REPUBLIC OF KENYA



PARLIAMENT OF KENYA LIBRARY

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – FOURTH SESSION

THE DEPARTMENTAL COMMITTEE ON HEALTH

COMMITTEE INQUIRY INTO THE UTILISATION OF THE APPROPRIATED FUNDS FOR COVID-19 PANDEMIC TO THE MINISTRY OF HEALTH IN 2019/20 FINANCIAL YEAR WITH FOCUS ON KENYA MEDICAL SUPPLIES AUTHORITY (As amended on Tuesday 1st December, 2020)

VOL 1 ANNEXTURES

CLERK'S CHAMBERS,
DIRECTORATE OF COMMITTEE SERVICES,
PARLIAMENT BUILDINGS,
NAIROBI.

OCTOBER, 2020

Monday, 17 Aug

Annexure - 001 -

Ministry of Health

RESPONSES TO DEPARTMENTAL COMMITTEE ON HEALTH REGARDING DISBURSEMENT OF FUNDS TO FIGHT THE COVID-19 PANDEMIC

A. INTRODUCTION

The Ministry refers to the communication from the National Assembly vide letter Ref. No.NA/DCS/HEALTH/2020/ (060) dated 6th August, 2020 requesting a virtual meeting with the Departmental Committee on Health on Thursday, 13th August, 2020 to deliberate on disbursement of funds to the Counties to fight COVID-19 pandemic. Submissions on the following matters have also been requested.

1. **Status of disbursement of funds to the counties to fight the COVID-19 pandemic, since March, 2020.**
2. **A detailed report on all funds the National Government has received from Development Partners towards the fight against COVID-19 and how these funds have been utilized.**
3. **Status of counties preparedness in the fight against the pandemic.**

Response

Chair and Honourable Members, since the beginning of the pandemic, the Ministry received a total of Kshs. 23,448,500,000 in FY 2019/20 Budget funded from GoK own revenues and external funding out of the funds disbursed by the National Treasury to various State Agencies for COVID-19 emergency response. The funds received were disbursed to Counties, State Agencies and national referral hospitals as follows.

a) Chair and Honourable Members, under the National Emergency Response Committee (NERC) recommendation, a total of **Kshs. 300 Million** was allocated from the National Contingency Fund and channeled through the Ministry of Health to facilitate preparation of the national response to COVID-19. It should be noted that at that point, no institution had provision of funds related to COVID-19 since it was not anticipated.

b) Chair and Honourable Members, the funds were received at MOH and disbursed as AIE to the following MDAS and SAGAS: Ministry of Foreign Affairs **(Kshs.10,000,000)** to support Kenyan students in Wuhan, China; Ministry of Defence **(Kshs.75,000,000)** for Defense teams' immediate preparedness and readiness to response; National Youth Service **(Kshs.10,000,000)** to provide personnel to assist coordination activities at the airport when all passengers were subjected to 14 day quarantine as well as assist in manning the quarantine facilities and buses to ferry passengers; Kenyatta National Hospital **(Kshs.150,000,000)** to equip the first COVID-19 isolation center at Mbagathi; State Department for Broadcasting and Telecommunication **(Kshs.5,000,000)** for community

(Kshs.1,500,000) to facilitate completion of construction works, [illegible] provision of access roads to the Isolation Centre at Mbagathi Hospital. The balance of **Kshs.48,500,000** was used to purchase equipment and chemicals for fumigation as public health measures.

c) Chair and Honourable members, a total of **Kshs.1 Billion** was provided for enhancing Human Resource capacity towards the fight against COVID-19 in the country. The funds were to be used to recruit health care workers for Counties and Ministry of health (1,119) and at the National Referral Hospitals to increase the country's capacity to respond to the pandemic. The Public Service Commission undertook a successful recruitment process and 852 new officers have been deployed to various health facilities across the country and the National referrals were given the Kshs. 413.7M for recruitment. (*Annex I- Summary of HRH Recruitment for COVID-19*).

d) Chair and Honourable Members, Parliament allocated **Kshs.3 Billion** in Supplementary Estimates No. II for FY 2019/20 to support COVID-19 treatment in seven Hospitals including Coast General Hospital **(Kshs.500 Million)**, Jaramogi Oginga Odinga Teaching & Referral Hospital **(Kshs.400 Million)**, Kisii Hospital **(Kshs.300 Million)**, Mandera Hospital **(Kshs.300 Million)**, Kenyatta National Hospital **(Kshs.600 Million)**, Moi Teaching and Referral Hospital **(Kshs. 400 Million)** and Kenyatta University Referral and Teaching Hospital **(Kshs. 500 Million)**. All funds were received by the MOH and disbursed to the hospitals.

e) Chair and Honourable Members, in ensuring that the country preparedness and response to COVID 19 is realised across the country, the National Government provided **Kshs. 5 Billion** by way of financial support to all County Governments in Supplementary Estimates No. III for FY 2019/20. The Ministry disbursed funds to the County Governments as conditional grants based on a revenue sharing formula from the Commission on Revenue Allocation (CRA) communicated vide letter Ref. No. CRA/CSO/COG/13/VOL.II (1) dated 29th April, 2020. This followed consultations between the Council of Governors and CRA where the Commission recommended use of a composite index based on county health indices as basis for sharing the **Kshs.5 Billion**. (*Annex II- the schedule of disbursement to Counties as contained in the CRA letter*). The County Governments were expected to prioritize quarantine and isolation expenditures using the disbursed funds. (*Annex III-Conditional Management Framework for Kshs.5B to Counties*).

f) Chair and Honourable Members, in Supplementary Estimates No. III for FY 2019/20, the Ministry received **Kshs. 3,432,000,000** for COVID-19 providing a three months' emergency allowance and medical benefits for frontline healthcare workers who did not have any insurance cover provided by their Counties. The funds were received and transferred to Counties as per the allocations contained in the Salaries and Remuneration Commission (SRC) letter Ref. No. SRC/TS/COG/3/61/48 dated 28th April, 2020. (*Annex IV- the SRC Communication on Allowances and benefits*).

g) Chair and ...

Kshs.520,000,000 was allocated for health workers' medical cover out of which **Kshs.500,000,000** was for Provision of medical cover for 15,000 healthcare workers in 22 County Governments not covered in any other medical scheme and **Kshs.20,000,000** for provision of psychosocial support to Health workers during COVID-19 crisis. However, both components of the funds totalling **Kshs.520,000,000** were not utilized due to lack of a framework for the insurance and psychosocial support and considering that there was no time to establish the frameworks since the funds were received at the end of the financial year in the fourth week of June, 2020. Subsequently, the Ministry has requested for the amount to be re-voted in this current financial year through Supplementary 1 budget estimates.

h) Chair and Honourable members, **Kshs.1.5 billion** was received in the fourth quarter by the Ministry for provision of test kits and laboratory reagents as approved in supplementary 111. The funds were immediately transferred to KEMSA and so far requisitions have been raised by the Ministry to the Agency to procure the items.

i) Chair and Honourable Members, the Ministry received **Kshs.300 Million** in the fourth quarter of 2019/20 for procurement of reusable face masks that shall be provided to vulnerable persons in the country. The funds were transferred to KEMSA and procurement of the masks is ongoing. Distribution of the re-usable face masks shall be undertaken through the National Government and

Administration (NGAO) using County Commissioners and Chiefs to the identified the vulnerable persons.

j) Chair and Honourable Members, another **Ksh.200 Million** was provided by the NT for support towards quarantine considering it is a critical intervention against the pandemic. The funds are to compensate for accommodation of persons held in quarantine within public institutions including schools, colleges and Universities at a rate of Kshs. 2000 per day. This is to defray the costs incurred on meals, cleaning and related general costs. Health workers are deployed in each facility by Counties to monitor the health status of the 6uarantines.

For effective and timely payments to the institutions, the funds were transferred to Kenya Medical Dentist and Practitioners Board who are in charge of the coordinating activities of quarantine and isolation facilities in line with their mandate. So far about 50% of the funds have been utilised.

k) Chair and Honourable Members, Kshs.500million was disbursed to KMTC for conversion of 36 campuses (with bed capacity of 2,277) across the country to isolation/treatment centres for COVID-19 asymptomatic/mild cases. KMTC is in the process of preparing the identified campuses into isolation centres. In effect, this will create more capacity for hospitals to admit and care for critical cases in the Country.

l) Chair and Honourable Members, the Ministry also received and disbursed **Kshs.140 Million** for conversion of a Daycare Centre to a ward for COVID-19 patients. Additionally, **Kshs.526.5 Million** was disbursed to KUTRRH for operationalization of a 300- bed capacity for COVID-19 cases. The funds were received under Supplementary Estimates No.II for FY 2019/20.

m) Additional funding of **Kshs.850 Million** for COVID-19 emergency response to four county Governments were provided and communicated, vide the National Treasury letter Ref. No. DV/ES1081/19/01(114) dated 14th May, 2020. The funds were to be disbursed to four Counties as conditional grants as follows: Mombasa **(Kshs.250 Million)**; Kwale **(Kshs.150 Million)**; Kilifi **(Kshs.150 Million)** and Mandera **(Kshs.300 Million)**. The Ministry, in a rejoinder vide letter Ref. No. MOH/FIN/1/A VOL II (485) dated 28th May, 2020, asked for the redistribution of the Kshs.850 Million to seventeen high risk Counties each earmarked to receive Kshs.50 million. The Counties are: Taita-Taveta; Kajiado; Busia; Trans Nzoia; Migori; Kilifi; Kakamega; Wajir; Garissa; Turkana; Kiambu; Machakos; Mandera; Siaya; Bungoma; Kwale and Mombasa. These 17 counties are highly exposed due to the truck drivers passing through and porous borders. The response from National Treasury was received vide letter Ref. No. RES1081/19/01'B' (42) dated 10th June, 2020 communicating that the redistribution is untenable given the approval had already been communicated to the four County Governments. Following this, the Ministry requested the National Assembly through the Health Committee to consider the proposal during Supplementary III. However, this was not successful before the financial year lapsed and the funds were not utilized.

n) The County Governments received additional funding of **Kshs.350 Million** from the Government of Denmark through DANIDA under the "Support to Universal Health Care in the Devolved System in Kenya" for the County Governments. The funds are to assist them to meet utility costs and therefore enable them direct

more funds towards COVID 19 interventions. The funds were received at the MOH and immediately disbursed as conditional grants to Counties for Level II and III health facilities as per the approved disbursement schedule. (*Annex V- the disbursement schedule to Counties for level II and III health facilities*).

o) **Kshs.1 Billion** from the World Bank was provided under the "Transforming Health Systems for Universal Care Project" (THS-UCP) through Contingency Emergency Response Component. The funds were earmarked for provision of COVID-19 test kits and laboratory reagents; Personal Protective Equipment, risk communication and support operations of the National Emergency Operation Centre and contact tracing teams.

p) **Kshs.5.35 Billion** from the World Bank provided under the "Kenya COVID-19 Emergency Response Project". Of this, **Kshs.5 Billion** was through the COVID Financing Facility and a grant of **Kshs.350 Million** through the Pandemic Emergency Facility. The funds are earmarked for the following interventions: Medical Supplies and Equipment; Response, Capacity Building and Training; Quarantine, Isolation and Treatment Centers; Medical Waste Management; Community and Information Outreach; Availability of Safe Blood and Blood Products; Social & Environmental Safeguards.

q) Chair and Honourable Members, the Ministry has also received support from our Development Partners to help in fight against the pandemic. A report indicating the donations and contributions from our development partners is attached. (*Annex VI-COVID 19 Donations from DPs and Distribution list in soft copy*).

r) In conclusion, Chair and Honourable Members, below...

received/disbursed through the MoH budget for FY 2019/20. Some of the funds in

the budget were not disbursed/utilized for reasons indicated above.

Table 1: Summary of Funds in MoH Budget for FY 2019/20- Received/Disbursed

GoK	External	Remarks
Amount (Kshs.)		
300,000,000.0		The funds were disbursed to various Government Agencies for mitigation measures against COVID-19 as highlighted above.
1,000,000,000.0		For salaries of 1,119 health care workers at Counties and National level up to June, 2020. Kshs.413.7M was disbursed to National Referral Hospitals for HR recruitment. The balance of Kshs.586.3M was not utilized since the recruitment process had not been concluded by end of June, 2020.
3,000,000,000.0		Funds were disbursed to 7 Hospitals for Kenya COVID-19 Emergency Response as listed in (d) above.
140,000,000.0		The funds were disbursed to KNH for conversion of a Daycare Centre to a ward for COVID-19 for health care workers.
526,500,000.0		The funds were disbursed to KUTRRH for operationalization of 300 bed Capacity for COVID-19 cases.
	1,000,000,000.0	The funds from World Bank were provided under the Transforming Health Systems for Universal Care Project (THS-UCP) through Contingency Emergency Response Component. To date, Kshs.461M has been utilized Kshs.461M has been utilized and the balance shall be utilized in this financial year. (*Annex VII-Distribution list*).
	5,350,000,000.0	The funds from World Bank were provided under the Kenya COVID-19 Emergency Response Project through the COVID Financing Facility.

GoK	External	Remarks
Amount (Kshs.)		
		Kshs.377M has been spent on ventilators, lab testing kits, reagents and vehicles for contact tracing teams in various Counties. (*Annex VIII-Distribution list*).
5,000,000,000.0		The funds were disbursed to County Governments for COVID-19 Emergency Response as per the allocation schedule from Commission on Revenue Allocation. (*Annex IX-Letter on Conditional Grants to Counties*)
850,000,000.0		The funds that were earmarked to the four Counties (Mombasa, Kwale, Kilifi and Mandera) **were not disbursed**. The Ministry had requested to re-distribute the money to 17 Counties which was not concluded by end of financial year.
200,000,000.0		Funds provided for Administration of Quarantine Facilities. Of this, Kshs.45.7M was paid from the MoH HQs and Kshs.154.3M disbursed to KMPDC. *(Annex X- AIE to KMPDC and Payment list)*
300,000,000.0		Funds provided for Supply of Masks to Vulnerable Groups. The funds were transferred to KEMSA. (*Annex XI-AIE to KEMSA*)
500,000,000.0		Allocation for Conversion of KMTC Campuses to Isolation/Treatment Centres for Asymptomatic/Mild COVID-19 Cases. The funds were transferred to KMTC. (*Annex XII- AIE to KMTC*).
1,500,000,000.0		Funds allocated to cater for Procurement of Testing Kits and Reagents. The funds were transferred to KEMSA together with requisitions of items to be procured. (*Annex XIII-AIE to KEMSA*).
3,432,000,000.0		Allocation for COVID-19 Emergency Allowances and Benefits for Frontline Workers. Kshs.2.36 B were transferred to Counties and Kshs.284.2M to SAGAs as indicated in SRC letter. (*Annex XIV-Letter on Allowances to Counties*).
	350,000,000.0	The funds from DANIDA were provided under the Support to Universal Health Care in the Devolved System in Kenya. The funds were

GoK	External	Remarks
Amount (Kshs.)		
		transferred to Counties for Level II and III health facilities.
16,748,500,000	**6,700,000,000.0**	**Total**

Chair and Honourable Members, on the status of Counties preparedness, the Ministry provided funds to the Counties under the conditional management framework and each County Government was to ensure utilization of the funds for COVID-19 related activities as detailed in the conditional management framework (Annex III). Therefore, the Council of Governors is well placed to comment/provide details on the level of Counties preparedness.

Chair and Honourable Members, I hereby wish to submit the above responses and Annex I to XIV.

Susan N. Mochache, CBS
Principal Secretary

14th August, 2020

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g) Chair and ... Annexture - 004

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h) Chair and Honourable members, **Kshs.1.5 billion** was received in the fourth quarter by the Ministry for provision of test kits and laboratory reagents as approved in supplementary 111. The funds were immediately transferred to KEMSA and so far requisitions have been raised by the Ministry to the Agency to procure the items.

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Annex - 005 -

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GoK	External	Remarks Annexure - 006-
Amount (Kshs.)		
		Kshs.377M has been spent on ventilators, lab testing kits, reagents and vehicles for contact tracing teams in various Counties. (*Annex VIII-Distribution list*).
5,000,000,000.0		The funds were disbursed to County Governments for COVID-19 Emergency Response as per the allocation schedule from Commission on Revenue Allocation. (*Annex IX-Letter on Conditional Grants to Counties*)
850,000,000.0		The funds that were earmarked to the four Counties (Mombasa, Kwale, Kilifi and Mandera) **were not disbursed**. The Ministry had requested to re-distribute the money to 17 Counties which was not concluded by end of financial year.
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500,000,000.0		Allocation for Conversion of KMTC Campuses to Isolation/Treatment Centres for Asymptomatic/Mild COVID-19 Cases. The funds were transferred to KMTC. (*Annex XII- AIE to KMTC*).
1,500,000,000.0		Funds allocated to cater for Procurement of Testing Kits and Reagents. The funds were transferred to KEMSA together with requisitions of items to be procured. (*Annex XIII-AIE to KEMSA*).
3,432,000,000.0		Allocation for COVID-19 Emergency Allowances and Benefits for Frontline Workers. Kshs.2.36 B were transferred to Counties and Kshs.284.2M to SAGAs as indicated in SRC letter. (*Annex XIV-Letter on Allowances to Counties*).
	350,000,000.0	The funds from DANIDA were provided under the Support to Universal Health Care in the Devolved System in Kenya. The funds were

Annexure - 008

An ISO 9001:2015 Certified Hospital

MOI TEACHING AND REFERRAL HOSPITAL

REPORT ON UTILIZATION OF FUNDS IN THE FIGHT AGAINST COVID-19 PANDEMIC

PRESENTED TO

NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON HEALTH (NADCH)

AT

MAIN CHAMBERS, MAIN PARLIAMNET BUILDINGS

ON

28TH AUGUST 2020, 10:00 A.M

Introduction

As a national teaching and referral hospital, Moi Teaching and Referral Hospital (MTRH) plays a critical role in provision of specialized health care, training and research and participation in national health planning. Since the first case of COVID-19 pandemic was reported in the Country on 13th March 2020, MTRH has played a key role in implementing strategies for containment and suppression against the spread of the pandemic including coordinating strategy meetings with Governors of the North Rift Economic Block (NOREB), rolling out contract tracing, training of health care workers within the region, enhancing the capacity of MTRH to manage COVID-19 cases through support from National Government and Ministry of Health and providing advisory and working closely with the National Emergency Response Committee (NERC).

All these measures have had a significant impact in the fight against COVID-19 pandemic and MTRH together with its stakeholders will not relent in its effort to flatten the curve of case transmission.

MTRH submits its report on the areas stated as follows;

1. **A detailed status report of all funds received towards the fight against COVID-19 since March 2020 including the source and when the funds were received, the purpose of the funds and commitment instruments**

In response to the pandemic, MTRH has been supported by the Ministry of Health to increase the preparedness through financial support both for Human Resource for Health (HRH) and infrastructure support through an allocation of a total of **Kshs. 549,504,700** as detailed below;

Table1: Funds received, Source and purpose

No	Amount (Kshs)	Date Receipt	Purpose of the funds	Source of funds	Commitment instruments
1	42,824,700	23rd April 2020	Recruited of staff on 3 months contract	GOK	AIE

2	106, 680,000	7th July 2020	COVID-19 Allowance for Health Care Workers	GOK	AIE
3	400,000,000	7th July 2020	Advertised on 14th and 4th August 2020 and currently undergoing tender evaluation.	GOK	AIEs
	549,504,700				

Annexure 1: Commitment instruments (AIEs)

2. **A detailed report on how the funds received have been/are being expended towards mitigating the effects of COVID-19**

The funds received for Covid-19 recruitment on contract and allowances for frontline health workers have been paid out. Funds to enhance preparedness capacity of MTRH to manage Covid-19 cases have not been expended as the procurement process is ongoing.

Table 2: Utilization status of funds received

No	Funding description	Amount (Kshs)	Date Receipt	Status of utilization
1	Funds for recruitment of healthcare workers to address COVID-19 crisis at MTRH- 3 months contract for 132 frontline healthcare workers.	42,824,700	23rd April 2020	Recruited and paid in April, May and June 2020
2	Allowances for frontline healthcare workers dealing with COVID-19	106, 680,000	7th July 2020	Paid one-off through July 2020 payroll to the front

				line healthcare workers
3	Kenya Emergency Response Funds for COVID-19 for Medical Equipment and Oxygen Plants as per attached list.	400,000,000	7th July 2020	Advertised on 14th and 28th August 2020 and currently undergoing tender evaluation.

Table 3: Distribution of 132 health care workers by cadre

S/No	Designation	Total number recruited
1	Medical Specialists	3
2	Specialized Nurses	22
3	Medical Officers	10
4	Registered Nurses	38
5	Medical Laboratory Technologist	5
6	Registered Clinical Officers	6
7	NOREB Registrars	38
8	Public Health Officers	10
	Total	**132**

3. A detailed report on all procurements undertaken towards the fight against COVID-19 pandemic

As indicated in the table above, an allocation of Kshs 400,000,000 was allocated to MTRH for COVID-19 emergency response. The procurement process for medical equipment and other infrastructure project is ongoing. The advertisements were carried in MyGov on 14th and 28th July 2020. A detailed list of the items are hereby attached. Currently the tenders are been evaluated by various Evaluations Teams as appointed by the Accounting Officer as per the Public Procurement and Asset Disposal Act, (PPAD), 2015.

The MTRH Board discussed and approved the utilization of Kshs 400,000,000 received for Covid-19 Emergency Response Funds in its 69th Board meeting held on 17th- 18th July 2020. **(Annexure 2- Minutes of 69th Board Meeting)**

Table 4: The tenders under Covid-19 projects

No	Tender No	Particulars of Tender	Eligibility	Date Closed
1	MTRH/T/3/2020-2021	Tender for Supply, Delivery, Installation and Commissioning of Medical Equipment	Open	30th July 2020
2	MTRH/T/24/2020-2021	Tender for Supply, Delivery, Installation and Commissioning of 2x1000 LPM Oxygen Generating Plants	Open	4th August 2020
3	MTRH/T/25/2020-2021	Tender for Supply, Delivery, Installation, Testing and Commissioning of HVAC system at World Bank Isolation Ward	Open	30th July 2020
3	MTRH/T/26/2020-2021	Tender for Supply, Delivery, Installation and Commissioning of oxygen piping and accessories to isolation wards	Open	30th July 2020
4	MTRH/T/29/2020-2021	Tender for Supply, and Delivery of Motor Vehicles	Open	12th August 2020
5	MTRH/T/30/2020-2021	Tender for Supply, Delivery, Installation, Testing and Commissioning of HVAC system at Rafiki Isolation Ward	Open	12th August 2020

6	MTRH/T/33/2020-2021	Tender for Supply, Delivery, Installation, Testing and Commissioning of Medical gas Piping to Shoe4AFRICA Children Hospital at MTRH	Open	12th August 2020

At this point, the procurement process of the above listed tenders are active and has not yet reached the award stage. The process for the tenders is expected to be concluded in the coming week. The details of the awarded entities/companies, tender documents and respective tender awards, ownership status and payment status can therefore be availed when the respective tenders are concluded.

