

MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
KWALE, COUNTY COMMISSIONER'S OFFICE

PREQUALIFICATION FOR SUPPLY AND DELIVERY OF PHARMACOLOGICAL DRUGS NON-PHARMACOLOGICAL DRUGS FY 2026-2028

TENDER NO. KWL/CC/4B/2026-2028

COUNTY COMMISSIONER KWALE
P O BOX 1-80403 KWALE

EMAIL ADDRESS procurementkwale@gmail.com

METHOD OF PROCUREMENT – OPEN

ISSUED BY
SUPPLY CHAIN MANAGEMENT OFFICER
MATUGA SUB COUNTY
P O BOX 1-80403 KWALE

CLOSING DATE: **1ST DECEMBER, 2026**

INVITATION TO APPLY FOR PREQUALIFICATION

Name of Contract: **PREQUALIFICATION FOR FRAMEWORK AGREEMENT FOR SUPPLY AND DELIVERY OF PHARMACOLOGICAL DRUGS NON-PHARMACOLOGICAL DRUGS**

Contract No: **KWL/CC/4B/2026-2028**

Prequalification Reference No.: **KWL/CC/4B/2026-2028**

1. The office of **County Commissioner Kwale** intends to prequalify Suppliers for supply and delivery of office stationery as framework agreement for financial year 2026-2028 as per attached list of requirements

2. It is expected that the Invitation to Tender will be made in July 2026. Tendering will be conducted through open tender procedures using a standardized tender document and will be reserved to disadvantaged group of all category i.e youth, women and people with disability

3. Qualified and interested applicants may obtain further information and inspect the Prequalification Document during office hours **0900 to 1500 hours** at the address given below.

4. A complete set of Prequalification Document in English may be viewed and downloaded for free from the website www.tender.go.ke. Tender documents obtained electronically will be free of charge.

5. Applications for prequalification should be submitted by hand/courier delivery, clearly marked envelopes and delivered to the address given below by **1ST DECEMBER, 2026**

6. Late applications a reliable to be rejected.

7. Address where to submit Applications

COUNTY COMMISSIONER'S OFFICE KWALE TENDER BOX

PLACED AT THE OFFICE OF PROCUREMENT OFFICER ENTRANCE KWALE

PART 1 - APPLICATION PROCEDURES

SECTION I - INSTRUCTIONS TO APPLICANTS (ITA)

A. General

1. Scope of Application

1.1 The name of the Procuring Entity inviting for applications is defined in the **PDS.** The particular type of contract (works, goods or Non-Consulting Services required) and its name and description of the contract(s) and its reference number are defined in the **PDS.** If the scope of contract so defined is in multiple contracts, it will be specified in the **PDS** if prequalification will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non-Consulting Services are described in Section V (Scope of Works or goods contract).

2. Source of Funds to be specified in the PDS, if deemed necessary.

3. Fraud and Corruption

3.1 The Government of Kenya requires compliance with its Anti-Corruption laws and its prevailing sanctions policies and procedures.

3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents (where declared or not), subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Procurement Regulatory Authority (PPRA) to inspect all accounts, records and other documents relating to any initial selection process, prequalification process, tender submission(incase prequalified),proposal submission, and contract performance (in the case of award), and to have them audited by auditors appointed by the PPRA.

4 Collusive practices

4.1 The Procuring Entity requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination" annexed to the Form of applicant.

5 Eligible Applicants

5.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1and 5.2. An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9 or any combination of such entities in the form of a joint venture ("JV") under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Members of a joint venture may not also make an individual tender, be a subcontractor in a separate tender or be part of another joint venture for the purposes of the same Tender. The maximum number of JV members shall be specified in the PDS.

5.2 Public Officers of the Procuring Entity, their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse, their business associates or agents and firms/organizations in which they have a substantial or controlling interest shall not be eligible to be prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.

5.3 A firm may apply for prequalification both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.

5.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.

5.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated

or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. Sub-contractors or suppliers for any part of the Contract including related Non-Consulting Services.

