


<b>Meeting:</b>		<b>KEMSA PRE-BID CONFERENCE</b>			
<b>Date Held:</b>		10 <sup>th</sup> January, 2025			
<b>Time:</b>		10.15am – 11.25am			
<b>Venue:</b>		<b>KEMSA, TENDER OPENING HALL</b>			
<b>Attendees:</b>		As per attached registration list			
<b>No.</b>	<b>Agenda</b>				
	<b><u>Min 01/01/2025 – Prayers and Opening remarks</u></b> The Pre-bid meeting started at 10:00 a.m. with a word of prayer.				
	<b><u>Min 02/01/2025 – Welcoming Remarks</u></b> The Procurement Director welcomed all prospective bidders present to the meeting.  Further the bidders were informed that the pre-bid conference was important because it is the forum where tender requirements are clarified.				
	<b><u>Min 03/01/2025 - PROCUREMENT PRESENTATION</u></b> The prospective bidders were taken through the procurement process as follows;  <ul style="list-style-type: none"><li>• Introduction</li><li>• Bid Submission</li><li>• Bid Evaluation</li><li>• Post Qualification</li><li>• Tender Notification</li><li>• Performance Security Submission and Contracting</li><li>• Delivery</li></ul>				
	<b>Tenders advertised</b>				
	<b>No.</b>	<b>Tender No.</b>	<b>Tender Description</b>	<b>Tender Closing Date</b>	
	<b>COUNTERPART FUNDING- KEN-H-TNT</b>				
	1	KEMSA/GOK CPF HIV/OIT01/2024-2025	SUPPLY OF ARVS MEDICINES	23 <sup>rd</sup> January, 2025 at 10:00am	
	2	KEMSA/GOK CPF HIV/ONT01/2024-2025	SUPPLY OF CO-TRIMOXAZOLE (Reserved to Local Manufacturers)	23 <sup>rd</sup> January, 2025 at 10:00am	
	<b>COUNTERPART FUNDING- KEN-M-TNT</b>				
	3	KEMSA/GOK CPF MAL/OIT01/2024-2025	SUPPLY OF ANTI MALARIA MEDICINES	23 <sup>rd</sup> January, 2025 at 10:00am	
	4	KEMSA/GOK CPF MAL/OIT02/2024-2025	SUPPLY OF MALARIA RAPID DIAGNOSTIC TEST (MRDT)	23 <sup>rd</sup> January, 2025 at 10:00am	
	5	KEMSA/GOK CPF MAL/OIT03/2024-2025	SUPPLY OF LED MICROSCOPE	23 <sup>rd</sup> January, 2025 at 10:00am	



6	KEMSA/GOK CPF MAL/OIT04/2024-2025	SUPPLY OF ENTOMOLOGY COMMODITIES	28 <sup>th</sup> January, 2025 at 10:00am
7	KEMSA/GOK CPF MAL/OIT05/2024-2025	SUPPLY OF MALARIA COMMODITIES	28 <sup>th</sup> January, 2025 at 10:00am
<b>COUNTERPART FUNDING- KEN-T-TNT</b>			
8	KEMSA/GOK-CPF/ TB-2024-2025 - OIT 01	SUPPLY OF RHZE PATIENT PACKS	23 <sup>rd</sup> January, 2025 at 10:00am
9	KEMSA/GOK-CPF/ TB-2024-2025 - OIT 02	SUPPLY OF LABORATORY COMMODITIES	28 <sup>th</sup> January, 2025 at 10:00am
<b>GF ATM TB KEN-T-TNT</b>			
10.	GF ATM TB GC7/OIT 02/2024-2025	SUPPLY OF WAREHOUSE EQUIPMENT	29 <sup>th</sup> January, 2025 at 10:00am

- The tender document has been published on Public Procurement Information Portal (PPIP) and KEMSA website.
- Bidders should complete the registration form provided in the tender document and email the form to 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.
- 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).
- 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.

