



Center for International Health, Education, and Biosecurity

ITT REFERENCE: Ciheb/CCF/2024

**INVITATION TO TENDER (ITT) FOR CUSTOMS
CLEARING & FORWARDING – LOT 3**

CLOSING DATE: 27TH MARCH 2024 AT 1600HRS.

INTRODUCTION

The Center for International Health, Education and Biosecurity Ciheb-Kenya is a local non-governmental organization collaborating with the Ministry of Health and County Health Management Teams to strengthen health systems for improved quality of health care in Kenya. Ciheb-K supports the implementation and expansion of high quality, sustainable and comprehensive HIV prevention, care and treatment programs and expansion of COVID-19 vaccination with funding from the President's Emergency Plan for AIDS Relief (PEPFAR).

Ciheb Kenya seeks to establish a relationship with a reputable Customs Licensed Clearing Agent that will manage and clear shipments on behalf of Ciheb Kenya for their projects 2024-2025 in addition to providing advisory services.

INVITATION TO TENDER

Ciheb Kenya invites sealed tenders from reputable Customs Licensed Clearing Agents. Completed set of documents **Original plus Copy** sealed in a plain envelope and clearly marked as follows should be dropped in the tender box situated at K-rep towers sixth floor.

PROCUREMENT COMMITTEE

ITT REFERENCE: Ciheb-CCF-2024

Centre for International Health Education & Biosecurity Ciheb-Kenya

Address: K-Rep Centre 6th floor Wood Avenue, Kilimani – Nairobi

Closing Date for Submission of ITT

No late submissions of ITT will be accepted. Bidders are therefore advised to ensure that they have taken all steps to submit their ITT in advance of the closing date and time, so that it is received not later than 1600hrs on 27th March 2024 (deadline)

CIHEB Kenya may, at its own discretion, extend this closing date for the submission of ITT by notifying all bidders thereof in writing.

Tender offers submitted via email, will not be accepted.

Ciheb Kenya reserves the right to accept or reject an application and is not bound to give reasons for its decision.

INSTRUCTIONS TO BIDDERS

- In submitting the Invitation to tender, the bidder accepts in full and without restriction the special and general conditions governing this contract as the sole basis of this ITT procedure, whatever his own conditions of service/sale may be, which hereby waives.
- Bidders are expected to examine carefully and comply with all instructions, forms, provisions, and specifications contained in this ITT document.
- Failure to submit an offer containing all the required information and documentation within the deadline specified will lead to the rejection of the tender.
- No account can be taken of any reservation in the ITT as regards the ITT documents; any reservation will result in the immediate rejection of the ITT without further evaluation.
- A tenderer will be required to pay a non-refundable fee of **ksh 4,500** in advance before the closing date of the tender. The amount shall be deposited on Ciheb-K accounts details below and a deposit slip attached together with submitted tender documents. (no cheques)

CIHEB-KENYA
A/C 8559840013
BANK:NCBA
Branch: KILIMANI

Scope of Work- Customs Clearing Agent

To manage and clear shipments on behalf of CIHEB Kenya for their projects 2024-2025 in addition to providing advisory services.

Mandatory Relevant Experience

- Experience clearing consignments for non-governmental organizations and CDC/USAID funded projects using Import Duty Waivers/Exemptions, Tax Exemption Certificates and Statutory bodies /permits (experience dealing with Pharmacy and Poisons Board{PPB}).
- Experience clearing temperature sensitive shipments that need to be maintained between 2 – 8 degrees Centigrade/Celsius (refrigerated) and -15 to -35 degrees Centigrade/Celsius (frozen) within 24 hours.
- Demonstrated experience clearing laboratory supplies, pharmaceuticals, and medical equipment.
- Experience assisting organizations to facilitate the process of obtaining waivers for products that have not been prequalified for entry by relevant regulatory bodies (such as PPB).
- Documented experience providing end-to-end advisory services to organizations as it relates to meeting regulatory requirements and facilitating processes related to customs clearance of laboratory reagents, test kits, controls, consumables, and equipment.

Roles and Responsibilities of the Clearing Agent

Customs Clearance

- Initiate the preclearance procedure using the Advanced Shipment Notices (ASNs) with designated shipment numbers.

- Assist CIHEB Kenya to obtain and/or make available all licenses, clearances, permissions, authorizations, consents and permits necessary to clear laboratory reagents, test kits, controls, consumables, and equipment.
- Clearing Agent must comply with all applicable statutory and regulatory requirements as they relate to the clearing of shipments.
- The Clearing Agent will be responsible for making all third-party payments to relevant bodies to facilitate the clearance process and will retain evidence of such payments and provide copies of the same to CIHEB Kenya.
- The clearing agent will keep CIHEB Kenya always informed of the status of the shipment(s) and the clearing processes through the logistics & operations team.

