

REPUBLIC OF KENYA



Contract No. SB/27/0272/19-21

CONTRACT AGREEMENT

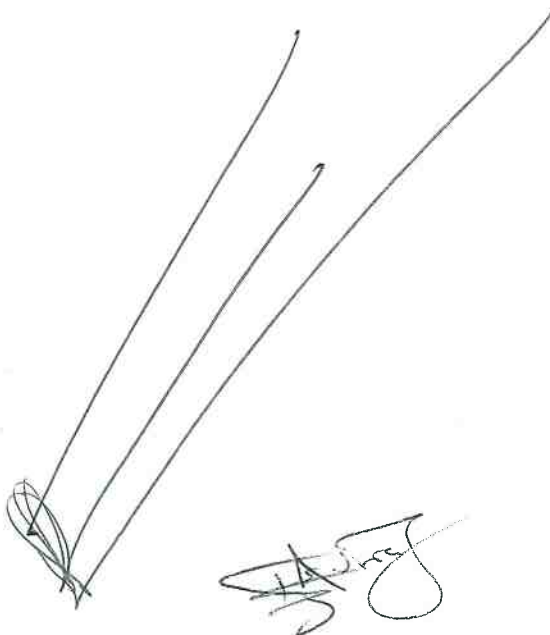
THIS AGREEMENT, [hereinafter called "the CONTRACT"] is entered into this ^{QND} Day of MAY, 2019, by and between the **Ministry of Transport, Infrastructure, Public Works, Housing and Urban Development, (State Department For Public Works - Supplies Branch)** of [or whose registered office is situated at], **Works Building, 1st Ngong' Avenue, P. O. Box 30743 – 00100, Nairobi** [hereinafter called "the Client / Procuring entity"] of the one part and **M/S TOYOTA KENYA LIMITED, P.O. BOX 3391-00506, NAIROBI** hereinafter called "the Tenderer / Contractor", on the other part:

WHEREAS the Procuring entity invited tenders for certain goods, **SUPPLY OF MOTOR CYCLES - (Tender No.SB/27/2019-2021)**, to Government Departments and Institutions as and when required for the period of Two (2) Years effective from the date of this AGREEMENT and has accepted a tender by the tenderer for the supply of those goods in the sum of: [hereinafter called "the Contract Price"] (Bid) as follows:

S/NO.	ITEM DESCRIPTION	MAKE/MODEL/COUNTRY OF ORIGIN	DUTY FREE PRICE (KSHS.)	DUTY PAID AMOUNT (KSHS.)
1.	MTD-716-041-18 - TRAIL 2/4 STROKE 101-130 cc	YAMAHA YBR 125G (CHINA APP. BY JAPAN)	211,272.00	290,257.00
		YAMAHA XTZ125 (CHINA APP. BY JAPAN)	326,063.00	425,253.00
		YAMAHA AG125 (CHINA APP. BY JAPAN)	315,000.00	417,600.00
		YAMAHA (DT125 JAPAN)	379,355.00	511,415.00
2.	MTD-945-041-18 TRAIL 2/4 STROKE 181-200 cc	YAMAHA AG200E (JAPAN)	430,859.00	591,980.00
3.	MTD-1006-041-16 TRAIL 2/4 STROKE 151-180 cc	YAMAHA DT175(JAPAN)	398,778.00	533,313.00
4.	MTD-1721-041-18 POLICE CYCLE, TRAIL 4 STROKE 701-1200 cc	YAMAHA XJ900P (JAPAN)	1,559,650.00	2,354,781.00
5.	MTD-1736-041-18 ALL TERRAIN VEHICLES, 300-400 cc	YAMAHA GRIZZLY 350 (USA)	1,250,500.00	1,750,000.00

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement and shall be appended, viz.: -
 - (a) the Form of Tender;
 - (b) the Schedule of Requirements with Prices;
 - (c) the Confidential Business Questionnaire;
 - (d) the Technical Specifications;
 - (e) the General Conditions of Contract;
 - (f) the Special Conditions of Contract;
 - (g) the Procuring entity's Letter of Notification of Tender Award;
 - (h) Letter of Acceptance by the Tenderer / Contractor;
3. In consideration of the payments to be made by the Procuring entity to the tenderer as hereinafter mentioned, the tenderer hereby covenants with the Procuring entity to provide the goods and to remedy defects therein in conformity in all respects with the provisions of the Contract.
4. The Procuring entity hereby covenants to pay the tenderer in consideration of the provision of the goods and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the times and in the manner prescribed by the contract.

The image shows a handwritten signature and several scribbles. The signature is located at the bottom center of the page, below the main text. It consists of a series of loops and lines, appearing to be a stylized name. To the left of the signature, there are three long, diagonal lines that extend upwards and to the right, resembling a large checkmark or a stylized flourish. There are also some smaller, circular scribbles to the left of the signature.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with their respective laws the day and year first above written

TOYOTA KENYA LTD.
P.O. BOX 3391
00506 NAIROBI

Signed, sealed, and delivered by: -

Full name: Prof. Arch. Paul M. Maringa
(PhD), CBS, Corp. Arch, MAAK, MKIP

Full Name: ALBERT GITHONGA

for the Client [Procuring Entity]

for the Tenderer [Client]

Title: - **Principal Secretary**

Title: - **Director / Attorney**

Signature: [Signature]

ID/No. 26010782

Date: 26/09/2019

Signature [Signature]

Date 26/09/19

In the presence of (witnesses): -

Full Name: - Evans K. Keronche

Full Name: Abdullahi Simiyu

Title: - **Officer In-Charge
Supplies Branch**

Title: LOGISTICS

Signature: [Signature]

ID/No.: 27024228

Signature: [Signature]

Date: 26/9/2019

Date: 26/9/2019

TOYOTA KENYA LTD.
P.O. BOX 3391
00506 NAIROBI



[Signature]