The details of bidders who participated in the tenders are attached as copies Tender Closing and Opening Minutes **(Annexure 4).**

Other support documents for the procurement process of the above tenders are attached as follows;

- Approved Procurement Plan for 2020/2021FY **(Annexure 3),**
- Approved Procurement Requests (**Annexure 5**),
- Tender Document **(Annexure 6)**
- Copies of Tender Advertisements **(Annexure 7)**

4. A detailed report of all the donations received

MTRH has not received any financial donations from any other source apart from the Covid-19 emergency funds from GOK. However, we have received donations in kind from various partners since March 2020 to support towards the fight against Covid-19. The details of the donations are as listed in the table below;

Table 5: List of Donations received at MTRH

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
21st Mar 2020	MOH	Clean examination gloves medium	Pcs	1000	3	3,000
	MOH	N95 masks	Pcs	200	735	14,7000
		PPE Kit	Pcs	20	3500	70,000
		Coveralls	Pcs	300	1500	450,000
						670,000
27th Mar 2020	MOH	Automatic dispensers	Pcs	2	3500	7000
		Non-automatic dispensers	Pcs	10	2500	25,000
		Hand sanitizer 100ml	Pcs	400	150	60,000
						92,000
31st Mar 2020	MOH	Hand sanitizer 500ml	Bottle	48	600	28,800
		Hand sanitizer 20 litre can	Jerrican	4	24,000	96,000
						124,800
8th April 2020	Dr Mwaniki and friends	Cloth facemasks	Pcs	40	35	**1,400**
21st Apr 2020	Dr Mwaniki and friends	Cloth facemasks	Pcs	45	35	**1,575**

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
28th Apr 2020	Dr Mwaniki and friends	Cloth facemasks	Pcs	200	35	**7,000**
16th Apr 2020	MOH Covid	Hand sanitizer 500ml	Bottles	200	165	33,000
		Plastic aprons disposable	Pcs	1000	4.8	4,800
		Sterile gloves size 7.5	Pairs	1000	19.6	19,600
		Yellow bin liners	Pcs	1000	255.5	255,500
		Surgical mask	Pcs	1000	47	47,000
						359,900
17th April 2020	EABL	Hand sanitizer 100ml	Bottles	720	150	108,000
17th April 2020	MOH Covid	Gauze roll X-ray detectable	Rolls	10	1071	10,710
		Dispensing envelopes	Pkts	1	100	100
						10,810
4th May 2020	Ms Medionics Healthcare Ltd	Surgical masks	Pcs	50	47	2,350
		Clean gloves for examination medium	Pcs	500	3.2	1,600
		KN95	Pcs	7	270	1,890

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
		Sterile reinforced gowns	Pcs	2	280	560
		Hand sanitizer 500ml	Pcs	5	600	3,000
		Liquid soap	Pcs	5	150	750
						10,150
5th May 2020	Ms Medionics Healthcare Ltd	Goggles	Pcs	5	200	**1,000**
6th May2020	Dr Mwaniki and friends	Plastic aprons	Pcs	21	300	6,300
		Plastic caps	Pcs	20	50	1,000
						7,300
13th May 2020	Ms Crown Health Care Ltd	Surgical face masks	pcs	10,000	47	470,000
		Infrared thermometers	Pcs	20	5700	114,000
						584,000
20th May 2020	KMPDU	Covid disinfection tunnel	pc	1	120000	120,000
						120,000
21st May 2020	Ms Crown Health Care ltd	Kn95 masks	Pcs	1000	270	270,000
		Coveralls	Pcs	100	1500	150,000

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
		Safety goggles	Pcs	100	100	10,000
						440,000
22nd May 2020	Ms Crown Health Care Ltd	Safety goggles	Pcs	100	100	10,000
		Disposable shoe covers	Pairs	100	18	1,800
		Nitrile examination gloves medium	Pcs	200	8.7	1,740
						13,540
18th May 2020	Ms Kedy Njeri	Cloth face masks	Pcs	31	35	1,085
						1,085
19th June 2020	MOH	PPE kits	Pcs	1500	3500	5,250,000
						5250000
26th June 2020	MOH	Surgical facemasks	Pcs	4380	47	205,860
		KN95	Pcs	500	270	135,000
		Oxygen support set device	Sets	30		0
3rd July 2020	Esteem Industries Inc.	Enzymatic cleaner	Bottle	1	5700	5,700
						5,700
7th July 2020	AMPATH Lab	Disposable lab coats	Pcs	250	150	37,500
						37,500

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
15th July 2020	Kenya COVID Fund Board	Gum boots assorted sizes	Pairs	51	1050	53,550
		Surgical facemasks 3ply looped	pcs	12,500	18	225,000
		Nitrile examination gloves	Pcs	25,000	8.16	204,000
		Laminated surgical gowns	Pcs	1150	500	575,000
		Nurse caps	Pcs	1300	2.8	3,640
		Face shields	Pcs	120	250	30,000
		Coveralls	Pcs	377	1500	565,500
		Disposable scrubs	Pcs	1100	200	220,000
		Shoe covers	Pairs	300	16	4,800
		Safety goggles	Pcs	140	100	14,000
						1,895,490
16th July 2020	Principal Secretary MOH	Clean examination gloves medium	Pcs	6000	3.0	18,000
		KN95 masks	Pcs	40	300	12,000
		Surgical face masks	Pcs	1400	18	25,200
		Hand sanitizer 500ml	Pcs	8	500	4,000
						59,200
17th July 2020		Face shields	Pcs	15	300	4,500

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
	Brightek International ltd	Reusable face shields	Pcs	2	600	1,200
		KN95 masks	Pcs	60	300	18,000
						23,700
	Kenya Medical Practitioners and Dentists Council	KN95 masks	Pcs	6	300	1,800
		Surgical facemasks	Pcs	1400	18	25,200
		Sanitizer 100ml	Bottles	5	250	1,250
		Shoe covers	Pairs	25	18	450
		Coveralls	Pcs	64	1500	4,096
						28,700
21st July 2020	MOH	N95 masks	Pcs	2430	750	1,822,500
		N95FFP2 masks	Pcs	560	1500	840,000
		Coveralls XL &L	Pcs	6500	1500	9,750,000
		KN95	Pcs	2000	300	600,000
24th July 2020	Ms Alpha Medical Ltd	Coveralls	Pcs	3	1500	4,500
		Disposable gowns	Pcs	50	350	17,500
		Disposable scrubs	Pcs	6	350	2,100
		Laminated reusable coveralls	Pcs	20	150	3,000

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
						27,100
24th July 2020	USAID	Pulse Oximeters (30 retained at MTRH, 20 distributed to NOREB Counties)	Pieces	50	5,000	250,000
						250,000
03 Aug 2020	MOH-China (KEMSA)	Coveralls	Pcs	2650	1500	3,975,000
		KN95	Pcs	2650	300	795,000
		Surgical facemasks	Pcs	28000	18	504,000
		Goggles	Pcs	968	100	96,800
		Sterile gloves size 7.0	Pcs	550	20	11,000
		Shoe covers	Pieces	250	18	4,500
						5,386,300
7th Aug 2020	Indiana University	U V sterilizer machine	Pieces	2	237,074	474,148
10th Aug 2020	MOH	Sanitizer 25 liters	Jericans	3	30,000	90,000
		KN95	Pcs	1500	300	450,000

Date	Source of Donation	Particulars of Item	Unit of Issue	Qty	Approx. Unit Price	Approx. Total Value
14th August 2020	Kenya COVID Fund Board	KN 95 Masks	pcs	3,300	300	990,000
		Shoe covers	pcs	2,800	18	50,400
		Nitrile gloves	pcs	31,200	8.16	254,592
		Laminated coveralls	pcs	2,900	350	1,015,000
		coveralls	pcs	78	1500	117,000
		Reusable surgical gowns	pcs	5381	350	1,883,350
		Disposable scrubs	pcs	892	200	178,400
		Surgical caps	pcs	2,000	2.80	560,000
						3,650,726
TOTAL						**36,003,580**

Respectfully submitted,

25/08/2020

DR. WILSON K. ARUASA, *MBS*

CHIEF EXECUTIVE OFFICER

MOI TEACHING AND REFERRAL HOSPITAL
CEO
APPPOVED
25 AUG 2020
SIGN.....
P. O. Box 3 - 30100, ELDORET

Annexure - 009 - F

KENYATTA NATIONAL HOSPITAL
P.O. BOX 20723, 00202 Nairobi

Tel.: 2726300/2726450/2726550
Fax: 2725272
Email: knhadmin@knh.or.ke

Ref: KNH/ADM/CR/14

Date: 26th August, 2020

The Clerk
National Assembly
Parliament Buildings
P.O Box 41842-00100
NAIROBI

RE: SUBMISSION TO THE DEPARTMENTAL COMMITTEE ON HEALTH - UTILIZATION OF THE COVID -19 FUNDS

Your letter Ref: NA/DCS/HEALTH/2020/ (076) dated 18th August 2020 refers.

The Hospital Board and Management of Kenyatta National Hospital confirm that we shall be appearing as invited on Thursday 27th August 2020.

Please find attached our submission for the same.

Dr. Evanson Kamuri
CHIEF EXECUTIVE OFFICER

Encl.

Copy to:

The Principal Secretary
Ministry of Health
P.O. Box 30016-00100
NAIROBI

KENYATTA NATIONAL HOSPITAL



KNH SUBMISSION TO THE NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON HEALTH REGARDING

UTILIZATION OF FUNDS IN THE FIGHT AGAINST COVID-19 PANDEMIC

27TH AUGUST 2020

KNH Mandate

The Hospital was established under Legal Notice No.109 of 6th April 1987 and is mandated to:

i) Receive patients on referral from other Hospitals or institutions within or outside Kenya for specialized health care;

ii) Provide facilities for medical education for the University of Nairobi Medical School, and for research either directly or through other co-operating health institutions;

iii) Provide facilities for education and training in nursing and other health and allied professions; and

iv) Participate as a national referral hospital in national health planning.

Vision

A world class patient-centred specialized care Hospital

Strategic Destination

A Multidisciplinary centre of excellence offering healthcare services that meet the international certification standards.

Mission

To optimize patient experience through innovative, evidence based specialized healthcare; facilitate training and research; and participate in national health policy formulation

Core Values

- Customer Focus
- Accountability
- Equity and Equality
- Professionalism & Integrity
- Security and Safety
- Teamwork and Team Spirit

Motto

We Listen, We Care

RESPONSES TO DEPARTMENTAL COMMITTEE ON HEALTH (DCoH) REGARDING DISBURSEMENT OF FUNDS TO FIGHT THE COVID-19 PANDEMIC

Introduction

KNH Background

Kenyatta National Hospital (KNH) is a State Corporation established through Legal Notice No. 109 of 6th April 1987. The Hospital has a bed capacity of 1,800 beds and attends to an average of 80,000 inpatients and 600,000 outpatients annually. It has 50 wards, 26 operating theatres and 24 consultant clinics.

The vision of the Hospital is to be a world class patient-centred specialized care Hospital. The mandate of the Hospital is to:

a) To receive patients on referral from other hospitals or institutions within or outside Kenya for specialized health care;
b) To provide facilities for medical education for the University of Nairobi and for research either directly or through other co-operating health institutions;
c) To provide facilities for education and training in nursing and other health and allied institutions;
d) To participate, as a national referred hospital, in national health planning.

Invitation to Departmental Committee on Health

I refer to the communication from the National Assembly vide letter Ref: NA/DCS/HEALTH/2020/(076) dated 18th August 2020 inviting the Board and Management of Kenyatta National Hospital for a meeting with the Departmental committee on Health on Thursday 27th August 2020 to deliberate on the utilization of the funds appropriated to the fight against COVID-19 Pandemic.

The invitation letter for our appearance before the Committee requested for Submission of the following matters:

1. A detailed status report of all the funds received toward the fight against COVID-19 Pandemic since March 2020. Including the source of the funds, when the funds were received and the commitment instruments.
2. Detailed status report on how the funds received have been expended towards mitigating the effects against COVID-19.
3. A detailed report on all procurements undertaken towards the fight against COVID-19 pandemic. This report should capture all the entities/Companies that were contracted to supply COVID-19 related commodities, tender documents & respective award letters, the ownership status of the companies /entities and the status of payments towards this companies.

1. A DETAILED STATUS REPORT OF ALL THE FUNDS RECEIVED TOWARDS THE FIGHT AGAINST COVID-19 PANDEMIC SINCE MARCH 2020

Since March 2020, the Hospital has received a total of Kshs.1,257 million towards the fight against COVID-19 pandemic from the Ministry of Health in seven AIEs. Of this amount Kshs.897 million was received in the month of July2020 and is largely unspent. The details of the received funds is as tabulated below:

Table 1: COVID-19 Funds Received by KNH from March to 20th August 2020

No	Date Received	AIE Number	Purpose of the Funds	Sources	Amount (Kshs)
1	05/03/2020	A.685918	Renovation & Equipping Mbagathi Isolation Centre	GoK	150,000,000
2	22/04/2020	A.685883	Recruitment of additional health workers	GoK	125,701,392
3	22/04/2020	A.685889	Compensation to temporary employees engaged on COVID-19	GoK	85,000,000
4	07/07/2020	A.685723	COVID-19 Medical Allowances for frontline healthcare workers	GoK	156,795,000
5	07/07/2020	A.685777 & A.685793	Covid -19 Emergency Response	GoK	600,000,000
6	07/07/2020		Conversion of Daycare Centre to Ward for COVID-19 for Health care Workers	GoK	140,000,000
				Grant Total	**1,257,496,392**

2. DETAILED STATUS REPORT ON HOW THE FUNDS RECEIVED HAVE BEEN EXPENDED TOWARDS MITIGATING THE EFFECTS AGAINST COVID-19

Expenditure Report

Out of the total COVID-19 funding received of Kshs.1,257,496,392 the Hospital has spent Kshs.298,432,565 as at 20th August 2020 leaving a balance of Kshs.959,063,827. The summary of expenditure is as shown below:-

Table 2: Utilization of COVID-19 fund received

No	Purpose of the Funds	Note	Received Funds	Utilization as at 20.08. 2020	Balance
			Kshs.	Kshs	Kshs.
1	Renovation & Equipping Mbagathi Isolation Centre **Kshs.150 million**				
	• Purchase of Equipment	a	88,942,758	65,752,500	23,190,258
	•Other Recurrent		27,102,784	22,753,395	4,349,389
	•Personnel Emoluments	b	33,954,456	85,621,670	159,034,180
2	Recruitment of additional health workers	b	125,701,392		
3	Compensation to temporary employees engaged on COVID-19	b	85,000,000		
	Sub Total		**360,701,390**	**174,127,565**	**186,573,827**
4	COVID-19 Medical Allowances for frontline healthcare workers	c	156,795,000	124,305,000	32,490,000
5	Covid -19 Emergency Response	d	350,000,000	0	350,000,000
6	Covid -19 Emergency Response	e	250,000,000	0	250,000,000
	Sub Total (5&6)		**600,000,000**	**0**	**600,000,000**
7	Conversion of Daycare Centre to Ward for COVID-19 for Health care Workers	f	140,000,000	0	140,000,000
	Grant Total		**1,257,496,392**	**298,432,565**	**959,063,827**

(a) Renovation & Equipping Mbagathi Isolation Centre Kshs.150 million

The Hospital was directed by the Ministry of Health, in the execution of Executive Order No. 2 of 2020 to take-over the facility at Mbagathi hospital and to convert it to a National Isolation and Treatment Centre within the seven (7) days directed in the executive order.

The Hospital embarked on immediate renovation and equipping the facility as a matter of urgency. The Ministry of Health in its letter of 25th February 2020 confirmed the allocation of Kshs.150 million towards renovation and equipping of facility. The Board of Management prioritized utilization of the funds as follows, Kshs.88,942,758 for equipment; Kshs.27,102,784 for consumables; and Kshs.33,954,456 for hire of temporary staff.

As at 20th August Kshs.65,752,500 has been utilized on acquisition of equipment such as patient monitors, Suction pumps, ventilators, CCU beds, biological safety cabinets, Dialysis Machines with reverse osmosis, and mechanical ventilators the details of which is attached as **appendix I**

On consumables, Kshs.22,753,395 has been utilized in provision of medical gases, public health consumables and general repairs & maintenance services. Details is as per **appendix II.**

(b) Personnel Emoluments Kshs.245 million

To effectively respond and manage COVID-19, the Hospital seconded 144 experienced staff to operationalize healthcare services at the renovated Mbagathi IDU. To fill in that gap created at the Hospital, 433 temporary staff were recruited between the period March and August 2020. The Personnel Emoluments costs incurred so far on these temporary employees amounts to **KShs.85, 621,670** for the period between March and August 2020.

(c) COVID-19 Medical Allowances for frontline healthcare workers Kshs.157 million

The Salaries and Remuneration Commission approved COVID-19 medical allowances for frontline healthcare workers for a period of three months effective 1st April 2020.

A total of Kshs 124,305,000 has been paid with the July 2020 salaries and the balance of Kshs.32,490,000 will be paid with the August 2020 payroll.

(d) COVID -19 Emergency Response Kshs.350 million

The hospital received an allocation of Kshs.600 Million as COVID 19 emergency response fund, Kshs.350 Million is allocated for improvement of infrastructure at KNH main

Hospital and it has been prioritized to specifically equip the expanded COVID-19 facilities and improve patients transfer/transport system

The Hospital has opened specialized care isolation wards due to increased number of critically ill patients who are also COVID-19 victims. The specialized isolation wards are set up in the specific division include medical, paedriatics, obstetrics & gynecology and surgical. The details of the prioritized funds is included in **appendix III.**

(e) COVID 19 Emergency: Kshs 250 million

In its regular meeting of 1st July 2020 the Board of Management granted approval to allocate Kshs.250 Million from the Kshs.600 Million towards infrastructure improvement at KNH Othaya Hospital.

The facility is targeted to handle all COVID-19 related complication from the region. An isolation facility has been created and the funds have been prioritized to create critical support infrastructure as shown below.

Table 3: Priority for the COVID-19 Fund Kshs.250 million

No	Description	Construction	Equipping	Total
		Kshs	Kshs	Kshs
1	Laundry Unit	18,166,639	24,700,000	42,866,639
2	Upgrading Kitchen	31,428,055	20,790,000	52,218,055
3	Mortuary	32,240,844	21,310,000	53,550,844
4	Oxygen plant	7,164,462	66,200,000	73,364,462
5	Cabro access road & parking	20,000,000		20,000,000
6	Borehole & water storage tanks	8,000,000		8,000,000
	Total	**117,000,000**	**133,000,000**	**250,000,000**

The procurement process is ongoing and the tender submission is scheduled to close on 27th August 2020.

(f) Conversion of Daycare Centre to COVID-19 Ward Kshs.140 million

This was allocated to convert the Daycare Surgical Centre into COVID-19 isolation ward for healthcare workers. The Hospital has prioritized equipment required to convert the Centre into a COVID-19 ward as shown in **appendix IV** and Procurement process is on.

Clinical Report

KNH Mbagathi IDU was prepared and commissioned on 6th March 2020. Since then, other isolation/treatment units have been activated in the hospital to serve different populations of COVID-19 patients as illustrated in the table below:

Table1: KNH Isolation Capacity

Unit	Population served	Bed Capacity	CCU beds	Theatres
Mbagathi IDU	Confirmed COVID 19 patients	78	8	
Main KNH IDU	Confirmed COVID 19 critical care patients	8	8	
Ward 42 & 41	Very sick suspected and confirmed COVID 19 patients	57	15	
Medical wards (7A, 7D, 10D)	Suspected and Confirmed COVID 19 medical patients awaiting transfer to isolation unit	79	6	
Surgical Wards (5C)	Suspected and Confirmed COVID 19 surgical patients awaiting transfer to isolation unit	32	0	
Paediatric ward (3c)	Suspected and Confirmed COVID 19 children awaiting transfer to isolation unit	38	6	
Obstetric unit	Suspected and Confirmed COVID 19 pregnant women	10	0	1
KNH Zarina Merali Day care unit	Confirmed COVID 19 Health workers	50	17	4
KNH Othaya	Suspected and Confirmed COVID 19 patients	350	20	4
Total capacity dedicated to COVID-19		**702**	**80**	**9**

The following have been served in KNH:

Patients Numbers							
	Quarantined	Screened	Tested for COVID-19	COVID-19 Positive Cases	Sick COVID-19 Infected Admitted	COVID-19 Infected Recovered	COVID-19 Infected Death
		238,735	12,300	2,310	860	723	147
KNH Staff							
Nurses				42		42	
Doctors				32		32	
Others				124		124	
Sub Total	110		290	198		198	Nil

3. A DETAILED REPORT ON ALL PROCUREMENTS UNDERTAKEN TOWARDS THE FIGHT AGAINST COVID-19 PANDEMIC

3.1. GoK Funds

During the period between March and August 2020, the Hospital has procured goods, services and Works costing Kshs.88,505,895 funded by the COVID-19 fund. The details of the various items procured, their value, the suppliers and the respective owners of the firms; Tender Documents and award letters attached in **appendix V & appendix VI**

3.2. Donations Kshs.31,192,045

The Hospital has received donations worth Kshs.31,192,045 from various donors towards the fight against COVID-19 pandemic. A detailed list of all the donors, items donated and their values is attached as **appendix VII.**

We submit the above response and the appendices No. I to VII

Dr. Evanson Kamuri
CHIEF EXECUTIVE OFFICER

Annexure -16-

iii. FUNDS FROM GOK – RECURRENT EXPENDITURE KSHS 500M

	EXPENDITURE	BUDGET ALLOCATION	AMOUNT PAID	COMMITMENT	TOTAL EXPENDITURE	VOTE BALANCE	% ALLOCATION
A	CLINICAL COST						
1	Pharmaceuticals	112,500,000.00	50,373,412.00	34,476,547.03	84,849,959.03	27,650,040.97	56.25%
2	Consumables	67,500,000.00	44,080,870.98	19,544,461.00	63,625,331.98	3,874,668.02	33.75%
3	Infections Control	45,000,000.00	32,903,000.00	900,000.00	33,803,000.00	11,197,000.00	22.50%
4	Linen and Clothing	37,500,000.00	9,956,745.73	132,500.00	10,089,245.73	27,410,754.27	18.75%
5	House Keeping	27,500,000.00	925,535.00	3,582,500.00	4,508,035.00	22,991,965.00	13.75%
6	Catering Expenses(food & ration)	96,250,000.00	56,807,070.00	2,653,775.00	59,460,845.00	36,789,155.00	48.13%
	Total Clinical Cost	**386,250,000.00**	**195,046,633.71**	**61,289,783.03**	**256,336,416.74**	**129,913,583.26**	**77.25%**
B	OPERATING EXPENSES						
	DETAILS						
1	Publicity and Marketing	7,250,000.00	1,342,720.60	1,471,120.00	2,813,840.60	4,436,159.40	3.63%
2	Laundry and dry cleaning	11,500,000.00	7,285,745.50	505,384.80	7,791,130.30	3,708,869.70	5.75%
3	Electricity	17,500,000.00	14,270,073.00		14,270,073.00	3,229,927.00	8.75%
4	Water and sewarage	6,250,000.00	5,117,319.80	559,680.00	5,676,999.80	573,000.20	3.13%
5	Gas and Cooking Fuel	25,000,000.00	14,074,747.00	1,570,000.00	15,644,747.00	9,355,253.00	12.50%
6	Telephone	1,250,000.00	526,300.00		526,300.00	723,700.00	0.63%
7	Fuelling of Motor Vehicles	8,750,000.00	834,388.00		834,388.00	7,915,612.00	4.38%
8	Printing and Stationery	31,250,000.00	16,817,938.08	10,010,999.00	26,828,937.08	4,421,062.92	15.63%
9	Mortuary Expenses	5,000,000.00	2,174,852.00		2,174,852.00	2,825,148.00	2.50%
	Total Operational Cost	**113,750,000.00**	**62,444,083.98**	**14,117,183.80**	**76,561,267.78**	**37,188,732.22**	**22.75%**
	TOTAL BUDGET	500,000,000.00	257,490,717.69	75,406,966.83	332,897,684.52	167,102,315.48	

The funds were utilized to pay for recurrent expenditures related to the care of COVID-19 Patients. Out of the Kshs 500M allocated, Kshs 257.49M is already used and paid out while commitments in form of LPOs raised amounts to Kshs 75.4M, thus Kshs 332.9M is already committed.