#### **BID EVALUATION**

Bid evaluation will be undertaken in the following stages;

- Preliminary Examination
- Technical Evaluation (Documents and samples/brochures)
- Financial Evaluation
- Post Qualification



#### PRELIMINARY EXAMINATION (APPLICABLE TO ALL 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 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 the matter of the PPADA 2015 **(MANDATORY)**
- Duly completed and signed self-Declaration that the person/ Tenderer will not engage in any corrupt/ fraudulent practice **(MANDATORY)**
- 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 240 days** from date of tender opening **(MANDATORY)**.

*Note: Electronic tender securities with QR codes are acceptable and shall be authenticated through the use of the QR scanner (In Accordance to PPRA CIRCULAR NO. 01/2023). All tender securities submitted shall be subject to authentication by KEMSA*

**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.



**TECHNICAL EVALUATION DOCUMENTS TENDER NO:**

**KEMSA/GOK CPF HIV/OIT01/2024-2025- SUPPLY OF ARVS MEDICINES**

**KEMSA/GOK CPF MAL/OIT01/2024-2025- SUPPLY OF ANTI MALARIA MEDICINES**

**KEMSA/GOK-CPF/ TB-2024-2025 - OIT 01- SUPPLY OF RHZE PATIENT PACKS**

- 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 and Manufacturing Site must be WHO prequalified/SRA approved. Compliant with the Global Fund Quality Assurance Policy and appears in the latest Global Fund classification list should be accompanied by the following in the technical tender: the WHO Prequalification Reference number and/ or proof of registration by an SRA and/or USFDA approval/ tentative approval reference number. **(MANDATORY)**.
- Current and valid Good Manufacturing Practice (GMP) certificate issued by an independent regulatory authority. **(MANDATORY)**.
- For products registered within the year, provide Product Registration certificate issued by the Pharmacy and Poisons Board of Kenya. For products registered in prior years, provide valid Product Retention Certificate with QR codes issued by the Pharmacy and Poisons Board of Kenya **(MANDATORY)**.
- Current and valid Manufacturing License **(MANDATORY)**.
- Current and valid wholesale dealers license with QR codes issued by the Pharmacy and Poisons Board of Kenya- *Applicable to local bidders* **(MANDATORY)**.
- Current and valid Superintendent Pharmacist practicing license with QR codes issued by the Pharmacy and Poisons Board of Kenya - *Applicable to local bidders* **(MANDATORY)**.

**Note:** ABC+3TC+DTG (60/30/5) fixed dose combination (FDC) is a new molecule that the Program is introducing in the FY 2024/25 to optimize treatment in Pediatrics. An importation waiver will be sought from PPB in case none of the manufacturers would have the product registered at the time of evaluation.

**TECHNICAL EVALUATION DOCUMENTS TENDER NO:**

**KEMSA/GOK CPF HIV/ONT01/2024-2025- SUPPLY OF CO-TRIMOXAZOLE**  
**(Reserved to Local Manufacturers)**





- 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)**.
- Current and valid Good Manufacturing Practice (GMP) certificate issued by an independent regulatory authority. **(MANDATORY)**.
- For products registered within the year, provide Product Registration certificate issued by the Pharmacy and Poisons Board of Kenya. For products registered in prior years, provide valid Product Retention Certificate with QR codes issued by the Pharmacy and Poisons Board of Kenya **(MANDATORY)**.
- Current and valid Manufacturing License **(MANDATORY)**.
- Current and valid wholesale dealers license with QR codes issued by the Pharmacy and Poisons Board of Kenya- *Applicable to local bidders* **(MANDATORY)**.
- Current and valid Superintendent Pharmacist practicing license with QR codes issued by the Pharmacy and Poisons Board of Kenya - *Applicable to local bidders* **(MANDATORY)**.

**TECHNICAL EVALUATION DOCUMENTS TENDER NO:**

**KEMSA/GOK CPF MAL/OIT02/2024-2025- SUPPLY OF MALARIA RAPID DIAGNOSTIC TEST (MRDT)**

- 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 and Manufacturing Site must be WHO prequalified. **(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)**.
- Must provide a valid registration with Pharmacy and Poisons Board (PPB) list of in vitro diagnostics **(MANDATORY)**.

