was deployed. Attach evidence e.g LPO, Contract, Completion Cert	5
D	Project Documentation	
	Implementation Work plan	1
	Detailed methodology (Staged)	1
	Architecture (System & Infrastructure)	2
	Data Conversion Plan	2
	Quality Assurance Plan	2
	Training & Deployment Approach	1
	Transition Plan	1
	Post implementation & Support Services	1
E	Tools & Technologies	
	Completeness & appropriateness of the proposed tools, language & technologies	4
F	Product demo & Presentation	
	Show ALL technical capabilities responded to in the Bid & respond to queries arising. Demo team to have technical resources listed under Key Staff. Client expects System & not powerpoint demo.	40
		70



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(LSK/2024/05/01)

SECTION 3N: FINANCIAL PROPOSAL

MAY 16, 2024

Tender Number: LSK/2024/05/01

**TO CHIEF EXECUTIVE OFFICER
LAW SOCIETY OF KENYA
LAVINGTON, GITANGA ROAD
P.O BOX 72219 - 00200
NAIROBI-KENYA**

Gentlemen and/or Ladies,

We, the undersigned, offer to provide the consulting services for **TENDER FOR DESIGN & IMPLEMENTATION OF AN INTEGRATED BESPOKE ERP (LSK/2024/05/01)** in accordance with your Request for Proposal advertised in the newspapers.

Our Financial Proposal is for the sum of {-----} Shillings Only (KES. {-----}) inclusive of the taxes.

Description	Quantity	Total (KES)
Professional fee		
Data migration charges		
Training/Capacity building		
Integration (3rd party) cost		
Any other cost (specify)		
Sub Total		
Add taxes (16%)		
Total Quotation		
Our proposal and prices are valid for {-----} days.		
Annual Maintenance Cost: indicate formula		

We remain,

Yours Sincerely,

Full Name of Authorized Representative:

Position/ Title:

Name of Firm:

Signature:.....