2. DETAILED STATUS REPORT ON HOW THE FUNDS RECEIVED HAVE BEEN EXPENDED TOWARDS MITIGATING THE EFFECTS AGAINST COVID-19

Expenditure Report

Out of the total COVID-19 funding received of Kshs.1,257,496,392 the Hospital has spent Kshs.298,432,565 as at 20th August 2020 leaving a balance of Kshs.959,063,827. The summary of expenditure is as shown below:-

Table 2: Utilization of COVID-19 fund received

No	Purpose of the Funds	Note	Received Funds	Utilization as at 20.08. 2020	Balance
			Kshs.	Kshs	Kshs.
1	Renovation & Equipping Mbagathi Isolation Centre **Kshs.150 million**				
	• Purchase of Equipment	a	88,942,758	65,752,500	23,190,258
	•Other Recurrent		27,102,784	22,753,395	4,349,389
	•Personnel Emoluments	b	33,954,456	85,621,670	159,034,180
2	Recruitment of additional health workers	b	125,701,392		
3	Compensation to temporary employees engaged on COVID-19	b	85,000,000		
	Sub Total		**360,701,390**	**174,127,565**	**186,573,827**
4	COVID-19 Medical Allowances for frontline healthcare workers	c	156,795,000	124,305,000	32,490,000
5	Covid -19 Emergency Response	d	350,000,000	0	350,000,000
6	Covid -19 Emergency Response	e	250,000,000	0	250,000,000
	Sub Total (5&6)		**600,000,000**	**0**	**600,000,000**
7	Conversion of Daycare Centre to Ward for COVID-19 for Health care Workers	f	140,000,000	0	140,000,000
	Grant Total		**1,257,496,392**	**298,432,565**	**959,063,827**

iv. FUNDS FROM GOK – DEVELOPMENT EXPENDITURE KSHS 526.5M TO FACILITATE OPERATIONALIZATION OF 400 BEDS FOR COVID-19 RESPONSE

These funds were allocated to help the Hospital equip and repurpose available space to accommodate 400 Covid-19 patients and move administrative staff from the main Hospital building to the Centre for Specialised clinics building to reduce the chance of infection for non-frontline staff. The Funds are fully committed although some of the works are in different stages of completion and/or procurement process.

	ALLOCATION	BUDGET AMOUNT	PAID	COMMITMENTS	VOTE BALANCE
		KSHS	KSHS	KSHS	KSHS
1	REPURPOSING IDU	50,375,000.49	22,421,056.40	27,953,944.09	-
2	REPURPOSING CSC INTO OFFICES	15,326,680.27		15,326,680.27	-
3	COMMITMENTS-LAUNDRY	404,000.00		404,000.00	-
4	FURNITURE	50,000,230.13	50,000,230.13		-
5	COMPUTERS	15,201,547.00	6,201,547.00	9,000,000.00	-
6	ICT INFRASTRUCTURAL COSTS	6,476,971.00	1,476,971.00	5,000,000.00	-
7	HISTOPATHOLOGY LAB EQUIPMENT	75,594,724.00		75,594,724.00	-
8	BRACHYTHERAPY MACHINE	35,000,000.00			35,000,000.00
9	STAFF BUS	8,000,000.00			8,000,000.00
10	STAFF VAN	7,000,000.00			7,000,000.00
11	2 HEARSE	16,000,000.00			16,000,000.00
12	RAMP AT IDU	10,000,000.00			10,000,000.00
13	WATER RETICULATION SYSTEM	25,000,000.00		13,000,000.00	12,000,000.00
14	EXECUTIVE BOARDROOM	8,000,000.00		8,000,000.00	-
15	STAFF HOUSES FINISHING	7,000,000.00		7,000,000.00	-
16	NURSE CALL SYSTEM	5,000,000.00		5,000,000.00	-
17	CCTV & LAN CABLING AT IDU	5,000,000.00		5,000,000.00	-
18	VIP & PRESIDENTIAL SUITES	37,000,000.00		37,000,000.00	-
19	Repurposing & Equiping New 25Bed ICU at IDU	133,861,375.11		133,861,375.11	-
20	CONTIGENCIES	16,259,472.00		10,566,055.00	5,693,417.00
	TOTAL BALANCE	**526,500,000.00**	**80,099,804.53**	**352,706,778.47**	**93,693,417.00**

KEY NOTES

a) We intend to replenish accommodation requirements on a need basis to campuses not initially supplied with them
b) Out of the 44 selected campuses, ten are currently without wifi and are to be installed at a cost of 230,000 each
c) This is for purchase of laundry equipment as well as units for hand washing such as the tanks
d) Of the proposed 44 campuses,11 do not have working sewage systems, it is proposed to construct one bio digester per campus at Kshs 2.5million each.
e) We intend to use a more simpler menu to cut on costs
f) This includes plumbing works, electrical fittings, repair of breakages and worn out equipment and painting works
g) It is assumed that this time clients will procure their own personal effects such as toothpaste, toothbrush, etc hence the budget cut
h) Medical staff required ranges between 4 and 10 per station on bed capacity as guided by MOH and this formed the basis of determining PPE requirements. This was scaled down by 50% due to budgetary constraints
i) This is to cater for management supervision & monitoring visits as well as board member expenses of those nominated in the facility preparedness committee
j) KMTC shall partner with ambulance service providers and referral hospitals for emergency care for patients
k) Human resource to be provided by national and county governments

The table below table shows various sources of funds received on various dates for purposes of financing various efforts of fighting COVID 19 pandemic.

Table 2: Table showing sources of funds, when they were received and purpose of funds

Sno	Source of funds	Amount Kshs.	Date received	Purpose of fund	Commitment instrument	References
1.	Ministry of Health	500,000,000	07/07/20	Fund COVID 19 Budget	Budget, Procurement plan	Annex 1
2.	Ministry of Health	18,251,500	07/07/20	Reimbursement of accommodation expenses	Budget, Procurement plan	Annex 2
3.	Ministry of Foreign Affairs	27,791,500	08/07/20	Reimbursement of accommodation expenses	Budget and procurement plan	Annex 3
4.	Ministry of Health	27,360,900	30/07/20	Reimbursement of accommodation expenses	Budget and procurement plan	Annex 4
5.	Quarantine clients	3,818,500	9th - 23rd April 2020	Settlement of accommodation expenses	Budget and procurement plan	Annex 5
	Total	**577,222,400**				

Annex - 13

KENYA MEDICAL PRACTITIONERS AND DENTISTS COUNCIL

REPORT TO THE DEPARTMENTAL COMMITTEE ON HEALTH REGARDING UTILIZATION OF FUNDS IN THE FIGHT AGAINST COVID-19 PANDEMIC

A. INTRODUCTION

The Kenya Medical Practitioners and Dentists Council ('KMPDC' or 'Council') is established under the Medical Practitioners and Dentists Act (CAP 253 – Laws of Kenya) with the mandate to regulate the practice of medicine and dentistry and also to regulate health institutions.

B. BACKGROUND

Following the Executive Order No. 2 of 2020 and the establishment of the National Emergency Response Committee (NERC) to establish a framework to upscale and coordinate Kenya's preparedness and National Response to the Corona Virus threat; it was found critical to establish the National Centre for Coordination for Quarantine and Isolation Facilities (NCCQIF).

The Ministry of Health established the National Centre for Coordination for Quarantine and Isolation Facilities (NCCQIF) at the Kenya Medical Practitioners and Dentists Council (KMPDC) offices situated in Hurlingham Woodlands Road headed by **Dr. Eva Njenga, Chair of KMPDC** and **Daniel M. Yumbya, MBS CEO of KMPDC as Head of Secretariat.**

The NCCQIF is mandated to:

1. Develop protocols and guidelines for isolation and quarantine Facilities at, National Regional, County, subcounty and ward levels;
2. Vet, approve, maintain a register of the isolation and quarantine facilities at National, Regional, County Subcounty, and ward levels in accordance with KMPDC Act 253 Sec 5 Sub section (3) (J);
3. Monitor the isolation and quarantine facilities at National Regional County subcounty and ward levels to ensure Compliance to given protocols and guidelines;
4. Advise the National Emergency Response Committee on isolation and quarantine facilities Nationwide; and
5. Continuous reporting on the status of isolation and quarantine facilities Nationwide.

C. STATUS OF QUARANTINE & ISOLATION CENTRES

To date, the Council has approved a total of:-

(i) Quarantine Centres

a.	Public Institutions	**474**
	Total No. Beds	**142,492**
b.	Private Institutions	**103**
	Total No. of Beds	**7,259**

(ii) Isolation Centres

(a)	Total No. of Hospitals/Centres	**290**
(b)	No. of Isolation Beds	**7,618**
(c)	No of ICU Beds	**319**

D. REQUEST BY THE DEPARTMENTAL COMMITTEE OF HEALTH OF THE NATIONAL ASSEMBLY

The KMPDC is in receipt of a request for a meeting to be held on Friday, 28th August at the Main Parliament Building, 2020 vide letter Ref: NA/DCS/HEALTH/2020/ (079), dated 21st August, 2020 from the Clerk of the National Assembly.

E. PURPOSE

The purpose of the meeting is to deliberate on Kenya Medical Practitioners and Dentists Council (KMPDC) utilization of funds appropriated to the fight against COVID-19 pandemic.

F. SUBMISSION

The Council wishes to submit the following report: -

1. **Total Funds Received from the Ministry of Health for payment of Quarantine Facilities Verified Bills: Kshs.154,338,619.00**

The KMPDC received from the Ministry of Health Kshs.154,338,619 (One Hundred & Fifty-Four Million Three Hundred & Thirty-Eight Thousand Six Hundred & Nineteen Only) on 7th

July, 2020 to cater for payments of COVID-19 verified Quarantine Facilities Bills. These costs involve expenses utilized by the facilities to host COVID-19 quarantined persons.

Total Payments made: Kshs.92,215,228.00

The KMPDC has paid quarantine facilities bills amounting to Kshs.92,215,228 (Ninety-Two Million Two Hundred & Fifteen Thousand Two Hundred & Twenty-Eight Only) as at 27th August, 2020. The balance of funds is Kshs.62,123,391 (Sixty-Two Million One Hundred & Twenty-Three Thousand Three Hundred & Ninety-One Only).

The reimbursements are based on expenses incurred by each facility while hosting quarantine persons. All Public Institutions charge Kshs.2,000 (Kshs.Two Thousand only) per person per day while Royal Tulip charges the discounted Kshs.8,000 (Kshs.Eight Thousand only) per person (Health Worker) per day.

Below table indicates the breakdown of the payments made to the approved quarantine facilities as at 27th August, 2020: -

S/No.	Quarantine Facilities	Amount Paid (Kshs.)	Facility Status
i.	Kenya Medical Training College (KMTC Campuses)	27,360,900.00	Closed
ii.	Kenya School of Government (KSG)	11,022,000.00	Closed
iii.	St. Georges Girls Secondary School, Nairobi	39,908,000.00	In operation
iv.	Kenya Institute of Special Education (KISE)	2,440,000.00	Closed
v.	Royal Tulip Hotel *(for NMS Health Workers)*	2,237,328.00	In operation
vi.	Cooperative University of Kenya	441,000.00	Closed
vii.	Kenya Water Institute (KEWI)	54,000.00	Closed
viii.	Makueni Boys High School	8,752,000.00	In operation
	Total payments	**92,215,228.00**	
	BALANCE	**62,123,391.00**	

2. Procurement Report

No procurement has been undertaken by the Council towards the fight against COVID-19.

3. Donation Report

The Council has not received donations towards the fight against COVID-19 pandemic.

4. Annexures to the report

i. Annex I: Ministry of Health A.I.E Certificate
ii. Annex II: List of Quarantine Centres
iii. Annex IIII: List of Isolation Centres

G. CONCLUSION

Dr. Eva W. Njenga, Council Chair is leading a team of Technical Experts who are currently providing Technical Assistance to Counties and reporting to the Cabinet Secretary for Health.

Each Team Leader is responsible for one of the ten Regional County clusters with the mandate to assist in planning for COVID-19 containment interventions and strengthening of health systems pillars for Universal Health Coverage. The Technical Team of Experts comprises officers drawn from the Ministry of Health, its State Corporations and Semi-Autonomous Government Agencies.

The Secretariat for the Technical Experts is at the Kenya Medical Practitioners and Dentists Council headed by the Chief Executive Officer (CEO).

DANIEL M. YUMBYA, MBS.
CHIEF EXECUTIVE OFFICER
KENYA MEDICAL PRACTITIONERS AND DENTISTS COUNCIL
&
HEAD OF SECRETARIAT
NATIONAL CENTRE FOR COORDINATION FOR QUARANTINE AND ISOLATION FACILITIES (NCCQIF)

Dated: 27th August, 2020

KENYA MEDICAL SUPPLIES AUTHORITY

YOUR PARTNER IN HEALTHCARE

MEETING WITH THE DEPARTMENTAL COMMITTEE ON HEALTH REGARDING UTILIZATION OF FUNDS IN THE FIGHT AGAINST COVID-19 PANDEMIC

INTRODUCTION

Kenya Medical Supplies Authority (KEMSA) is a State Corporation under the Ministry of Health. The Authority was established under the State Corporations Act through the Kenya Medical Supplies Authority Act of 25th January 2013, as a successor to the Kenya Medical Supplies Agency. The Authority's Core Mandate as defined in the Act is to procure, warehouse and distribute health products and technologies to public and other health facilities in Kenya.

In line with its mandate, the Authority has actively been involved in sourcing for Covid-19 products to mitigate the spread of the pandemic by equipping the health workers with requisite assorted personal protective equipment. As a state corporation, KEMSA has closely collaborated with Ministry of Health (MOH) and other Government agencies involved in the fight against Covid-19 to facilitate timely delivery of products to the doorstep of targeted health facilities, isolation centers, testing laboratories, surveillance teams, National Command centers, Emergency command centers amongst other institutions involved in the fight against the pandemic.

QUERRY 1: *KEMSA to provide a detailed status report of all the funds received towards the fight against the fight against Covid-19 Pandemic since March 2020*

Since March 2020, KEMSA received a total of Kshs Kshs 2,181,934,518 from the Ministry of Health as tabulated in table (I). The funds;

i) **Kshs 1,500,000,000** was earmarked for procurement of reagents and test Kits. The amount has been received in full.

ii) **Kshs 300,000,000** has been received in full for procurement of locally produced re-usable facemasks. This is being done in collaboration with the Kenya National Chamber of Commerce.

iii) **Kshs 77, 7774,400** has been received for procurement of PCR Tests & Extraction Kits and Virus Transport medial for Covid -19. This is a partial payment against a total allocated amount of **Kshs 88,900,000**.

iv) **Kshs 304,160,118** to settle payments for HPTs delivered in full under the World Bank funded Transforming Health Systems for Universal Health Care Program. This was a partial payment from the allocated total amount of **Kshs 758,690,583.25**. The Ministry of Health remits the funds to KEMSA upon submission of evidence for fully delivery of HPTs by the Suppliers to the Ministry of Health, for KEMSA to make payments.

QUERRY 2: *A detailed report on how the funds received by KEMSA have been expended towards mitigating the effects of against COVID-19.*

The expenditure against the received funds is explained in Table (II).

i) **Kshs 1,500,000,000**: Procurement of HPTs is commences as soon as KEMSA receives instructions from the Ministry of Health as outlined in the Authority Letter Ref: MOH/FIN/1/A VOL III(66) dated 19th June 2020. A total of **Kshs 450,377,593.73** has been committed so far as detailed in Appendix 1 (b). No payment has been made against the amount.

ii) **Kshs 300,000,000**: procurement of re-usable facemasks is ongoing under tender number KEMSA/DP153/2019-2020. No payment has been made against this amount.

iii) **Kshs 77, 7774, 400**: KShs 70,704,000 has been used to pay for PCR Tests & Extraction Kits and Virus Transport media for Covid -19 fully delivered to our warehouse. Kshs 7,070,400 was for payment of KEMSA's 10% Management fees. This amount is partial receipt against the Ministry's

Instruction vide letter REF; MOH/ADM/1/2/16 Vol. 1(70) of the total alloacated **KSh. 88,900,000** that is yet to be received in full.

iv) **Kshs 304,160,118**: This amount has been used to settle supplier's payments who have fully delivered commodities as contracted. The list is provided as *appendix 25-(5)*. A request of Kshs **148,645,806.28** has been forwarded to the Ministry of Health for settlement of further suppliers payments .

QUERRY 3: A detailed report on all the procurement undertaken by KEMSA towards the fight against COVID-19. PANDEMIC. This report should capture all the entities/Companies that were contracted to supply COVID-19 related commodities, tender documents & respective award letters, the ownership status of all these companies and status of payments towards the companies.

With the advent of Covid-19, and after the first case of Covid-19 was reported in Kenya in March 2020, the Ministry of Health requested KEMSA to prepare adequately to respond with necessary Covid-19 infection prevention and control related products.

KEMSA procured HPTs of total value of Kshs 7,641,759,788.25 in preparation of the fight against COVID-19 pandemic. The items are:

- Face Masks
- Respirators
- Thermometers
- Personal Protective Equipment (PPE)
- Face Shields
- Goggles
- Surgical Gloves
- Nitrile Gloves,
- Hand Sanitizers
- Ventilators
- Voter Mixers
- Viral Transport Media
- Hospital Beds with mattress
- Surgical Masks
- Syringe Pump
- Paracetamol Infusion 100ml
- Paracetamol Tablets 500mg
- Prednisolone Tablets 5mg
- Atropine Injection

- Hydrocortisone Injection 100mb
- Bedesinide Resp 0.25 mg/Ml 2ml
- Providone-Iodine Solution 10%
- Theatre Boots.

The details of the Suppliers, items supplied, quantities, prices and payment status are provided in Table 3: EMERGENCY PROCUREMENT FOR COVID-19 ITEMS.

We have also provided the commitment letters and the ownership status of these companies(CR12s) where applicable.

Concerning the request for Tender Documents, we wish to inform you that they are currently in custody of the Public Procurement Regulatory Authority (PPRA). PPRA was appointed by The Senate to carry out investigations into the procurement activities at KEMSA, and they requested for the original copies of the tender documents in line with Regulation 21(2) of the Public Procurement and Disposal Act Regulations of 2020. We commit to provide the tender documents to the committee as soon as we get them back from PPRA.

Query 4: A detailed report of all the items/commodities donations that were received by KEMSA on behalf of the government of Kenya, the status of the distributions of the said donations.

In support of the fight against the COVID-19 Pandemic, KEMSA received donations from the following partners on behalf of the Ministry of Health

- Jack Ma
- Ministry of Foreign Affairs
- Embassy of China
- World Health Organisation
- Chinese Embassy
- Chai Roche
- Islamic Relief
- High Commission of India
- LOREAL
- UNDP

- UNEP
- ATRAZENECA
- UNICEF
- REPUBLIC OF SLOVAKIA
- WORLD Bank
- China Meheco Corporation
- Korea Embassy
- Stanbic Consortium

The details of these donations are provided in File 4 (a),4(b),4(c).

Querry 5: A report on the circumstances that led to the suspension of the Chief Executive Officer and Other Senior Managers

The Ethics and Anti-corruption Commission wrote to the Chief Executive Officer on 30th June 2020 indicating that they are carrying out an investigation and requested for documents and information. ***Appendix 5***

On 13th August 2020, the EACC wrote to the Chairman of the KEMSA Board, advising that the CEO and 2 Executive Directors to be suspended with immediate effect to facilitate unabated proceeding of the investigations.

SEN. KEMBI GITURA
CHAIRMAN, BOARD OF DIRECTORS KEMSA

Instruction vide letter REF; MOH/ADM/1/2/16 Vol. 1(70) of the total alloacated **KSh. 88,900,000** that is yet to be received in full.

iv) **Kshs 304,160,118**: This amount has been used to settle supplier's payments who have fully delivered commodities as contracted. The list is provided as *appendix 25-(5)*. A request of Kshs **148,645,806.28** has been forwarded to the Ministry of Health for settlement of further suppliers payments .

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- Thermometers
- Personal Protective Equipment (PPE)
- Face Shields
- Goggles
- Surgical Gloves
- Nitrile Gloves,
- Hand Sanitizers
- Ventilators
- Voter Mixers
- Viral Transport Media
- Hospital Beds with mattress
- Surgical Masks
- Syringe Pump
- Paracetamol Infusion 100ml
- Paracetamol Tablets 500mg
- Prednisolone Tablets 5mg
- Atropine Injection

MINISTRY OF HEALTH
OFFICE OF THE PRINCIPAL SECRETARY

Telephone: Nairobi 254 -20 -2717077
Fax: 254 -20 – 2719008
Email: **pshealthke@gmail.com**
When replying please quote:

AFYA HOUSE
CATHEDRAL ROAD
P.O Box 30016 -00100
NAIROBI

Ref: No. MOH/ADM/1/1/171 Vol. I (196)

15th April 2020

Dr. Jonah Manjari
Chief Executive Officer
Kenya Medical Supplies Authority
P.O Box 47715 - 00100
NAIROBI

D/FSD
FM/A 27/4/2020

RE: PROCUREMENT OF GOODS UNDER THE CONTINGENCY EMERGENCY RESPONSE COMPONENT

The World Bank funded Transforming Health Systems Project (THS-UCP), through the Contingency Emergency Response Component supports the covid response activities though procurement of critical goods and services.

Various items have been identified and approved by the World Bank for procurement by KEMSA.