5.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Procuring Entity as Engineer for contract implementation of the contract(s) that are the subject of this prequalification. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Procuring Entity who:

a are directly or indirectly involved in the preparation of the prequalification Document or Invitation to Tender (ITT), Document or specifications of the Contract, and/or the Tender evaluation process of such Contract; or

b would be involved in the implementation or supervision of such Contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Procuring Entity throughout the prequalification, ITT process and execution of the Contract.

5.7 An Applicant that has been debarred shall be ineligible to be initially selected for, prequalified for, tender for, propose for, or be awarded a contract during such period of time as the PPRA shall have determined. The list of debarred firms and individuals is available at www.ppra.go.ke

5.8 Applicants that are state-owned enterprise or institutions in Kenya may be eligible to prequalify, compete and be awarded a Contract(s) only if they can establish, in a manner accept able to the Procuring Entity, that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of any public entity.

5.9 An Applicant shall not be under sanction of debarment from Tendering by the PPRA as the result of the execution of a Tender/Proposal–Securing Declaration.

5.10 An Applicant that is a Kenyan firm or citizen shall provide evidence of having fulfilled his/her tax obligations by producing a current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority.

5.11 An Applicant shall provide any other such documentary evidence of eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

6 Eligibility

6.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated herein. The countries, persons or entities are in eligible if:

a. As a matter of law or official regulations, Kenya prohibits commercial relations with that country, or

b. By an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, Kenya prohibits any import of goods or contracting of works or Non- Consulting Services from that country, or any payments to any country, person, or entity in that country.

6.2 When the Works, supply of Goods or provision of non-consulting services are implemented a cross jurisdictional boundary (and more than one country is a Procuring Entity, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1 (a) above by any country may be applied to that procurement a cross other countries involved, if the Procuring Entities involved in the procurement so agree.

6.3 Any goods, works and production processes with characteristics that have been declared by the relevant national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

B. Contents of the Prequalification Documents

7 Sections of Prequalification Document

7.1 This Prequalification Document consists of parts1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

PART 1 - Prequalification Procedures

i) Section I- Instructions to Applicants (ITA)
ii) Section II - Prequalification Data Sheet (PDS)
iii) Section III - Qualification Criteria and Requirements
iv) Section IV- Application Forms

PART 2 - Works, Goods, or Non-Consulting Services Requirements

i) Section VII- Scope of Works, Goods, or Non-Consulting Services

7.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.

7.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document.

8 Clarification of Prequalification Documents, site visit(s) and Pre-Application Meeting

8.1 An Applicant requiring any clarification of the Prequalification Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated in the **PDS.** The Procuring Entity will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Procuring Entity shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **PDS**. Should the Procuring Entity deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure under ITA 8. And in accordance with the provisions of ITA 17.2.

8.2 The Applicant, at the Applicant's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the application.The costs of visiting the Site shall be at the Applicant's own expense. The Procuring Entity shall specify in the **PDS** if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the **PDS** if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre- application meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.

8.3 The Applicant is requested to submit any questions in writing, to reach the Procuring Entity not later than the period specified in the **PDS** before the submission date of applications.

8.4 Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the prequalification documents. Minutes shall not identify the source of the questions asked.

8.5 The Procuring Entity shall also promptly publish anonymized (*no names*) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified **in the PDS**. Any modification to the Prequalification Documents that may become necessary as a result of the pre-arranged site visit and those of the pre-application meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to PDS 8 and not through the minutes of the pre-application meeting. Non-attendance at the pre-arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

9 Amendment of Prequalification Document

9.1 At any time prior to the deadline for submission of Applications, the Procuring Entity may amend the Prequalification Document by issuing an Addendum.

9.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all Applicants who have obtained the Prequalification Document from the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the PDS.

9.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Procuring Entity may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

C. Preparation of Applications

10 Cost of Applications

10.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Procuring Entity will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

11 Language of Application

11.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Procuring Entity, shall be written in English Language. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the English language, in which case, for purposes of interpretation of the Application, the translation shall govern.

12 Documents Comprising the Application

12.1 The Application shall comprise the following:

a. Application Submission Letter, in accordance with ITA 13.1;

b. Eligibility: documentary evidence establishing the Applicant's eligibility, in accordance with ITA 14.1;

c. Qualifications: documentary evidence establishing the Applicant's qualifications, in accordance with ITA 15; and

d. Any other document required as specified in the PDS.

