


Meeting:	KEMSA PRE-BID CONFERENCE	
Date Held:	13th February, 2024	
Time:	10:00am – 11.50am	
Location:	KEMSA Tender Opening Hall	
Attendees:	As per attached registration list	
No.	Agenda	
1	As per attached program	
<u>Min 01 - 13/02/2024 - Prayers and Opening remarks</u>		
The Pre-bid meeting started at 10:00 a.m. with a word of prayer. Thereafter, all members present introduced themselves.		
<u>Min 02 - 13/02/2024 - Welcoming remarks</u>		
The procurement manager welcomed all prospective bidders present and pointed out the following;		
<div><div>1.</div><div>The pre-bid conference was crucial as it is the forum where tender requirements are clarified.</div></div> <div><div>2.</div><div>The Global Fund is scheduled to close on 30<sup>th</sup> June 2024 when all deliveries require to have been made, contracts performed and paid.</div></div> <div><div>3.</div><div>Interested bidders were encouraged to ask questions and seek clarifications on tender requirements.</div></div>		
<u>Min 03 - 13/02/2024 Procurement Presentation:</u>		
The prospective bidders were taken through the procurement process as follows;		
<div><div>❖</div><div>Introduction</div></div> <div><div>❖</div><div>Bid Submission</div></div> <div><div>❖</div><div>Bid Evaluation</div></div> <div><div>❖</div><div>Post Qualification</div></div> <div><div>❖</div><div>Tender notification</div></div> <div><div>❖</div><div>Performance security and Contracting</div></div> <div><div>❖</div><div>Delivery</div></div>		





**Tenders advertised: -**

GLOBAL FUND TB PROGRAM, GRANT: KEN-T-TNT			
#	Tender No.	Tender Description	Tender closing date
1	GF ATM TB NFM (RSSH) 2023-2024 OIT 06	Supply of office and ICT equipment	22 <sup>nd</sup> February 2024 At 10:00 am
2	GF ATM HIV NFM 2023-2024 OIT 019	Supply of Male condoms	22 <sup>nd</sup> February 2024 At 10:00 am
3	GF ATM TB NFM (RSSH) 2023-2024 OIT 07	Supply of warehouse equipment	27 <sup>th</sup> February, 2024 At 10:00 am
4	GF ATM TB NFM (RSSH) 2023-2024 OIT 08	Procurement of specialized works for cold room floor.	27 <sup>th</sup> February, 2024 At 10:00 am
5	GF ATM TB NFM (RSSH) 2023-2024 OIT 09	Supply of cold room racks	27 <sup>th</sup> February, 2024 At 10:00 am
6	GF ATM TB NM (RSSH) 2023-2024 OIT 010	Supply of Dock doors	27 <sup>th</sup> February, 2024 At 10:00 am
7	GF ATM HIV NFM 2023-2024 OIT 020	Supply of Methadone Dispensing cups	29 <sup>th</sup> February, 2024 At 10:00 am
8.	GF ATM TB NFM 2023-2024 OIT 011	Supply of TB Tools	29 <sup>th</sup> February, 2024 At 10:00 am

- ❖ All tender documents are available on the Public Procurement Information Portal (PPIP) and KEMSA website.
- ❖ Bidders should fill the registration form provided in the tender document and email the form using the official email address provided.

**BID SUBMISSION**

- ❖ Bids shall be submitted manually.
- ❖ Completed serialized/paginated Bidding documents shall be submitted accompanied with a signed declaration of the number of pages.  
Tender documents must be paginated/serialized. All bidders are required to submit their documents paginated in a continuous ascending order from the first page to the last in this format; (i.e. 1, 2, 3..... n where n is the last page). **(MANDATORY)**
- ❖ The documents will be One original and a copy in plain sealed envelopes clearly marked on top with the **Tender Number and Description** and accompanied by a Bid Security of the amount specified in the SBD 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

The presentation was split into two parts of similar nature as follows;



1. Tenders for supply of Goods
2. Tenders for works.

#### **PART ONE PRESENTATION: GOODS**

#	Tender No.	Tender Description
1	GF ATM TB NFM (RSSH) 2023-2024 OIT 06	Supply of office and ICT equipment
2	GF ATM TB NFM (RSSH) 2023-2024 OIT 07	Supply of warehouse equipment
3	GF ATM HIV NFM 2023-2024 OIT 019	Supply of Male condoms
4	GF ATM HIV NFM 2023-2024 OIT 020	Supply of Methadone Dispensing cups
5	GF ATM TB NFM 2023-2024 OIT 011	Supply of TB Tools

#### **BID EVALUATION**

Bid evaluation will be undertaken in four stages as follows;