This is to approve the procurement of goods worth **KES. 758,690,583.25** as outlined in the attached annex. Disregard all other requests made in relation to Covid as they have been captured under this approval.

Susan N. Mochache, CBS
PRINCIPAL SECRETARY

Encls.

KEMSA (CEO's Office)
RECEIVED EXTERNAL
24 APR 2020
Received:
Time: 11:07
Action By:
CC

ISO 9001:2015 Certified

KENYA MEDICAL SUPPLIES AUTHORITY

KEMSA

YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 20 [illegible]
GSM +254 719 033000, +254 733 [illegible]
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

In reply please quote our ref:

KEMSA/CEO/CS/TNT/2020/063

02 JUN 2020

2nd June 2020

Cabinet Secretary
The National Treasury
Nairobi

Dear CS,

RE: BUDGETARY SUPPORT TO KEMSA FOR EMERGENCY COVID-19 SUPPLIES

As the world grapples with the effects of the Covid-19 pandemic unraveling before us, public health supply chain for Covid-19 products remains a challenge. As the pandemic crisis deepened and source of Covid-19 health products and technologies begun instituting lockdowns Kenya like many countries globally experienced systemic demand shocks with rationing of available HPTs amid increasing demand due to escalating positive cases and measures instituted by the Government of Kenya to mitigate transmission including setting up isolation centres countrywide.

KEMSA in consultation with stakeholders mobilized the following products with a view to mitigate potential supply shocks and far reaching Covid-19 implications. KEMSA has Covid-19 supplies worth Ksh. 5,140,943,000 as per the table overleaf.

We hereby request budgetary support of Ksh. 5,140,943,000 to facilitate payment for the HPTs procured and distribution to public health facilities and other institutions providing covid-19 related services. Distribution of the said products will be prioritized and executed to ensure that the facilities are adequately resourced with necessary Covid-19 supplies.

Scanned with CamScanner

COVID -19 EMERGENCY SUPPLIES

No.	Item Description	Unit of Measure	Quantity	Unit Cost (Kes).	Total Cost (Kes.)
1	KN95 Face Mask	Piece	1650000	700.00	1,155,000,000.00
2	N95 Cone shaped	Piece	9900	900.00	8,910,000.00
3	N95 (1860) face masks	Piece	5000	1,300.00	6,500,000.00
4	Infra-Red Thermometers	Piece	21646	10,000.00	216,460,000.00
5	Personal Protective Equipment (PPE)	Set	126,000	9,000.00	1,134,000,000.00
6	Face shield	Piece	32190	500.00	16,095,000.00
7	Pair of Goggle	Pair	26000	550.00	14,300,000.00
8	Surgical Gloves	50 Pairs	126700	2,100.00	266,070,000.00
9	Nitrile Gloves	50 Pairs	2190	850.00	1,861,500.00
10	Instant Hand Sanitizer	500 Ml	330,000	500.00	165,000,000.00
11	ICU Patient Ventilator CVD	Piece	75	3,300,000	247,500,000.00
12	Surgical mask disposable 3 ply	Piece	21145850	90.00	1,903,126,500.00
13	Viral Transport Media (VTM)	Piece	20,400	300	6,120,000.00
	GRAND TOTAL				

Annexure -14-

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY
YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 718 033000, +254 733 603000
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/MOH/PS/2020/103

6TH AUGUST,2020

Ms Susan N. Mochache, CBS
Principal Secretary,
Ministry of Health,
P. O Box 30016
AIROBI

CFO
Draft
Note no approval to spend & letter from PS-NT
10/8/2020

Dear

RE: BUDGETARY SUPPORT TO KEMSA FOR PAYAMENTS OF EMERGEN COVID-19 SUPPLIES

As the world grapples with the effects of the Covid -19 pandemic unraveling before us, public health supply chain for Covid-19 products remained a challenge. As the pandemic crisis deepened and source of the Covid – 19 health products and the technologies begun instituting lockdowns Kenya like many countries globally experienced systemic demand due to escalating positive cases and measures instituted by the Government of Kenya to mitigate transmission including setting up isolation centres countrywide

The suppliers were to deliver the items to the KEMSA warehouse as per the commitment letters sued and thereafter procurement process was to follow. As at the end of the Financial Year 2019-2020, procurement had processed COVID-19 procurements under KEMSA Capital to the tune of Kes. 5,241,450,188.25 against the allocated budget of Kes. 4,655,709,000.00

Commitment letters for commodities worth Kes. 2,986,050,788.25 that have been delivered and received have not been processed due to inadequate budget in the Financial Year 2019-2020.

KEMSA will Finance Covid-19 and other Non-Covid-19 Health products and Technologies(HPTs) procurements through the following methods

MINISTRY OF HEALTH
RECEIVED
10 AUG 2020
CHIEF FINANCE OFFICER
30016-00100 NAIROBI

i. Collections of outstanding debtors indicated below: -

A) As at 30th of June,2020 amounting to Kshs. 6.736 Billion from: -

- Counties - Kshs. 2,816,664,579.96
- Customer Operations (Rent) - Kshs. 1,780,026.76
- Development Partners - Kshs. 1,608,097,401.32

- G.O.K Facilities - Kshs. 595,471,228.74
- Private Facilities - Kshs. 310,825.00
- SSD Customers - Kshs. 292,459,664.03
- Ministry of Health Parallel Programs - Kshs. 1,422,111,487.00

B) As at 5th August 2020, outstanding debtors' amount to Kshs. 5,746,737,853.00 Billion from:

- Counties - Kshs. 2,335,745,706.66
- Customer Operations(Rent) - Kshs. 1,780,026.76
- Development Partners - Kshs. 1,004,169,471.24
- G.O.K Facilities - Kshs. 575,461,674.23
- Private Facilities - Kshs. 100,500.00
- SSD Customers - Kshs. 293,834,853.32
- Ministry of Health Parallel Programs - Kshs. 1,535,645,620.95

ii. Conversion of UHC Funds through drawing rights utilization (Current UHC balance is Kshs. 6,765,989,544.82).

iii. Sales of Non-UHC products.

The purpose of writing this letter is to request for financial support to pay for the Kes. 2,986,050,788.25 of commodities already delivered and not paid for.

Thank you for your continued support



DR. JONAH MANJRI
CHIEF EXECUTIVE OFFICER

Annex K-19

MINISTRY OF HEALTH
OFFICE OF THE PRINCIPAL SECRETARY

Telephone: Nairobi 254 -20 -2717077
Email: pshealthke@gmail.com
Fax: 254 -20 – 2713234
When replying please quote

AFYA HOUSE
CATHEDRAL ROAD
P O Box 30016 -00100
NAIROBI

REF: MOH/FIN/1/A VOL III (174)

11th August, 2020.

Dr. Jonah Mwangi Manjari
Chief Executive Officer
Kenya Medical Supplies Authority
NAIROBI

RE: BUDGETARY SUPPORT TO KEMSA FOR EMERGENCY COVID-19 SUPPLIES

Refer to your letter Ref: KEMSA/CEO/MOH/PS/2020/103 of 6th August, 2020 on the above subject.

We have noted the contents of your communication in which you are requesting for additional budgetary support to cater for procurement of Covid-19 emergency supplies. We have also noted the measures you are intending to undertake in order to fund your operations.

In this regard, we wish to advise that funds for Universal Health Coverage should not be utilized in payment for delivered Covid-19 emergency supplies and also note that the Ministry is not in a position to provide additional funds at the moment to cater for the delivered supplies.

However, we encourage that you seek an internal mechanism to address the cash flow management issue. You may therefore take necessary action accordingly.

Susan N. Mochache, CBS
PRINCIPAL SECRETARY

Annexure - 19

MINISTRY OF HEALTH
OFFICE OF THE PRINCIPAL SECRETARY

Telephone: Nairobi 254 -20 -2717077
Fax: 254 -20 – 2719008
Email: **pshealthke@gmail.com**
When replying please quote:

AFYA HOUSE
CATHEDRAL ROAD
P.O Box 30016 -00100
NAIROBI

Ref: No. MOH/ADM/1/1/171 Vol. I (196)

15th April 2020

Dr. Jonah Manjari
Chief Executive Officer
Kenya Medical Supplies Authority
P.O Box 47715 - 00100
NAIROBI

PD/FSD
FYI/A 27/4/2020

RE: PROCUREMENT OF GOODS UNDER THE CONTINGENCY EMERGENCY RESPONSE COMPONENT

The World Bank funded Transforming Health Systems Project (THS-UCP), through the Contingency Emergency Response Component supports the covid response activities though procurement of critical goods and services.

Various items have been identified and approved by the World Bank for procurement by KEMSA.

This is to approve the procurement of goods worth **KES. 758,690,583.25** as outlined in the attached annex. Disregard all other requests made in relation to Covid as they have been captured under this approval.

Susan N. Mochache, CBS
PRINCIPAL SECRETARY

Encls.

KEMSA (CEO's Office)
RECEIVED EXTERNAL
24 APR 2020
Received : Mercy
Time: 1107
Action By:
CC.

ISO 9001:2015
Certified

EMERGENCY COVID-19 PROCUREMENT BUDGET ESTIMATES (PPES)

FACE MASKS - N95

No.	Item Description	UoM	Supplier	Qty	Unit Price (Kes.)	Total Cost (Kes.)
1	N95 Face Mask	Piece	MEDS	1,000	250.00	250,000.00
			KEMA EA Ltd	9,900	700.00	6,930,000.00
			Biroyal Int Ltd	4,000	700.00	2,800,000.00
			Encartar Diagnostics Ltd	2,100	700.00	1,470,000.00
			Shil Trading & Logistics Ltd	1,000	900.00	900,000.00
			Megascope Healthcare (K) Ltd	10,000	900.00	9,000,000.00
			SUBTOTAL KES.			**21,350,000.00**
						PPEs
1	Personal Protective Equipment (Full PPE Kits)	Kit	Tikasan Holdings Co. Ltd	493	9,500.00	4,683,500.00
			Faram (E.A) LTD	792	9,500.00	7,524,000.00
			Megascope Healthcare (K) Ltd	10,425	9,500.00	99,037,500.00
			SUBTOTAL KES.			**111,245,000.00**
					SUBTOTAL KES.	**132,595,000.00**

EMERGENCY COVID-19 PROCUREMENT BUDGET ESTIMATES (LAB REAGENTS AND CONSUMABLES)

LABORATORY ITEMS

No.	Item Description	Unit of Measure	Supplier	Qty	Unit Price (Kes.)	Total Cost (Kes.)
1	Viral Transport Media (VTM)	PK/50	Becton Dickinson International	6,000	20,496.00	122,976,000.00
2	Universal Transport Media	PK/300	F & S Scientific Ltd	16	138,000.00	2,208,000.00
3	Nasopharyngeal swabs	pack of 100s	Faram (E.A) LTD	5,000	6,500.00	32,500,000.00

4	Oropharyngeal Swabs	pack of 125s		5,000	8,126.00	40,630,000.00
5	Media Filter system	Unit		1	183,750.00	183,750.00
6	Ethanol (Molecular grade) 2.5l	Bottle of 2.5lts	Chemoquip Ltd	600	6,960.00	4,176,000.00
7	Pipette Tips 1000ul	pk/960	Faram (E.A) LTD	7	19,425.00	135,975.00
			F & S Scientific Ltd	143	19,425.00	2,777,775.00
8	Pipette Tips 200ul	pk/960	Faram (E.A) LTD	19	19,425.00	369,075.00
			F & S Scientific Ltd	131	9,660.00	1,265,460.00
9	Pipette Tips 100ul	pk/960	F & S Scientific Ltd	150	9,660.00	1,449,000.00
10	Pipette Tips 10ul	pk/960	F & S Scientific Ltd	266	9,660.00	2,569,560.00
11	Cryovials	PK/500	Faram (E.A) LTD	180	3,570.00	642,600.00
12	NUNC Tubes 4.5ml	piece		1,000,000	102.00	102,000,000.00
13	Cat No./ID: 52926 QIAamp Viral RNA Mini QIAcube Kit (240) for 240 viral RNA minipreps: QIAamo Mini Rotor Adaptors (preloaded with spin columns and elution tubes); carrier RNA and RNase-free reagents and Buffers	Kit	Bio-Zeq Kenya Ltd	100	125,000.00	12,500,000.00
14	Thin-walled, frosted lid, RNase-free PCR tubes (0.2 ml) such as ambion: 1000/pk	1000/pk	Bio-Zeq Kenya Ltd	25	17,000.00	425,000.00
15	ART 20E Reach Pipet Tips for 960/pk	960/pk	Bio-Zeq Kenya Ltd	100	15,000.00	1,500,000.00



16	ART 200E Pipet Tips 960/pk	960/pk	Bio-Zeq Kenya Ltd	100	15,000.00	1,500,000.00
17	ART 1000E Pipet Tips		Bio-Zeq Kenya Ltd	10	15,000.00	150,000.00
18	Puritan Sterile Polyester tipped applicators Ultra-fine aluminum handle NP swabs	PK/50s	Medilab and Allied Products (K) Ltd	70	5,220.00	365,400.00
19	Puritan Sterile Polyester tipped applicators aluminum handle NP swabs	PK/50s	Medilab and Allied Products (K) Ltd	10	5,220.00	52,200.00
					Total	**330,375,795.00**

EMERGENCY COVID-19 PROCUREMENT BUDGET ESTIMATES (ROCHE KITS)

ROCHE TEST KITS

No.	Item Description	Unit of Measure	Supplier	Qty	Unit Price (USD.)	Total Cost (USD)
1	KIT COBAS 6800/8800 SARS-COV-2 192T	Kit of 192 tests	Roche Diagnostics (Pty) Ltd	32	2,929.39	93,740.48
2	KIT COBAS 6800/8800 BUFF NEG RMC IVD	Kit of 16 tests	Roche Diagnostics (Pty) Ltd	32	666.41	21,325.12
3	KIT COBAS 6800/8800 SARS-COV2 RMC	Kit of 16 tests	Roche Diagnostics (Pty) Ltd	32	478.97	15,327.04
4	KIT COBAS 6800/8800 LYS REAGENT IVD	4X875ml	Roche Diagnostics (Pty) Ltd	105	212.62	22,325.10
5	KIT COBAS 6800/8800 MGP IVD	1X480 pc	Roche Diagnostics (Pty) Ltd	250	258.18	64,545.00
6	KIT COBAS 6800/8800 SARS-COV-2 192T	Kit of 192 tests	Roche Diagnostics (Pty) Ltd	602	2,392.82	1,440,477.64
7	KIT COBAS 6800/8800 SPEC DIL REAGENT	4X875 ml	Roche Diagnostics (Pty) Ltd	107	97.20	10,400.40

8	KIT COBAS 6800/8800 WASH IVD	1X4200ml	Roche Diagnostics (Pty) Ltd	426	49.36	21,027.36
9	Cobas Omni Amplification Plate	1x32 pc	Roche Diagnostics (Pty) Ltd	41	212.62	8,717.42
10	Cobas Omni Pipette Tips	1x16 Set	Roche Diagnostics (Pty) Ltd	157	189.83	29,803.31
11	Cobas Omni Processing Plate	1x32 pc	Roche Diagnostics (Pty) Ltd	79	159.46	12,597.34
12	Cobas Omni Secondary Tubes 13x75	1x1500	Roche Diagnostics (Pty) Ltd	86	199.75	17,178.50
13	Solid Waste Bag With Insert Set of 20	set of 20	Roche Diagnostics (Pty) Ltd	100	9.56	956.00
14	KIT COBAS 68/8800 BUFF NEG RMC IVD	1x16 Set	Roche Diagnostics (Pty) Ltd	84	666.41	55,978.44
15	KIT COBAS 68/8800 BUFF NEG RMC IVD	1x16 Set	Roche Diagnostics (Pty) Ltd	150	407.13	61,069.50
					Total	**1,875,468.65**
					SUBTOTAL KES	**196,924,208.25**

Equipment: no.

No.	Item Description	UoM	Supplier	Qty	Unit Price (Kes.)	Total Cost (Kes.)
1	Ventilators Paediatric/ Adult	Piece	Megascope Healthcare (K) Ltd	30	2,862,750.00	85,882,500.00
2	Medical Oxygen 11.5 Kgs with Cylinder & Accessories	Cyl	BOC Kenya Plc	30	65,036.00	1,951,080.00
3	Rapid Deployment Quarantine Tents - 10 bed capacity	Pcs	Revital Pharma Ltd	60	182,700.00	10,962,000.00
					SUBTOTAL KES.	**98,795,580.00**
	TOTAL					**758,690,583.25**

1. A DETAILED STATUS REPORT OF ALL THE FUNDS RECEIVED TOWARDS THE FIGHT AGAINST COVID-19 PANDEMIC SINCE MARCH 2020

Since March 2020, the Hospital has received a total of Kshs.1,257 million towards the fight against COVID-19 pandemic from the Ministry of Health in seven AIEs. Of this amount Kshs.897 million was received in the month of July2020 and is largely unspent. The details of the received funds is as tabulated below:

Table 1: COVID-19 Funds Received by KNH from March to 20th August 2020

No	Date Received	AIE Number	Purpose of the Funds	Sources	Amount (Kshs)
1	05/03/2020	A.685918	Renovation & Equipping Mbagathi Isolation Centre	GoK	150,000,000
2	22/04/2020	A.685883	Recruitment of additional health workers	GoK	125,701,392
3	22/04/2020	A.685889	Compensation to temporary employees engaged on COVID-19	GoK	85,000,000
4	07/07/2020	A.685723	COVID-19 Medical Allowances for frontline healthcare workers	GoK	156,795,000
5	07/07/2020	A.685777 & A.685793	Covid -19 Emergency Response	GoK	600,000,000
6	07/07/2020		Conversion of Daycare Centre to Ward for COVID-19 for Health care Workers	GoK	140,000,000
				Grant Total	**1,257,496,392**

2. DETAILED STATUS REPORT ON HOW THE FUNDS RECEIVED HAVE BEEN EXPENDED TOWARDS MITIGATING THE EFFECTS AGAINST COVID-19

Expenditure Report

Out of the total COVID-19 funding received of Kshs.1,257,496,392 the Hospital has spent Kshs.298,432,565 as at 20th August 2020 leaving a balance of Kshs.959,063,827. The summary of expenditure is as shown below:-

Table 2: Utilization of COVID-19 fund received

No	Purpose of the Funds	Note	Received Funds	Utilization as at 20.08. 2020	Balance
			Kshs.	Kshs	Kshs.
1	Renovation & Equipping Mbagathi Isolation Centre **Kshs.150 million**				
	• Purchase of Equipment	a	88,942,758	65,752,500	23,190,258
	•Other Recurrent		27,102,784	22,753,395	4,349,389
	•Personnel Emoluments	b	33,954,456	85,621,670	159,034,180
2	Recruitment of additional health workers	b	125,701,392		
3	Compensation to temporary employees engaged on COVID-19	b	85,000,000		
	Sub Total		**360,701,390**	**174,127,565**	**186,573,827**
4	COVID-19 Medical Allowances for frontline healthcare workers	c	156,795,000	124,305,000	32,490,000
5	Covid -19 Emergency Response	d	350,000,000	0	350,000,000
6	Covid -19 Emergency Response	e	250,000,000	0	250,000,000
	Sub Total (5&6)		**600,000,000**	**0**	**600,000,000**
7	Conversion of Daycare Centre to Ward for COVID-19 for Health care Workers	f	140,000,000	0	140,000,000
	Grant Total		**1,257,496,392**	**298,432,565**	**959,063,827**

2. DETAILED STATUS REPORT ON HOW THE FUNDS RECEIVED HAVE BEEN EXPENDED TOWARDS MITIGATING THE EFFECTS AGAINST COVID-19

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5	Covid -19 Emergency Response	d	350,000,000	0	350,000,000
6	Covid -19 Emergency Response	e	250,000,000	0	250,000,000
	Sub Total (5&6)		**600,000,000**	**0**	**600,000,000**
7	Conversion of Daycare Centre to Ward for COVID-19 for Health care Workers	f	140,000,000	0	140,000,000
	Grant Total		**1,257,496,392**	**298,432,565**	**959,063,827**

KNH- List of supplies Annex - 24 -

Appendix V

Details of Procurements, Firms, Directors, Payment Status

No	Item	Approved Budget	Qty	Unit Cost	Total Commitments & Payments	Contracted Company	Payment		Directors of the Companies
		Kshs.	No.	Kshs.	Kshs.		Voucher	Date	
1.	Chlorine resistant bedside cabinets	600,277	20	30,014	600,277	Nexus Medical Ltd	54934	23-Jun-20	Mohamed Sameer Bux Mohamed Atif Bux
2.	Chlorine resistant drip stands	164,600	20	8,230	164,600	Bright Diagonistic Ltd	54673	18-Jun-20	Linus Muchigia Jackson Kamau
3.	Procedure trolleys with wheel casters and breaks	353,280	24	14,720	353,280	Crown Health Care	-	-	1.Shillen Thakerar 2.Bansri Thakerar
4.	Mobile ventilators	3,960,800	1	3,960,800	3,920,800	Nexus Medical Ltd	54934	23-Jun-20	Mohamed Sameer Bux Mohamed Atif Bux
5.	Mobile ventilators	6,960,000	2	3,480,000	6,960,000	Baylem Ltd	54159	12-May-20	J.F.Ogumbo Jane Esther Ogumbo
6.	Pulse oximeters	360,000	20	18,000	360,000	Medionics Healthcare			Lilian Kinoti Dr. S. Arimi
7.	Patient monitors	7,888,000	8	986,000	7,888,000	Nexus Medical Ltd	54934	23-Jun-20	Mohamed Sameer Bux Mohamed Atif Bux

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No	Item	Approved Budget	Qty	Unit Cost	Total Commitments & Payments	Contracted Company	Payment		Directors of the Companies
		Kshs.	No.	Kshs.	Kshs.		Voucher	Date	
8.	Suction Machines	3,166,000	20	158,300	3,166,000	Bright Diagonisticltd	54673	18-Jun-20	Linus Muchigia Jackson Kamau
9.	Rechargeable mobile examination lamps	856,000	20	42,800	856,000	Harley'S Ltd	56040	7-Aug-20	M/s Harley's Limited
10.	Infrared thermometers (thermal guns)	160,000	20	8,000	157,241	Medifast Africa	54981	23-Jun-20	1.Josphat Kaniu 2.William Mwaura
11.	Digital BP machines (with disposable cuffs)	226,000	20	11,300	226,000	Crown Health Care			1.Shillen Thakerar 2.Bansri Thakerar
12.	Drug fridge	990,000	2	495,000	981,466	Faram (Ea) Ltd	56183	19-Aug-20	Erustus Momanyi Wilfred Emonyi
13.	Stethoscopes	300,800	20	15,040	300,800	Phillips Pharmaceuticals	55613	13-Jul-20	Mukesh Mehta Shailesh Mehta Abdulkader Inayat
14.	Ambu bags	130,000	20	6,500	130,000	Faram (Ea) Ltd	56183	19-Aug-20	Erustus Momanyi Wilfred Emonyi
15.	CCU bed	936,000	2	468,000	936,000	Bright Diagonisticltd	54673	18-Jun-20	Linus Muchigia Jackson Kamau
16.	Resuscitation trolley	225,520	2	112,760	225,520	Crown Health Care			1.Shillen Thakerar 2.Bansri Thakerar

