



OUR REF: KEBS/PRE-Q/T006/2025/2028

29TH JANUARY 2025

TO ALL INTERESTED BIDDERS.

ADDENDUM NO.2 TO TENDER NO. KEBS/PRE-Q/T006/2025/2028- PRE-QUALIFICATIONS FOR PROVISION OF PRE EXPORT VERIFICATION OF CONFORMITY (PVOC) TO STANDARDS SERVICES THE YEAR 2025-2028

The clarifications are made to the specified provisions of Pre-Qualifications for Provision of Pre-Export Verification of Conformity (PVoC) to Standards Services the Year 2025-2028.

1. RELATIONSHIP WITH THE PRINCIPAL TENDER DOCUMENT

Save where expressly amended by the terms of this Addendum, the Principal Tender Document shall continue to be in full force and effect. The provisions of this Addendum shall be deemed to have been incorporated in and shall be read as part of the Principal Tender Document.

2. CLARIFICATIONS HAVE BEEN SOUGHT AS FOLLOWS:

	QUESTION	ANSWER
1	ITA 8.3 Can KEBS confirm the deadline for clarifications is 7 days prior to submission deadline?	Kindly refer to addendum No. 1
2	Under Evaluation Criteria: Question: It is noted the Total available marks for Evaluation Criteria is 80. Can KEBS clarify if this is the total available for the Solicitation? Question: A schedule of the tenderers own/affiliated laboratories accredited ISO /IEC 17025:2017 in at least Food, Agriculture, Chemical, Textile and leather scope in the zones bidded for". Can you clarify what does the description AGRICULTURE covers exactly.	Yes, maximum score under technical evaluation is 80 marks This refers to agricultural products and inputs.
3	LIABILITY: (Section IV- Performance, Clause 2.9) Irrespective of the legal basis and in particular in the event of a breach of contractual obligations and tort, the liability of Contractor for all damage, loss and reimbursement of expenses caused by legal representatives and/ or employees of Contractor shall be limited to the 100% of contract value subject to a maximum of USD 2,700,000. Question: The Value of the contract cannot be determined owing to the nature of the service being procured. The 100% is a double punishment. The penalties	In the event of a breach of contractual obligations and tort, the liability of the Contractor for any damage or loss caused by the contractor's employees, agents or legal representatives shall be assessed by the Client and shall at all

