



REPUBLIC OF KENYA
THE NATIONAL TREASURY AND PLANNING

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Ref: TNT/IOT/001/2021-2022 (21)

THE NATIONAL TREASURY
P.O. BOX 30007 – 00100
NAIROBI

15th September, 2021

To: All Bidders

**REF: TENDER FOR DESIGN, DEVELOPMENT/ CUSTOMIZATION, SUPPLY, INSTALLATION AND MAINTENANCE OF AN ELECTRONIC GOVERNMENT PROCUREMENT (E-GP) SYSTEM FOR THE GOVERNMENT OF KENYA
TENDER NO. TNT/IOT/001/2021-2022:
ADDENDUM III**

The National Treasury has issued the following addendum to Tender for Design, Development/ Customization, Supply, Installation and Maintenance of an Electronic Government Procurement (e-GP) System for the Government of Kenya.

S/No	Requested Clarifications	Clarification
1.	Margin of Preference (p. 50/488) In paragraph 7.4 it is stated: All evaluated tenders in each group shall, as a first evaluation step, be compared to determine the lowest tender, and the lowest evaluated tender in each group shall be further compared with each other. If, as a result of this comparison, a tender from Group A is the lowest, it shall be selected for the award. If a tender from Group B is the lowest, an amount equal to the percentage indicated in Item 3.1 of the respective tender price, including unconditional discounts and excluding provisional sums and the cost of day works, if any, shall be added to the evaluated price offered in each tender from Group B. All tenders shall then be compared using new prices with added prices to Group B and the lowest	Kindly note that while applying the margin of preference, the prices to be used shall be the quoted prices as read out during the tender opening. Thereafter, the Tender with the highest combined scores (technical Score and financial Score) shall be considered for award using the margin of preference computed prices This shall be done only for evaluation purposes. Award shall be done based on the prices as read out during the opening of the Financial Proposal.

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	<p>evaluated tender from Group A. If the tender from Group A is still the lowest tender, it shall be selected for award. If not, the lowest evaluated tender from Group B based on the first evaluation price shall be selected.</p> <p>Question 1: The term “lowest tender” would make sense if this were a lowest-price procurement process; however, this is a quality and price based procurement. Consequently, this should read “tender with the highest overall score”. Please confirm or clarify.</p> <p>Question 2: We understand that the “Margin of Preference” applies only to the financial component of the overall evaluation score. Please confirm or clarify if otherwise.</p>	
2.	<p>System Landscape (p.111)</p> <p>You note that we will need to set up the following environments: development, production, staging and training, quality assurance, and disaster recovery. We understand that the disaster recovery environment will only include one production environment and that all other environments (development, staging and training, and quality assurance) will only be available in the primary site.</p> <p>Please confirm or clarify.</p>	<p>Make reference to General Technical Requirements of E-GP System No 23 on Configuration Architecture, (v) Disaster recovery environment which states that ‘Same copy as production environment. Real time replication of the system in the production environment’ (pg 123 of 448)</p> <p>We confirm your comments as true.</p> <p>The disaster recovery environment shall therefore be a mirror of the production environment with real-time replication</p>
3.	<p>Form 1-Foreign Tenderers 40% Rule</p> <p>In your response to question 8 you imply that the 40% rule does not apply. Please confirm or clarify if otherwise. If this is confirmed, please also confirm that Tenderers do not need to submit the Form 1-Foreign Tenderers 40% Rule of page 75.</p>	<p>Refer to item 2 Addendum II dated 8th September, 2021</p>
4.	<p>Please refer to Page no. 87</p> <p>In accordance with ITT 11.1(j), Tenderers must submit, as part of their tenders, lists of all the Software included in the tender</p>	<p>Refer to ITT 13.1 (j) page 14 of the Tender Document</p>