12.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application.

13 Application Submission Letter

13.1 The Applicant shall complete an Application Submission Letter as provided in Section IV (Application Forms). This Letter must be completed without any alteration to its format.

14 Documents Establishing the Eligibility of the Applicant

14.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV (Application Forms).

15 Documents Establishing the Qualifications of the Applicant

15.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV (Application Forms).

15.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the Kenya Shilling equivalent using the rate of exchange determined as follows:

a For construction turnover or financial data required for each Year-Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted).

b Value of single Contract-Exchange rate prevailing on the date of the contract.

15.3 Exchange rates shall be taken from the publicly available source identified in the PDS. Any error in determining the exchange rates in the Application may be corrected by the Procuring Entity.

15.4 Applicants shall be asked to provide, as part of the data for qualification, such information, including details of ownership, as shall be required to determine whether, according to the classification established by the Procuring Entity, a particular contractor or group of contractors qualifies for a margin of preference. Further the information will enable the Procuring Entity identify any actual or potential conflict of interest in relation to the

procurement and/or contract management processes, or a possibility of collusion between Applicants, and thereby help to prevent any corrupt influence in relation to the procurement processor contract management.

15.5 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which an Applicant may have. There can be no circumstances in which it would be justified for an Applicant to keep information relating to its ownership and control confidential where it is tendering to undertake public sector work and receive public sector funds. Thus, confidentiality will not be accepted by the Procuring Entity as a justification for an Applicant's failure to disclose, or failure to provide required in formation on its ownership and control.

15.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changes to the information which was provided by the Applicant under ITT 6.3. The obligations to require this information shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or management of the contract.

15.7 All information provided by the Applicant pursuant to these requirements must be complete, current and accurate as at the date of provision to the Procuring Entity. In submitting the information required pursuant to these requirements, the Applicant shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.

15.8 If an Applicant fails to submit the information required by these requirements, its application will be rejected. Similarly, if the Procuring Entity is unable, after taking reasonable steps, to verify to a reasonable degree the information submitted by an Applicant pursuant to these requirements, then the application will be rejected.

15.9 If information submitted by an Applicant pursuant to these requirements, or obtained by the Procuring Entity (whether through its own enquiries, through notification by the public or otherwise), shows any conflict of interest which could materially and improperly benefit the Applicant in relation to the procurement or contract management process, then:

a. If the procurement process is still ongoing, the Applicant will be disqualified from the procurement process,
b. If the contract has been awarded to that Applicant, the contract award will be set aside,

15.10 the Applicant will be referred to the relevant law enforcement authorities for investigation of whether the Applicant or any other persons have committed any criminal offence.

15.11 If an Applicant submits information pursuant to these requirements that is incomplete, in accurate or out-of-date, or attempts to obstruct the verification process, then the consequences ITT 6.7 will ensue unless the Applicant can show to the reasonable satisfaction of the Procuring Entity that any such act was not material, or was due to genuine error which was not attributable to the intentional act, negligence or recklessness of the Applicant.

16 Signing of the Application and Number of Copies

16.1 The Applicant shall prepare one original of the documents comprising the Application as describedinITA11 and clearly mark it “ORIGINAL”. The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

16.2 The Applicant shall submit copies of the signed original Application, in the number specified in the PDS, and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

17 Sealing and Marking of Applications

17.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:

a Bear the name and address of the Applicant;
b Be addressed to the Procuring Entity, in accordance with ITA 17.1; and
c Bear thespecificidentificationofthisprequalificationprocessindicatedinthePDS1.1.

17.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as

required in ITA 16.1 above.

18 Deadline for Submission of Applications

18.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Procuring Entity at the address and no later than the deadline indicated in the PDS. When so specified in the PDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **PDS.**

18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Procuring Entity and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

19 Late Applications

19.1 The Procuring Entity reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS.** If late applications will be accepted, they must be received not later than the date specified in the **TDS** after the deadline for submission of applications.

