



Kenya Airports Authority

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KAA/OT/MBD/0051/2024-2025

23rd December, 2024

To: All Tenderers

TENDER NAME: RE-TENDER FOR THE DEVELOPMENT OF A FOREX BUREAU AT JOMO KENYATTA INTERNATIONAL AIRPORT

TENDER NO: KAA/OT/MBD/0051/2024-2025

ADDENDUM NO. 2

The following are tender clarifications/addendum issued regarding the above tender in accordance to instructions to tenderers clause 7.1 of the bidding document for the referenced tender.

No.	Inquiry	Response
1.	<p>I am writing in regards to the tender KAA/OT/MBD/0051/2024-2025 for the development and management of a Forex Bureau at Jomo Kenyatta International Airport (JKIA). Upon reviewing the tender documents, we noted the following mandatory requirements:</p> <p>1. Operational Presence: Firms must demonstrate operation of Forex Bureaus in at least three towns with a minimum of three outlets in Kenya, including a port of entry.</p> <p>2. Documentary Evidence: Provision of licenses, leases, agreements, contracts, or letters of award indicating at least one year of experience operating a Forex Bureau.</p> <p>While we understand the intent to ensure bidders possess adequate experience and capacity, we believe these specific criteria may inadvertently</p>	<p>The Authority hereby amends/clarifies as follows;</p> <p>1. Operational Presence: Firms must demonstrate operation of Forex Bureaus with a minimum of three outlets in Kenya,</p> <p>2. Documentary Evidence: Provision of licenses, leases, agreements, contracts, or letters of award indicating at least one year of experience operating a Forex Bureau.</p>

exclude qualified firms capable of delivering exceptional services. The establishment and operation of Forex Bureaus are governed by Kenyan laws and the Central Bank of Kenya (CBK) guidelines, which already set stringent standards for licensing and operation.

Public Procurement Considerations:

The Public Procurement and Asset Disposal Act, 2015, emphasizes fairness, equity, transparency, competitiveness, and cost-effectiveness in procurement processes. Section 3 outlines these guiding principles, aiming to promote fair competition among qualified firms. Overly restrictive criteria, such as the aforementioned operational presence requirements, may contravene these principles by limiting competition and potentially excluding capable firms.

CBK Mandatory Requirements:

The CBK's "Forex Bureau Guidelines, 2011" specify the following mandatory requirements for licensing:

1. Fit and Proper Assessment:

Evaluation of directors and shareholders to ensure they meet integrity and competence standards.

2. Capital Requirements:

Maintenance of a minimum paid-up capital as stipulated by the CBK.

3. Operational Premises: Approval of business premises by the CBK to ensure suitability for Forex Bureau operations.

4. Compliance with Legal Framework: Adherence to the Central Bank of Kenya Act and other relevant regulations.

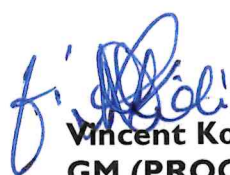
These requirements focus on the firm's integrity, financial capacity, and operational readiness, rather than the number of existing outlets or geographic presence.

	<p>Recommendation:</p> <p>In light of the above, we respectfully request the Kenya Airports Authority to reconsider the mandatory requirement for firms to have multiple operational outlets across various towns. We propose that the evaluation criteria focus on:</p> <ul style="list-style-type: none"> • Demonstrated Experience: Evidence of successful Forex Bureau operations, regardless of the number of outlets or locations. • Regulatory Compliance: Proof of adherence to CBK licensing requirements and guidelines. • Financial and Operational Capacity: Assessment of the firm's ability to establish and manage a Forex Bureau at JKIA effectively. <p>This approach would align the tender requirements with the principles of fair competition and inclusivity, as outlined in the Public Procurement and Asset Disposal Act, 2015, while ensuring that only qualified and capable firms are considered.</p> <p>We appreciate your attention to this matter and are available for any further discussions or clarifications.</p>	
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The closing/opening date remains **9th January, 2025 at 11.00 a.m.**

Kindly ensure your tender is valid for a period of **126 days** and your tender security is valid for a period of **156 days** from the closing/opening date of **9th January, 2025 at 11.00. a. m.**

This addendum forms part of the bidding document and is binding on all bidders. All other conditions remain the same.



Vincent Korir
GM (PROCUREMENT AND LOGISTICS)
For: MANAGING DIRECTOR/CEO D.K