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No	Item	Approved Budget	Qty	Unit Cost	Total Commitments & Payments	Contracted Company	Payment		Directors of the Companies
		Kshs.	No.	Kshs.	Kshs.		Voucher	Date	
17.	Defibrillator	1,265,000	2	632,500	632,500	Crown Health Care			1.Shillen Thakerar 2.Bansri Thakerar
18.	Syringe pumps	3,016,000	20	150,800	3,016,000	Surgipharm Ltd	55095	25-Jun-20	Dr. Vijai Maini Vipichandra Shah RK Vinayak Rajesh Maini J. A Truter
19.	Infusion pumps	3,100,000	20	155,000	3,046,552	Medifast Africa	54981	23-Jun-20	1.Josphat Kaniu 2.William Mwaura
20.	Nebulizers	1,680,000	10	168,000	1,680,000	Bright Diagonisticltd	54673	18-Jun-20	1.Josphat Kaniu 2.William Mwaura
21.	Patient procedure trollies	353,280	24		-				
22.	LAB Refrigerators	990,000	2	495,000	972,931	Faram (Ea) Ltd	56183	19-Aug-20	Erustus Momanyi Wilfred Emonyi
23.	Microscope	185,000	1	185,000	185,000	Sciencescope Ltd	56154	17-Aug-20	Jayantilal Hindocha Chetan Hindocha Jayantilal Hindocha
24.	Biological safety cabinet	2,937,750	1	2,937,750	2,937,750	Lued(A)Chemicals	55854	29-Jul-20	Edward Kiogora Lucy Kanario

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No	Item	Approved Budget	Qty	Unit Cost	Total Commitments & Payments	Contracted Company	Payment		Directors of the Companies
		Kshs.	No.	Kshs.	Kshs.		Voucher	Date	
25.	Portable weighing scale	63,250	2	63,250	63,250	Crown Health Care			1.Shillen Thakerar 2.Bansri Thakerar
26.	baby mechanical weighing scale	15,000	1	15,000	14,000	Medionics Healthcare			1.Shillen Thakerar 2.Bansri Thakerar
27.	Dialysis machine with dedicated reverse osmosis unit/ cart machine	5,700,000	2	2,850,000	5,601,724	Nairobi Xray Supplies Ltd	56145	8-Jun-20	B.M Patel P.M Patel P.B Patel
28.	Desktop computers	1,862,000	20	95,000	1,829,896	Microscan Technologies	55183	26-Jun-20	Mugo Kimani
29.	Laptops	1,259,000	10	125,900	1,259,000	Computer Ways			James Muthaka
30.	CCTV	4,000,000	1.00	4,000,000	1,566,309	Kenya Airports Parking Services Ltd			Erick Mwandia
31.	Structured cabling	12,000,000	1	12,000,000	1,794,320	Lekha Trading Co Ltd			
32.	Mobile Phones		2	5,638		Telcom Kenya	22765	4-May-20	
33.	Base station	5,227,192	1	5,227,192	5,137,068	Two Way Communication	54983	23-Jun-20	

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No	Item	Approved Budget	Qty	Unit Cost	Total Commitments & Payments	Contracted Company	Payment		Directors of the Companies
		Kshs.	No.	Kshs.	Kshs.		Voucher	Date	
34.	Generator	3,373,828	1	3,623,828	3,262,828	M/s Achelis Material Handling Limited	54563	11-Jun-20	1. Felly Kamau Kijana 2. Muriuki Gideon Mworia 3. George Rebo
35.	Mechanical extractor	8,756,681		8,506,681	-				
36.	High Pressure gas store, burners, blender	2,881,500			506,730	Sheffield Steel Systems Ltd			
37.	boiling pan, mixer, fridge, electric pan				1,675,600	Stainless Steel Masters Ltd			1. Stephen Waruhiu 2. Cecilia Kamiti
38.	Sufurias				162,742	Kaluworks Ltd			
39.	Sufurias & Tea urns				135,250	Espoir Ventures K Ltd			
40.	Flasks				91,000	Annot Enterprises			
41.	Microwave, Dispensers				112,620	Glass Craft Ltd			
42.	Tea Urns				98,000	Cute Kitchens Ltd			
43.	Electric Kettle, urns, sandwich maker				91,500	Janiles Services			
44.	Serving spoons, stainers				4,550	Phinese Enterprises			(

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No	Item	Approved Budget	Qty	Unit Cost	Total Commitments & Payments	Contracted Company	Payment		Directors of the Companies
		Kshs.	No.	Kshs.	Kshs.		Voucher	Date	
45.	Chairs	3,000,000	1	149,995	149,995	Viable Deco Soln Ltd	warrant no 3961732	12-May-20	Moses Kenyana
46.	Nursing Station chairs		16	42,500	680,000	Bucon Furnitures Ltd			D.K Munene
47.	work stations		9	65,000	585,000				
48.	Cabinets		6	18,000	108,000				
49.	Office Chairs		44	12,000	528,000				
50.	Ergonomic Secretarial Chairs		10	14,500	145,000	Viable Deco Slolutions			Moses Kenyana
51.	Small office desk		14	15,450	216,300				
52.	Conference Table		2	38,900	77,800				
53.	Pharmacy dispensing stools		20	4,500	90,000				
54.	Laboratory Stools		7	9,900	69,300	Fastchoice Ltd			Stephen Kaguru
	TOTAL	**88,942,758**			**65,752,500**				

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DETAILED LIST OF SUPPLIERS SERVICES & CONSUMBLES

APPENDIX VI

No	Description of Goods	Name of Supplier	P.V No	LPO/LSO No	Amount	Directors
1	Security Services	Lavington Security		54954	179,167	Pius Chelimo
2	Security Services	Lavington Security		07241	258,000	Pius Chelimo
3	Security Services	Lavington Security		7245	258,000	Pius Chelimo
4	Disposable plates	Asami Kenya Limited	22709		4,915	James Ng'ang'a and Ruth Ng'ang'a
5	Disposable plates	Asami limited/ Robin Packing limited	22716		9,960	James Ng'ang'a and Ruth Ng'ang'a
6	Cutlery	Naivas supermarket	22743		44,664	David Kimani and Simon Gachwe
7	Disposable plates	Asami Kenya Limited	54898		1,106,900	James Ng'ang'a and Ruth Ng'ang'a
8	Disposable plates	Susan Momanyi	23031		13,200	James Ng'ang'a and Ruth Ng'ang'a
9	Fresh milk	New KCC		181390	5,184	Public Entity
10	Fresh milk	New KCC		181392	1,350	Public Entity
11	Meat	Kenya Meat Commission	54456	181393	7,500	Public Entity
12	Assorted Drinking water	Imprest Caroline Ngatia		53138	10,040	Jai Supermarket
13	Water tanks	Imprest - Annette Sazaka	53138		29,997	
14	Coupons	Rence wood Ventures	54431		20,700	
15	Purchase of water tank	Kentainers Limited	22709		60,000	

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No	Description of Goods	Name of Supplier	P.V No	LPO/LSO No	Amount	Directors
16	Drinking water	Macharia Water supplier/ Tusky mattresses	22716		37,850	Stephen Mukuha Kamau, George Gachwe Kamau and Frank Kamau
17	Assorted food	Navais Supermarket	22743		22,980	David Kimani and Simon Gachwe
18	Drinking water	Navais Supermarket	22765		158,900	David Kimani and Simon Gachwe
19	Patient food	imprest- Phillip Oduk	22887		140,408	
20	Fresh milk	New KCC	55042		2,592	Public Entity
21	Patient food	Imprest - Phillip Oduk	11965		4,867	
22	Drinking water	Imprest- Susan Momanyi	23031		115,200	David Kimani and Simon Gachwe
23	Telephone Items	Imprest - Simon Muchera	11841		91,432	
24	Telephone Items	imprest- Phillip Oduk	11965		33,810	
25	Telephone Items	Telkom K limited	22765		11,270	Steve Okeyo;Kris Senanu: Mugo kibathi
26	Body bags	Goward Funeral Services	54904		250,000	Jane Nganga
27	Motor vehicle Spares	Nyeri Motor services limited	11895		39,700	
28	Motor vehicle Spares	Imprest- Phillip Oduk	22832		124,710	
29	Motor vehicle Spares	imprest- Phillip Oduk	22858		146,291	
30	Motor vehicle Spares	imprest- Phillip Oduk	22887		20,157	
31	Motor vehicle Spares	Imprest - Phillip Oduk	11965		225,965	
32	Washing Machine	Imprest - David Fwamba		3961697	85,000	
33	Fuel card Expenses	R.H Devani Limited		0158152	951,746	Nelish Devani

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No	Description of Goods	Name of Supplier	P.V No	LPO/LSO No	Amount	Directors
34	Repair of Motor Vehicle	Imprest - Fred Omondi	22927		2,500	
35	Fuel card Expenses	R.H Devani Limited	55972		1,345,367	Nelish Devani
36	Fuel card Expenses	R.H Devani Limited		187185	1,256,722	Nelish Devani
37	Repair of Motor Vehicle	Imprest - Fred Omondi	22997		10,000	
38	Laserjet printers	Sunbeam Computer Systems EA Ltd		0120913	972,931	Rachana Patil Sarang
39	Roll of ribbon and PVC roll	Imprest -Churchill Otieno		3961704	29,000	
40	Roll of ribbon	Imprest - Phillip Oduk	22832		17,150	
41	Roll of ribbon	Imprest - Phillip Oduk	22887		24,980	
42	Material for plastic aprons	Warwick Enterprises Ltd		0164026	433,114	John Chege
43	Bathing towels for doctors	Hospital Comfort Company Limited		120924	435,028	Jane Njambi
44	surface dusters	Frech Enterprises	158455		19,500	Mwangi fred
45	ABHR holder	Quillar Enterprise Limited		1027	540,000	james wanjiru
46	Hire of mobile toilets	Ideal Sanitation Limited	278400		278,400	Joel Mukoya
47	Hire of tents, chairs and tables	Fachimo Florist	54436		146,824	Joyce Nkubi
48	Chairs	Imprest -Phillip Oduk	22832		4,600	
49	Hire of portable Toilet	Ideal Sanitation Limited	22716		27,840	Joel Mukoya
50	Assorted Furniture	Tusky Mattresses	22709		39,250	Stephen Mukuha Kamau, George Gachwe Kamau and Frank Kamau
51	Hire of tents, chairs and tables	Sensous Logistics		1259	1,372,500	Fraciah Njoki Munyori
52	Building materials	Imprest -Enoch Maina	11789		3,492	

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No	Description of Goods	Name of Supplier	P.V No	LPO/LSO No	Amount	Directors
68	Building materials	Chance Aluminium & Glassmart Contractors Ltd	55310		84,000	Adrea Maina
69	Building materials	Imprest - Charles Ochieng		3961740	28,000	
70	Building materials	Wandi General Suppliers		0168896	999,000	James Ndichu
71	Electrical materials	Tusky Mattresses	22731		61,540	
72	Electrical materials	Imprest - Phillip Oduk	11965		15,460	
73	Building materials	Linksfield Investments			1,980,000	Regina Mulekyo
74	Building materials	Imprest Kevin Kipngeno	12042		12,500	
75	Supply and installation of Medical oxygen outlet & control panes	BOC Kenya Limited	56057		3,861,347	Marion Mwangi; Arthur Kamau
76	Heavy duty plastic linear bag	Warwick Enterprises Ltd	54291		351,808	John Chege.
77	Heavy duty plastic linear bag	Warwick Enterprises Ltd	54293		583,758	John chege.
78	Jacto knapsack sprayer	Imprest-Phillip Oduk	22832		28,344	Mamoj Shah
79	Decontamination tanks	Imprest Phillip Oduk	22858		23,440	Kamukunji
80	Scouring powder	Fech Enterprises	54706		5,125	Fred mwangi
81	Disinfectant cleaner	Aumaco Enterprises	54708		179,845	Marion wanjiru
82	Farmbase sprayer	Imprest Phillip Oduk	22887		2,450	Fredrick Atiato
83	Synthetic brooms	Frech Enterprises	55054		27,379	Fred mwangi
84	Absorbent hand towels	Jasryn Enterprises	55159		176,405	Beatrice Kariuki

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No	Description of Goods	Name of Supplier	P.V No	LPO/LSO No	Amount	Directors
85		Tusky Mattresses	22731		17,150	Stephen Mukuha Kamau, George Gachwe Kamau and Frank Kamau
86	Toilet brushes	Zocom Limited	55531		2,727	joseph muriuki
87	Dustpans,heavy duty gloves	Zocom Limited	55631		57,698	joseph muriuki
88	Window squizers	Quality Mark Limited	55450		45,206	Joan Njiru
89	Hypochloride based	Maimon Enterprises	55844		75,525	Magdaline Kaluli
90	Heavy duty gloves size 12,18	Zocom Limited	55902		56,893	Joseph Muriuki
91	Soap for dispenser	Setlife Business Systems and Supplies		167774	116,000	James Wanjiru
92	Floor scrubbing machine	Cinka Enterprises		167787	518,997	Gladys Karanja
93	Cooler boxes	imprest- Phillip Oduk	22858		12,346	David Kimani and Simon Gachwe
94	Bar codes	Imprest-Susan Momanyi	23031		30,000	
95	Medical Stationery	Imprest Susan Momanyi	23031		5,880	
	Total				**22,753,395**	

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Mtg - records, source and purpose - Annexure-25-

...9,504,700 as detailed below; ... through an allocation of a total of Kshs.

~~Annex I~~

Table1: Funds received, Source and purpose

No	Amount (Kshs)	Date Receipt	Purpose of the funds	Source of funds	Commitment instruments
	42,824,700	23rd April 2020	Recruited of staff on 3 months contract	GOK	AIE
	106, 680,000	7th July 2020	COVID-19 Allowance for Health Care Workers	GOK	AIE
	400,000,000	7th July 2020	Advertised on 14th and 4th August 2020 and currently undergoing tender evaluation.	GOK	AIEs
	549,504,700				

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ISO 9001:2015 Certified Hospital

MOI TEACHING AND REFERRAL HOSPITAL

MINUTES OF THE 69th BOARD MEETING HELD ON 17TH -18TH JULY 2020 AT THE MEDICAL PRACTITIONERS AND DENTIST'S COUNCIL BOARDROOM/ TRIBUNAL CENTER-NAIROBI.

PRESENT

1.	Hon. Joseph K. Lagat	-	Chairperson
2.	Dr. Janet Muriuki	-	Independent Member
3.	Dr. Dora Malla	-	Independent Member
4.	Mrs. Constantine Kandie	-	Independent Member
5.	Mr. Idle Mohamud	-	Independent Member
6.	Dr. Mary Wairimu Wangai	-	Alt. P.S. Ministry of Health
7.	Mr. Mark Ngecho Lugwisa	-	Alt. Rep CS The National Treasury & Planning
8.	Prof. Isaac Kosgey	-	Vice Chancellor, Moi University
9.	Dr. Wilson K. Aruasa, *MBS*	-	CEO/Secretary

IN-ATTENDANCE

1.	Mr. George Ombua	-	Rep Inspectorate of State Corporations

IN-ATTENDANCE

2.	Dr. Benjamin Tarus	-	Senior Director, Administration & Finance
3.	Dr. Philip Kirwa	-	Senior Director, Clinical Services
4.	Mr. Simon Indimuli	-	State Corporations Advisory Committee
5.	Mrs. Lydia Mwangi	-	State Corporations Advisory Committee
6.	Ms. Sylvia C. Nyariki	-	Ag. Corporation Secretary/Taking Minutes

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MIN. 1/17/7/2020: OPENING PRAYER

Having confirmed that there was Quorum, the Chairman called the meeting to order at 10.16 a.m. with an opening prayer from Mrs. Constantine Kandie.

MIN. 2/17/7/2020: QUORUM

It was confirmed that quorum was duly achieved to conduct the business of the day.

MIN. 3/17/7/2020: OPENING REMARKS FROM THE CHAIR

The Board Chair welcomed members to the meeting and thanked them for attending. It was confirmed that due approvals to hold the meeting out of the Headquarters had been secured from the Principal Secretary Ministry of Health.

MIN. 4/23/6/2020: ADOPTION OF AGENDA

The Agenda was presented and adopted by members as follows;

a) Confirmation of Quorum
b) Declaration of Interest.
c) Adoption of the Agenda.
d) Chairman's remarks.
e) To conduct Board Evaluation for 2019/2020 financial year
f) Confirmation of minutes of;
    i) Special Board meeting of 30th January, 2020.
    ii) The 68th Full Board Meeting of 21st February, 2020,
    iii) Virtual Board meeting of 8th April, 2020.
    iv) Virtual Board meeting of 29th April, 2020.
    v) Virtual Board meeting of 23rd June, 2020.
g) Matters Arising from minutes of;
    i) Special Board meeting of 30th January, 2020,
    ii) The 68th Full Board Meeting of 21st February, 2020,
    iii) Virtual Board meeting of 8th April, 2020.
    iv) Virtual Board meeting of 29th April, 2020.
    v) Virtual Board meeting of 23rd June, 2020.
h) Presentation of the following reports for deliberations and approval;
    i) Finance & Strategy Committee's recommendations.
    ii) Hospital Operations & Standards Committee's recommendations.
    iii) People Management Committee's recommendations.
    iv) Presentation of the Audit, Risk & Compliance Committee's recommendations.
i) CEO's Brief.
j) Consideration of the position of Corporation Secretary and Internal Auditor.

11/08/2020

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Resolved: Management to impress upon NHIF to Maintain the cover at Ksh 250,000,000 and expedite the renewal of the service. Additionally, if the services from NHIF fail to meet the Hospital's requirements, Management to look for another service provider.

b) **MIN 8/24/1/20 Annual Budget for Financial Year 2020/2021**

(i) **Universal Health Coverage:** Noting that UHC roll out was to include funds for MTRH to recruit additional employees, Management was tasked to follow-up on allocation due for consideration vide Supplementary Budget II which the Committee was informed, was issued but no funds were allocated for employment of additional staff for UHC roll out.

Resolved: MTRH received funds to hire staff on contract for a period of three (3) months. Follow up with the Ministry of Health to continue seeking for extension of the contract to 3 years due to service needs.

(ii) **Waivers:** There is concern by the Board on the waiver amounts. The Board had directed to set up a task force to investigate validity of the waivers administered. and present a report by the end of the 4th quarter 2019/20. Among the issues the task force was to look at included characteristics of the persons being waived and general review of the locality they hail from. Interventions adopted in counties such as Laikipia County to map out its indigent population can thereafter be fronted to County Governments. The report to be presented in the next Finance & Strategy Committee meeting for 1st Qrt 2020/2021.

Resolved: The Board resolved that the task however be undertaken by an Ad-Hoc Sub-Committee comprising of members of the Board. Therefore, Director Dorah Mala (to chair), Director Mr. George Ombua and Director Dr. Mary Wangai were nominated. Dr. Benjamin Tarus will provide secretariat services.

5. **Budgetary Revision and Reallocations/ Virement FY 2019/2020**

The Board deliberated and approved the following upon proposal by Director Mark Lugwisa Seconded by Director Isaac Sanga,

i) The Board approved the Revised FY 2019/2020 Budget and the various reallocations/ virements made in the budget attached as Annex I to these minutes.

6. **Budget Performance 2019/2020**

The Board noted the overall budget performance for FY2019/2020 being 100 % for income and 95% for expenditure as summarized below;

11/08/2020

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(i) INCOME

CODE	INCOME	APPROVED REVISED BUDGET 2019/2020	CUMMULATIVE INCOME 2019/2020	VARIANCE FOR THE PERIOD	% ACHIEVED
	GOK GRANTS				
01	Recurrent	6,977,588,976	6,977,588,886	(90)	100%
02	Conditional Grants				
	a) UHC Pilot	150,000,000	150,000,000	-	100%
	b) Recruitment of additional Staff for COVID-19 Containment and Suppression	42,824,700	42,824,700	-	100%
	SUB-TOTAL	**7,170,413,676**	**7,170,413,586**	**(90)**	**100%**
03	Capital Grants	451,250,000	451,250,000	-	100%
	SUB-TOTAL	**451,250,000**	**451,250,000**	**-**	100%
	TOTAL GOK GRANTS	**7,621,663,676**	**7,621,663,586**	**(90)**	**100%**
	APPROPRIATIONS IN AID (A-I-A)				
04	Cost Sharing	3,025,807,443	3,057,137,361	31,329,918	101%
05	Other Income	23,150,557	22,202,104	(948,453)	96%
	TOTAL A-I-A	**3,048,958,000**	**3,079,339,466**	**30,381,465**	**101%**
	TOTAL INCOME	**10,670,621,676**	**10,701,003,052**	**30,381,376**	**100%**

(ii) EXPENDITURE

CODE	EXPENDITURE	APPROVED REVISED BUDGET 2019/2020	CUMMULATIVE EXPENDITURE	VARIANCE FOR THE PERIOD	% UTILISATION
10	Personnel Emoluments	7,240,413,676	7,220,714,467	19,699,209	100%
35	Disaster/ Emergency Response	30,000,000	26,879,319	3,120,681	90%
36	Disaster/ Emergency Response (Internal Funds)	55,000,000	17,082,606	37,917,394	31%
020 - 550	Operations & Maintenance	2,405,450,862	2,274,483,349	130,967,514	95%
210	Maintenance of building & station	49,766,295	44,200,755	5,565,541	89%
220	Maintenance plant & equipment	41,431,827	40,416,673	1,015,154	98%
365	Universal Health Coverage (UHC) Outreach	10,000,000	3,977,532	6,022,468	40%
480	Staff Medical Scheme		250,150,817		100%

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CODE	EXPENDITURE	APPROVED REVISED BUDGET 2019/2020	CUMMULATIVE EXPENDITURE	VARIANCE FOR THE PERIOD	% UTILISATION
		250,000,000		(150,817)	
370	Board of Management Expenses	17,309,015	11,079,510	6,229,505	64%
530	Hospital Equipment (AIA Contribution)	120,000,000	82,239,263	37,760,737	69%
560	Capital Expenditure	451,250,000	185,137,244	266,112,756	41%
	TOTAL	**10,670,621,675**	**10,156,361,535**	**514,260,142**	**95%**

7. Annual Budget For FY 2020/2021

The Board deliberated and approved the following upon proposal by Director Isaac Kosgey and Seconded by Dr. Janet Muriuki;

i) The Board approved the FY 2020/2021 Budget for implementation. (Annex II). It includes Ksh 400 Million being a conditional grant for COVID-19 response and Ksh 106,680,000 being allowances for frontline health workers dealing with the COVID-19 pandemic.

ii) The Board approved revision of the MTRH Procurement Plan for FY 2020/2021 by an additional Ksh 400 Million from Ksh. 3,122,408,424 to Ksh 3,522,408,424, to capture key projects to be implemented in FY 2020/2021 through the conditional grant for COVID-19 response. (Annex III a & III b)

iii) Management to continue with prudence in the management of the budget so as to fully realize target income both from A-I-A and GOK and ensure effective and efficient use of resources.

iv) Management supported by the Board to lobby for additional funds amounting to Kshs. 1.6 billion from The National Treasury through supplementary budget to bridge the funding gap for Personnel emoluments.

