

KEMSA



KENYA MEDICAL SUPPLIES AUTHORITY

YOUR PARTNER IN HEALTHCARE

REGISTRATION OF SUPPLIERS

ITEM DESCRIPTION: SUPPLY OF PHARMACEUTICALS

CATEGORY No: KEMSA/REG/C/2017-2019

APPLICANT'S NAME:.....

CLOSING DATE: 23rd NOVEMBER, 2017 AT 10.00 A.M LOCAL TIME

Kenya Medical Supplies Authority,
Commercial Street, Industrial Area
P.O Box 47715, 00100 Nairobi
Tel No: 254 20 3922000 /GSM: 254 719 033000, 254 733 606600
Fax No: 254 20 3922400
Email: procure@kemsaco.ke
Website: www.kemsaco.ke

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INVITATION NOTICE

Date: 31st October, 2017

Category No: **KEMSA/REG/C/2017-2019**

Item Description: **SUPPLY OF PHARMACEUTICALS**

Kenya Medical Supplies Authority (KEMSA) hereinafter referred to as “Procuring entity” intends to register suppliers for the under listed categories of goods, works and services. The resultant list will be updated on bi-annual basis. KEMSA now invites applications from interested eligible firms for registration as suppliers for the financial years 2017/2018 onwards as indicated in the schedule below:

CATEGORY No. KEMSA/REG/C/2017-2019 - SUPPLY OF PHARMACEUTICALS

SUB-CATEGORY NO.	ITEM DESCRIPTION	STATUS
KEMSA/REG/C/14/2017-2019	Supply of Pharmaceuticals Drugs	Open

Categories marked “Open” are accessible to all interested, eligible candidates.

The Registration documents containing the submission information, detailed terms and conditions of qualification may be downloaded free of charge from KEMSA’s website <https://www.kemsa.co.ke> or IFMIS suppliers portal <https://supplier.treasury.go.ke/tenders> and suppliers are advised to register at the procurement office via email at procure@kemsa.co.ke.

Completed paginated/serialized registration documents are to be enclosed in plain sealed envelopes, marked with the Registration Category number and name and be deposited in the tender box 1 marked GOK/ World Bank provided at The Kenya Medical Supplies Authority reception, ground Floor, Commercial Street, Nairobi or be addressed to:

**Chief Executive Officer
Kenya Medical Supplies Authority,
P. O. Box 47715 - 00100
NAIROBI**

So as to be received on or before **23rd November, 2017 at 10:00 AM**. Bulky applicant can be handed over to KEMSA procurement Directors office for registration and safe keeping till the opening date.

All candidates whose applications will have been received on or before the closing date and time will be advised in due course, of the results of their applications.

**CHIEF EXECUTIVE OFFICER,
KENYA MEDICAL SUPPLIES AUTHORITY**

REGISTRATION FORM FOR ONLINE TENDERERS/BIDDERS/SUPPLIERS

ITEM DESCRIPTION: SUPPLY OF PHARMACEUTICALS

CATEGORY No: KEMSA/REG/C/2017-2019

NOTE: Please provide your details below for purposes of communication in case you download this tender document from IFMIS or KEMSA website.

Name of the firm:.....

Postal Address:.....

Telephone Contacts:.....

Company email address:.....

Contact Person:.....

Once completed please submit this form to the email below;

procure@kemsa.co.ke

REGISTRATION INSTRUCTIONS

1.1. Introduction

Kenya Medical Supplies Authority (KEMSA) is established by an Act of Parliament – Kenya Medical Supplies Authority Act no. 20 of 2013. The mandate of the Authority is to procure, warehouse and distribute medicines and medical commodities to Prescribed Health Programmes, the National Strategic Stock Reserve, Prescribed Essential Health Packages and national referral hospitals.

1.2. Reserved and Open Categories

Categories marked “**Reserved**” have been specifically set aside for exclusive competition among enterprises owned by the Youth, Women & People with Disabilities. Categories marked “**Open**” are accessible to all interested, eligible candidates.