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	<p>assigned to one of the following categories: (A) System, General-Purpose, or Application Software; or (B) Standard or Custom Software. Tenderers must also submit a list of all Custom Materials. These categorizations are needed to support the Intellectual Property in the GCC and SCC</p> <p>There is NO such clause ITT 11.1(j). Please help with correct clause.</p>	
5.	<p>We are getting Addendum which are in scan format and difficult to search at the time of Tender Preparation. Request you to share the same in Text version for easy searching..</p>	<p>This shall not be possible</p>
6.	<p>Hosting of data in Kenya - Our solution hosts customer data at predefined AWS (Amazon Web Services) data centres. These data centres adhere to the highest level of both electronic and physical data privacy and security standards to ensure safety of customer data. AWS's main focus is hosting customer data and as a result one of their drivers is to continuously improve and update data security management mechanisms to deal with the always evolving threats like hacking. As a result, our solution has AWS as a key partner in ensuring we can offer customers peace of mind around the security of data hosting facilities.</p>	<p>Refer to Addendum No.1 item No. 25 and</p> <p>General Technical Requirements of E-GP System No 25 on Hardware/Technology Architecture page 124 of 448)</p>
7.	<p>Open source database - Open source databases imply that the database coding is open for anyone to view and reuse. Applications like ours have a database structure with a design optimised for the solution and its functionality. As a result, a significant portion of the solution or a likewise company's IP is built into the database design. This is part of what makes it competitive and as result this is not something that a software provider opens up to everyone to see. We would like to understand the purpose of this request and what GoK is aiming to achieve/avoid by insisting on the use of</p>	<p>Tenderers to comply with the Mandatory General technical requirement No. 4 pg 40 of 448. <i>"The proposed database for e-GP System shall be based on open-source database in line with the National Information Communication Technology (ICT) Policy and Guidelines 2020, and the National ICT Standards, 2020"</i>.</p>

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	an open source database.	
8.	<p>We take customer data confidentiality /privacy seriously and as a result submission of full customer contracts for reference purposes is not an option. These reference customers would need to agree for their commercial details to be shared with an unknown entity where confidentiality of this information is only guaranteed by good faith. This will not be acceptable to most customers and even if possible the process of obtaining approval for this type of activity will take considerably longer than the time allowed to respond to this tender.</p>	<p>Refer to Addendum 1 dated 2nd September, 2021 Item 11 page 5.</p> <p>Kindly submit the entire contract document.</p>
9.	<p>Page no. 88 In accordance with ITT 16.2, the documentary evidence of conformity of the Information System to the tendering documents includes (but is not restricted to).</p> <p>There is NO clause ITT 16.2</p>	Refer to clause 18.2
10.	<p>Page No. 88</p> <p>Any separate and enforceable contract(s) for Recurrent Cost items which the TDSITT 17.2 required Tenderers to tender.</p> <p>There is NO Clause TDS ITT 17.2</p>	Refer to clause 18.2 (e)
11.	<p>We are providing a cloud solution and we would like to make further classification on Data Residency as a follow up to previous questions on the same. With regards to addendum 1 s/n 49, is there any specific data which must not be hosted outside of Kenya? For example:</p> <ul style="list-style-type: none"> Contracts Supplier data User data Material master Etc. <p>Please lets us know so as this will affect our architecture and we would like to make changes to the overall picture to</p>	<p>Refer to Addendum No.1 item No. 25 and No. 72</p> <p>and</p> <p>General Technical Requirements of E-GP System No 25 on Hardware/Technology Architecture page (124 of 448)</p>

S/No	Requested Clarifications	Clarification
	reflect the desire of the Treasury on behalf of Government of Kenya	
12.	<p data-bbox="283 232 545 264">Page 103 Item 3.13</p> <p data-bbox="283 309 867 416">There is a requirement of tenderers technical team members to be present on site.</p> <p data-bbox="283 461 867 685">Please clarify if these technical team members will be provided with space to work at the premises of National Treasury or will it be at a separate local premises which the tenderer has to cater along with required infrastructure.</p>	<p data-bbox="890 232 1517 340">The Client shall provide workstations premised at the National Treasury for the technical team that will be present at the site.</p>

All the other terms and conditions remain the same.



**HEAD, SUPPLY CHAIN MANAGEMENT SERVICES
FOR: PRINCIPAL SECRETARY / NATIONAL TREASURY**