	<p>stipulated in the draft contract document should be enough deterrent and further worst-case scenario may lead to contract termination. Tort may not be applicable given the nature of the service being procured.</p>	<p>times be subject to a maximum of USD 2,700,000</p>																																																		
<p>4</p>	<p>Form EXP 4.2 (b): In the form title it is indicated: Experience service contract in Key Activities (select one)</p> <p>Question: Shall we only insert 1 contract or shall we complete such form for all contracts?</p> <p>Question: if the contract is split and we do not precisely know the market share, what shall be entered in the following column highlighted in red?</p> <table border="1" data-bbox="156 622 1098 1016"> <tr> <td colspan="2">Award date</td> <td colspan="3"><i>[insert day, month, year, e.g., 15 June, 2015]</i></td> </tr> <tr> <td colspan="2">Completion date</td> <td colspan="3"><i>[insert day, month, year, e.g., 03 October, 2017]</i></td> </tr> <tr> <td colspan="2">Role in Contract <i>[check the appropriate box]</i></td> <td>Prime Contractor <input type="checkbox"/></td> <td>Member in JV <input type="checkbox"/></td> <td>Management Contractor <input type="checkbox"/></td> </tr> <tr> <td colspan="2">Total Contract Amount</td> <td colspan="2"><i>[insert total contract amount in contract currency(ies)]</i></td> <td>KENYA SHILLING <i>[insert exchange rate and total contract amount in KENYA SHILLING equivalent]</i></td> </tr> <tr> <td>Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i></td> <td>Total quantity in the contract (i)</td> <td>Percentage participation (ii)</td> <td colspan="2">Actual Quantity Performed (i) x (ii)</td> </tr> <tr> <td>Year 1</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>Year 2</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>Year 3</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>Year 4</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Procuring Entity's Name</td> <td colspan="3"><i>[insert full name]</i></td> </tr> </table>	Award date		<i>[insert day, month, year, e.g., 15 June, 2015]</i>			Completion date		<i>[insert day, month, year, e.g., 03 October, 2017]</i>			Role in Contract <i>[check the appropriate box]</i>		Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Total Contract Amount		<i>[insert total contract amount in contract currency(ies)]</i>		KENYA SHILLING <i>[insert exchange rate and total contract amount in KENYA SHILLING equivalent]</i>	Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i>	Total quantity in the contract (i)	Percentage participation (ii)	Actual Quantity Performed (i) x (ii)		Year 1					Year 2					Year 3					Year 4					Procuring Entity's Name		<i>[insert full name]</i>			<p>Kindly refer to addendum No. 1</p>
Award date		<i>[insert day, month, year, e.g., 15 June, 2015]</i>																																																		
Completion date		<i>[insert day, month, year, e.g., 03 October, 2017]</i>																																																		
Role in Contract <i>[check the appropriate box]</i>		Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>																																																
Total Contract Amount		<i>[insert total contract amount in contract currency(ies)]</i>		KENYA SHILLING <i>[insert exchange rate and total contract amount in KENYA SHILLING equivalent]</i>																																																
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i>	Total quantity in the contract (i)	Percentage participation (ii)	Actual Quantity Performed (i) x (ii)																																																	
Year 1																																																				
Year 2																																																				
Year 3																																																				
Year 4																																																				
Procuring Entity's Name		<i>[insert full name]</i>																																																		
<p>5</p>	<p>The CV form:</p> <p>Question: Can KEBS confirm that this part of the CV form requires information of the procuring entity of the tenderer. If for tenderer then it should be edited to suit.</p> <table border="1" data-bbox="172 1173 1098 1464"> <tr> <td colspan="2" style="text-align: center;">Details</td> </tr> <tr> <td colspan="2">Address of Procuring Entity: KENYA BUREAU OF STANDARDS (KEBS) POPO ROAD OFF MOMBASA ROAD P.O BOX 54974-00200 NAIROBI</td> </tr> <tr> <td>Telephone:</td> <td>Contact (manager / personnel officer):</td> </tr> <tr> <td>Fax:</td> <td></td> </tr> <tr> <td>Job title:</td> <td>Years with present Procuring Entity:</td> </tr> </table>	Details		Address of Procuring Entity: KENYA BUREAU OF STANDARDS (KEBS) POPO ROAD OFF MOMBASA ROAD P.O BOX 54974-00200 NAIROBI		Telephone:	Contact (manager / personnel officer):	Fax:		Job title:	Years with present Procuring Entity:	<p>Kindly summarize professional experience in reverse chronological order indicating particular technical and managerial experience relevant to the KEBS requirements.</p>																																								
Details																																																				
Address of Procuring Entity: KENYA BUREAU OF STANDARDS (KEBS) POPO ROAD OFF MOMBASA ROAD P.O BOX 54974-00200 NAIROBI																																																				
Telephone:	Contact (manager / personnel officer):																																																			
Fax:																																																				
Job title:	Years with present Procuring Entity:																																																			
<p>6</p>	<p>According to the "Criteria for Evaluation of Technical Proposals," the product scope per country where physical presence is required includes: Pharmaceuticals products (1 mark) and Minerals (1 mark). However, based on our understanding, pharmaceuticals products are regulated by the PPB, and Minerals products are managed by the Ministry of Mining. These goods are not subject to PVOC requirements.</p> <p>Therefore, we would like to request clarification on whether these items should be included as scoring criteria</p>	<p>Pharmaceutical products, as classified under customs regime, include non-medicaments such as gauze, wadding, bandages etc. which are subject to PVoC. The tender requirement therefore remains as is.</p>																																																		
<p>7</p>	<p>Whether subcontracted parties with local ownership of 51% and above contribute a 20% score advantage to an applicant</p>	<p>Citizen contractors, or those entities in which</p>																																																		

		Kenyan citizens own at least fifty-one per cent shares (51%), shall be entitled to twenty percent (20%) of their total score in the evaluation, provided the entities or contractors have attained the minimum technical score.
8	Whether a company can submit an independent bid to be listed as a subcontractor	No. Refer to addendum No.1 Question five (5) on subcontracting.
9	The required qualifications for subcontractors as stipulated in the tender	Refer to addendum No.1 Question five (5) on subcontracting

All the other terms and conditions remain as per the tender document.


JANE NDINYA
CHIEF MANAGER, SUPPLY CHAIN.