1.3. Registration Objective

The main objective is to supply and deliver assorted goods, works and also provide services under relevant tenders/quotations to KEMSA as and when required during the financial year 2017/2018 onwards.

1.4. Invitation for Registration

Suppliers registered with Registrar of Companies under the Laws of Kenya in respective merchandise or services are invited to submit their Registration documents to **KEMSA** so that they may be registered as suppliers for submission of quotations and restricted tenders. The prospective Suppliers are required to supply mandatory information for registration.

1.5. Experience

Prospective suppliers must produce evidence of having successfully supplied, delivered or provided services of similar nature to Government/Corporation/institutions of similar size and complexity through attaching copies of the Local Purchase/Service Orders, contracts or completion / inspection and acceptance certificates. Potential suppliers must demonstrate the willingness and commitment to meet the registration criteria. All entities registered with the National Treasury under the AGPO program as Youth, Women and People with Disabilities are eligible for registration in the categories **marked Reserved upon submission of Valid Registration Certificate.**

1.6. Registration Document

This document includes questionnaire forms and documents required of prospective suppliers. In order to be considered for registration, prospective suppliers must submit all the information herein requested.

1.7. Distribution of Registration Documents

Only the original of the completed registration data and other requested information shall be submitted to reach:

Kenya Medical Supplies Authority,

13 Commercial Street, Industrial Area

P.O Box 47715, 00100 Nairobi

Tel No: +254 20 3922000 /GSM: +254 719 033 000

Fax No: +254 20 3922400

Email: procure@kemsaco.ke

1.8. Questions Arising from Documents

Questions that may arise from the registration documents should be directed to Director Procurement office through the address given above.

1.9. Late Applications

Any Registration Document received after the deadline shall be rejected and returned unopened to the applicant.

1.10. Additional Information

KEMSA reserves the right to request clarification from prospective bidders. Bidders will only be deemed to have been successful after submitting all the mandatory requirements.

KEMSA does not bind itself to assign contracts/tenders but shall endeavor to ensure a fair and equal rotation amongst the persons/firms under each category.

2. BRIEF CONTRACT REGULATIONS/GUIDELINES

2.1 Taxes on Imported Materials

The Supplier will have to pay custom duty and VAT as applicable for all imported materials to be supplied unless the item(s) is/are donor funded.

2.2 Customs Clearance

The contractors shall be responsible for custom clearance of their imported goods and materials.

2.3 Contract Price

The contract shall be of unit price type or cumulative of computed unit price and quantities required. Quantities may increase or decrease as determined by demand on the authority of the client's Accounting Officer. Prices quoted should be inclusive of all taxes and delivery charges.

2.4 Payments

All local purchase shall be on credit of a minimum of thirty (30) days or as it may be stipulated in the Contract Agreement.

3. REGISTRATION DATA INSTRUCTIONS

3.1 Registration data forms

- 3.1.1 The attached questionnaire forms R-1, R-2, R-3, R-4 and R-5, are to be completed by prospective suppliers/contractors who wish to be registered for submission of tender for the specific tenders.
- 3.1.2 The Registration application forms which are not filled out completely and submitted in the prescribed manner will not be considered. All the documents that form part of the proposal must be written in English and in ink.

3.2 Qualification

- 3.2.1 It is understood and agreed that the registration data on prospective bidders is to be used by KEMSA in determining, according to its sole judgment and discretion, the qualifications of prospective bidders to perform in respect to the **Tender** Category as described by the client.
- 3.2.2 Prospective bidders will not be considered qualified unless in the judgment of KEMSA they possess capability, experience, qualified personnel available and suitability of equipment and net current assets or working capital sufficient to satisfactorily execute the contract for goods/services.

3.3 Essential Criteria for Registration

- 3.3.1 (a) **Experience:** Prospective bidders shall have relevant experience in the supply of goods, works, services and allied items. In case of potential supplier/contractor, they should show competence, willingness and capacity to service the contract.
- (b) Prospective supplier requires special experience and capability to organize supply and delivery of items, or services at short notice.