20. Opening of Applications

20.1 The Procuring Entity shall open all Applications at the date, time and place specified in the **PDS.** Late Applications shall be treated in accordance with ITA 19.1.

20.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **PDS**.

20.2 The Procuring Entity shall prepare a record of the opening of Applications to include, as a minimum, the nameof the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

21 Confidentiality

21.1 Information relating to the Applications, their evaluation and results of the prequalification shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28.

21.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Procuring Entity on any matter related to the prequalification process may do so only in writing.

22 Clarification of Applications

22.1 To assist in the evaluation of Applications, the Procuring Entity may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Procuring Entity and all clarifications from the Applicant shall be in writing.

22.1 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Procuring Entity's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

23 Responsiveness of Applications

23.1 The Procuring Entity may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

24 Margin of Preference

24.1 Unless otherwise specified in the **PDS**, a margin of preference shall not apply in the Tendering process resulting

from this prequalification.

25 Nominated Subcontractors

25.1 Unless otherwise stated in the PDS, the Procuring Entity does not intend to execute any specific elements of the works by sub-contractors selected in advance by the Procuring Entity (so-called "Nominated Subcontractors").

25.2 The Applicant shall not propose to subcontract the whole of the Works or Goods. The maximum limit of subcontracting permitted under the contract may be specified by the Procuring Entity in the Tendering Document. The Procuring Entity, in ITA 25.2, may permit the Applicant to propose subcontractors for certain specialized parts of the contract as indicated there in as ("Specialized Subcontractors"). Applicants planning to use such Specialized Subcontractors shall specify, in the Application Submission Letter, the activity(ies) or parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

F. Evaluation of Applications and Prequalification of Applicants

26 Evaluation of Applications

26.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Procuring Entity reserves the right to waive min or deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.

26.2 Subcontractors proposed by the Applicant shall be fully qualified and meet the minimum specific experience criteria as specified for their parts of the proposed contract for Works or Goods or non-consulting services. The subcontractor's qualifications shall not be used by the Applicant to qualify for the Works or Goods or non-consulting services unless their parts of the Works or Goods or non-consulting services were previously designated by the Procuring Entity in the PDS as can be met by Specialized Subcontractors, in which case:

i) The Specialized Subcontractors shall meet the minimum qualification requirements specified in Section III, and

ii) the qualifications with respect to specific experience of the Specialized Subcontractor proposed by the Applicantmaybeaddedtothequalificationsoftheapplicantforthepurposeoftheevaluation.
Unless the Applicant has been determined prequalified on its own without taking into account the qualification and experience of the proposed specialized sub-contractor, the tender submitted by the Applicant shall include the same specialized sub-contractor failing which, such tender may be rejected unless a change in the specialized sub-contractor was requested by the Applicant and approved by the Procuring Entity subsequent to prequalification but before the tender submission deadline in accordance with ITA 30.

26.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Procuring Entity shall prequalify each Applicant for each lot and for a combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements the Eligibility and Qualification Criteria.

26.4 Further, in the case of multiple contracts, the Procuring Entity will prepare the Eligibility and Qualification Criteria Form for items 3.1, 3.2, 4.2(a) and 4.2(b) for each Lot, to be completed by applicants.

26.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (other than Specialized Subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

27 Procuring Entity's Right to Accept or Reject Applications

27.1 The Procuring Entity reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

28 Prequalification of Applicants

28.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will

be prequalified by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.

28.32 Applicants that have not been prequalified may write to the Procuring Entity to request, in writing, the grounds on which they were disqualified.

28 Invitation to Tender

29.1 Promptly after the notification of the results of the prequalification, the Procuring Entity shall invite Tenders from all the Applicants that have been prequalified or conditionally prequalified.

28.2 Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity in the form and an amount to be specified in the tendering document.

28.3 The successful Applicant shall be required to provide a Performance Security as specified in the tendering document.

29 Changes in Qualifications of Applicants

30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to tender (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor whose qualifications were considered to prequalify the Applicant) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III (Qualification Criteria and Requirements); or (iii)in the opinion of the Procuring Entity, the change may result in a substantial reduction in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Invitation to Tender.