**TECHNICAL EVALUATION DOCUMENTS TENDER NO:**

**KEMSA/GOK CPF MAL/OIT03/2024-2025 -SUPPLY OF LED MICROSCOPE**

**KEMSA/GOK CPF MAL/OIT04/2024-2025 SUPPLY OF ENTOMOLOGY COMMODITIES**

**KEMSA/GOK CPF MAL/OIT05/2024-2025 SUPPLY OF MALARIA COMMODITIES**

**KEMSA/GOK-CPF/ TB-2024-2025 - OIT 02 SUPPLY OF LABORATORY  
COMMODITIES**

**GF ATM TB GC7/OIT02/2024-2025 - SUPPLY OF WAREHOUSE EQUIPMENT  
(RSSH)**

- 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 issued by an independent regulatory body to the manufacturer of the product. The certificate must be item specific. **(MANDATORY)**

**TECHNICAL EVALUATION (SAMPLE/BROCHURES)**

**Tender 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.

**Product Brochure**

The product evaluation will be done on the detailed manufacturer's brochure with clear colored pictures of the product and packaging and literature of the tendered product (*see technical specifications of each item*) submitted by the Bidders.

**FINANCIAL EVALUATION**

- Bidders who are successful at preceding stages of evaluation will have their prices compared and award recommended to the lowest evaluated responsive bid.
- Procurement financed under GOK-CPF shall be subjected to any customs duties, tariffs, import taxes, or similar levies (including Value Added Tax) imposed under Laws in effect in Kenya
- Procurements funded by Global Fund will be tax exempt.
- Incoterm for Counterpart Funding tenders; DDP -KEMSA warehouse Nairobi
- Incoterm for Global Fund tenders; DAP -KEMSA warehouse Nairobi

**POST QUALIFICATION**

After determining the substantially responsive tender, which offers the lowest evaluated price, whether the tenderer is a manufacturer or a distributor: The Procuring Entity shall





carry out the post-qualification, if no prequalification was done using the following criteria:

- 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 Health products and Technologies 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).

#### **PAST PERFORMANCE**

- 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**

- The successful and unsuccessful bidders will be notified simultaneously in line with PPADA 2015 (revised) 2022
- The successful bidders will be required to accept the offer within 14 days from the date of notification.

#### **PERFORMANCE SECURITY**

- 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**

- 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.

#### **TAX EXEMPTION & IMPORT PERMIT PROCESS**

- 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



## **04/01/2025 - QUALITY ASSURANCE PRESENTATION**

### **GENERAL QUALITY PARAMETERS CHECKED**

1. Name & Address of manufacturer clearly indicated.
2. Generic/chemical name and strength clearly indicated and matches specification.
3. Product Information on the product and insert is in English-
4. Batch No. Mfd and Exp Date clearly indicated in indelible ink
5. Proper labelling of products, no stickers (all packages)-original labelling from the manufacturer.

### **PRE-DELIVERY EVALUATION**

- Pre-delivery samples must be submitted prior to delivery of the Full consignment and must be similar to the tender sample in all aspects.
- The pre-delivery must be a representative of the full consignment up to the tertiary level.
- The pre-delivery sample must be accompanied with the COA(for Health products) and CC(for Health technologies) for that particular batch
- Shelf life of above 75%
- An inspection and acceptance letter shall be sent to the bidders after the evaluation.

### **FULL CONSIGNMENT INSPECTION**

- The remaining product Shelf life at delivery should be 75% and above. Manufacturer details must be as per awarded tender sample.
- Every batch shall be accompanied with the COA (for Health products) and CC (for Health Technologies) for that particular batch
- Products should have unique identifiers (batch number) that is not shared even for the same type of product that has different sizes.
- The Product shall be correctly packed as per the tender requirement.