3.3.2 Personnel

The names and pertinent information of the key personnel for individual or group to execute the contract must be indicated.

3.3.3 Financial Condition

The Supplier's financial condition will be determined by latest financial statement submitted with the registration documents as well as letters of reference from their bankers regarding suppliers/contractors credit position.

Potential suppliers/contractors will be registered on the satisfactory information given.

3.3.4 Special consideration will be given to the **financial resources available as working capital**, taking into account the amount of uncompleted orders on contract and now in progress. However, potential bidders should provide evidence of financial capability to execute the contract.

3.3.5 Past Performance

Past performance will be given due consideration in registering bidders. A copy of Purchase Order, contract agreement or inspection and acceptance certificate accompanied by a recommendation letter from past customers should be provided when invited to participate in the bidding process.

3.4 Declaration Statement

Application must include a self-declaration Form R-5 by the applicant ensuring the accuracy of the information given.

3.5 Withdrawal of Registration

Should a condition arise between the time the firm is registered to bid and the bid opening date which in the opinion of the client/KEMSA could substantially change the performance and qualification of the bidder or his ability to perform but not limited to bankruptcy, change in ownership or new commitments, KEMSA reserves the right to reject the tender from such a bidder even though he was initially registered.

3.6 The firm must have a **fixed Business Premise** and must be **registered in Kenya**, with certificate of registration/ incorporation/memorandum and Article of Association, copies of which must be attached.

For service outside Nairobi

The bidder must provide evidence of a fixed Business Premise, must be registered in Kenya and must be operating from the region

3.6.1 The firm must show proof that it has paid all its statutory obligations and have current Tax compliance certificate

3.6.2 General Requirements

- a. KEMSA will examine all applications to determine completeness, general orderliness, and sufficiency in responsiveness.

- b. Registration will be based on meeting the minimum criteria.
- c. The applicants must have registered offices and KEMSA reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the services.
- d. The applicant shall submit documents that are current and valid.
- e. KEMSA may carry out due diligence to confirm the accuracy and validity of the documents and information submitted by the applicants.

3.7 Registration Forms

Required Information	Form Type
1. Self-Declaration Form	R-1
2. Registration Data	R-2
3. Confidential Business Questionnaire	R-3
4. Letter of Application	R-4
5. Information Declaration Statement	R-5

IMPORTANT:

Bidders are advised to fill all the prescribed forms

3.8 REGISTRATION

ALL FIRMS MUST PROVIDE THE FOLLOWING MANDATORY DOCUMENTS:-

1. Copies of Certificate of Registration/Incorporation.
2. Copy of Current & Valid Tax Compliance Certificate.
3. Certificate of Registration from the National Treasury as a Youth, Women or Persons with Disability.
4. Self-declaration that the person has not been convicted of corrupt or fraudulent practices;
5. Self-declaration that the person and his or her sub-contractor, if any, is not debarred from participating in procurement proceedings
6. Self-declaration that the person is not insolvent, in receivership, bankrupt or in the process of being wound up
7. Duly Completed Confidential Business Questionnaire (Form R-3)
8. Duly Filled Forms R-4 and R-5

FORM R-1 SELF-DECLARATION FORM

a. ANTI-CORRUPTION DECLARATION

We (*insert the name of the company / supplier*)----- declares and guarantees that no offer, gift or payment, consideration or benefit of any kind, which constitutes an illegal or corrupt practice, has been or will be made to anyone by our organization or agent, either directly or indirectly, as an inducement or reward for the award or execution of this procurement.

In the event the above is contravened we accept that the following to apply –

- a) The person shall be disqualified from entering into a contract for the procurement; or
- b) If a contract has already been entered into with the person, the contract shall be voidable at the option of KEMSA.
- c) The voiding of a contract by the procuring entity under subsection (b) does not limit any other legal remedy That KEMSA may have.