- ❖ Preliminary Examination
- ❖ Technical Evaluation (Documents)
- ❖ Financial Evaluation
- ❖ Post Qualification

#### **PRELIMINARY EXAMINATION - (Applicable to all the tenders)**

- ❖ Tender documents must be paginated/serialized. All bidders are required to submit their documents paginated in a continuous ascending order from the first page to the last in this format; (i.e. 1, 2, 3..... n where n is the last page). **(MANDATORY)**.
- ❖ Copy of Certificate of incorporation/Registration of business name **(MANDATORY)**.
- ❖ Copy of Valid and Current Tax Compliance Certificate **(MANDATORY FOR LOCAL BIDDERS)**.
- ❖ Tender form (on a letterhead) duly completed and signed. The Form of Tender shall include the following Forms duly completed and signed by the Tenderer or authorized representative (attach power of attorney where applicable) **(MANDATORY)**.
  - I. Tenderer's Eligibility-Confidential Business Questionnaire **(MANDATORY)**.
  - II. Certificate of Independent Tender Determination **(MANDATORY)**.
  - III. Self-Declaration of the Tenderer **(MANDATORY)**.
- ❖ Duly completed and signed self-Declaration that the person/ Tenderer is not debarred in line with the PPADA 2015 **(MANDATORY)**.





- ❖ Duly completed and signed self-Declaration that the person/ Tenderer will not engage in any corrupt/fraudulent practice (**MANDATORY**).
- c) Duly completed and signed declaration and commitment to the code of ethics (**MANDATORY**).
- ❖ Original Bid Security of an amount as **indicated in the respective Tender Documents** from Commercial Banks or Insurance Companies (Approved by the Insurance Regulatory Authority (IRA) and listed by Public Procurement Regulatory Authority) valid for 150 days from date of tender opening

*NOTE: Failure to comply with above Mandatory requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation.*

**TENDER NO: GF ATM TB NFM (RSSH) 2023-2024 OIT 06      SUPPLY      OF  
OFFICE AND ICT EQUIPMENT**

**TECHNICAL EVALUATION (Documentation):**

- ❖ Provide a valid Manufacturers Authorization or a Distributors Agreement which **MUST** be on a manufacturer's letterhead and addressed to KEMSA that is both tender and item specific and signed by an authorized signatory (**MANDATORY**).
- ❖ Current and valid manufacturing Certificate of Quality issued by an independent recognized body to the manufacturer of the product. (**MANDATORY**).

*NOTE: Failure to comply with Mandatory requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation*

**TECHNICAL EVALUATION (Product Brochure) :**

- ❖ A manufacture's catalogue or its section showing the requested specifications and the following parameters: name of manufacturer, country of origin. The catalogue must have manufacturer's details .
- ❖ Relevant technical parameters that must be highlighted with a bright marker on the catalogue.
- ❖ Tenderers will be required to submit in addition to manufacturers catalogue a compliance sheet for each of the product offered. The tenderer must indicate on the compliance sheet whether the product offered complies with each parameter of the technical specifications in the tender document.





- ❖ The tenderer shall be required to commit in writing and present supporting data for compliance with items in the tender technical specifications, which are not supported by original manufacturers brochure.
- ❖ In case of conflict between information/data presented in the original manufacturer's brochure and the tenders compliance sheet the information/data in the original manufacturer's brochure shall prevail.

*NOTE: Failure to comply with requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation*

**TENDER NO: GF ATM TB (RSSH) NFM 2023 / 2024 - OIT- 07 SUPPLY OF WAREHOUSE EQUIPMENT**

**TECHNICAL EVALUATION (Documentation) :**

- ❖ Provide a valid Manufacturers Authorization which MUST be on a manufacturer's letterhead and addressed to KEMSA that is both tender and item specific and signed by an authorized signatory **(MANDATORY)**.
- ❖ Current and valid manufacturing Certificate of Quality issued by an independent recognized body to the manufacturer of the product. The certificate must be item specific. **(MANDATORY)**.


**Documents for Laptops for weighing scales**

- ❖ Provide a valid Manufacturers Authorization or a Distributors Agreement which MUST be on a manufacturer's letterhead and addressed to KEMSA that is both tender and item specific and signed by an authorized signatory **(MANDATORY)**.
- ❖ Current and valid manufacturing Certificate of Quality issued by an independent recognized body to the manufacturer of the product. The certificate must be item specific. **(MANDATORY)**.

*NOTE: Failure to comply with Mandatory requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation*

**TECHNICAL EVALUATION ( Product Brochure) :**

- ❖ The technical evaluation will involve examination of specifications on the product brochure against the technical specifications spelt out in the tender document to confirm conformity.