### **PACKAGING AND LABELLING**

- The Tertiary, secondary and primary pack (Where possible) shall conspicuously be printed 'KEMSA'
- Labeling should be in indelible ink (not stamped), clear, and tamper proof with same font size and font colour.
- Products shall be packed in Heavy Duty five-ply cartons and should be double strapped
- Implement the requirement GS1 bar coding
- Shrink Wrap Small Packs in 10s



## **PRODUCT COMPLAINTS/RECALLS**

- CAPAs are expected on all complaints. Complaints should be resolved within 21days.
- Manufactures/Suppliers are expected to take full responsibility for medicines recalls, including follow-up checks to ensure that the recalls are successfully completed. Recalls should be concluded within 30days.

## **QUALITY PARAMETERS: SCORING CRITERIA**

- Documentation-5%
- Packaging-5%
- Shelf Life-10%
- Labelling-5%
- Product Attributes-75%

### **Min 05/01/2025 Question and Answer Session**

#### **General Questions**

##### **Question 1:**

Incoterms used for Global Fund and Counterpart funding

##### **Answer:**

Delivery at Place (DAP)- Global Fund to Kemsu Embakasi Warehouse.

Delivery Duty Paid (DDP)- Counterpart funding to Kemsu Embakasi Warehouse.

##### **Question 2:**

Are alternative pack sizes allowed. Example pack size 1 liter in the tender document but supplier is able to offer 2 liters.

**Answer: Alternative pack size are not accepted.**

##### **Question 3:**

On post qualification can you use LPOs that are not medical related as new suppliers in the medical field.

**Answer: The bidder must provide evidence of maximum number of 3 (three) supply contracts for Health Products and Technologies (HPTs) 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).**

##### **Question 4:**

Can a manufacturer issue to different suppliers' authorization for the tender.



**Answer: Yes**

**Question 5:**

Does pagination have to be back-to-back?

**Answer: 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).**

**Question 6:**

Should the bidder attach the single business permit in the tender document.

**Answer: Yes you can but it's not a mandatory criteria**

**GF ATM TB GC7/OIT02/2024-2025 - Supply of Warehouse Equipment (RSSH)**

**Question 1:**

Advise on whether a sample is required for this tender

**Answer: Provide a brochure detailing the technical specifications as outlined on the tender document.**

**Question 2:**

Quantity of hand-held scanners-2 or 20?

**Answer: Quantity is 20**

**KEMSA/GOK CPF MAL/OIT02/2024-2025; Supply of Malaria Rapid Diagnostic Test (MRDT) Kit**

**Question 1:**

Could you please clarify the source of funding for this tender?

**Answer: Government of Kenya, Counterpart Funding.**

**Question 2:**

Could you kindly provide clarification on the payment terms associated with this tender?

**Answer: Payments shall be made promptly by The National Treasury, but in no case later than sixty (60) days after submission of an invoice or Invitation to payment by the Supplier, and after the Procuring Entity has accepted it.**



**KEMSA/GOK CPF MAL/OIT04/2024-2025- Supply of Entomology Commodities.**

**Question 1:**

Unfortunately, we do not offer 5000µL (5nm). The lowest scale of synthesis we can provide is 25nm. Please confirm if the customer is happy to proceed with this, for their standard primers.

**Answer: This is acceptable.**

**Question 2:**

The meaning of UOM. Can you please specify this in further detail.

**Answer: UOM stands for Unit of Measure**

**item no 8 Taq DNA POLYMERASE- unit of measurement is µl**

**item no 9 Ready to use and load PCR MASTER MIX unit of measurement is µl**

**Question 3:**

Are Samples required for this tender

**Answer: Provide brochure per item as described for evaluation**

**KEMSA/GOK-CPF/ TB-2024-2025 - OIT 02 - Supply of Laboratory Commodities**

**Question 1:**

Item 1 – microscope slides; Are the corners at 90 or 45 degrees? Please confirm.

**Answer: As outlined on the technical specifications**

**Question 2:**

What is the actual closing date for this tender? On your website the closing date is stated as 23rd January, 2025 but on the tender document the date is 28th January, 2025.

**Answer: 28th January, 2025**

**Signed by: Caroline Gichinga:**

