

KENYA MEDICAL SUPPLIES AUTHORITY

National Supply Chain Centre,
Airport North Road, Embakasi,
P.O. Box 47715 - 00100,
Nairobi, Kenya.



Tel: +254 719 033000, +254 111 035 800
Email: info@kems.go.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/PROC-GF/HIV/2026

Date: 16th October, 2026

CLARIFICATION 1

ATTN.: ALL PROSPECTIVE BIDDERS

TENDER NO. GF ATM HIV GC7/OIT01/2026-2027 SUPPLY OF ARVS PEDIATRICS MEDICINES, GF ATM HIV GC7/OIT 02/2026-2027 SUPPLY OF ARVS ADULT MEDICINES I & GF ATM HIV GC7/OIT 03/2026-2027 SUPPLY OF ARVS ADULT MEDICINES II

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

Question 1

Special Labelling Requirements

The tender document specifies various marking requirements including "GoK - Not for Sale", "Funded by the Global Fund GF ATM HIV GC7/OIT 02/2026-2027", and "KEMSA" markings.

Kindly confirm:

- The exact labeling text to be applied.
- Whether the markings are required on primary, secondary, and/or tertiary packaging.
- Whether approved artwork/templates will be provided prior to production.

Answer.

1. The exact labeling text to be applied.

- The correct labelling is "GOK - Not for Sale" as per the tender requirements.

2. Whether the markings are required on primary, secondary, and/or tertiary packaging.

- Special markings are required on primary, secondary and tertiary packaging as follows: "GOK - Not for Sale".

3. Whether approved artwork/templates will be provided prior to production.

- This is a post award requirement, successful bidders will be guided accordingly

4. In addition to below questions, please also confirm if sticker labels can be used for Special Labelling Requirements of "GoK - Not for Sale Instead of preprinted artworks.

Y

Page 1 of 4

- This is a post award requirement; successful bidders will be guided accordingly.

Question 2

KEBS Inspection and Certificate of Conformity (CoC)

We understand that pharmaceutical products are generally exempt from certain KEBS inspections.

Kindly clarify:

- Whether Pre-Export Verification of Conformity (PVoC) inspection is required for the products under this tender.
- Whether obtaining a Certificate of Conformity (CoC) prior to shipment is mandatory.

Answer.

1. Whether Pre-Export Verification of Conformity (PVoC) inspection is required for the products under this tender.

- PVoC is not required for Pharmaceuticals.

2. Whether obtaining a Certificate of Conformity (CoC) prior to shipment is mandatory.

- CoC is not required for Pharmaceuticals but bidders will be required to submit Certificate of Analysis as part of pre-shipment documentation.

Question 3

Palletization Requirements

The tender document specifies carton dimensions and carton weight limits but does not clearly mention palletization requirements.

Kindly confirm:

- Whether palletized shipments are mandatory.
- Maximum pallet height and weight permitted.

Answer.

1. Whether palletized shipments are mandatory.

- Yes.

2. Maximum pallet height and weight permitted.

- Standard Pallet Dimensions-120cms*80cms
- Allowable Pallet Stacking Height-90-100cm (*One Metre*)
- Allowable Weight Per Pallet-60-90kg

Question 4

Payment Terms

Kindly provide details regarding:

- Payment terms applicable under this tender.
- Expected payment timeline following delivery and acceptance of goods.
- Any supporting documentation required for payment processing.

Answer.

1. Payment terms applicable under this tender.

- The National Treasury shall directly make payment to the supplier once the goods are delivered and accepted by the Procuring Entity and the said payment shall be made within a period of 60 days.

- 2.Expected payment timeline following delivery and acceptance of goods.
 - Not later than sixty (60) days after submission of an invoice by the Supplier and after the Procuring Entity has accepted it.
- 3.Any supporting documentation required for payment processing.
 - Original delivery notes, original invoices and bank details stamped and signed.

Question 5

VAT and Tax Exemptions

The tender document indicates that commodities funded under the Global Fund may be exempt from duties and taxes.

Kindly clarify:

- Whether quotations should be submitted exclusive of VAT.
- Whether any exemption certificates or supporting documents will be provided by KEMSA.
- What are the taxes import duties applicable to imported pharmaceutical products under this procurement?

Answer

- 1.Whether quotations should be submitted exclusive of VAT.
 - Yes
- 2.Whether any exemption certificates or supporting documents will be provided by KEMSA.
 - Yes
- 3.What are the taxes import duties applicable to imported pharmaceutical products under this procurement?
 - Import Declaration Form (IDF) fees and Railway Development Levy (RDL)

Question 6

Bid Security Requirements

The tender requires submission of a bid security.

Kindly confirm:

- Whether a bank guarantee issued by any scheduled/commercial bank in India is acceptable.

Answer.

- 1.Whether a bank guarantee issued by any scheduled/commercial bank in India is acceptable.
 - Original Bid Security of an amount as indicated in the respective Tender Documents from Commercial Banks from India are acceptable.

Question 7

Plant GMP Certificate Renewal

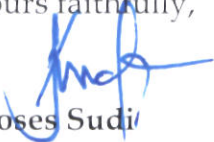
The Plant GMP certificate for one of our manufacturing units has expired and is currently under renewal with the relevant regulatory authority. We are following up on the renewal

process and expect to obtain the renewed certificate upon completion of the regulatory procedure. Meanwhile, we kindly request you to confirm whether KEMSA will accept the application acknowledgement issued by the relevant regulatory authority as interim supporting documentation for tender submission, pending issuance of the renewed Plant GMP certificate.

Answer.

Bidders are required to adhere to the technical specifications provided in the tender documents.

Yours faithfully,



Moses Sudi

Director, Procurement

FOR: CHIEF EXECUTIVE OFFICER