8. Debtors/Receivables Performance for FY 2019/2020

The Board noted the report and approved the Committee's recommendations which were;

i) In addition to the pending debt write-off request of Kshs. 1,505,282,435.00 s submitted in the year 2018, MTRH to also submit debt write-off requests for FYs 2018/19 and 2019/2020 and also request for reimbursement for debts written-off and waived bills by The National Treasury.

11/8/2020

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Resolved:

The Board resolved the following upon proposal by Director Constantine Kandie, seconded b Director Janet Muriuki;

i) Dr. Wilson K. Aruasa's contract be renewed for a second and final term of 5 years.
ii) The Chairperson of the Board of Management to write a letter to the Cabinet Secretary, Ministr of Health and a copy to State Corporations Advisory Committee to recommend renewal o contract of employment for the CEO, Dr. Wilson K. Aruasa, *MBS*.

MIN 14/17/7/2020: ADJOURMNENT

The meeting adjourned at 2.10 pm on 18/7/2020 with a prayer from Dr. Phillip Kirwa.

APPROVED FOR CIRCULATION:

CHAIR...Hon: Joseph K. Lasaf... SIGNATURE.....

DATE.....10/08/2020

SECRETARY...Dr. Wilson K. Aruasa, MBS... SIGNATURE.....

DATE.....11/08/2020.....

CONFIRMED AT THE NEXT MEETING:

CHAIR..... SIGNATURE.....

DATE.....

SECRETARY..... SIGNATURE.....

DATE.....

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MTRH Annexm -27- Tender Advert -

3	Kenya Emergency Response Funds for COVID-19 for Medical Equipment and Oxygen Plants as per attached list.	Advertised on 14th and 28th August 2020 and currently undergoing tender evaluation.

3. A detailed report on all procurements undertaken towards the fight against COVID-19 pandemic

i) GOK Contribution for COVID-19

Kshs 400,000,000 was allocated to MTRH for COVID-19 emergency response. MTRH Board discussed and approved the utilization in its 69th Board meeting held on 17th- 18th July 2020. The advertisements were carried in MyGov on 14th and 28th July 2020 and the procurement process is ongoing.

No	Tender No	Particulars of Tender	Eligibility	Date Closed
1	MTRH/T/3/2020-2021	Tender for Supply, Delivery, Installation and Commissioning of Medical Equipment	Open	30th July 2020
2	MTRH/T/24/2020-2021	Tender for Supply, Delivery, Installation and Commissioning of 2x1000 LPM Oxygen Generating Plants	Open	4th August 2020
3	MTRH/T/25/2020-2021	Tender for Supply, Delivery, Installation, Testing and Commissioning of HVAC system at World Bank Isolation Ward	Open	30th July 2020
3	MTRH/T/26/2020-2021	Tender for Supply, Delivery, Installation and Commissioning of oxygen piping and accessories to isolation wards	Open	30th July 2020
4	MTRH/T/29/2020-2021	Tender for Supply, and Delivery of Motor Vehicles	Open	12th August 2020
5	MTRH/T/30/2020-2021	Tender for Supply, Delivery, Installation, Testing and Commissioning of HVAC system at Rafiki Isolation Ward	Open	12th August 2020
6	MTRH/T/33/2020-2021	Tender for Supply, Delivery, Installation, Testing and Commissioning of Medical gas Piping to Shoe4AFRICA Children Hospital at MTRH	Open	12th August 2020

All the above tenders have been concluded and currently in award stage except the Tender of Motor vehicles which has to be re-tendered as the bidders did not meet the mandatory requirements.

ii) **MTRH contribution through AIA**- A total of Kshs 66,078,178 from 2019/2020FY (Kshs 30,000,000 as emergency relief fund from GOK and Kshs 36,078,178 from Appropriations-In-Aid) and a total of Kshs 130,000,000 2020/21FY (Kshs 30,000,000 emergency relief fund from GOK and Kshs 100,000,000 from Appropriations-In-Aid).

16/09/2020 AMPATH

The funds are used for emergency response and to procure various types of Personal Protection Equipment (PPEs) for the staff and admitted patients.

The details of the procurements were provided in the Addendum Report.

Under 2020/21FY allocation, so far Kshs 21,969,727 has been committed in the Vote Book for emergency response and Covid_19 PPEs out of which Kshs. 13,063,616 has been paid to suppliers.

4. A detailed report of all the donations received

MTRH has received donations in kind from various partners since March 2020 to support towards the fight against Covid-19. The donations are worth Kshs 36,003,580. The details of the donations was presented to the Committee. The latest donation was received from Smile Train on 10th September 2020 worth Kshs. 33,250

Respectfully submitted,

16/09/2020

DR. WILSON K. ARUASA, *MBS*

CHIEF EXECUTIVE OFFICER

MOI TEACHING AND REFERRAL HOSPITAL
CEO
APPROVED
16 SEP 2020
SIGN.....
P. O. Box 3 - 30100, ELDORET

KU TRRH- Donations by IGAD - Annexure - 28 -

1. DONATION BY IGAD – KSHS 10,450,000/=

These funds were used to furnish staff houses that were set aside to accommodate staff working in Covid-19 isolation wards. This helps in protecting staff families as they have a place to stay while in duty and quarantine before rejoining their families.

	ITEM DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST
1	Full size bed (3.5x6 ft.) mahogany	142	13,500.01	1,917,000.77
2	Duvet covers (White queen size)	134	2,950.00	395,300.11
3	Mattress (3.5x6 ft.), high density foam mattress	142	7,999.95	1,135,992.90
4	Refrigerator (double door) (Top mount freezer, 120L)	37	30,200.00	1,117,400.08
5	Microwaves digital 20L	37	9,950.00	368,149.99
6	Mackintosh bed covers	142	1,975.05	280,457.10
7	Water dispenser	51	10,890.00	555,389.91
8	Television 32" digital smart tv	51	35,100.02	1,790,100.95
9	4 Burner free standing Cooker	37	29,400.00	1,087,799.84
10	Ceramic Non-stick cooking Pots (5 sets)	37	14,500.00	536,500.07
11	Supply & Installation of Curtains	1	1,907,066.00	1,907,066.00

Total Cost	**Kshs**	**11,091,157.72**
Designatated Funds From GoK		**10,450,000.00**
Covid Development		**641,157.72**

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KUTRRH - Annexure - 29

FUNDS FROM GOK – RECURRENT EXPENDITURE KSHS 500M

	EXPENDITURE	BUDGET ALLOCATION	AMOUNT PAID	COMMITMENT	TOTAL EXPENDITURE	VOTE BALANCE	% ALLOCATIOI
A	CLINICAL COST						
1	Pharmaceuticals	112,500,000.00	50,373,412.00	34,476,547.03	84,849,959.03	27,650,040.97	56.25%
2	Consumables	67,500,000.00	44,080,870.98	19,544,461.00	63,625,331.98	3,874,668.02	33.75%
3	Infections Control	45,000,000.00	32,903,000.00	900,000.00	33,803,000.00	11,197,000.00	22.50%
4	Linen and Clothing	37,500,000.00	9,956,745.73	132,500.00	10,089,245.73	27,410,754.27	18.75%
5	House Keeping	27,500,000.00	925,535.00	3,582,500.00	4,508,035.00	22,991,965.00	13.75%
6	Catering Expenses(food & ration)	96,250,000.00	56,807,070.00	2,653,775.00	59,460,845.00	36,789,155.00	48.13%
	Total Clinical Cost	386,250,000.00	195,046,633.71	61,289,783.03	256,336,416.74	129,913,583.26	77.25%
B	OPERATING EXPENSES						
	DETAILS						
1	Publicity and Marketing	7,250,000.00	1,342,720.60	1,471,120.00	2,813,840.60	4,436,159.40	3.63%
2	Laundry and dry cleaning	11,500,000.00	7,285,745.50	505,384.80	7,791,130.30	3,708,869.70	5.75%
3	Electricity	17,500,000.00	14,270,073.00		14,270,073.00	3,229,927.00	8.75%
4	Water and sewarage	6,250,000.00	5,117,319.80	559,680.00	5,676,999.80	573,000.20	3.13%
5	Gas and Cooking Fuel	25,000,000.00	14,074,747.00	1,570,000.00	15,644,747.00	9,355,253.00	12.50%
6	Telephone	1,250,000.00	526,300.00		526,300.00	723,700.00	0.63%
7	Fuelling of Motor Vehicles	8,750,000.00	834,388.00		834,388.00	7,915,612.00	4.38%
8	Printing and Stationery	31,250,000.00	16,817,938.08	10,010,999.00	26,828,937.08	4,421,062.92	15.63%
9	Mortuary Expenses	5,000,000.00	2,174,852.00		2,174,852.00	2,825,148.00	2.50%
	Total Operational Cost	113,750,000.00	62,444,083.98	14,117,183.80	76,561,267.78	37,188,732.22	22.75%
	TOTAL BUDGET	500,000,000.00	257,490,717.69	75,406,966.83	332,897,684.52	167,102,315.48	

KUTRRH - Annexure - 29 -
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iii. FUNDS FROM GOK – RECURRENT EXPENDITURE KSHS 500M

	EXPENDITURE	BUDGET ALLOCATION	AMOUNT PAID	COMMITMENT	TOTAL EXPENDITURE	VOTE BALANCE	% ALLOCATION
A	CLINICAL COST						
1	Pharmaceuticals	112,500,000.00	50,373,412.00	34,476,547.03	84,849,959.03	27,650,040.97	56.25%
2	Consumables	67,500,000.00	44,080,870.98	19,544,461.00	63,625,331.98	3,874,668.02	33.75%
3	Infections Control	45,000,000.00	32,903,000.00	900,000.00	33,803,000.00	11,197,000.00	22.50%
4	Linen and Clothing	37,500,000.00	9,956,745.73	132,500.00	10,089,245.73	27,410,754.27	18.75%
5	House Keeping	27,500,000.00	925,535.00	3,582,500.00	4,508,035.00	22,991,965.00	13.75%
6	Catering Expenses(food & ration)	96,250,000.00	56,807,070.00	2,653,775.00	59,460,845.00	36,789,155.00	48.13%
	Total Clinical Cost	**386,250,000.00**	**195,046,633.71**	**61,289,783.03**	**256,336,416.74**	**129,913,583.26**	**77.25%**
B	OPERATING EXPENSES						
	DETAILS						
1	Publicity and Marketing	7,250,000.00	1,342,720.60	1,471,120.00	2,813,840.60	4,436,159.40	3.63%
2	Laundry and dry cleaning	11,500,000.00	7,285,745.50	505,384.80	7,791,130.30	3,708,869.70	5.75%
3	Electricity	17,500,000.00	14,270,073.00		14,270,073.00	3,229,927.00	8.75%
4	Water and sewarage	6,250,000.00	5,117,319.80	559,680.00	5,676,999.80	573,000.20	3.13%
5	Gas and Cooking Fuel	25,000,000.00	14,074,747.00	1,570,000.00	15,644,747.00	9,355,253.00	12.50%
6	Telephone	1,250,000.00	526,300.00		526,300.00	723,700.00	0.63%
7	Fuelling of Motor Vehicles	8,750,000.00	834,388.00		834,388.00	7,915,612.00	4.38%
8	Printing and Stationery	31,250,000.00	16,817,938.08	10,010,999.00	26,828,937.08	4,421,062.92	15.63%
9	Mortuary Expenses	5,000,000.00	2,174,852.00		2,174,852.00	2,825,148.00	2.50%
	Total Operational Cost	**113,750,000.00**	**62,444,083.98**	**14,117,183.80**	**76,561,267.78**	**37,188,732.22**	**22.75%**
	TOTAL BUDGET	**500,000,000.00**	**257,490,717.69**	**75,406,966.83**	**332,897,684.52**	**167,102,315.48**	

The funds were utilized to pay for recurrent expenditures related to the care of COVID-19 Patients. Out of the Kshs 500M allocated, Kshs 257.49M is already used and paid out while commitments in form of LPOs raised amounts to Kshs 75.4M, thus Kshs 332.9M is already committed.

KMTC - Approved budget for Covid 19

Annex ex - 31 -

ble 1: Approved budget for Covid 19

ITC EMERGENCY RESPONSE TO COVID 19 BUDGET ESTIMATES

No	Main Activities	Actual Expenditure as at 30.06.2020 (a)	Projected Cost for a period of two months (July & August 2020) (b)	Total Amount c)= a+
A		Total Amount (Kshs)	Total Amount (Kshs)	Total Amount (Ksh
1	Accommodation requirements	Kshs	Kshs	Ksh
	Hostel Equipment			
	Beddings and other accessories	30,791,196.00	10,000,000.00	40,791,196.0
	Subtotal	30,791,196.00	10,000,000.00	40,791,196.0
	Furniture, Fixtures & Fittings			
	Chairs, Tables, Curtains	8,609,968.00	10,000,000.00	18,609,968.0
	Subtotal	8,609,968.00	10,000,000.00	18,609,968.0
	Plant & Equipment			
	Water Dispensers Hot and Cold	343,500.00	250,000.00	593,500.0
	Subtotal(see note a below)	343,500.00	250,000.00	593,500.0
	Total	39,744,664.00	20,250,000.00	59,994,664.0
2	Recreation /communication			
	Machinery & Equipment			
	Tvs, celphones, wifi, DStv (see note b below)	804,694.00	2,300,000.00	3,104,694.0
	Subtotal	804,694.00	2,300,000.00	3,104,694.0
	Telephone Expenses			
	Airtime (for psychosocial support givers)	-	1,000,000.00	1,000,000.0

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	Subtotal	-	1,000,000.00	1,000,000.00
	Total	804,694.00	3,300,000.00	4,104,694.00
3	Laundry /cleaning services			
	Plant & Equipment			
	Washing machines & Handwashing Units(see note c below)	2,170,193.00	5,000,000.00	7,170,193.00
	Bio digesters (see note d below)	-	27,500,000.00	27,500,000.00
	Automatic sanitizer dispensers	-	1,000,000.00	1,000,000.00
	Subtotal	2,170,193.00	33,500,000.00	35,670,193.00
	Contracted Cleaning services			
	Outsourced Cleaning services	5,263,688.50	4,730,860.00	9,994,548.50
	Infectious waste collectors	300,000.00	300,000.00	600,000.00
	Fumigation		5,000,000.00	5,000,000.00
	Subtotal	5,563,688.50	10,030,860.00	15,594,548.50
	Purchase of Cleaning Materials			
	Soaps and detergents ie hand wash soap, sanitizer etc	2,226,532.00	2,226,532.00	4,453,064.00
	Subtotal	2,226,532.00	2,226,532.00	4,453,064.00
	Total	9,960,413.50	45,757,392.00	55,717,805.50
4	Catering Services			
	Outsourced catering services	44,841,860.00	30,000,000.00	74,841,860.00
	Subtotal(see note e below)	44,841,860.00	30,000,000.00	74,841,860.00
	Drinking Water			
	20 ltrs water (Disposable)	610,000.00	640,000.00	1,250,000.00
	Dispoble Cups(25pcs)	120,458.00	125,000.00	245,458.00
	Subtotal	730,458.00	765,000.00	1,495,458.00
	Total	45,572,318.00	30,765,000.00	76,337,318.00
5	Repairs and Maintenance			
	General Repairs(see note f below)	31,702,187.50	93,000,000.00	124,702,187.50
	Total	31,702,187.50	93,000,000.00	124,702,187.50
6	Toiletries and Related Accessories			
	Purchase of Cleaning Materials			
	Personal effects (see note g below)	26,555,798.00	2,513,462.00	29,069,260.00

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	Subtotal	26,555,798.00	2,513,462.00	29,069,260.00
	Personal Protective Equipment			
	Full PPE set	-	46,622,200.00	46,622,200.00
	Scrubs	-	2,130,000.00	2,130,000.00
	Face masks (surgical) and N95	8,717,900.00	21,380,000.00	30,097,900.00
	Face Shield	450,000.00	250,000.00	700,000.00
	Gloves, Gumboots & Overalls	2,275,147.00	2,039,020.00	4,314,167.00
	identification badges	0	300,000.00	300,000.00
	Subtotal (see note h below)	**11,443,047.00**	**72,721,220.00**	**84,164,267.00**
	Total	**37,998,845.00**	**75,234,682.00**	**113,233,527.00**
7	**Drugs and Dressing**			
	Various emergency drugs	34,865.00	3,000,000.00	3,034,865.00
	Total	**34,865.00**	**3,000,000.00**	**3,034,865.00**
8	**Medical Equipment**			
	portable Oxygen cylinders	-	3,200,000.00	3,200,000.00
	oxygen concentrator	-	1,600,000.00	1,600,000.00
	ambu bags (assorted)	-	260,000.00	260,000.00
	Infrared Thermometers	68,000.00	900,000.00	968,000.00
	Total	**68,000.00**	**5,960,000.00**	**6,028,000.00**
9	**Utilities**			
	Water	5,188,666.00	9,000,000.00	14,188,666.00
	Electricity	2,701,983.00	4,200,000.00	6,901,983.00
	Enhanced Security Services	-	10,000,000.00	10,000,000.00
	Ambulance	-	5,000,000.00	5,000,000.00
	Total	**7,890,649.00**	**28,200,000.00**	**36,090,649.00**
10	**Logistics for supervision/Monitoring**			
	Subsistence Allowance	4,067,260.00	15,000,000.00	19,067,260.00
	Fuel (litres)	814,030.00	875,000.00	1,689,030.00
	Total(see note i below)	**4,881,290.00**	**15,875,000.00**	**20,756,290.00**
	GRAND TOTAL	**178,657,926.00**	**321,342,074.00**	**500,000,000.00**

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KMTC - Supplier - Annexure - 32 -

able 6: Names of the Companies/Entities Awarded the Tenders, their addresses and Directors

COVID -19 PROCUREMENT DETAILS					
S/NO	ITEM DESCRITION	FIRM DESCRIPTION	POSTAL ADDRESSES	OWNERSHIP STATUS	PAYMENT STATUS
1	Supply & Fixing hot showers	Caloa Enterprises	P.O. Box 2354 - 00200 Nairobi	Caleb O.Andanyi	PAID
2	Hostel Equipment & Cleaning Materials	Chesumbay Business Limited	P.O. Box 54822 - 00200 Nairobi	Dorcas Murie	PAID
3	Hostel Equipment & Cleaning Materials	Joyanca Business Solutions	P.O. Box 97650 - 00100 Nairobi	Caleb K. Tanui	PAID
4	Hostel Equipment & Cleaning Materials	SR Trading Limited	P.O. Box 5056 - 00506 Nairobi	Purity Kivuva	PAID
5	Hostel Equipment & Cleaning Materials	Reshan Investment	P.O. Box 246 - 00200 Nairobi	Nancy Cherop	IN PROCESS
6	Hostel Equipment & Cleaning Materials	Nyasvin Services Limited	P.O. Box 93999 - 80155 Mombasa	Tabitha Kemnto	PAID
7	Hostel Equipment & Cleaning Materials	Benchmac Printers Limited	P.O. Box 61512 - 00200 Nairobi	Vincent Musa	PAID
8	Cleaning Materials	Wancent Investment Limited	P.O. BOX 505 - 00600 Nairobi	Josephine Kivaa	PAID
9	Furniture and repairs	Festa Trade Enterprises	P.O. Box 8299 - 00200 Nairobi	Samwel Kabiu	PAID
10	Hostel Equipment & Cleaning materials	Stimal Office Supplies	P.O. Box 10288 - 00100 Nairobi	Keneth Bandi	PAID
11	Water Dispensers	Mediffin Invest Limited	P.O. Box 14978 - 00400 Nairobi	Risper Koskei	PAID
12	Wireless Internet Connection	GiltechTechnologoies	P.O. Box 26571 - 00100 Nairobi	Martin Njeru	IN PROCESS
13	Cleansing Materials	Martinis Auto General Supplies	P.O. Box 78168 - 00507 Nairobi	Martin M.	PAID
14	Cleansing Materials	Benton Auto Systems	P.O. Box 6241 - 00200 Nairobi	Jane Nyaguthii	IN PROCESS
15	Personal Protective Equipment	Equilife Limited	P.O. Box 66704 - 00800 Nairobi	Frashiah Macharia	IN PROCESS
16	Repair of Generators	Goalfills Power Solutions	P.O. Box 9761 - 00200 Nairobi	Shadrack Mutua	PAID
17	Hostel Equipment & Cleaning materials	Shenco Suppliers Limited	P.O. Box 34434 - 00100 Nairobi	Mecry Kamande	PAID
18	Food and Ration	Easyday Investments Ltd	P.O. Box 36323 - 00200 Nairobi	Oyabi S. Nyagaka	IN PROCESS
19	Hostel Equipment & Cleaning Materials	Keyholder Enterprises	P.O. Box 12659 - 00100 Nairobi	Vivian Muthoni	PAID
20	Personal Protective Equipment	Smagon Enterprises	P.O. Box 72354 - 00200 Nairobi	Gerishia O.	PAID
21	Personal Protective Equipment	Criptopous Enterprises	P.O. Box 48092 - 00200 Nairobi	S O. Okite	PAID
22	Hand Wash & Hand Sanitizer Stations	Envio Investment	P.O. Box 512 - 00100 Nairobi	Joan Gatugo	PAID
3	Cleansing Materials	Bephat Enterprises Limited	P.O. Box 35 - 00901 Ngewa	Elizabeth Mugo	PAID
4	Mobile Phones	Northwest Business Systems	P.O. Box 56666 - 00200 Nairobi	Agness Wanjiku	PAID

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25	Cleansing Materials	Industrial Environment Health	P.O. Box 30000 - 00100 Nairobi	Nelson Moses	IN PROCESS
26	Catering Services	Royal Platters Limited	P.O. Box 104702 - 00101 Nairobi	Dickson Kimathi	PAID
27	Personal Protective Equipment	Eclipse Business Enterprises	P.O. Box 16818 - 00100 Nairobi	Lynne Wanjiku	IN PROCESS
28	Fumigation Machine	Charnostar Enterprises	P.O. Box 3015 - 00506 Nairobi	Racheal W.	PAID
29	Personal Protective Equipment	Golders Limited	P.O. Box 15916 - 00509 Nairobi	K. Muasya	IN PROCESS
30	Supply & Fixing hot showers	Life Brigde (K) Limited	P.O. Box 1742 - 00100 Nairobi	Muchiri Anne	PAID
31	Hostel Equipment & Cleaning Materials	Intelink Consult Limited	P.O. Box 58299 - 00200 Nairobi	Linet Kivuva	PAID
32	Hostel Equipment's & Cleaning materials	Adesina Limited	P.O. Box 2078 - 002020 Nairobi	Dorcas Murey	PAID
33	Cleaning Science Supplies	Esrom Investment	P.O. Box 6910 - 00200 Nairobi	Robert Thumbi	IN PROCESS
34	Cleansing Materials	Randax Enterprises	P.O. Box 1025 - 00901 Nairobi	Sammy Njau	IN PROCESS
35	Personal Protective Equipment	Oumusha Agencies	P.O. Box 11 - 01100 Nairobi	Samwel Maina	IN PROCESS
36	Laundry Services	Kenyatta National Hospital	P.O. Box 20723 - 00202 Nairobi	Public Entity	PAID
37	Personal Protective Equipment	Lifre Supplies	P.O. Box 31620 - 00600 Nairobi	June Nyambura	IN PROCESS

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Kmtc received funds:-

Table 2: Table showing sources of funds, when they were received and purpose of funds

Sno	Source of funds	Amount Kshs.	Date received	Purpose of fund	Commitment instrument	References
1.	Ministry of Health	500,000,000	07/07/20	Fund COVID 19 Budget	Budget, Procurement plan	Annex 1
2.	Ministry of Health	18,251,500	07/07/20	Reimbursement of accommodation expenses	Budget, Procurement plan	Annex 2
3.	Ministry of Foreign Affairs	27,791,500	08/07/20	Reimbursement of accommodation expenses	Budget and procurement plan	Annex 3
4.	Ministry of Health	27,360,900	30/07/20	Reimbursement of accommodation expenses	Budget and procurement plan	Annex 4
5.	Quarantine clients	3,818,500	9th - 23rd April 2020	Settlement of accommodation expenses	Budget and procurement plan	Annex 5
	Total	**577,222,400**				

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PPRA
PUBLIC PROCUREMENT REGULATORY AUTHORITY
UPHOLDING PROCUREMENT STANDARDS

REF: PPRA/6/5 VOL. 1(1) 27th March, 2020

PPRA CIRCULAR NO. 02/2020

All Accounting Officers, National & County Governments
All Clerks, Senate, National & County Assembly (ies)
Chief Registrar, the Judiciary and the Courts
All Secretaries/CEOs/Accounting Officers, Constitutional Commissions & Independent Offices
All CEOs, State Corporations
All Vice Chancellors, Public Universities
All Ambassadors/High Commissioners, Kenya Diplomatic Missions
All Principals, Public Colleges, Polytechnics, Training Institutes, Primary & Secondary Schools
All Trustees, Public Pension Funds
All County Commissioners, County Service Delivery Coordination Units
All Fund Account Managers, NG-CDFs
All County Coordinators, NGAAFs

RE: PREVENTIVE MEASURES FOR HANDLING OF PROCUREMENT ACTIVITIES FOR PROCURING ENTITIES DUE TO CORONA VIRUS (COVID- 19)

Following the Presidential address to the Nation on 15th and 25th March, 2020 on the measures that the Government of Kenya has put in place to reduce the potential spreading of the Corona Virus (COVID-19) and continuous guidance from the Ministry of Health, procuring entities are reminded to fully comply with these guidelines to mitigate the spread of COVID-19 as they conduct procurement activities. The Authority has continued to offer appropriate advice and guidance to its stakeholders and hereby issues guidelines shown below to support the preventive measures on the spreading of COVID-19 outlined by the Government, for handling procurement activities for all procuring entities.

