

**14<sup>th</sup> December 2023**

**To ALL Bidders,**

**RESPONSE TO ALL BIDDERS- CA/SCM/OT/35/2023-2024, TENDER DOCUMENT  
FOR SUPPLY DELIVERY INSTALLATION AND COMMISSIONING OF AN  
OPEN EDUCATION RESOURCES PORTAL AND ASSOCIATED HARDWARE**

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*The information here below is provided pursuant to ITT 9.1 (Data Sheet), Section I-clause 9 (Clarification of Documents) and clause 10 – (Amendment of tender Documents) of the Tender for supply, delivery, installation and commissioning of an Open Education Resources Portal and associated hardware.*

We have received request for clarifications in reference to the above-mentioned Tender.

Please find herewith attached (*Annex I*) the Authority's responses to the clarifications for your information and necessary action.

In addition, the Authority wishes to inform you that due to public demand and given the effect of Christmas and New year holidays on businesses, the The tender closing date still remains on *Wednesday, 20<sup>th</sup> December 2023 at 1030hrs East African time.*

Yours faithfully,



**Mr. Peter Mwangi**

**FOR: DIRECTOR GENERAL**

**ANNEX I**

<b>No.</b>	<b>Clarification sought</b>	<b>Response by CA</b>
1	Must the three (3) references required to be provided by the bidders be local or is it open to references from sites outside Kenya?	Reference sites and work orders may be from within the country or any other country where similar works have been carried out. What the Authority is looking for is the expertise and capability to deliver the project.
2	In the event that the portal is developed using open-source software, will the MAF be required?	Where open-source software is used, the bidder will be required to sign a support and maintenance agreement with the client which will commence after the expiry of warranty period.
3	Will there be a maintenance and agreement contract after the warranty period?	The successful bidder may negotiate and enter into an agreement with the client (KICD) for support and maintenance for both the portal and the supplied equipment which may commence immediately after the warranty period has expired.
4	Since the Tender document says the Tender is exclusively reserved to firms that is 100% Kenyan owned, does it mean that a company registered in Kenya but have shareholding from overseas is not qualified to bid?	The bidding firm or the nominated leading firm in the joint venture arrangement must have 100% Kenyan shareholding as per the Tender document.
5	In the event of a JV, is it mandatory for both partners to be 100% Kenyan owned or can the partner company be foreign owned?	A Kenyan owned firm which Kenyans own 100% shares can partner with another to supplement its expertise and meet the requirements of the tender. The Kenyan firm must be the lead partner in the Joint venture arrangement. The lead partner will be evaluated on the mandatory requirement and both firms in a joint venture will be evaluated on both technical compliance requirement and technical capacity evaluation requirement
6	Is the experience being sought in the technical capacity on both Software development and the	Bidders are allowed to partner with another company which have the necessary expertise through a Joint Venture (JV), thus the experience in

No.	Clarification sought	Response by CA
7	<p>equipment?</p> <p>Why is the requirement for the supply of both the OER and the infrastructure not in two separate lots?</p>	<p>both the hardware and the software is paramount.</p> <p>The reason for this is to avoid non-responsiveness and/or delays in the delivery of the project which may occur through blame games or delay in delivery of either the development of the portal or the supply of the required equipment by either of the parties who will have bided any of the lots.</p>
8	<p><b>Tender Closing Date</b></p>	<p>The tender closing date still remains <u>Wednesday, 20<sup>th</sup> December 2023 at 1030hrs East African time.</u></p>