



East African Portland
Cement Co. Ltd

Holding Life Together

**Tender No.
EAPCC/OT/137/2017**

**Supply and Delivery of Drugs
Laboratory Agents Surgical and
Medical Equipment**

SEPTEMBER 2017

CLOSING DATE: SEPTEMBER 27th, 2017

CLOSING TIME: 12.00

Category(State).....

(Drugs, Laboratory Agent, Surgical or Medical Equipment)

INSTRUCTIONSTO BIDDERS:

You are advised that it is a serious offence to provide false information, as it shall lead to your bid being automatically disqualified. Bidders are required to remember the following general information:

- a) The questionnaire must be fully and comprehensively completed. All pages MUST be signed.
- b) Information given by the applicant shall be treated in strict confidence.
- c) Copies of all relevant registration certificates, licenses and any other relevant documents requested or applicable to the line of business applied for must be attached. This shall include copy of the payment receipt for this document. Failure to which will lead to disqualification of the applicant.
- d) The East African Portland Cement Company Ltd reserves the right to visit and inspect the business premises of the supplier.
- e) Firms associated with the management and employees of the East African Portland Cement Company Ltd is illegible for registration.
- f) Any information given but later found out to be incorrect shall lead to non-acceptance of the supplier.
- g) Failure to provide all the information required shall lead to the disqualification of the supplier.
- h) This prequalification data sheet must be completed neatly in ink or in typescript; all correction or amendments shall be initialed.
- i) Your prequalification document shall be submitted spiral or vero binded and not looses pages. j)

Canvassing shall lead to automatic disqualification and subsequent elimination of the applicant.

In line with (c) above, following are mandatory requirements for all the bidders. Copy of the document is acceptable but the original may be required at a later date: -

- Certificate of Incorporation and practicing licence
- Current and valid trade license
- PIN & VAT certificates
- Current Tax compliance certificate from Kenya Revenue Authority (KRA)
- Letters of recommendation from five of your major clients indicating contact person (s) and their telephone number (s).
- Certificates from affiliated bodies/associations.
- Written confirmation on your letter head that you have not been debarred as a supplier, service provider or consultant for goods, services or works in Kenya; and also a statement declaring that if selected, you shall not be involved in corruption.
- Company profile that shall include details of the management team and the Board of Directors.
- Complete the attached Confidential Business Data Sheet in details and as requested.

PRE-QUALIFICATION DATASHEET

PLEASE COMPLETE THE INFORMATION BELOW:

1. Applicant's Information

(a) Legal Name.....
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(b) Country of registration.....

Year of Constitution/Registration/Incorporation.....

(c) Legal address in country of constitution:
Physical location (street/number/town or city/country)
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.....
.....

(d) Authorized representative information

Name: (full legal name)
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.....

Address (street/number/town or city/country)
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.....
.....

Telephone/fax/cell phone number: (include country and city codes)
.....
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E-mail address.....

(e) Tax affairs:

- (i) PIN No.....
- (ii) VAT No.....
- (iii) Tax clearance certificates valid up to.....

(f) Business license:

- (i) County.....
- (ii) Local authority.....
- (iii) Professional body.....

(g) Type of business entity

- Public Private Partnership Sole proprietorship
 Trust Society others (specify).....

2. Ownership details in relation to (g)

- (i) Name(s), Nationality of owners/directors and percentage ownership in case of a Corporate Shareholder, please state its Directors

OWNERS NAMES	PERCENTAGE OWNED	NATIONALITY
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- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

NAMES OF DIRECTORS	NATIONALITY
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- 1.....
- 2.....
- 3.....

- 4.....
- 5.....
- 6

- (ii) Principal Banker.....
- Po Box.....
- Branch.....
- Account No.....

- (iii) Details of auditors (where applicable).....
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(vi) Incase of professional services, please include brief curriculum vitae of key professional staff showing whether full-time or part-time. This may be done on a separate page as an attachment.

Attached Not attached

3. Common ownership, influence on control

i) Does the firm have a common ownership with any director/key manager of the East African Portland Cement Ltd to the extent of a likelihood of a controlling influence?

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4. Company ineligibility

i) Has your firm been debarred or sanctioned by any procuring entity in Kenya or elsewhere?

Yes No

ii) If yes, give details?

iii) Indicate period of debarment and reason.....

5. For how long has your Company been involved in the nature of business applied for?

Show proof E.g. Orders, Invoices etc

6. **Business Clientele**

Please indicate at least five client's specific to your area of interest you previously dealt with, specifying:

a)

- i. Name:

- ii. Postal address

 - Telephone.....
 - Fax.....
 - Email.....
 - Physical Location.....

- iii. Contact Person

- iv. Type of Business

- v. Value.....

- vi. Documentary proof, e . g . purchase orders/ Contract (attach copy)

b)

- i. Name:

- ii. Postal address

 - Telephone.....
 - Fax.....
 - Email.....
 - Physical Location.....