Given the current situation in the Country and the guidance issued by the Ministry of Health with respect to COVID-19 matters, procuring entities are advised to scale down their procurement activities with exception of the ongoing procurement processes, save for the procurement of essential and critical services. For the initiated procurement processes, Accounting Officers should make a decision on whether the procurement process can proceed in the context of the prevailing circumstances and in view of the Government directives as well as objectives/principles enshrined in the Public Procurement and Asset Disposal Act, 2015 (the Act) and the possibility of the entity achieving the intended outcome of the subject procurement within the existing constraints. Where a procuring entity is unable to process an ongoing procurement to conclusion, the Accounting Officer will be expected to make a rational decision on whether to terminate the procurement by invoking provisions of Section 63 of the Act on the basis of force majeure to avoid inherent challenges and risks.

National Bank Building, 11th Floor, Harambee Avenue | P.O Box 58535-00200, Nairobi,Kenya | Tel: +254 (020) 3244000, 2213106/7
Email: info@ppra.go.ke;feedback@ppra.go.ke | Website: www.ppra.go.ke

PPRA is ISO 9001:2015 Certified

It is hereby emphasized that procurement planning is compulsory in order to ensure efficient procurement of goods, works and services and it must be prepared in line with annual budgets, its implementation monitored and adjustments made as appropriate and that prior requisite approvals are obtained in accordance with the Act. Consequently, the Accounting officers are advised to review their procurement plans to prioritize and fast track procurements that facilitate delivery of essential services and if necessary re-allocate resources for the same in view of the existing regulatory and policy frameworks, including review of the methods of procurement in the approved procurement plan, to be consistent with the current situation, in accordance with the Act.

1. **Emerging Procurements to Mitigate Spread of COVID-19**

   In response to the current situation, procuring entities at both National and County Governments have deployed resources in laying down measures and interventions to address the COVID-19 pandemic some of which may involve procurement.

   Accounting Officers are reminded to ensure that such emerging procurements are reflected/captured in the Approved Procurement Plan maintained in accordance with Section 53 of the Act and budget set aside to meet the resultant financial obligations before commencement of such procurements, in line with Section 53(8) of the Act. Further, Accounting Officers are reminded to ensure that necessary approvals are secured in line with the provisions under Section 69 of the Act especially with regard to retrospective approvals.

2. **Pre- Bid Meetings and Site Inspections**

   All procuring entities should suspend pre-bid meetings/conferences and provide potential bidders with a dedicated and continuously monitored email address and phone number/s for seeking clarifications or any other communication. Bidders should be instructed to raise any queries resulting from the bidding documents or seek clarifications by email. Responses to clarifications shall be copied to all potential bidders by email. In exceptional cases and where pre-bid meetings involve site inspections, the entities should schedule bidders to visit the sites in smaller groups of not more than 3 bidders at a time. Such site visits/inspections should not be mandatory and if possible should be delayed and where it is critical for potential bidders to inspect sites before submitting their bids, it should be conducted in strict compliance with the measures put in place by the Government to reduce spread of COVID-19.

3. **Bid Submissions**

   Whereas bids shall be submitted in hard or soft copy as per instructions issued by procuring entities, entities are encouraged to use electronic means as much as possible. For international tenders where foreign bidders are not able to submit bids in hardcopy, they should give unconditional Powers of Attorney to a local representative/partner to submit their bids as allowed/specified in the tender documents or through other electronic means as provided for by the procuring entity. Any Bids received in hardcopy should be quarantined first for the requisite timeframe and then sanitized appropriately to reduce spread of COVID-19.

4. **Bid Closing**

   Procuring Entities should opt to extend the bid submission deadlines in such circumstances where there is no urgency. The procuring entity shall ensure that no two or more tenders are

closing at same time to limit the number of the bidders expected to witness bid opening exercise.

5. **Bid Opening**
   The procuring entity shall ensure that no two or more tenders are opened concurrently to limit the number of the bidders witnessing the exercise. Where bidders or their representatives chose to attend the bid opening, the procuring entity shall ensure that the venue where opening is conducted is spacious and observe a social distance of at least 1.5 metres away from each other. Screening of attendees should take place and sanitary facilities must be provided at all opening sessions. If possible bids may be opened with electronic attendance through conferencing facilities with the concurrence of all bidders. Failure by bidders to attend any bid opening will not invalidate the process. The results of bid opening shall be communicated by the respective procuring entities to the bidders by email; or any other acceptable electronic means of communication.

6. **Post Qualifications**
   Given that travelling outside the country is not allowed by the Government, a procuring entity may conduct such post qualification engagements through video conferencing where possible. In exceptional cases, a procuring entity may conduct due diligence locally but with a team of not exceeding five (5) officers who are members of the appointed tender evaluation committee for the subject procurement and prior arrangements must be put in place by the procuring entity and the concerned bidder to ensure that social distancing amongst other measures are strictly observed as per the directives issued by the Government and Ministry of Health.

7. **Evaluation Committee Meetings**
   Procuring entities will conduct evaluation committee meetings in strict adherence to the Government directives mentioned above. The evaluation committee members should be positioned in a space of at least 1.5 metres away from each other during the meetings, amongst all other protective and preventive measures as directed by the Ministry of Health.

8. **Compliance Monitoring and Investigations**
   The Authority has suspended compliance monitoring and investigations that involve direct physical contact with procuring entities and other subjects. However, the Authority will continue to conduct compliance monitoring and investigations of the procurement and asset disposal activities by the procuring entities through other approaches. Communications and queries in this regard, shall be done by email.

9. **Technical Support and Training Activities**
   The Authority has suspended offering of trainings/technical support interventions with the stakeholders through physical contacts. However, the Authority will continue to receive requests for technical support/advisory through ***info@ppra.go.ke*** and telephone calls. The Authority will subsequently issue written responses/advice as appropriate to procuring entities/stakeholders and communicate the same electronically.

10. **Submission of Mandatory Reports to the Authority**
    Procuring entities will continue to submit the mandatory reports to the Authority in conformity with the existing reporting guidelines and formats through ***reports@ppra.go.ke***. The Authority shall not receive physical/ hardcopy reports.

In addition, Accounting Officers should continue to upload all contract awards in the Public Procurement Information Portal (PPIP) in compliance with the requirements of the Executive Order No. 2 of 2018 - *Procurement of Public Goods, Works and Services by Public Entities.* Further, Accounting Officers are reminded to publish all contracts awards in their websites pursuant to Section 138(1) of the Act.

11. Administrative Reviews

The conduct of reviews at the Public Procurement Administrative Review Board (PPARB) shall be undertaken as per guidelines issued vide Circular Nos. PPRA/ARB/01.Vol.2 (113) of 16th March, 2020 and PPRA/ARB/01.Vol.2 (114) of 24th March, 2020 respectively, which are available on ***http://ppra.go.ke/circulars/*** and on the Authority's social media platforms.

12. Contract Implementation and Management

Accounting officers are advised to review implementation of the ongoing contracts with a view to ensuring that such contracts are performed in strict compliance with the measures put in place by the Government to reduce spread of COVID-19. The contractors should undertake in writing to commit to full compliance with the measures put in place by the Government to reduce spread of COVID-19 with regular reports submitted to the procuring entity on interventions the contractor has undertaken. The procuring entity is obliged to monitor and ensure the contractor complies with the undertakings and the safety measures put in place by the Government.

Where contract implementation including sites activities are affected by the current situation or where implementation of the contract will lead to a breach of the directives issued by the Government on the spread of COVID-19, the Accounting officer should take measures to ensure that suspension of the contract is done in writing and consent of parties secured in accordance with the terms and conditions espoused in the contract to mitigate contractual disputes and loss of public resources. Accounting officers are advised to consult the office of the Attorney General and or the County Attorney where any matter relating to a contract is unclear to them.

13. Compliance with the Procurement Law

All Accounting Officers are reminded to comply with the Act and the Regulations issued under the repealed Public Procurement and Disposal Act, 2005 pursuant to Section 24 of the Interpretation and General Provisions Act, Cap 2 of the Laws of Kenya in line with Section 44 (1) of the Act. Accounting officers shall conduct all procurement and asset disposal processes with a view of ensuring realisation of value for money and economy, and proper utilisation of public resources.

14. How to reach PPRA

The Authority's services can be accessed through the following available platforms:

(a) Tel: 020-3244000/020-2213106/7
(b) Email: ***info@ppra.go.ke; feedback@ppra.go.ke*** and ***reports@ppra.go.ke***
(c) Social media: Facebook (PPRAKenya) and Twitter (PPRAKenya)
(d) Website: ***www.ppra.go.ke***

Please bring the contents of this circular to the attention of all officers involved in the public procurement and disposal processes within your entities for compliance. NB. The Authority will

continue to review these guidelines based on the updated advice and directions issued by the Government on COVID-19.

MAURICE J.O. JUMA, MBS
DIRECTOR GENERAL

Copy to: **Dr. Joseph K. Kinyua, EGH**
Head of Public Service
Office of the President
Harambee Avenue
NAIROBI

Mr. Nzioka Waita
Chief of Staff and Head of President's Delivery Unit
Office of the President
Harambee Avenue
NAIROBI

Hon. Justice (Rtd.) Paul Kihara Kariuki, EGH
Attorney General
Office of Attorney General
and Department of Justice
NAIROBI

Dr. Julius Muia, CBS
Principal Secretary
The National Treasury
The National Treasury and Planning
Treasury Building
NAIROBI

The Auditor General
Kenya National Audit Office
Anniversary Towers
NAIROBI

Jacqueline Mogeni (Mrs)
Chief Executive Officer
Council of Governors
Delta Corner House, Off Waiyaki Way
NAIROBI

How they
* Identification of bidders

LIST OF
SUPPLIER

Retrospective

Procure delivered
Supplied

Items

→ No negotiation on prices
Negotiation → Not pa
= BID
= PROCURE
RECEIVE
~~PAY~~ STO
Payment.

1) How they identified the ~~[illegible]~~ bidders. 7A

2) LIST OF SUPPLIERS (USUAL)

Prices

3)

ADVISORY TO MDAs ON PROCUREMENT PROCEDURES APPLICABLE TO URGENT PURCHASES TO DEAL WITH COVID-19

Introduction

1. The question has arisen regarding the appropriate procurement procedures during the current COVID -19 Pandemic, in situations where government has to deal with emergency purchases to address various facets of the pandemic.

2. In the NDITC meeting on Friday 17 April 2020 the issue of emergency purchase of face masks came up and this advisory addresses that question but also touches on all such procurements generally .

3. The Advisory recommends that to address the necessary emergency purchases ,procuring entities may take advantage of the DIRECT Procurement mode of Procurement whose essential attributes are highlighted hereunder:

4. Pursuant to Article 227 of the Constitution, Parliament enacted the Public Procurement and Assets Disposal Act 2015 (the Act), which provides the procedures for efficient public procurement and for assets disposal by public entities.

5. Section 92 of the Act sets out various methods of procurement, with section 91 (1) setting out open tendering as the preferred procurement method. **However section 92 does recognize other methods of procurement including DIRECT procurement.**

Direct Procurement –Conditions Precedent

6. Section 103 of the Act allows a procuring entity to use direct procurement ***so long as the purpose is not to avoid competition and subject to fulfillment of any of the following conditions***:

   a) *Not applicable*
   b) *Due to war, invasion, disorder, **natural disaster** or **there is an urgent need for the goods, works or services, and engaging in tendering proceedings or any other method of procurement would therefore be impractical**, provided that the **circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part***

   c) ***Owing to a catastrophic event, there is an urgent need for the goods, works or services, making it impractical to use other methods of procurement** because of the time involved in using those methods;*

d) *Not Applicable;*

e) *For the acquiring of **goods, works or services provided by a public entity provided that the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances**.*

7. In the present instance, procurement of masks and related items/equipment to address COVID-19 qualifies as "urgent need" as provided for under section 103 (b) and (c) above. The term is defined under section 2(1) of the Public Procurement and Asset Disposal Act, as follows:

> *the need for goods, works or services in circumstances where there is **an imminent or actual threat to public health**, welfare, safety, or of damage to property, such that engaging in tendering proceedings or other procurement methods would not be practicable.*

8. **COVID-19 poses an actual threat to public health** and therefore procurement of masks and related items/equipment to assist in containing the virus qualifies as an urgent need.

Direct Procurement –Procedure to Follow

9. Section 104 of the Act provides the following procedure to be followed in Direct Procurement:

a) **Issue a tender document which shall be the basis of tender preparation by tenderer and subsequent negotiations;**
b) **Appoint an ad hoc evaluation committee pursuant to section 46 of the Act to negotiate with the person for the supply of goods;**
c) **Ensure appropriate approvals under the Act have been granted;**
d) **Ensure the resulting contract is in writing and signed by both parties.** The said contract (and above tender document) should be based on the standard procurement and asset disposal documents issued by the Public Procurement Regulatory Authority (PPRA) as required by section 58 of the Act;
e) **Report the contract award to the PPRA as required by section 138(2) of the Act.**

10. The approvals referenced under (c) are the usual ***internal procurement approvals*** referenced under section 69 of the Act as facilitated by the procuring entity's procuring department. Pursuant to Regulation 22 of the 2006 Regulations, these approvals include:

a) A purchase requisition from the user department, approved by its head, which shall include all necessary information pertaining to the procurement including estimated market value of the goods;

b) The purchase requisition is forwarded to the procurement unit which then forwards it to the persons in charge of finance, who signs and confirms availability of funds;

c) The procurement unit may then proceed to prepare the tender document under the supervision of the accounting officer and in consultation with the user department.

11. Procuring entities should also ensure that the following requirements of the Act are adhered to:

a) The procurement is within the approved budget of the Ministry – Section 46(2)(a);

b) Ensure that the procurement processes are handled by different professional offices in respect of procurements initiation, processing and receipt of goods – Section 46(2)(h);

c) Establish an inspection and acceptance committee which will inspect and where necessary, test the goods received; and may accept or reject, on behalf of the procuring entity, the delivered goods in line with section 48 of the Act.

12. Procuring entities can also take advantage of section 103 (e) which permits the DIRECT procurement of goods, works or services provided ***by a public entity*** provided that ***the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances.***

CONCLUSION

MDAS are advised to note and take advantage of the above provisions in order to make the necessary urgent procurements to deal with the COVID-19 pandemic.
It is possible and practical to go through the above processes within the shortest time possible in order to achieve the object of direct procurement.
The Office of the Attorney General is available to provide any required clarifications.

SOLICITOR GENERAL
17 APRIL 2020

VERY URGENT

MINISTRY OF HEALTH
OFFICE OF THE PRINCIPAL SECRETARY

Telephone: Nairobi 254 -20 -2717077
Fax: 254 -20 – 2719008
Email: ps@health.go.ke
When replying please quote:

AFYA HOUSE
CATHEDRAL ROAD
P.O Box 30016 -00100
NAIROBI

Ref. No. MOH/ADM/1/1/2

18th March, 2020

Dr. Jonah Mwangi
Chief Executive Officer
Kenya Medical Supplies Authority (KEMSA)
NAIROBI

RE: PROCUREMENT OF EMERGENCY MEDICAL SUPPLIES

As you are aware we have confirmed seven cases of COVID-19 and we have since enhanced our surveillance and response measures.

Reference is made to the meeting held today 18th March 2020 with the Laboratory and Resource Mobilization Team of the national Taskforce for corona virus preparedness and response in which a decision was made to procure commodities for the Covid-19 response.

In this regard we are requesting you to urgently procure and distribute the following items to support on the emergency measures:

1. 25,000 Personal Protective Equipment (PPEs) Kits
2. 10,000 N95 Pieces of Masks
3. 6,000 laboratory Sample Transport Collection consumable kits

The specifications and distribution list will be shared in the course of the day.

Thank you for your continued support.

Susan N. Mochache, CBS
PRINCIPAL SECRETARY

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KENYA MEDICAL SUPPLIES AUTHORITY

YOUR PARTNER IN HEALTHCARE

SUBMISSION TO THE DEPARTMENTAL COMMITTEE ON HEALTH OF THE NATIONAL ASSEMBLY ON KEMSA'S FINANCIAL POSITION

SUBMISSION DATE: 4TH SEPTEMBER 2020

INTRODUCTION

Kenya Medical Supplies Authority (KEMSA) is a State Corporation under the Ministry of Health. The Authority was established under the State Corporations Act through the Kenya Medical Supplies Authority Act of 25th January 2013, as a successor to the Kenya Medical Supplies Agency. The Authority's Core Mandate as defined in the Act is to procure, warehouse and distribute health products and technologies to public and other health facilities in Kenya.

In line with its mandate, the Authority has actively been involved in sourcing for Covid-19 products to mitigate the spread of the pandemic by equipping the health workers with requisite assorted personal protective equipment. As a state corporation, KEMSA has closely collaborated with Ministry of Health (MOH) and other Government agencies involved in the fight against Covid-19 to facilitate timely delivery of products to the doorstep of targeted health facilities, isolation centers, testing laboratories, surveillance teams, National Command centers, Emergency command centers amongst other institutions involved in the fight against the pandemic.

In the appearance before the departmental committee on health of the National Assembly, KEMSA was requested to provide information on the Authority's current financial status. This information is provided below:

1. FINANCIAL PERFORMANCE FOR THE LAST FIVE YEARS

1.1 INCOMES:

The Authority's income is mainly from Sale of HPTs and supply chain fees from Strategic Partners mainly USAID and Global Fund. Below is a tabulation of annual Incomes for the last 5 years exclusive of grants.