Consignment Deliveries

- The Clearing Agent shall be responsible for the off-loading of the vehicle and will confirm that the consignment corresponds to the shipment documentation provided.
- The agent may be required to temporarily warehouse these commodities, in a situation where the transit period may extend beyond a time when the receiving facilities can safely execute the goods receipt and verification process.
- Clearing Agent Delivery Notes and Proofs of Delivery (PODs) must reference the CIHEB Kenya assigned shipment numbers. This number must also be referenced during invoicing, payments and any communication.
- At a minimum, all deliveries must be accompanied by the clearing agents' delivery note, a copy of the waybill (airline waybill, bill of lading, road manifest), packing list, commercial invoice.
- The Clearing Agent shall provide appropriate, well-covered vehicles and/or suitable leased transportation to transport the consignment from the ports to the designated CIHEB Kenya delivery location.
- Agent must obtain goods in transit insurance from port to the delivery point including insurance cover at any temporary storage location.
- The clearing agent is responsible for the offloading of shipments at the designated storage location and providing the necessary equipment (e.g. forklifts and cranes) that may be required to offload such shipments.

Advisory Services

- Provide advisory services on regulatory requirements, clearing policies, procedures, and documentation. This will include but not be limited to Kenya Revenue Authority (KRA), Pharmacy and Poisons Board (PPB), and Kenya Bureau of Standards (KBS).
- Ensure that the CIHEB Kenya is made aware of all relevant requirements of any applicable law, regulation or code of practice which applies or is relevant to the provision of the clearing service to CIHEB Kenya and advice on changes of customs and port/terminal procedures.
- Provide technical assistance to enable CIHEB Kenya obtain import licenses from KRA and PPB for laboratory reagents, test kits, consumables and medical equipment as may be required.
- On commencement of the contract, confirm if any special permits will be required for a selected list of items and facilitate the process of obtaining these permits as per CIHEB Kenya's Inventory Master List in collaboration with the CIHEB Kenya logistics team.

- Assist with the registration process for new products in-country if required or instructed by relevant regulatory authorities.

Issue Resolution

- The clearing agent shall be available at the request of the CIHEB Kenya outside normal business hours, to address the requirements of any emergency in a timely fashion.
- The agent shall monitor the clearing process and other relevant applications carefully and rapidly address issues that arise in a timely manner. These issues must be reported to CIHEB Kenya as soon as they occur.
- The clearing agent will outline in a technical proposal their methods employed to verify and monitor temperature and storage conditions in the event of clearance delays of items while still in customs custody. Supporting documented evidence of such arrangements with customs must be submitted with the technical proposals.

Mandatory Requirements for Evaluation

The following documents are mandatory and must be attached.

- a) Copy of certificate of Incorporation as a company issued by the Registrar of Companies.
- b) Copy of current trade license
- c) Copy of current customs agent license certificate
- d) Copies of audited accounts for the last two years. The accounts must be signed by the company's Certified Public Accountant.
- e) Copy of current Tax Compliance Certificate
- f) List of Directors, telephone and their postal address (Form CR 12 as issued by the Registrar of Companies (original) or certified as true copy).
- g) Tax clearance certificates for each director.

Technical Evaluation Criteria

All tenders will be reviewed and evaluated based on the criteria enumerated in the table below.

Only bidders who pass the 60% technical threshold will move on to the cost negotiation and claim verification phase. **CIHEB Kenya reserves the right to visit the offices of bidders to determine that they have all the capacity and capability stated in the bids.**

Evidence of jobs/works done with other National/international NGO's will be required. (5 PO/contracts attach copy – one each per organization 4 marks per evidence).

Technical Evaluation Criteria	Max Score
Experience clearing temperature sensitive shipments that need to be maintained between 2 – 8 degrees (refrigerated) Centigrade/Celsius (within 24 hours). – 4 marks per evidence.	20
Experience clearing temperature sensitive shipments that need to be maintained between -15 to -35 degrees Centigrade/Celsius (frozen)(within 24 hours). - 4 marks per evidence.	20
Experience clearing non-temperature sensitive laboratory supplies and reagents for non-governmental organizations and CDC/USAID funded projects using Import Duty Waivers/Exemptions, Tax Exemption Certificates and Statutory Articles. - 4 marks per evidence.	20
Experience assisting organizations to facilitate the process of obtaining waivers for products that have not been prequalified for entry by relevant regulatory bodies. - 4 marks per evidence.	20
Experience providing end-to-end advisory services to organizations as it relates to meeting KRA, PPB & KBS requirements related to customs clearance of laboratory reagents, test kits, controls, consumables, and equipment. - 4 marks per evidence.	20

Technical Proposal

Bidders are required to submit a technical proposal that outlines their capabilities and expertise relevant to the service delivery. The narrative should contain details that show preparedness and an understanding of the task.

Additional information has been provided as an annex. Please note that this information is intended to enable the bidder to have an indication of the projected requirements. It does not represent a commitment that CIHEB Kenya will purchase a minimum quantity of services. Actual quantities and other logistics variables may vary and will depend on the requirements of the CIHEB Kenya’s projects.

Note also that the technical proposal should not contain any pricing information. Information on costs and pricing should be included in the cost proposal submitted as a separate document with the package.