- ❖ A manufacturer's catalogue or its section showing the requested specifications and the following parameters: name of manufacturer, country of origin. The catalogue must have manufacturer's details.
- ❖ Adherence to product labelling criteria based on technical specifications spelt out in this tender document.
- ❖ Tenderers will be required to submit in addition to manufacturers catalogue a compliance sheet for each of the product offered. The tenderer must indicate on the compliance sheet whether the product offered complies with each parameter of the technical specifications in the tender document.
- ❖ The tenderer shall be required to commit in writing and present supporting data for compliance with items in the tender technical specifications, which are not supported by original manufacturers brochure.
- ❖ In case of conflict between information/data presented in the original manufacturer's brochure and the tenders compliance sheet the information/data in the original manufacturer's brochure shall prevail.
- ❖ The assembled color picture in the brochure should be a representative of the product that the bidder intends to supply.

*NOTE: Failure to comply with requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation*

**TENDER NO: GF ATM HIV NFM-2023/2024 OIT- 019 SUPPLY OF MALE CONDOMS**

**TECHNICAL EVALUATION (Documentation) :**

- ❖ Manufacturers Authorization which must be on a manufacturer's letterhead and addressed to KEMSA that is both tender and item specific and signed by an authorized signatory (Applicable to bidders who are not manufacturers) **(MANDATORY)**.
- ❖ Product must be WHO and UNFPA prequalified - Provide evidence **(MANDATORY)**.
- ❖ Provide Evidence of ISO 13485 Provide ISO Quality Management approval /Certificates **(MANDATORY)**.
- ❖ Evidence of ISO 4074: Natural Latex Rubber condoms; Requirements including Scents and Flavoring and Test Methods **(MANDATORY)**.





- ❖ 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)**.

*NOTE: Failure to comply with Mandatory requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation*

**TECHNICAL EVALUATION (Product( sample)) :**

- ❖ Properly labeled sample of each item quoted must be delivered to Kenya Medical Supplies Authority on or before closing date of the tender.
- ❖ Alternative samples are not acceptable.
- ❖ Samples are subjected to a detailed evaluation to ascertain their adherence to technical specifications provided in the tender document.

**TENDER NO: GF ATM HIV NFM-2023/2024- OIT-020 - SUPPLY OF METHADONE DISPENSING CUPS)**

**TECHNICAL EVALUATION (Documentation) :**

- ❖ Manufacturers Authorization which must be on a manufacturer's letterhead and addressed to KEMSA that is both tender and item specific and signed by an authorized signatory (Applicable to bidders who are not manufacturers) **(MANDATORY)**
- ❖ Provide current and valid manufacturing Certificate of Quality- ISO 13485 issued by an independent regulatory body to the manufacturer of the product. The certificate must be item specific. **(MANDATORY)**.

*NOTE: Failure to comply with Mandatory requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation*

**TECHNICAL EVALUATION (Product(sample)) :**

- ❖ Properly labeled sample of each item quoted must be delivered to Kenya Medical Supplies Authority on or before closing date of the tender.
- ❖ Alternative samples are not acceptable.
- ❖ Samples are subjected to a detailed evaluation to ascertain their adherence to technical specifications provided in the tender document.



**TENDER NO: GF ATM HIV NFM-2023 / 2024 ONT- 011 SUPPLY OF TB TOOLS**

**TECHNICAL EVALUATION (Documentation) :**

- ❖ The product evaluation will be done based on the duly signed and filled compliance sheet submitted by the Bidders **(MANDATORY)**.
- ❖ Full quantity of all items shall be delivered within 1-6 Weeks from effective date of contract.**(MANDATORY)**
- ❖ Lowest Evaluated Responsive bidders will be required to produce and submit a sample complete with artwork of each item recommended for award for approval after Notification and Prior to signing the contract **(MANDATORY)**

**PART TWO PRESENTATION: WORKS**

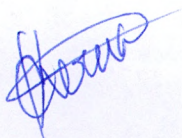
1.	GF ATM TB NFM (RSSH) 2023-2024 OIT 08	Procurement of specialized works for cold room floor.
2.	GF ATM TB NFM (RSSH) 2023-2024 OIT 09	Supply of cold room racks
3.	GF ATM TB NM (RSSH) 2023-2024 OIT 010	Supply of Dock doors

**TENDER NO: GF ATM TB NFM (RSSH) 2023-2024 OIT 08 PROCUREMENT OF SPECIALIZED WORKS FOR COLD ROOM FLOOR.**

**PRELIMINARY EXAMINATION**

TENDERERS ARE REQUIRED TO SUBMIT COPIES OF THE FOLLOWING MANDATORY DOCUMENTS, WHICH WILL BE USED DURING PRELIMINARY EXAMINATION TO DETERMINE RESPONSIVENESS.