31 Procurement Related Complaints and Administrative Review

31.1 The procedures for making a Procurement-related Complaint are as specified in the PDS**.**

31.2 A request for administrative review shall be made in the form provided.

SECTION II - PREQUALIFICATION DATA SHEET (PDS)

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
ITA 1.1	The Procuring Entity is: **COUNTY COMMISSIONER KWALE COUNTY** The identification of the Invitation for Prequalification is: **2026-2028 FINANCIAL YEAR PREQUALIFICATION FOR SUPPLY OF GOOGS AND WORKS** The particular type of contract is on **FRAMEWORK AGREEMENT FOR GOODS** The application is for **SUPPLY AND DELIVERY OF PHARMACOLOGICAL DRUGS NON-PHARMACOLOGICAL DRUGS** Prequalification will be based on **OPEN CATEGORY**
ITA 2	The Source of funds shall be : **GOVERNMENT FUNDS**
ITA 5.2	Maximum number of members in the JV shall be: **NOT APPLICABLE**
B. Contents of the Prequalification Document	
ITA 8.1	For clarification purposes, the Procuring Entity's address is: **KWALE COUNTY COMMISSIONERS OFFICE KWALE** Attention**: PROCURMENT OFFICER** Physical Address: **KWALE TOWN ALONG LIKONI KINANGO ROAD NEAR COUNTY GOVERNMENT HEADQOUTERS** Telephone: *0713581152* Electronic mail address: procurementkwale@gmail.com Web page: www.tender.go.ke
ITA 8.2	A pre-application meeting will be held on **NOT APPLICABLE** A pre-arranged Site visit will be held on **NOT APPLICABLE**
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach the Procuring Entity not later than **1ST DECEMBER, 2026**
ITA 8.5	Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page **NOT APPLICABLE**
ITT 9.2	Addendum issued shall be published at the website www.tender.go.ke
ITA 8.2	Pre-Application Meeting will be held: (*No)*
C. Preparation of Applications	
ITA 12.1 (d)	The Applicant shall submit with its Application, the following additional documents: **AS PER EVALUATION CRETERIA**
ITA 15.2(b)	The source for determining exchange rates is **KENYAN CURRENCY**
ITA 16.2	In addition to the original, the number of copies to be submitted with the Application is: **ONLY ORIGINAL IS REQUIRED**
D. Submission of Applications	
ITA 17.1	The deadline for Application submission is: Date: **1ST DECEMBER, 2026** Time: **1000HRS** For Application submission purposes only, the Procuring Entity's address is:

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
	COUNTY COMMISSINER KWALE Attention: **PROCUREMEMT OFFICER KWALE** Address: **COUNTY COMMISSIONER'S OFFICE KWALE** Country: **KENYA** Telephone: **0713581152** Email address: **procurementkwale@gmail.com** Applicants **SHALL NOT** have the option of submitting their Applications electronically.
ITA 18.1	TheProcuring Entityreserves the right to accept or reject late Applications.
ITA 19.1	The Procuring Entity **WILL NOT** accept late applications.
ITA 20.1	The opening of the Applications shall be at **COUNTY COMMISSIONERS BOARDROOM ON 1ST DECEMBER, 2026**
ITA 20.2	The electronic Application opening procedures shall be: NOT APPLICABLE
E. Procedures for Evaluation of Applications	
ITA 24.1	A margin of preference **SHALL NOT** apply.
ITA 25.1	At this time the Procuring Entity **DOES NOT INTEND** *to* execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 25.2	The parts of the Works for which the Procuring Entity permits Applicants to propose Specialized Subcontractors are designated as follows: **NOT APPLICABLE**
ITA 31.1	The procedures for making a Procurement-related Complaints are detailed in the "Regulations" available from the PPRA Website www.ppra.go.ke or email complaints@ppra.go.ke. If a Tenderer wishes to make a Procurement-related Complaint, the Tenderer should submit its complaint following these procedures, in writing (by the quickest means available, that is either by hand delivery or email to: For the attention: **DIRECTOR GENERAL PPRA** Title/position: **DIRECTOR GENERAL PPRA** Procuring Entity: **PPRA** Email address: **58535-00200** In summary, a Procurement-related Complaint may challenge any of the following: (i) the terms of the Tender Documents; and (ii) the Procuring Entity's decision to award the contract

