



**REPUBLIC OF KENYA**  
**MINISTRY OF GENDER, CULTURE, THE ARTS AND HERITAGE**  
**STATE DEPARTMENT FOR GENDER AND AFFIRMATIVE ACTION**  
**P.O. BOX 29966 -00100 NAIROBI, KENYA**

**ADDENDUM 1**

**RE: TENDER NO. MGACH/SDGAA/NCB/01/2023 -2024 FOR SUPPLY AND DELIVERY OF  
SANITARY TOWELS TO PUBLIC PRIMARY AND JUNIOR SECONDARY SCHOOLS**

Following requests for clarification by several bidders, the State Department for Gender and Affirmative Action would wish to make the following clarifications. Pursuant to the Public Procurement and Asset Disposal Act 2015 (Revised 2022) section 75 and its attendant Regulations 2020, a procuring entity may amend the tender document at any time before the deadline for submission of tenders by issuing an addendum without materially altering the substance of the original tender.

In this regard the following are the responses to the clarifications sought:

No	Clarifications	Responses
<b>Bidder No. 1</b>		
1	<b>Delivery Period</b> The delivery period of 4 weeks from the date of LPO is not adequate. Please note that once awarded, it takes time to ship and clear in Kenya the raw materials. The production time will be at least 6-8 weeks from date of receipt of the raw materials. Therefore, the delivery period of 4 weeks is not possible for quantities of this magnitude.	The delivery period will be a maximum of 8 weeks from the date of contract signing.  Note that as a procuring entity, we are constrained with time and must delivery this project before the closure of the financial year.
2	<b>Tender Security</b> The tender asks for a bid security from a bank. Please note that as per Public Procurement and asset disposal PRA regulations Act 2025 (Revised 2022), Bid securities from insurance companies are allowed. We kindly request you to allow Bid securities issued by duly recognized Insurance companies	Bidders are allowed to provide bid security from an Insurance Company registered by the Insurance Regulatory Authority (IRA) and listed by the Public Procurement Regulatory Authority (PPRA).

3	<p><b>Product supplied by AGPO</b></p> <p>AGPO have not been given the 15% preferential margin if they buy locally produced goods which will give them unfair competition from importers. Refer to clause ITT32.3.</p>	<p>The 15% margin of preference is applicable to international tendering competition. This is a national competitive tender and therefore the margin of preference is <b>not applicable</b>. This is in compliance with Regulation 164 (1) (b) of the Public Procurement and Asset Disposal Regulations 2020, the 15% margin of preference is given to candidates offering goods manufactured, mined, extracted, grown or semi processed in Kenya and is applicable for international tendering as provided for under section 157 8 b of the Act 2015 (Revised 2022).</p>
4	<p><b>Increase in local production cost/Pricing</b></p> <p>Please note that product and distribution cost for locally produced product have gone up by 25% since last year due to currency fluctuation, so our cost of locally produced would be adjusted to reflect this increase of dollar since materials are imported.</p>	<p>The Price of the product should be inclusive of all costs and relevant taxes and transportation costs to the final destination.</p>
5	<p><b>Current Quantity</b></p> <p>We have noted in the tender document that the quantities for the current financial year have doubled as compared to last year's, and we would like to confirm if the budget allocation has been aligned accordingly. Additionally, please confirm in the budget whether you have considered that the cost of manufacturing has gone up significantly by over 20% considering both quantities and costs.</p>	<p>The tender has been advertised based on the approved Budget and Procurement Plan for the year 2023-2024 as per section 53 of the Public Procurement and Asset Disposal Act 2015 (Revised 2022).</p>
5	<p><b>Delivery Point</b></p> <p>Clarify if the delivery is to be done at the Sub counties level or in a central warehouse in Nairobi as state in clause ITT 13.8 a (iii), ITT 13.8 b(i), ITT 13.8 b (ii) of the tender document.</p>	<p>As per the Tender Data Sheet ITT 13.8 a (i), (iii), (b) (i) and (ii), the place of final destination shall be the designated Subcounty offices as per the distribution list.</p>



**Anne Wang'ombe**  
**Principal Secretary**  
**State Department for Gender and Affirmative Action**