1. Bidding documents must be paginated/serialized. All bidders are required to submit their documents paginated in a continuous ascending order from the first page to the last in this format; (i.e. 1, 2, 3..... n where n is the last page). **(Mandatory)**.
2. Must submit a copy of certificate of registration/incorporation **(Mandatory)**.
3. Must submit a copy of a valid tax compliance certificate issued by KRA/exemption certificate {verification will be done through TCC checker} **(Mandatory)**.
4. Must submit a copy of CR12 (issued within the last one year) for sole proprietor & partnership companies to provide copies of director's ID. **(Mandatory)**.



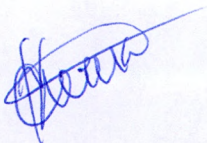


5. Must submit a copy of valid Single Business Permit license from the relevant County Government. **(Mandatory)**.
6. Provide an Original Bid Security valid for 150 days from date of tender opening. Value of Bid Security should be KES 628,000.00 or USD 4,000.00 (Kenya Shillings Six Hundred and Twenty Eight 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)**.
7. Tender form (on a letterhead showing the tenderers complete name and business address) duly completed and signed. The Form of Tender shall include the following Forms duly completed and signed by the Tenderer or authorized representative (attach power of attorney where applicable). **(Mandatory)**.
8. Tenderer's Eligibility-Confidential Business Questionnaire **(Mandatory)**.
9. Certificate of Independent Tender Determination. **(Mandatory)**.
10. Self-Declaration of the Tenderer:
  - a. Duly completed and signed self-Declaration that the person/ tenderer is not debarred in the matter of the PPADA 2015 **(Mandatory)**.
  - b. Duly completed and signed self-Declaration that the person/ Tenderer will not engage in any corrupt/ fraudulent practice **(Mandatory)**.
  - c. Duly completed and signed declaration and commitment to the code of ethics **(Mandatory)**.
11. Must submit a copy of Category of Registration with valid National Construction Authority (NCA) certificate class 4 and above (Building and accompanied by contractor's annual practicing license. **(Mandatory)**.

**NOTE:** Failure to comply with the mandatory requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation.

**TECHNICAL EVALUATION (Documentation) :**

1. The Tenderer shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the works cash flow of Kshs. 15,000,000.00 (Kenya Shillings Fifteen Million).





2. The bidder must provide evidence of average annual turnover in the last three (3) years that is equivalent to the tender sum. (Provide certified financial statements for the past immediate three (3) years.
3. At least 2 (two) contract(s) of a similar nature executed within Kenya in the last 5 years that have been satisfactorily and substantially completed as a prime contractor, joint venture member or sub-contractor each of minimum value that is equivalent to the tender sum. Provide the following: **Completion certificates for 2 projects or Duly completed and signed handing over certificates for 2 similar projects signed by relevant parties e.g. consultants, client and contractor**
4. Contractor's Representative and Key Personnel, which are specified below;- Provide detailed proposal of key technical staff for the proposed project, copies of CVs, copies of academic certificates:
  - i. Site Manager with at least 5 years' experience (Minimum qualification is a Degree in Building & Construction / Civil Engineering/ Architectural, Quantity surveying or related discipline).
  - ii. 1 No. Builder's Works Site Agent with at least 5 years' experience (Minimum qualification is diploma in Building & Construction/ Civil Engineering or related discipline).
  - iii. 1 No Supervisor; specialized in builders works with at least 5 years' experience (Minimum qualification is to possess Grade I Test Certificates) Registered by NCA.
  - iv. 1 No. Health and Safety Expert with at least 3 years' experience (Minimum Diploma in Occupational Health and Safety or Equivalent).
5. The Bidder must provide evidence of transport capability-schedule of contractor's equipment and transport - Means of Transport-Vehicle-Attach logbook or Contract Agreement or lease agreement.
6. Provide duly filled Litigation History
7. Provide Detailed Work program from site possession to completion of works and Work Methodology.
8. Product guarantee (by the Contractor) and Warranty period specified by the manufacturer.
9. Brochure of equipment offered detailing all the features of interest.



10. Compliance with Technical Specifications - All Bidders shall ensure their catalogues and brochure have all the necessary Information as per technical specifications provided

**NOTE:** Failure to comply with the technical requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation.

**TENDER NO: GF ATM TB NFM (RSSH) 2023-2024 OIT 09 SUPPLY AND INSTALLATION OF COLD ROOM RACKS**

**PRELIMINARY EXAMINATION**

TENDERERS ARE REQUIRED TO SUBMIT COPIES OF THE FOLLOWING MANDATORY DOCUMENTS, WHICH WILL BE USED DURING PRELIMINARY EXAMINATION TO DETERMINE RESPONSIVENESS.