SECTION III - QUALIFICATION CRITERIA AND REQUIREMENTS

Bidder must attach the following mandatory documents

s/no	Criteria	Awarding
i.	Incorporation/Business Registration Certificate	
ii.	Tax compliance certificate	
iii.	KRA PIN Certificate	
iv.	CR 12/CR13 for limited company/sole proprietor dated not earlier than 1st January 2026	
v.	Attach ID copy for directors/sole proprietor	
vi.	Valid Single business permit	
vii.	Attach valid Professional Registration Certificate for pharmacist/technologist	
viii.	Attach valid Practicing license from PPB	
ix.	Attach premise inspection certificate by the PPB	
x.	Give clear business location/direction	
xi.	Fill in the list of requirements by quoting your prices properly and neatly.	
xii.	Evidenced of past work experience attach local purchase order delivery notes and invoices if any	
xiii.	Dully filed confidential business questionnaire and stamped	
xiv.	Dully filed, signed and stamped Self Declaration form not to engage in corruption	
xv.	Dully filed, signed and stamped Certificate of Independent Quotation Determination form	
xvi.	Dully filed, signed and stamped Form for Disclosure of Interest	

8.2 CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

You are requested to give the particulars indicated in Part 1 and either Part 2(a), 2(b) or 2 (c) whichever applied to your type of business

You are advised that it is a serious offence to give false information on this form

Part 1 – General:

Business Name ……

Location of business premises. ……

Plot No…… Street/Road ……..

Postal Address …….. Tel No. … ……. ……. E mail …….

Nature of Business ……..

Registration Certificate No. ……

Maximum value of business which you can handle at any one time – Kshs. ……

Name of your bankers …….. Branch ……

	Part 2 (a) – Sole Proprietor Your name in full …….. Age …….. Nationality …… Country of origin …….. • Citizenship details …… •
	Part 2 (b) Partnership Given details of partners as follows: Name Nationality Citizenship Details Shares …… …… …… ……
	Part 2 (c) – Registered Company Private or Public ……. State the nominal and issued capital of company- Nominal Kshs. …… Issued Kshs.…….. Given details of all directors as follows

	Name	Nationality	Citizenship Details	Shares
	1……..			
	2. …….			
	3. …….			
	4. …….			
	5 ……...			
Date …… Signature of Candidate …….. Stamp…….				

- If a Kenya Citizen, indicate under "Citizenship Details" whether by Birth, Naturalization or Registration.

PART 2 - GOODS

SECTION V - SCOPE OF Goods

SCHEDULE OF REQUIREMENTS
TENDER NO. 4B-SUPPLY AND DELIVERY OF PHARMACOLOGICAL DRUGS NON-PHARMACOLOGICAL DRUGS.

LIST OF REGULAR UTILITY ITEMS

1. MEDICAL DRUGS

(a) Pharmacological drugs

No.	Item description	Unit	Unit price	Total Cost
1	Amoxyl 500mg			
2	Ampiclox 500mg			
3	Brufen 400mg			
4	Amlodipine 5mg			
5	Amlodipine 10mg			
6	Haloperidol 5mg			
7	Carbamazepine 200mg			
8	Centrine 10mg			
9	Ciprofloxacin 500mg			
10	Floxapen 500mg			
11	Flagyl 400mg			
12	Co-trimoxazole 960mg			
13	Diclofenac 100mg			
14	Diclofenac cream			
15	Buscopan			
16	Benzyl benzoate emulsion			
17	Clotrimazole cream			
18	Hydrocortisone cream			
19	Loperamide 2mg			
20	Omeprazole 20mg			
21	Quintipine 200mg			
22	Prednisolone 5mg			
23	Cifaploram 20mg			
24	Hct2 25mg			
25	Salbutamol			
26	Zinc Sulphate			
27	Artane 5mg			
28	Metoclopramide			
29	Olanzapine 10mg			
30	Olanzapine 5mg			
31	Gentamicin			
32	Griseofulvin 500mg			
33	Phenobarbital 30mg			
34	Ventolin inhalers			
35	Piriton			
36	Nifedipine 20mg			
37	Losartan			
38	Diclofenac Injection			
39	Albendazole 500mgs			
40	Doxycycline 100mgs			
41	Crepe bandages			
42	Clean gloves			
43	Normal saline 500mls			
44	Disposable syringes 5cc			
45	Gauze rolls			
46	Hypodermic needles 21G			