NameSignature.....Date

Company Seal / Business Stamp

b. ANTI-FRAUDULENT PRACTICE DECLARATION

We (*insert the name of the company / supplier*) -----declares and guarantees that no person in our organization has or will be involved in a fraudulent practice in any procurement proceeding. Further we declare that as we bid we have not been convicted of corrupt or fraudulent practices

NameSignature.....Date

Company Seal / Business Stamp

c. NON - DEBARMENT DECLARATION

We (*insert the name of the company / supplier*) -----declares and guarantees that no director, sub-contractor or any person who has any controlling interest in our organization has been debarred from participating in a procurement proceeding.

NameSignature.....Date

Company Seal / Business Stamp

d. NOT INSOLVENT, IN RECEIVERSHIP, BANKRUPT OR IN THE PROCESS OF BEING WOUND UP

We (*insert the name of the company / supplier*) -----declares and guarantees that the person or the company bidding is not insolvent, in receivership, bankrupt or in the process of being wound up

NameSignature.....Date

Company Seal / Business Stamp

e. EMPLOYMENT LAWS AND PRACTICES

We (*insert the name of the company / supplier*) -----declares and guarantees that the person or the company bidding is not guilty of any serious violation of fair employment laws and practices.

NameSignature.....Date

Company Seal / Business Stamp

FORM R-2 - REGISTRATION DATA

REGISTRATION OF SUPPLIERS APPLICATION FORM

I/We Hereby Apply For Registration As Supplier(S)

Company/Firm Registration No.	
Item Description	
(Category No.)	
Post Office Address	
Town	
Street	
Name Of Building	
Floor No.	
Room/Office No.	
Office Telephone Nos	1) 2) 3)
Mobile No.	1) 2) 3)
Showroom Location (<i>Where Applicable</i>)	
Contact Name(s)	1) 2) 3)
Official Email Address(es)	
Alternate email addresses	1) 2)

2. Organization & Business Information

Management Personnel	
Director/Chief Executive	
General Manager	
Other Staff	
	1)
	2)
	3)
	4)
	5)
	6)

R-3 - CONFIDENTIAL BUSINESS QUESTIONNAIRE

You are requested to give the particulars indicated in Part I 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 I- General :

Business Name

Location of business premises.....

Plot No. Street/Road.....

Postal Address.....Tel. No.....

Email address.

Nature of business.....

Current Business Permit No.....Expiring date.....

Maximum value of business which you can handle at any one time:
Ksh.....

Name of your bankers.....Branch

<input type="checkbox"/>	<p><i>Part 2 (a) – Sole Proprietor</i></p> <p>Your name in full.....Age.....</p> <p>Nationality.....Country of origin.....</p> <p>*Citizenship details.....</p>																				
<input type="checkbox"/>	<p><i>Part 2 (b) Partnership</i></p> <p>Given details of partners as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><i>Name</i></th> <th style="text-align: center;"><i>Nationality</i></th> <th style="text-align: center;"><i>Citizenship Details</i></th> <th style="text-align: center;"><i>Shares</i></th> </tr> </thead> <tbody> <tr> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>	<i>Name</i>	<i>Nationality</i>	<i>Citizenship Details</i>	<i>Shares</i>
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<input type="checkbox"/>	<p><i>Part 2 (c) – Registered Company:</i></p> <p>Private or Public.....</p> <p>State the nominal and issued capital of company-</p> <p style="padding-left: 20px;">Nominal Ksh.....</p> <p style="padding-left: 20px;">Issued Ksh.....</p> <p>Given details of all directors as follows:-</p> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 25%; text-align: center;"><i>Name</i></th> <th style="width: 25%; text-align: center;"><i>Nationality</i></th> <th style="width: 25%; text-align: center;"><i>Citizenship Details</i></th> <th style="width: 20%; text-align: center;"><i>Shares</i></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td style="text-align: center;">2.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td style="text-align: center;">3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td style="text-align: center;">4.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td style="text-align: center;">5.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>		<i>Name</i>	<i>Nationality</i>	<i>Citizenship Details</i>	<i>Shares</i>	1.	2.	3.	4.	5.
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1.																											
2.																											
3.																											
4.																											
5.																											
<p style="text-align: center;">DateSignature of</p> <p>Candidate.....</p>																															

*if Kenya Citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration.