1. Bidding documents must be paginated/serialized. All bidders are required to submit their documents paginated in a continuous ascending order from the first page to the last in this format; (i.e. 1, 2, 3..... n where n is the last page). **(Mandatory).**
2. Must submit a copy of certificate of registration/incorporation **(Mandatory).**
3. Must submit a copy of a valid tax compliance certificate issued by KRA/exemption certificate {verification will be done through TCC checker} **(Mandatory).**
4. Must submit a copy of CR12 (issued within the last one year) for sole proprietor & partnership companies to provide copies of director's ID. **(Mandatory).**
5. Must submit a copy of valid Single Business Permit license from the relevant County Government. **(Mandatory).**
6. Provide an Original Bid Security valid for 150 days from date of tender opening. Value of Bid Security should be KES 549,500.00 or USD 3,500.00 (Kenya Shillings Five Hundred and Forty Nine Thousand and Five Hundred 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).**
7. Tender form (on a letterhead showing the tenderers complete name and business address) duly completed and signed. The Form of Tender shall include the following Forms duly completed and signed by the Tenderer or authorized representative (attach power of attorney where applicable). **(Mandatory).**
8. Tenderer's Eligibility-Confidential Business Questionnaire **(Mandatory).**





9. Certificate of Independent Tender Determination. **(Mandatory)**.

10. Self-Declaration of the Tenderer:

- a. Duly completed and signed self-Declaration that the person/ tenderer is not debarred in the matter of the PPADA 2015 **(Mandatory)**.
  - b. Duly completed and signed self-Declaration that the person/ Tenderer will not engage in any corrupt/fraudulent practice **(Mandatory)**.
  - c. Duly completed and signed declaration and commitment to the code of ethics **(Mandatory)**.
11. Must submit a copy of Category of Registration with valid National Construction Authority (NCA) certificate class 4 and above (Building and accompanied by contractor's annual practicing license. **(Mandatory)**).

**NOTE:** Failure to comply with the mandatory requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation.

**TECHNICAL EVALUATION (Documentation) :**

1. The Tenderer shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the works cash flow of Kshs. 15,000,000.00 (Kenya Shillings Fifteen Million).
2. The bidder must provide evidence of average annual turnover in the last three (3) years that is equivalent to the tender sum. (Provide certified financial statements for the past immediate three (3) years.
3. At least 2 (two) contract(s) of a similar nature executed within Kenya in the last 5 years that have been satisfactorily and substantially completed as a prime contractor, joint venture member or sub-contractor each of minimum value that is equivalent to the tender sum. Provide the following: **Completion certificates for 2 projects or Duly completed and signed handing over certificates for 2 similar projects signed by relevant parties e.g. consultants, client and contractor**
4. Contractor's Representative and Key Personnel, which are specified below;- Provide detailed proposal of key technical staff for the proposed project, copies of CVs, copies of academic certificates:
  - i. Site Manager with at least 5 years' experience (Minimum qualification is a Degree in Building & Construction / Civil Engineering/ Architectural, Quantity surveying or related discipline).





- ii. 1 No. Builder's Works Site Agent with at least 5 years' experience (Minimum qualification is diploma in Building & Construction/ Civil Engineering or related discipline).
- iii. 1 No Supervisor; specialized in builders works with at least 5 years' experience (Minimum qualification is to possess Grade I Test Certificates) Registered by NCA.
- iv. 1 No. Health and Safety Expert with at least 3 years' experience (Minimum Diploma in Occupational Health and Safety or Equivalent).
- 5. The Bidder must provide evidence of transport capability-schedule of contractor's equipment and transport - Means of Transport-Vehicle-Attach logbook or Contract Agreement or lease agreement.
- 6. Provide duly filled Litigation History
- 7. Provide Detailed Work program from site possession to completion of works and Work Methodology.

**NOTE:** Failure to comply with the technical requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation.

**TENDER NO: GF ATM TB NFM (RSSH) 2023 - 2024 OIT 10 SUPPLY AND INSTALLATION OF DOCK DOORS**

**PRELIMINARY EXAMINATION**

TENDERERS ARE REQUIRED TO SUBMIT COPIES OF THE FOLLOWING MANDATORY DOCUMENTS, WHICH WILL BE USED DURING PRELIMINARY EXAMINATION TO DETERMINE RESPONSIVENESS.