- iii. Contact Person

- iv. Type of Business

- v. Value.....

- vi. Documentary proof ,e.g. purchase orders/ contracts (attach copy)

c)

- i. Name:
- ii. Postal address
 - Telephone.....
 - Fax.....
 - Email.....
 - Physical Location.....
- iii. Contact Person
- iv. Type of Business
- v. Value.....
- vi. Documentary proof, e.g. purchase orders/ contracts (attach copy)

d)

- i. Name:
- ii. Postal address
 - Telephone.....
 - Fax.....
 - Email.....
 - Physical Location.....
- iii. Contact Person
- iv. Type of Business
- v. Value.....
- vi. Documentary proof ,e.g. purchase orders/contracts (attach copy)

e)

- i. Name:
- ii. Postal address
 - Telephone.....
 - Fax.....
 - Email.....
 - Physical Location.....

- iii. Contact Person
- iv. Type of Business
- v. Value.....
- vi. Documentary proof, e.g. purchase orders/ contracts (attach copy)

7. HistoricalcontractNon-Performance.

7.1 History of non-performing contracts.

State any non-performance of a contract within last 5-10 years and subject to a fully settled dispute or litigation.

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The latter is one that has been resolved in accordance with the dispute resolution mechanism under the respective contract, and where all appeal instances available to the applicant have been exhausted.

7.2 State any failure to sign a contract.....

Not being under execution of a bid securing declaration for 1-2 years.

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7.3 Pending Litigation: Are there any pending litigation in total representing more than 50% of your net worth. These if applicable shall be treated as resolved against the applicant.

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7.4 Number of Employees in your payroll

7.5 Percentage of annual payroll to total annual turnover

8. Fraud and corruption

The company requires that applicants observe the highest standard of ethics during the procurement and execution of contracts. In pursuit of this policy, all parties are required to desist from engaging in corrupt, fraudulent, collusive and coercive practices that in so doing influence a procurement process or the execution of a contract or establish bid prices at artificial uncompetitive levels.

To enforce this standard, the company will:

- a) Reject a proposal for award if it is determined that a bidder recommended for award has, directly or indirectly, engaged in the prohibited act,
- b) Cancel the contract which is a subject of the prohibited act,
- c) Sanction a firm or individual declaring them ineligible, either indefinitely or for a stated period of time, to award a company a contract if at any time determines that they have directly or indirectly engaged in the prohibited act.
- d) Refer to other organizations database to verify whether the applicant has been so sanctioned.

The Company defines, for the purposes of this provision, the terms set forth below as follows:-

- (i) 'Corrupt Practice' means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of an official in the procurement process or in contract execution.
- (ii) 'Fraudulent Practice' means the misrepresentation or omission of facts in order to influence the procurement process or the execution of a contract.
- (iii) 'Collusive Practice' means a scheme or arrangement between two or more bidders, with or without the knowledge of the Company, designed to establish bid prices at artificial, noncompetitive levels, and
- (iv) 'Coercive Practice' means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the procurement process or effect the execution of a contract.

9. Other sanctions

The company shall provide sanctions against firms that have not performed according to professionally regulated procedures, contractual agreements or legislation. The latter includes those in serious violations of fair employment laws & practices and known violation of the Public Procurement and Asset Disposal Act, 2015.

10 Waiver

The Company reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an applicant to be pre-qualified. The East African Portland Cement Company Limited reserves the right to accept or reject any of the bio-data sheets submitted for consideration and does not bide itself to give any reasons for its action.

EVALUATION CRITERIA – SUPPLY OF MEDICAL DRUGS

The method of evaluation will be Merit Point System and the criteria of evaluation and the points to be awarded on each criterion will be as follows:

a.	MANDATORY REQUIREMENTS	MAX. SCORE	SCORE
i.	Pin Number	YES/NO	
ii.	Provide Copy of Certified Tax Compliance Certificate	YES/NO	
iii.	Provide current Business Permit/Licenses	YES/NO	
iv.	Provide current Certificate of Incorporation/Business Registration	YES/NO	
v.	Provide a current valid Certificate of Pharmacy and Poisons Board/Relevant Board	YES/NO	
vi.	Must be a Manufacturer/Importer/Distributor (Attach letter of Accreditation)	YES/NO	
vii.	Physical location of business premises(See business questionnaire)	YES/NO	
viii.	Audited Accounts for the last current three (3) Years of audit 2012/13, 2013/14, 2014/15 Company/Business Profile detailing qualifications -Full Disclosure of Directors/ Partners /Sole Proprietor	YES/NO	
b.	GENERAL REQUIREMENTS		
i.	Financial Capability (As supported by Audited Accounts for the last current three (3) years) of audit 2012-2013; 2013-2014; 2014-2015	15	
ii.	Indicate having undertaken similar assignment with at least 4 firms (Attach Proof of L.P.O or payment)	10	
iii.	Maximum Accumulated Volume of Business handled in a year for the last two years 2013-2014 and 2014-2015 (Attach Evidence LPOs and Matching Delivery Notes) - Above 100 Million (20) - 75-100 Million (15) - 50-75 Million (10) - Below 50 Million (5)	20	