Customs Clearance Technical Proposal

Two representative consignments listed as shipments 1 and 2 are provided as an annex with the following details:

- Shipment 1 - non cold chain – contains all laboratory consumables and equipment & IT supplies, dangerous goods.
- Shipment 2 - Cold chain items

With the **Mandatory Relevant Experience** and **Technical Evaluation Criteria** outlined in this document in mind, kindly submit a technical proposal describing the steps, special considerations, methods your organization will undertake to clear and deliver each shipment to a named warehouse within Nairobi, Kenya.

Your entire response (for Shipments 1 & 2) should cover the period from initial briefing of the intent to import the representative shipments and should include information on the average clearing time in days from the receipt of shipping documents to final delivery at a designated warehouse within Nairobi in addition to providing information on the typical advisory support provided.

For temperature sensitive shipments, care should be taken to explain how the integrity of the products will be maintained **and** verified from arrival of the consignment to final delivery at the CIHEB Kenya warehouse.

Cost proposal

The cost proposal will contain all the financial aspects of the proposed solution and would include supporting information with regards to the breakdown of the costs and assumptions.

Section A: for representative shipments 1, and 2 kindly provide detailed quotes to clear the consignments and deliver them to CIHEB Kenya warehouse within Nairobi, Kenya. Quotes should provide a breakdown of all associated costs (e.g. third-party payments to government agencies, handling charges, delivery, loading and offloading at warehouse within Nairobi etc.) required to clear and deliver each shipment.

Details for demonstrative shipment 1 and 2 are provided in the annex.

- *Shipment 1* - non cold chain – contains all laboratory consumables and equipment, dangerous goods and lab consumables and IT supplies.
- *Shipment 2 – Cold chain items*

A Summary Table (example below) should accompany the detailed quotes.

Clearing Costs for Representative Shipments			
Cost breakdown e.g. (Kindly add rows as required.)	Total Cost Shipment	Shipment 1	Shipment 2
1. Clearing charge			
2. GIT Insurance			
3. etc.			
4. etc.			
Total Cost			

Section B: In this section, kindly submit a standard quotation for clearing charges with the following details included:

- Clearing charge per Kilogram (Kg) on a sliding scale of progressive weight increments.
- Minimum weight/clearing charge.
- Provide details on 3rd party charges.
- Any other special conditions for clearing special items (e.g. temperature sensitive consignments)

Appendixes

- *Annex 1 – Inventory List*
- *Annex 2 – Shipment 1 (Sample of non-cold chain items)*
- *Annex 3 – Shipment 2 (cold storage items)*
- *Appendix A - Confidential Questionnaire*
- *Appendix B – Price schedule*

ITT Validity Period

The tender validity period should be 90-calender days from the date of ITT closure.

Modification and Withdrawal of ITT

The bidder may withdraw/modify its proposal any time after the proposal’s submission and before the closing of tender submission by providing a written and signed notice of the withdrawal/modification. No proposal may be modified/withdrawn after the closing date for submission of ITT.

No proposal may be withdrawn in the interval between the closing date for submission of ITT and the expiration of the proposal 90 days after.

Amendment of the ITT

CIHEB Kenya may, at any time before the closing date for submission of ITT, for any reason, whether on its own initiative or in response to a clarification requested by a (prospective) bidder, modify the ITT by written amendment. Amendments could, inter alia, include modification of the ITT scope or requirements, the project timeline expectations and/or extension of the closing date for submission of ITT. This will be updated on the Ciheb-K website documents to be downloaded.

Note: Each bidder who downloads the tender document should notify the procurement entity at procurement_kenphia@cihebkenya.org to facilitate ease of communication on ITT changes

Opening of Proposals

After the closing date for submission of Tender offers, CIHEB Kenya will open the ITT bid offer that were received in a timely manner.

In a second and later stage, only the financial proposals of those bids which have achieved the minimum technical threshold according to the evaluation process will be opened and evaluated.

There will be no public tender opening.

Clarification of Proposals

CIHEB Kenya may, at its discretion, ask any bidder for clarification of any part of its tender proposal. The request for clarification and the response shall be in writing. No change in price or substance of the proposal shall be sought, offered, or permitted during this exchange.

DISCLAIMER

This ITT is published for the information of any qualified and prospective Firm only and does not constitute the Award or an offer by Centre for International Health, Education & Biosecurity (CIHEB)-Kenya to transact with any party for this service nor does it also constitute a commitment or obligation on the part of Centre for International Health, Education & Biosecurity (CIHEB)-Kenya to procure the concession service.

Centre for International Health, Education & Biosecurity (CIHEB)-Kenya will not be responsible for any costs or expenses incurred by any interested party in connection with any response to this Invitation to Tender (ITT) and/or the preparation or submission in response to an inquiry.

Centre for International Health, Education & Biosecurity (CIHEB)-Kenya is not bound to consider or shortlist any qualified and prospective Firm(s) and reserves the right to annul the selection process at any time without any liabilities and thereof.