- 1. Bidding documents must be paginated/serialized. All bidders are required to submit their documents paginated in a continuous ascending order from the first page to the last in this format; (i.e. 1, 2, 3..... n where n is the last page). **(Mandatory).**
- 2. Must submit a copy of certificate of registration/incorporation **(Mandatory).**
- 3. Must submit a copy of a valid tax compliance certificate issued by KRA/exemption certificate {verification will be done through TCC checker} **(Mandatory).**





4. Must submit a copy of CR12 (issued within the last one year) for sole proprietor & partnership companies to provide copies of director's ID. **(Mandatory)**.
5. Must submit a copy of valid Single Business Permit license from the relevant County Government. **(Mandatory)**.
6. Provide an Original Bid Security valid for 150 days from date of tender opening. Value of Bid Security should be KES 1,570,000.00 or USD 10,000.00 (Kenya Shillings One Million Five Hundred and Seventy 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)**.
7. Tender form (on a letterhead showing the tenderers complete name and business address) duly completed and signed. The Form of Tender shall include the following Forms duly completed and signed by the Tenderer or authorized representative (attach power of attorney where applicable). **(Mandatory)**.
8. Tenderer's Eligibility-Confidential Business Questionnaire **(Mandatory)**.
9. Certificate of Independent Tender Determination. **(Mandatory)**.
10. Self-Declaration of the Tenderer:
  - a. Duly completed and signed self-Declaration that the person/ tenderer is not debarred in the matter of the PPADA 2015 **(Mandatory)**.
  - b. Duly completed and signed self-Declaration that the person/ Tenderer will not engage in any corrupt/ fraudulent practice **(Mandatory)**.
  - c. Duly completed and signed declaration and commitment to the code of ethics **(Mandatory)**.
11. Must submit a copy of Category of Registration with valid National Construction Authority (NCA) certificate class 2 and above (Building and accompanied by contractor's annual practicing license. **(Mandatory)**.

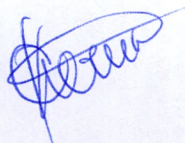
**TECHNICAL EVALUATION (Documentation) :**

1. Manufacturers Authorization which must be on a manufacturer's letterhead and addressed to KEMSA that is both tender and item specific and signed by an authorized signatory (*Applicable to bidders who are not manufacturers*)
2. Provide current and valid manufacturing Certificate of Quality issued by an independent regulatory body to the manufacturer of the product.
3. The Tenderer shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other



financial means (independent of any contractual advance payment) sufficient to meet the works cash flow of Kshs. 50,000,000.00 (Kenya Shillings Fifty Million).

4. The bidder must provide evidence of average annual turnover in the last three (3) years that is equivalent to the tender sum. (Provide certified financial statements for the past immediate three (3) years.
5. At least 2 (two) contract (s) of a similar nature executed within Kenya in the last 5 years that have been satisfactorily and substantially completed as a prime contractor, joint venture member or sub-contractor each of minimum value that is equivalent to the tender sum. Provide the following: **Completion certificates for 2 projects or Duly completed and signed handing over certificates for 2 similar projects signed by relevant parties e.g. consultants, client and contractor**
6. Contractor's Representative and Key Personnel, which are specified below;- Provide detailed proposal of key technical staff for the proposed project, copies of CVs, copies of academic certificates:
  - i. Site Manager with at least 5 years' experience (Minimum qualification is a Degree in Building & Construction / Civil Engineering/ Architectural, Quantity surveying or related discipline).
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  - iii. 1 No Supervisor; specialized in builders works with at least 5 years' experience (Minimum qualification is to possess Grade I Test Certificates) Registered by NCA.
  - iv. 1 No. Health and Safety Expert with at least 3 years' experience (Minimum Diploma in Occupational Health and Safety or Equivalent).
7. The Bidder must provide evidence of transport capability-schedule of contractor's equipment and transport - Means of Transport-Vehicle-Attach logbook or Contract Agreement or lease agreement.
8. Provide duly filled Litigation History
9. Provide Detailed Work program from site possession to completion of works and Work Methodology.





10. Equipment guarantee (by the Contractor) and Warranty period specified by the manufacturer.

11. Brochure of equipment offered detailing all the features of interest.

12. Compliance with Technical Specifications - All Bidders shall ensure their catalogues and brochure have all the necessary Information on each Equipment as per technical specifications provided.

**NOTE:** Failure to comply with the technical requirements will lead to disqualification. Only bidders who are successful at this stage will proceed to the next stage of evaluation.