iv.	Credit Period - 90 days (5) - 60 days (3) - 30 days (1)	5	
v.	Human Resources:- Give Company Structure indicating clearly the rank and qualifications of the key personnel to be handling this work for EAPCC	10	
c.	TECHNICAL REQUIREMENTS		

i.	General experience record: Provide a comprehensive catalogue of the services, goods and products range. The list must show among others, source country, brand names and manufacturer. A statement should also be added to indicate whether the good conform to: CE, FDA, ISO or other international standard (use international and standardized Nomenclature as far as possible). (2 Marks) Indicate the length period in years when you have been trading in the items quoted for. 0 – 12months (1) 1 – 2years (2) Above 2years (3)	5	
ii.	Particular experience record Clearly indicate your KEY products, goods and services line of specialty (ONE for each of the three subgroups) Indicate also the length period in years when you have been trading for each of the KEY specialty ranges you have listed. (Provide proof in the form of previous orders that span the trading period) 0- 12months (1) 1-2 years (2) Above 2 years (3)	3	

iii.	<p>Under which category are your business strengths/specialty (indicate ONE ONLY) for your main products, goods and services range.</p> <p>Manufacturer (4)</p> <p>Authorized dealer (attach a valid appointment letter) (3)</p> <p>Retailer (2)</p> <p>Other (please specify) (1)</p>	4	
iv.	<p>Indicate whether your organization and key staff are accredited, registered, licensed and authorized to transact in controlled goods by the relevant Boards and regulatory authorities.</p> <p>If you have relevant licenses for the firm (2)</p> <p>If your key staff are accredited (2)</p>	4	

v.	<p>Equipment capabilities:</p> <p>Indicate and provide proof of ownership/occupancy status of the capital resources (buildings, warehouses, machinery, equipment and others) relevant to this tender.</p> <p>(1)</p> <p>Service and maintenance support:</p> <p>Provide details of how you plan to provide maintenance and service support for goods and services procured under this tender.</p> <p>If you own accredited workshop and staff (2)</p> <p>If you have Contracts with other accredited workshops and staff (2)</p> <p>If you have statement of viable alternatives (1)</p>	3	
vi.	<p>Litigation history:</p> <p>Provide an undertaking of any legal dispute pending in a court of law or before an arbitrator and past awards (nature and value) against you.</p> <p>If you have no negative litigation history (2)</p> <p>If you have negative litigation history (0)</p>	2	

vii.	<p>Product realization capabilities:</p> <p>Provide a detailed plan, with proof from past contracts, of how you intend to service this contract if awarded.</p> <p>Confirmation and delivery of order (turnaround time).</p> <p>If within 1 -7 days (3)</p> <p>If within 7-14 days (2)</p> <p>If above 14 days (1)</p> <p>(Indicate any previous orders for EAPCC not delivered and state reasons)</p>	3	
viii.	<p>Systems and product quality assurance</p> <p>Provide evidence that your firm possess a current international accreditation or certification status e.g. ISO 9001, 14001, 15189, Pharmacy and Poison Board GMP Certification or other.</p> <p>(Involvement in recognized quality assurance programs will be accepted)</p> <p>If you have international accreditation/certification status (5)</p> <p>If no international accreditation/certification status (0)</p> <p>Indicate whether any of your partner firms or principals possess current International accreditation or certification status relevant to the products, goods and services you wish to tender for</p> <p>Has international accreditation/certification status (3)</p> <p>No international accreditation/certification status (0)</p> <p>Provide comprehensive evidence of your current quality assurance processes for goods, products and services for which you intend to tender for (3)</p>	11	
d.	<p>Procedure or policy for handling expired,deformed,adulterated,withdrawn drugs including a return policy (attach relevant documents)</p>	5	
	Total	100	

Notes

1. **Manufacturer's Agents shall provide authorization letters**
2. **Medical drugs to be supplied must be registered with the Pharmacy and Poisons Board for use in Kenya.**
3. **Samples for medical drugs with a shelf life must have not less than 2/3 of shelf life.**
4. **Bidders must meet all the mandatory requirements to qualify for technical evaluation**
5. **To qualify in technical evaluation, the bidder must score a minimum of 75 points (75%)**
6. **The bidders who qualify in technical evaluation shall be invited to present financial proposal for drugs by the procuring unit as and when required.**
7. **Any information provided by the bidder may be verified by the Procuring unit**
8. **The Framework Contract will be for 3 Years.**