KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax:+254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/PROC-GF /OIT 014/2023 Date: 4th December, 2023

CLARIFICATION 1

ATTN.: ALL PROSPECTIVE BIDDERS

TENDER NO.: GF ATM HIV NFM-2023/2024 – OIT 04 – SUPPLY OF MALE CONDOMS

In accordance with ITT Clause 7.1 (Clarification of Tendering Document) of the Open International Tender (OIT) issued under the above reference, were hereby respond to queries raised by prospective bidders:

Question 1

Bid Security:

Page 4 of the tender document states: *....and accompanied by a Bid Security of USD 44,700.00 or KES 6,705,000.00 or equivalent in a freely convertible currency from Commercial Banks or Insurance Companies Approved by The Insurance Regulatory Authority (IRA) and listed by The Public Procurement Regulatory Authority.* However on page 38 SPECIFIC EVALUATION CRITERIA POINT NO. 5 It states : *Provide an Original Bid Security valid for 150 days from date of tender opening. Value of Bid Security should be USD 91,480.00 or KES 13,722,000.00 (Kenya Shillings Thirteen Million, Seven Hundred and Twenty-Two Thousand Only) or equivalent in a freely convertible currency. Electronic tender securities are acceptable and shall be authenticated through the use of the QR scanner (In Accordance to PPRA CIRCULAR NO. 01/2023) (MANDATORY).- DOES NOT STATE IF THE BID SECURITY IS FROM EITHER COMMERCIAL BANK OR INSURANCE COMPANIES APPROVED BY IRA.*

PLEASE CLARIFY IF BID SECURITY CAN BE FROM EITHER COMMERCIAL BANK OR INSURANCE COMPANIES APPROVED BY IRA

Response

Bid security can be from either Commercial bank, Insurance Companies approved by IRA and listed by the Public Procurement Regulatory Authority

Question 2

Registration requirements:
On page 39: B)Technical Evaluation point e states:
e) *Provide a registration certificate/license from a Regulatory authority in the country of Origin and/or listed by the Kenya Pharmacy and Poisons Board as a medical device. (MANDATORY)*

PLEASE CLARIFY IF BOTH CERTIFICATES ARE REQUIRED OR

WE CAN PROVIDE 1 : EITHER REGISTRATION CERTIFICATE IN COUNTRY OF ORIGIN OR LISTING BY THE KENYA PHARMACY

POISONS BOARD AS MEDICAL DEVICE.

Response

- Medical devices/product should have a registration certificate/license from Regulatory authority in the country of Origin
- Must be listed by the Kenya Pharmacy and Poisons Board as a medical device.

Question 3

Sample Submission
Bidders to provide **a sample of 144pcs** in its original packaging for evaluation

SAMPLE TECHNICAL SPECIFICATIONS HEALTH PRODUCTS

1. **Tender Sample**

a) A **properly labeled sample** of each item quoted must be delivered to Kenya Medical Supplies Authority on or before closing of the tender at 10.00 a.m. on **7th December, 2023.** The sample must be of the required pack size as indicated in the schedule of requirements.

b) The sample including literature **(inserts)** should be submitted in their normal or usual commercial packing as registered by the Kenya Pharmacy and Poison's Board, and should be labeled in English. The sample must be a true representative of the product tendered for and **remaining shelf life of at least 120 days from date of submission.**

c) Bidders should provide one sample to represent both lots per item. Bidders who submit two different samples for any given item will have their samples disqualified.

INSPECTIONS AND TESTS

The following inspections and tests shall be performed: ***[insert list of inspections and tests].***

1.0 In-house Examination by KEMSA

2.0 Test conducted by the NQCL

3.0 Tests conducted by Kenya Bureau of Standards (KEBS)

Response

The tests at NQCL is done by KEMSA but after the delivery of the consignment by the successful bidder. It is not done during tender evaluation.

Yours faithfully,

Edward Buluma
FOR: CHIEF EXECUTIVE OFFICER