47	Surgical spirit 5L			
48	Dermazine ointment			
49	Montelukast			
50	Flugone			
51	Celestamine			
52	FEFOL			
53	Meloxicum			
54	Azithromycin			
55	Clindamycin			
56	Finosin			
57	Anustat cream			
58	Anustat suppositories			
59	ABZ			
60	Tinidazole			
61	Lactulose			
62	Tramadol			
63	ZuLu MR			
64	Budecort inhaler			
65	Esomeprazole			
66	Actals			
67	Levofloxacin			
68	Cefixime			
69	Erithromycin			
70	Promethazine			
71	Domperidone			
72	Loratadine			
73	Betadine mouthwash			
74	Xtraderm			
75	Levocetirizine			
76	Dexamethasone			
77	Ketoconazole			
78	Fluconazole			
79	Pharmasal ointment			
80	Deep heat			
81	Calamine lotion			
82	Modecate inj			
83	Fluoxetine			
84	Scatalopram			
85	Aspirin			
86	Amitriptyline			
87	Diazepam orals			
88	Secnidazole			
89	Atenolol			
90	Lassix			
91	Probeta n eyedrops			
92	Glibeclamide			
93	Metformin			
94	Ceftriaxone			
95	Diclofenac inj			
96	Tramadol inj			
97	Tramadol orals			
98	Hydrocortisone inj			
99	Gentamycin eyedrops			
100	Artificial tears			
101	Buscopan inj			
102	Nystatin			
103	Teardrops			
104	Cloplat			

105	Softdrops			
106	Flagyl inj			
107	Benzyl penicillin xpen			
108	Artovastatin			
109	Chlorpromazine			

(b) Non-pharmaceutical equipment

No.	Item description	Unit	Unit price	Total Cost
1	Crepe bandages			
2	Clean gloves			
3	Normal saline 500mls			
4	Disposable syringes 5cc and 10cc			
5	Gauze rolls			
6	Hypodermic needles			
7	Surgical spirit			
8	MRDT kits			
9	Blood sugar machine			
10	Hb machine			
11	Branulars			
12	Strapping			
13	BP machine			
14	Scissors			
15	Jik			
16	Bin liners			
17	Colour-coded waste bins			
18	Safety box			
19	Trolley with trays			
20	Surgical blades			
21	Paraffin gauzes			
22	Giving sets			
23	Iodine			
24	Stethoscope			
25	Ringer’s lactate			
26	Dextrose D5 and D10			
27	Movable infusion stands			
28	Complete first aid kits			
29	Pulse oximeter machine			
30	Pricking needle			
31	Tongue depressors			
32	Alcohol swabs			
33	Nebulizers			
34	Urine bags			
35	Catheters			
36	Wheelchairs			
37	Chlorine for water treatment			

Request For Review

FORM FOR REVIEW (r.203 (1))

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO…….OF…….….20……...

BETWEEN

….....APPLICANT

AND

… ..... RESPONDENT (Procuring Entity)

Request for review of the decision of the…… (Name of the Procuring Entity of ……dated the…day of …….20…….in the matter of Tender No……..…of ……..20….. for ..... (Tender description).

REQUEST FOR REVIEW

I/We……,the above named Applicant(s), of address: Physical address..... P. O. Box No……. Tel. No……..Email ....., hereby request the Public Procurement Administrative Review Board to review the whole/part of the above mentioned decision on the following grounds , namely:

1.

2.

By this memorandum, the Applicant requests the Board for an order/orders that:

1.

2.

SIGNED ……. (Applicant) Dated on…….day of ……/…20……

FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on.....day of ……....20….……

SIGNED

Board Secretary