**FINANCIAL EVALUATION (Applicable to all the 8 tenders above)**

- ❖ Bidders who are successful at preceding stages of evaluation will have their prices compared and award recommended to the lowest evaluated responsive bid.
- ❖ Procurements funded by Global Fund will be tax exempt.
- ❖ Incoterm; DAP -KEMSA warehouse Nairobi

**POST QUALIFICATION (Applicable to all the 8 tenders above)**

After determining the substantially responsive tender, which offers the lowest evaluated price, whether the tenderer is a manufacturer or a supplier: The Procuring Entity shall carry out a post-qualification :

- ❖ The bidder must provide evidence of maximum number of 3 (three) supply contracts for **indicated in the respective Tender Documents** within the past 3 years equivalent to the contract sum. The value of one of the contracts must be at least 60 % of the tender sum. The Tenderer should provide documentary evidence in support of the experience of previous supply (Contracts, Purchase Orders, Reference letters and Contact details of previous supply contracts).
- ❖ The bidder must provide evidence of average annual turnover in the last three (3) years that is equivalent to the tender sum. (Provide certified financial statements for the past immediate three (3) years  
The bidder must provide statement of annual production capacity by a manufacturing firm, (should be at least three times the quantities specified under the contract).





- ❖ The bidder must provide statement of annual production capacity by a manufacturing firm,(should be at least three times the quantities specified under the contract).

**PAST PERFORMANCE (Applicable to all the 8 tenders above)**

- ❖ A supplier performance measurement tool with detailed performance indicators has been developed and will be used to measure the performance of contracted suppliers. The performance measurement results shall be used as a basis for award of subsequent contracts.
- ❖ Performance indicators: Time, Quantity, Cost and Quality.
- ❖ Suppliers who will have had unsatisfactory past performance on contracted items of less than 71% shall not be recommended for award of similar items in subsequent tenders for a period of one (1) year.

**NOTIFICATION (Applicable to all the 8 tenders above)**

- ❖ The successful and unsuccessful bidders will be notified simultaneously in line with PPADA 2015
- ❖ The successful bidders will be required to accept the offer within 14 days from the date of notification.

**PERFORMANCE SECURITY: (Applicable to all the 8 tenders above)**

- ❖ Performance Security should be 10% of the initial contract sum and valid for one-year renewable.
- ❖ Performance security must be submitted not later than the 28th day from date of notification.

Failure to comply will lead to cancellation of award.

- ❖ The performance security must be issued by a local bank. If the supplier is foreign, the security must be issued by an authorised financial institution or by a corresponding bank in Kenya recognized by the Central Bank of Kenya.
- ❖ Performance securities from Insurance Companies are not acceptable.

**CONTRACTING(Applicable to all the 8 tenders above)**

- ❖ All successful bidders are enjoined to sign a contract with KEMSA within 28 days from date of notification.
- ❖ Prices should remain fixed over the contract period.
- ❖ The period of contract performance will start running immediately after signing the contract.



- ❖ The Purchase Order delivery dates will be pegged on the agreed delivery dates as per contract.
- ❖ Suppliers are expected to adhere to the delivery schedules agreed upon in the contracts.
- ❖ Suppliers are advised not wait for purchase orders before commencing manufacturing.

#### **TAX EXEMPTION/IMPORT PERMIT APPLICATION**

- ❖ Consignee must be KEMSA for documentation processing both Tax exemption & import permit
- ❖ Documents required for tax exemption application; Commercial invoice/packing list, Airway Bill/Bill of Lading -approval takes about 2 - 3 weeks
- ❖ Documents required for Import Permit application; Commercial invoice/packing list, Import Declaration Form (IDF) & Product registration/retention certificate by PPB - approval takes about 3-5 days
- ❖ Non-Pharmaceuticals must be inspected prior to shipment by appointed KEBS agent at country of origin and accompanied by a Certificate of Conformity

#### **CONSIGNMENT DELIVERY**

- ❖ The primary, secondary and tertiary package should be labeled 'GOK not for sale' (not applicable to tender sample but to pre-delivery sample and full consignment for the successful Tenderer.
- ❖ Inspection and acceptance letter will be provided to facilitate delivery.

#### **PAYMENT:**

- ❖ Payment will be done by the National Treasury upon completion of deliveries

#### **MIN 04 - 13/02/2024 QUESTIONS AND ANSWERS SESSION**

**Q. Can one give NCA 4 for the dock doors**

**A. No.** The tender requirement is to provide NCA 2 and above.

**Q. Is pagination back to back**

**A.** All pages/sheets of the bid document must be paginated and in a sequential format. Refer to tender document for detailed evaluation criteria.

