

**ADDENDUM NO. 02**

**TENDER NO.BOK/RFP/02/2024-2025.**

**DATE: 4<sup>TH</sup> JULY 2025**

**DEVELOPMENT OF HOSPITALITY AND  
COMMERCIAL COMPONENTS OF THE BOMAS  
INTERNATIONAL CONVENTION COMPLEX AT  
BOMAS OF KENYA**

**TO ALL BIDDERS**

**CLARIFICATIONS RAISED UNDER ITT 6.1 – BIDDER'S REQUEST FOR  
CLARIFICATION**

Following receipt of a request for clarifications from a bidder regarding the above-captioned tender, and in accordance with ITT 6.1 of the Tender Document, the Procuring Entity issues the following responses as an official addendum to the tender:

**1. Eligibility and Requirements**

1.1. Is a fully executed Joint Venture Agreement required at tender submission, or will a signed Letter of Intent suffice? **A letter of intent (Loi) may be sufficed at tender submission. However, A joint venture agreement should be executed before the tender is signed.**

1.2. Must foreign bidders without local registration partner with Kenyan firms, or can they bid independently? **NO, foreign bidders need not partner with Kenyan firms.**

1.3. How is the margin of preference for Kenyan-owned companies applied during evaluation? **NONE** equal treatment

1.4. In a consortium/JV, must all members individually meet eligibility

criteria, or can compliance be collective? **Collective**

1.5. Are there restrictions on consortium size or pre-award registration requirements in Kenya? **NO**

## **2. Financial Requirements**

2.1. Can the KES 50 million tender security be split (e.g., part bank guarantee, part cash)? **NO**

2.2. Must the guarantee be from a CBK-licensed institution, or are foreign guarantees with Kenyan correspondent banks acceptable? **YES**

2.3. Can financial capacity (KES 2.6B/3.9B) be shown via combined equity, guarantees, credit lines, and support letters? **NO**

2.4. Are there tax incentives (VAT, customs, capital allowances) for this project? **NO**

2.5. Are audited financials mandatory, or will projected revenue models be considered? **YES**

## **3. Technical and Design**

3.1. Are there mandatory cultural/architectural themes for the designs? **NO**

3.2. Is the 70,000 sqm GLA for the mall strictly enforced, or is flexibility permitted? **Please refer to Tender document.**

3.3. Beyond the 40m height limit, are there aviation/Nairobi National Park-related restrictions? **YES, as prescribed by Kenya civil Aviation Authority.**

3.4. Are green building certifications (LEED, EDGE) required? **NO**

3.5. Will Bomas conduct a design review before construction? **YES**

## **4. Lease and Contract Terms**

4.1. Is the 40-year lease + renewal negotiable? **YES, there is an option to renew the lease for a similar period.**

4.2. Is the 10% lease escalation every 5 years simple or compound? **simple**

4.3. What penalties apply for missing the 24-month construction deadline?

**To be agreed on during contract negotiation.**

4.4. Will the draft lease agreement be shared pre-signing for review? **YES**

## **5. Site and Infrastructure**

5.1. Will Bomas provide bulk utilities (water, power) to the site, or is the developer responsible? **The developer is responsible.**

5.2. Are geotechnical/environmental reports available for bidders? **NO**

5.3. Is shared parking between hotels/mall permitted? Are there traffic management guidelines? **Not permitted.**

5.4. Will the site connect to plan public transport? **YES**

5.5. **Can you provide GPS coordinates/survey plans for the 3-acre and 9-acre plots? YES.**

## **6. Operational and Partnerships**

6.1. **Will hotel guests have access privileges to Nairobi National Park? YES.**

6.2. What KPIs will govern operator performance during the lease? **NO.**

6.3. Will Bomas assist in securing mall anchor tenants? **NO.**

6.4. Are there local employment/training quotas? **NO.**

## **7. Submission and Evaluation**

7.1. Are electronic submissions accepted under exceptional circumstances? **NO.**

7.2. How are tied scores resolved in the "Best Evaluated Tender" process?

7.3. Is there a pre-qualification stage, or do all bids proceed to full evaluation? **Refer to tender document.**

7.4. Can you share evaluation weightings (technical vs. financial)? **As per the tender document.**

## 8. Legal and Compliance

8.1. What are the consequences of non-compliant tender security (e.g., unapproved bank)? **Disqualification.**

8.2. In a JV, must all members meet tax/registration obligations, or only the lead? **YES**

8.3. Is arbitration the default for lease disputes? **Please refer to Tender documents.**

## 9. Timeline and Approvals

9.1. Does the 24-month construction period include approval timelines (NEMA, NCA)? **Yes.**

9.2. What penalties apply for delays beyond the deadline? **To be agreed on during contract negotiation.**

## 10. Clarification Process

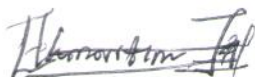
10.1. How will post-meeting tender amendments be communicated? **By issuing of an addendum.**

10.2. Can additionally site visits be arranged after 17 June 2025? **YES, on 8<sup>th</sup> July 2025.**

10.3. When will pre-tender meeting minutes be published? **15<sup>th</sup> July 2025.**

**Bidders are advised to acknowledge receipt of this addendum in writing and ensure it is included as part of their tender submission.**

Regards.



**K. MARITIM**  
**FOR: AG. CHIEF EXECUTIVE OFFICER.**