NOTE:

Attach the firm’s current CR12 indicating the directors and their shareholding and copies of Directors’ identity cards / passports. (Where applicable)

FORM R- 4: LETTER OF APPLICATION

The letter of application will be prepared by the applicant and will follow the form presented herein.

The letter of application will be prepared on the letterhead paper of the applicant or partner responsible for a joint venture and will include full postal address, telephone numbers, fax number and Email address.

The letter of application will be signed by duly authorized representatives of the applicant.

Any clause which does not apply to the applicant in the letter of application herein shall be deleted by the applicant.

Date

To

.....
(name and address of the procuring entity)

Ladies and/or Gentlemen

1. Being duly authorized to represent and act on behalf of _____ (*name of firm*) (hereinafter referred to as “the Applicant”), and having reviewed and fully understood all of the registration information provided, the undersigned hereby apply to be prequalified by yourselves as a bidder for the following subcategory(ies) of goods and services.

NOTE: In the table below, please indicate as appropriate the category and Subcategory where you wish to be considered for supply of goods or services. Please note that indicating N/A or leaving the space blank against the subcategory means not interested for consideration.

SUB-CATEGORY NO.	ITEM DESCRIPTION	MARK "X" As Appropriate
KEMSA/REG/C/14/2017-2019	Supply of Pharmaceuticals Drugs	

NOTE: "X" MEANS TO BE CONSIDERED FOR REGISTRATION

2. Your Authority and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and as requested by you to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.
3. Your Authority and its authorized representatives may contact the following persons under Form R - 2 for further information.
4. This application is made with the full understanding that:
 - a Bids by prospective applicants will be subject to verification of all information submitted for registration at the time of bidding.
 - b Your Authority reserves the right to:
 - c Reject or accept any application, cancel the registration process, and reject all applications
 - d Your Agency shall not be liable for any such actions.

Name:.....signature.....Date:.....

Company Seal/Business Stamp.....

FORM R-5 - INFORMATION DECLARATION STATEMENT

Having studied the registration information we/I hereby state:

- a. The information furnished in our application is accurate to the best of our knowledge.
- b. That in case of being registered we acknowledge that this grants us the right to participate in due time in the submission of a tender or quotation on the basis of provisions in the tender or quotation documents to follow.
- c. When the invitation for Quotations is issued and the legal, technical or financial conditions or the contractual capacity of the firm changes we come ourselves to inform you and acknowledge your right to review the registration made.
- d. We enclose all the required documents and information required for the registration evaluation.

Date

Applicant's Name

Represented by

Signature

(Full name and designation of the person signing and stamp or seal)

EVALUATION CRITERIA

Mandatory Requirement s	Yes/No
1. Copies of Certificate of Registration/Incorporation	
2. Copy of Current & Valid Tax Compliance Certificate.(Applicable to local firms)	
3. Duly Filled Self-declaration forms (R-1 forms a-e)	
4. Duly Filled Confidential business questionnaire-R-3	
5. Duly Filled Registration of suppliers application form-R-4	
6. Duly Filled information -declaration statement-R-5	
7. Current Whole Sale Dealers License with QR codes	
8. Current Goods Distribution Practice(GDP) or Free sale Certificate (FSC) (applicable to foreign firms)	
9. Current Superintendent Pharmacist Certificate with QR codes	
10. Manufacturing License (for applicants who are manufacturers)	
11. Current Good Manufacturing Practice (GMP) (for applicants who are manufacturers)	

Bidders who fail to meet any of the above criteria will be declared non-responsive and therefore disqualified.