**Q. Apart from the MAF what else do we need to attach for the dock doors**



A. The requirements are clearly spelt out in the tender document. Refer to tender document for detailed requirements.

**Q. Is tax exemption also applicable to construction contracts (Civil works)**

A. Yes, All global fund tenders are tax exempt and KEMSA will facilitate Tax exemption. Refer to tender document for detailed tax exemption process.

**Q. Could you consider extending the closing date for supply of Male Condoms?**

A. The tender closing /opening date is hereby extended to 29<sup>th</sup> February, 2024. See attached addendum 1 dated 15<sup>th</sup> February, 2024

**Q. Is PPB registration a requirement for international bidders?**

A. Yes, PPB requirement is mandatory for all bidders.

**Q. Is the unit price for condoms per piece or pack?**

A. The unit of issue is per piece hence the price to be offered is for a piece

**Q. Do the international bidders require to have a local agent?**

A. The tenders are open to all and therefore, its at the discretion of the bidder to either bid directly or appoint a local agent to bid on their behalf.

**Q. Can one schedule his/her time of visiting the works site other than today?**

A. Yes, provided a communication is made to that effect.

**Q. How many servers are we to supply 25 or 3?**

A. The quantity to be supplied is 3.

Quantity of 25 was erroneously captured in the schedule of requirement and the same has been reviewed to reflect the correct quantity as per the attached addendum 1, dated 15<sup>th</sup> February, 2023

**Q. How many destinations are there for delivery**

A. The delivery point is only one. DAP KEMSA Embakasi Nairobi

**Q. How do you prove production capability**

A. Production capability information is provided by the manufacturer and they are required to provide a statement on manufacturing capacity, in terms of quantity being produced either monthly or annually. If the supplier is not a manufacturer, they should obtain a statement on manufacturing capacity duly signed by the manufacturer. This is evaluated under post qualification criteria.



**Q. Does the tender for the supply of methadone dispensing cups require samples before tender opening.**

**A. Yes, Properly labeled sample of each item quoted must be delivered to Kenya Medical Supplies Authority on or before closing date and time of the tender.**

**Q. Now that PPB listing is a requirement, can one use a receipt to bid while awaiting the registration certificate.**

**A. No, The required document is PPB listing certificate. Refer to the tender document.**

**Q. If the submitted sample fails the criteria, is there room to correct since you cannot submit two samples at the same time.**

**A. No, there is no room for correction.**

**Q. Apart from supply of ICT items is my firm allowed to submit evidence of other goods supplied to other procuring entities e.g. safety wear.**

**A. The goods should be of similar nature as detailed in the tender document.**

**Q. On the tender for the supply of TB tools how many pages are required.**

**A. The artwork shared are showing the no. of pages for every item. See attached links for artworks.**

**Q. On the tender for GF ATM TB (RSSH)NFM 2023/2024 – OIT 06 , Kindly confirm if the tender bid bond amount stated under ITT 22.1 of USD 140,000.00 or 2,198,000.00 is correct.**

**A. The correct bid bond amount in Dollar is USD 14,000.00 and not USD 140,000.00.**

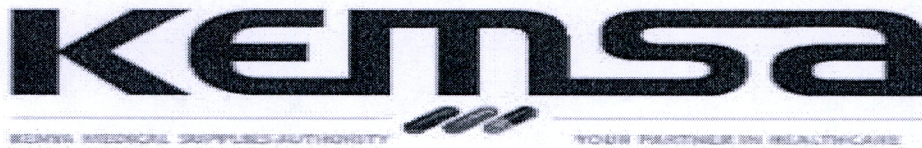
**Q. TENDER NO: GF ATM TB NFM 9RSSH)-2023/2024 OIT -07 SUPPLY OF WAREHOUSE EQUIPMET .We would like to request your office to extend the deadline for closure by another 2 weeks beyond the original closing date of 27<sup>th</sup> February, 2024**

**A. Tender Closing/Opening date remains as scheduled.**

**There being no other business the meeting ended at 11:50 am.**


**Signed:.....**






**GF ATM TB NFM (RSSH) 2023-2024 OIT 06 SUPPLY OF OFFICE AND ICT EQUIPMENT**

**ARTWROKS**

 WHO Rapid Diagnosis Strategy.pdf

 QUALITY-IMPROVEMENT-FRAMEWORK.pdf

 Childhood PTB Algorithm-12-02-2024.pdf


 Patient Information Package.pdf








## GF ATM HIV NFM-2023 / 2024 ONT- 011 - TB TOOLS

### ARTWORKS

 WHO Rapid Diagnosis Strategy.pdf

 QUALITY-IMPROVEMENT-FRAMEWORK.pdf

 Childhood PTB Algorithm-12-02-2024.pdf

 Patient Information Package.pdf