KEMSA TURNOVER (INTERNALLY GENERATED INCOME) FOR THE FIVE YEAR PERIOD FY 2015-16 TO FY2019-20					
	FY2015-16	**FY 2016-17**	**FY 2017-18**	**FY 2018-19**	**FY 2019-20**
	Ksh	**Ksh**	**Ksh**	**Ksh**	**Ksh**
Sale Revenue -Pharmaceutical	3,398,474,070.00	3,410,400,290.00	2,938,078,514.00	3,433,707,359.63	4,066,305,161.00
Sale Revenue -Non-Pharmaceuticals	1,365,432,177.00	1,461,625,027.00	1,301,609,024.00	1,753,085,332.85	3,775,648,494.00
Sales Revenue -UHC-Pharmaceuticals				444,027,657.88	1,641,519,411.00
Sales Revenue-UHC-Non Pharmaceuticals				280,874,025.67	1,099,808,930.00
Total sales revenues	**4,763,906,247.00**	**4,872,025,317.00**	**4,239,687,538.00**	**5,911,694,376.03**	**10,583,281,996.00**
Cost of Sales					
Cost of Sales CGS (Pharms)	2,937,857,382.00	2,693,328,090.00	2,441,247,836.00	2,758,070,738.62	3,337,254,253.00
Cost of Sales -CGS (Non-Pharms)	1,137,982,029.00	1,278,602,347.00	1,089,004,629.00	1,458,744,971.14	3,192,584,356.00
Cost of Sales-CGS-UHC (Pharms)				319,065,785.88	1,324,158,758.00
Cost of Sales-CGS-UHC(Non-Pharms)				211,692,855.17	908,712,400.00
Total Cost of Sales	**4,075,839,411.00**	**3,971,930,437.00**	**3,530,252,465.00**	**4,747,574,350.81**	**8,762,709,767.00**
Net Sales (Total Sales -Total Cost of Sales)	**688,066,836.00**	**900,094,880.00**	**709,435,073.00**	**1,164,120,025.22**	**1,820,572,229.00**
OTHER INCOMES					
Supply Chain Fees: -USAID	410,850,103.00	750,045,299.90	527,512,141.45	574,228,855.54	794,199,037.97
-Global Fund	496,999,032.00	560,203,359.05	730,395,613.72	517,524,508.00	638,546,360.59
-UNICEF	11,534,580.00	1,865,972.47	20,436,843.80	35,672,443.80	21,691,654.51
-Ministry of Health	586,732,800.00	109,681,911.95	32,308,616.21	263,226,989.57	107,262,297.00
-Other Strategic Partners	6,154,347.00	60,536,367.93	28,719,667.87	58,790,551.41	65,123,558.97
Disposal of Fixed Assets	3,048,900.00	-	1,021,485.62	912,433.95	616,125.00
Sale of Tender Documents	1,680,000.00	436,000.00	365,000.00	168,000.00	115,000.00
Sale of Waste Materials		308,714.00	179,900.00	125,900.00	175,305.00
Bank Interest Received	532,106,654.00	386,686,017.49	425,457,571.90	441,246,390.61	489,361,413.00
Forex Realized Gain	93,595,377.00	6,465,708.30	37,887,070.30	29,358,091.50	24,192,553.00
Direct Revenue(MCP-Cost Recovery)		46,138,318.33	43,294,938.35	62,884,464.89	47,403,046.00
Other Miscellaneous Income	15,557,831.00	42,680,063.98	92,197,701.11	30,759,079.73	9,373,815.00
Rental Income		19,780,880.95	11,568,030.00	14,712,463.19	14,569,878.00
Income From Short term investment		-	2,729,587.25	21,500,068.12	7,120,385.00
Total Other Income	**2,158,259,624.00**	**1,984,828,614.34**	**1,954,074,167.58**	**2,051,110,240.32**	**2,219,750,429.03**
TOTAL INTERNALLY GENERATED INCOME	**2,846,326,460.00**	**2,884,923,494.34**	**2,663,509,240.58**	**3,215,230,265.54**	**4,040,322,658.03**
SOURCE:	*Audited Accounts*	*Audited Accounts*	*Audited Accounts*	*Audited Accounts*	*unaudited Accounts*

1.2 INCOME/ EXPENDITURE ANALYSIS

	FY2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
	Ksh	Ksh	Ksh	Ksh	Ksh
Total Internally Generated Income	2,846,326,460.00	2,884,923,494.34	2,663,509,240.58	3,215,230,265.54	4,040,322,658.03
Add: Grants from MOH	363,729,432.00	376,000,000.00	383,520,000.00	482,902,817.50	653,239,996
Deferred income	13,599,195.00	14,252,533.00	12,950,033.00	9,840,844.23	8,044,545
Total	3,223,655,087.00	3,275,176,027.34	3,059,979,273.58	3,707,973,927.27	4,701,607,199.03
Total Expenditure	2,128,726,984.00	2,178,597,562.00	2,222,682,679.00	2,557,267,213.00	3,038,123,734.00
Surplus	**1,094,928,103.00**	**1,096,578,465.34**	**837,296,594.00**	**1,150,706,715.00**	**1,663,483,465.00**

2. RESERVES AS AT 30TH JUNE 2020

	Ksh
KEMSA Capital	8,461,576,302.78
Accumulated Funds	256,950,298.00
Surplus/Deficit -Cummulative	8,614,079,387.16
Revaluation reserve	783,630,455.90
TOTAL RESERVES	**18,116,236,443.84**

Source: Unaudited Financial Statements 2019/2020

3. CURRENT ASSETS AS AT 31.08.2020

3.1 Cash Holding

As at 31st August 2020, KEMSA cash balances amounting to Kshs 12,062,692,908.56 broken down into five categories as detailed below:

	FUND	AMOUNT (KSHS)	PURPOSE
1	KEMSA CAPITAL & OPERATIONS	1,954,888,504.64	Payment of KEMSA Staff Salaries, Utilities, Operations Creditors and HPTs Suppliers
2	DONOR PROJECT FUNDS	225,972,206.09	Payment for HPTs procured under the Donor Programs
3	UHC FUNDS	7,585,248,406.51	For Counties to draw commodities from KEMSA under the UHC Program. An amount equivalent to the value of commodities drawn is transferred to KEMSA Capital and Operations Fund
4	WAREHOUSE CONSTRUCTION FUND	496,583,791.32	Settlement of Liabilities arising from the Ongoing Construction of a Modern Warehouse and Office Complex
5	COVID-19 EMERGENCY RESPONSE	1,800,000,000.00	For Procurement of Laboratory Reagents and testing Kits for use in the the fight against COVID-19 disease
	TOTAL	**12,062,692,908.56**	

3.2 Outstanding Debts as at 31st August 2020

KEMSA was owed a total of Kshs 6,807,187,960.78 by various customers as detailed below. These funds once collected are to be used in procurement of HPTs, Payment of staff salaries and utilities, and settlement of other operational obligations.

	CATEGORY	AMOUNT (KSHS)
1	Counties	2,544,788,824.61
2	Ministry of Health	2,328,980,700.36
3	GOK Facilities	616,425,115.98
4	SSD Customers	268,861,887.89
5	Development Partners	1,046,351,405.18
6	Customer operations-Rent	1,780,026.76
	TOTAL RECEIVABLES FROM EXCHANGE	**6,807,187,960.78**

4.0 LIABILITIES

4.1 Trade Payables

As at 31st August 2020 KEMSA had outstanding Liabilities, amounting to Kshs 5,069,864,200.67 as detailed below:

	LIABILITY	AMOUNT (KSHS)
1	Trade Creditors - Covid HPTs	2,928,451,388.65
2	-Non-Covid HPTs	1,684,205,037.28
3	Trade Creditors - General Operations	174,754,687.33
4	Trade Creditors - Distribution	154,780,598.15
5	Accruals from FY 2019/2020	105,373,376.56
6	Prepayments	22,299,112.70
	TOTAL Payables	**5,069,864,200.67**

5.0 UHC FUNDS UTILIZATION

KEMSA has received Kshs a total of Kshs 12,566,762,551.90 for procurement, warehousing and distribution of HPTs from the Ministry of Health. The receipts are for the 4 Counties Pilot and the full scale up. As at 31st August 2020, various institutions have drawn HPTs worth Ksh 5,506,526,064.30 as Summarised below.

FUNDS RECEIVED FROM MOH-UHC & UTILIZATION						
Date Received	**Name of the Entity Sending the Grant**	**Programme**	**Description**	**FUNDS RECEIVED**	**FUND UTILIZATION AS AT 31-8-2020**	**BALANCE**
				KSH	**KSH**	**KSH**
UHC-PILOT						
	Ministry of Health	MOH - UHC PILOT	Being receipt for HPTs Distribution to the counties	1,862,746,738.60	1,717,791,243.27	**144,955,495.33**
UHC SCALE UP-COUNTY HPTS						
11-Jun-20	Ministry of Health	MOH - SCALE UP UHC II	Being receipt for THE VALUE OF HPTs whose delivery is ongoing	2,682,852,853.00	2,657,420,867.23	
11-Jun-20	Ministry of Health	MOH - SCALE UP UHC II	Being receipt for the value of HPTs that were called down from suppliers in December 2019 and January 2020	1,802,997,660.00		
11-Mar-20	Ministry of Health	MOH - SCALE UP UHC II	Being receipt for Medical Supplies 1-1094-2640503 HPTs Distribution to the counties	2,756,682,278.00		
			UHC SCALE UP COUNTY HPTS TOTAL	**7,242,532,791.00**	**2,657,420,867.23**	**4,585,111,923.77**
UHC SCALE UP FOR REFERRALS AND OTHER PROGRAMS						
4-Nov-19	Ministry of Health	MOH - SCALE UP UHC II	Being receipt of Tax for Malaria Commodities under UHC SCALE UP II	195,213,987.00	192,201,477.00	3,012,510.00
11-Mar-20	Ministry of Health	MOH - SCALE UP UHC II	Being receipt of Family Planning Commodities AIE under UHC SCALE UP II	540,000,000.00	-	540,000,000.00
11-Mar-20	Ministry of Health	MOH - SCALE UP UHC II	Being receipt of Blood Products and Supplies AIE under UHC SCALE UP II	500,000,000.00	-	500,000,000.00
11-Mar-20	Ministry of Health	MOH - SCALE UP UHC II	Being receipt of Tax for Malaria Commodities under UHC SCALE UP II	237,700,000.00	-	237,700,000.00
30-Apr-20	Ministry of Health	MOH-UHC KENYATTA NATIONAL HOSPITAL	Being receipt drawing rights to referral hospitals under UHC Program	500,000,000.00	485,053,188.20	14,946,811.80
30-Apr-20	Ministry of Health	MOH-UHC MTRH	Being receipt drawing rights to referral hospitals under UHC Program	300,000,000.00	174,235,002.00	125,764,998.00
30-Apr-20	Ministry of Health	MOH-UHC MATHARE HOSPITAL	Being receipt drawing rights to referral hospitals under UHC Program	100,000,000.00	41,425,235.00	58,574,765.00

30-Apr-20	Ministry of Health	MOH-UHC OTHAYA HOSPITAL	Being receipt drawing rights to referral hospitals under UHC Program	100,000,000.00	34,576,021.00	65,423,979.00
30-Apr-20	Ministry of Health	MOH-UHC SPINAL INJURY HOSPITAL	Being receipt drawing rights to referral hospitals under UHC Progra	100,000,000.00	28,188,666.80	71,811,333.20
11-Jun-20	Ministry of Health	MOH - SCALE UP UHC II	Being receipt of Tax for Malaria Commodities under UHC SCALE UP II	333,470,837.30	-	333,470,837.30
8-Jul-20	Ministry of Health	MOH-UHC KENYATTA NATIONAL HOSPITAL	Being receipt drawing rights to referral hospitals under UHC Program	175,000,000.00	-	175,000,000.00
9-Jul-20	Ministry of Health	MOH(NBT/NSI/MATHARE)	Being funds for finalization of UHC expenditure for FY 2018-19	299,999,988.00	98,204,257.80	201,795,730.20
28-Jun-19	Ministry of Health	MOH-NATIONAL CANCER INSTITUTE	Being receipt from MOH for UHC Chemotharapy Starter Packs commodities	20,000,000.00	19,990,115.00	9,885.00
10-Jul-19	Ministry of Health	MOH-NATIONAL CANCER INSTITUTE	Beinf funds for procurement of cancer drugs in support of established cancer treatement units	20,098,620.00	19,907,916.00	190,704.00
27-Apr-20	Ministry of Health	MOH-NATIONAL CANCER INSTITUTE	Being receipt of full year alocation for the procurement of Chemotherapy drugs FY 2019-20 - Reimbursement from MOH	39,999,590.00	37,532,075.00	2,467,515.00
			UHC SCALE UP FOR REFERRALS AND OTHER PROGRAMS TOTAL	**3,461,483,022.30**	**1,131,313,953.80**	**2,330,169,068.50**
	Grand Total			**12,566,762,551.90**	**5,506,526,064.30**	**7,060,236,487.60**

ACKNOWLEDGEMENT

We wish to thank you for the opportunity to appear before your committee to clarify on the various issues raised in relation to our operations and service delivery. We remain open to future request for information and/or appearances before your committee.

Thank You,



EDWARD NJOROGE
AG. CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

KEMSA LETTER TO TREASURY - Annexure

Industrial Area
Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY
YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 20 3922...
GSM +254 719 033000, +254 733 ...
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

In replying please quote our ref:

KEMSA/CEO/CS/TNT/2020/063

2nd June 2020

Cabinet Secretary
The National Treasury
Nairobi

Dear CS,

RE: BUDGETARY SUPPORT TO KEMSA FOR EMERGENCY COVID-19 SUPPLIES

As the world grapples with the effects of the Covid-19 pandemic unraveling before us, public health supply chain for Covid-19 products remains a challenge. As the pandemic crisis deepened and source of Covid-19 health products and technologies begun instituting lockdowns Kenya like many countries globally experienced systemic demand shocks with rationing of available HPTs amid increasing demand due to escalating positive cases and measures instituted by the Government of Kenya to mitigate transmission including setting up isolation centres countrywide.

KEMSA in consultation with stakeholders mobilized the following products with a view to mitigate potential supply shocks and far reaching Covid-19 implications. KEMSA has Covid-19 supplies worth Ksh. 5,140,943,000 as per the table overleaf.

We hereby request budgetary support of Ksh. 5,140,943,000 to facilitate payment for the HPTs procured and distribution to public health facilities and other institutions providing covid-19 related services. Distribution of the said products will be prioritized and executed to ensure that the facilities are adequately resourced with necessary Covid-19 supplies.

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COVID -19 EMERGENCY SUPPLIES

No.	Item Description	Unit of Measure	Quantity	Unit Cost (Kes).	Total Cost (Kes.)
1	KN95 Face Mask	Piece	1650000	700.00	1,155,000,000.0
2	N95 Cone shaped	Piece	9900	900.00	8,910,000.00
3	N95 (1860) face masks	Piece	5000	1,300.00	6,500,000.00
4	Infra-Red Thermometers	Piece	21646	10,000.00	216,460,000.0
5	Personal Protective Equipment (PPE)	Set	126,000	9,000.00	1,134,000,000.0
6	Face shield	Piece	32190	500.00	16,095,000.00
7	Pair of Goggle	Pair	26000	550.00	14,300,000.0
8	Surgical Gloves	50 Pairs	126700	2,100.00	266,070,000.0
9	Nitrile Gloves	50 Pairs	2190	850.00	1,861,500.0
10	Instant Hand Sanitizer	500 Ml	330,000	500.00	165,000,000.00
11	ICU Patient Ventilator CVD	Piece	75	3,300,000	247,500,000.00
12	Surgical mask disposable 3 ply	Piece	21145850	90.00	1,903,126,500.0
13	Viral Transport Media (VTM)	Piece	20,400	300	6,120,000.0
	GRAND TOTAL				5,140,943,000.0

rs

DR JONAH MANJARI
CHIEF EXECUTIVE OFFICER

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Annexure - 39 - Committee letter

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:
KEMSA/CEO/ADM//2020/045

CERTIFIED TRUE COPY OF THE ORIGINAL (CTC)
07 JUL 2020

Date: 21st April, 2020

REGAL FREIGHTERS
P.O.BOX 99569-80100
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF SURGICAL FACE MASK TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item;

No.	Item Description	Unit of measure	Quantity
1	Surgical Masks	60,000packs of 50	3,000,000 pieces

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse in 10 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

ABDIRASHID MOHAMED ABDI
ID - 14539169
21/04/2020

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:
KEMSA/CEO/ADM//2020/041

Date: 16th April, 2020

NORTHLINK GSC LIMITED
P.O.BOX 21810-00100
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item.

No.	Item Description	Quantity
1	Masks (N95) with Filter	200,000
	3 Ply Surgical Mask	1,500,000

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse in 15 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

CERTIFIED TRUE COPY
OF THE ORIGINAL
(CTO)
07 JUL 2020
Signature.....
Kenya Medical Supplies Authority

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 2039224
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/PROC/ADM/2020

Date: 9th April, 2020

Head of Commercial and Operations
East Afria
Meraky Health Care
P O BOX 27030 – 00100
NAIROBI
Email: merakyhealthcare.com

CERTIFIED TRUE COPY OF THE ORIGINAL (CTO)
07 JUL 2020
Signature.....
Kenya Medical Supplies Authority

Dear Sir/Madam,

RE: COMMITMENT LETTER - EMERGENCY PROCUREMENT OF KN 95 MAKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA).

No.	Item Description	UoM	Quantity
1	KN95 Face Mask	Piece	200,000

You are therefore requested to supply the available quantities for the mentioned commodities to KEMSA Embakasi Warehouse in 15 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

Dr. Wairimu Mbogo
ID. 24051827
Nairobi

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

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GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM//2020/053

Date: 14th May, 2020

EVERYWHERE DISTRIBUTIRS LTD.
P.O.BOX 22142-00400
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS AND OTHER ITEMS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following items;

No.	Item Description	Quantity
1	Complete STERILE PPE Kits	10,000
2	Eye Protection Goggles	10,000
3	Particulate repiratorN95	20,000
4	Face Shield	10,000

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse in 28 days from the date of this letter in response to the emergency.

The procurement process will commence immediately and there will be no further extension to supply the above items.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

CERTIFIED TRUE COPY
OF THE ORIGINAL
(CTO)
07 JUL 2020
Signature:.....
Kenya Medical Supplies Authority

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM/2020

Date: 5th May 2020

La Miguela Holdings Ltd
P O Box 2694 - 00621
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF COMPLETE PPE KIT COVID-19 (CORONA VIRUS) PREPAREDNESS (EXTENSION DELIVERY DATES)

Reference is made to our letter KEMSA/CEO/ ADM/ 2020/061 dated 21st April, 2020 requesting you to deliver the above mentioned items by **4th June, 2020** and advise that the delivery timeline has been revised as below;

No.	Item Description	Unit Pack	Quantity	Delivery Date
1	Complete PPE Kit	Kit		
	Overall		10,000	4th June, 2020
	Googles			
	Masks		10,000	22nd June, 2020
	Boots			
	Gloves			

You are therefore requested to supply the quantities for the mentioned items to KEMSA Embakasi Warehouse on or before **22nd June 2020** in response to the emergency.

The procurement process will commence thereafter.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM/2020

CERTIFIED TRUE COPY OF THE ORIGINAL (CTC) 07 JUL 2020

Date: 21st April, 2020

La Miguela Holdings Ltd
P O Box 2694 - 00621
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF COMPLETE PPE KIT COVID-19 (CORONA VIRUS) PREPAREDNESS (EXTENSION DELIVERY DATES)

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organization on a strategic Partnership to supply Kenya Medical Suppliers Authority (KEMSA) with the following

No.	Item Description	Unit Pack	Quantity
1	Complete PPE Kit Overall Googles Masks Boots Gloves	Kit	20,000

You are therefore requested to supply the quantities for the mentioned items to KEMSA Embakasi Warehouse in 11 days from the date of this letter in response to the emergency.

The procurement process will commence thereafter.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203
GSM +254 719 033000, +254 733 606
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/PROC/ADM/2020 Date: 30th April, 2020

CERTIFIED TRUE COPY OF THE ORIGINAL (CTO)
07 JUL 2020
Signature:.....
Kenya Medical Supplies Authority

Shop 'N' Buy Limited
P O Box 35227 - 00200
NIROBI
Email: shopnbuy254.com

Dear Sir/Madam,

RE: COMMITMENT LETTER - EMERGENCY PROCUREMENT FOR ITEMS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA).

No.	Item Description	Unit Pack	Quantity
1	Personal Protective Equipment (Full PPE Kits	Kit	100,000
2	KN 95 face mask	Pieces	100,000

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse on or before **Wednesday, 20th May, 2020** in response to the emergency. The procurement process will commence thereafter.

Failure to deliver within the stipulated timeliness the Commitment Letter stands cancelled.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

James Chelulei
ID. 20057263

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM//2020/047

Date: 28th April, 2020

MEDILIFE BIOLOGICALS LTD
P.O.BOX 00377-00623
NAIROBI
Email:soyuz.mishra@medilife.co.ke

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item.

No.	Item Description	Quantity
1	3 Ply Face Mask	1,000,000
2	KN95 Face Mask	200,000
3	Face Shield	20,000

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse within a period of fourteen days in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

CERTIFIED TRUE COPY
OF THE ORIGINAL
(CTO)

07 JUL 2020

Signature:.....
Kenya Medical Supplies Authority

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203
GSM +254 719 033000, +254 733 60(
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/ CEO/ PROC/ADM/2020

Date: 24th April, 2020

Komtel Kenya Ltd
P O BOX 13898 -00800
NAIROBI
Email:komtelkel@gmail.com

Dear Sir/Madam,

RE: COMMITMENT LETTER - EMERGENCY PROCUREMENT OF S9030 VENTILATORS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA).

No.	Item Description	Unit of Measure	Quantity to be delivered within 5 days
1	S9030 Patient Ventilators	Piece	20

You are therefore requested to supply the quantities for the mentioned items to KEMSA Embakasi Warehouse by close of business on Wednesday **29th April, 2020** in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:
KEMSA/CEO/ADM//2020/043

Date: 17th April, 2020

KOMTEL KENYA LIMITED
P.O.BOX 13898-00800
NAIROBI
Email:komtel@gmail.com

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item.

No.	Item Description	Quantity	Status
1	KN95 Face Mask	10,000	Delivered
2	KN95 Face Mask	190,000	Deliver Immediately
	Total	200,000	

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse immediately in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

Tel: +254 20 3922000, Fax: +254 [illegible]
GSM +254 710 033000, +254 735 600600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:
KEMSA/CEO/ADM/ /2020/039

Date: 14th April, 2020

Komtel Kenya Limited
P. O. Box 32735-00600
GPO NAIROBI

07 JUL 2020

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF PPE KIT TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item:

No.	Item Description	Quantity
1	Face Masks 3ply	1,000,000

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse in 15 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

COMMITMENT LETTERS ISSUED IN CEO'S OFFICE							
S/NO	ITEM NO	ITEM DESCRIPTION	UOM	QTY	APPROX UNIT PRICE	TOTAL PRICE	SUPPLIER
1		**Regal Freighters**					
	1	Face Mask 3 Ply Tie on	Box 50's	60,000	4,500.00	**270,000,000.00**	**Regal Freighters**
2		**Northlink GSC Ltd**					
	1	Face Mask 3 Ply Tie on	Box 50's	30,000	4,500.00	**135,000,000.00**	**Northlink GSC Ltd**
3		**Meraky Healthcare**					
	2	KN 95 Face Mask	Piece	200,000	700.00	**140,000,000.00**	**Meraky Healthcare**
4		**Everywhere Distributors Ltd**					
	1	Personal Protective Equipment (PPE)	Kit	10,000	9,000.00	90,000,000.00	**Everywhere Distributors Ltd**
	2	Eye Protetion Goggles	Pair	10,000	500.00	5,000,000.00	**Everywhere Distributors Ltd**
	3	Particulate Respirator N95	Piece	20,000	900.00	18,000,000.00	**Everywhere Distributors Ltd**
	4	Face Shield	Piece	10,000	500.00	5,000,000.00	**Everywhere Distributors Ltd**
Sub Total						**118,000,000.00**	
5		**La Miguela Holdings Ltd**					
	1	Personal Protective Equipment (PPE)	Kit	20,000	9,000.00	**180,000,000.00**	**La Miguela Holdings Ltd**
6		**Shop 'N' Buy Limited**					
	1	Personal Protective Equipment (PPE)	Kit	100,000	9,000.00	900,000,000.00	**Shop 'N' Buy Limited**
	2	KN 95 Face Mask	Piece	100,000	700.00	70,000,000.00	**Shop 'N' Buy Limited**
Sub Total						**970,000,000.00**	
7		**Medilife Biologicals Ltd**					
	1	Face Mask 3 Ply Tie on	Box 50's	20,000	4,500.00	90,000,000.00	**Medilife Biologicals Ltd**
	2	KN 95 Face Mask	Piece	200,000	700.00	140,000,000.00	**Medilife Biologicals Ltd**
	3	Face Shield	Piece	20,000	500.00	10,000,000.00	**Medilife Biologicals Ltd**
Sub Total						**240,000,000.00**	

8		**Komtel Kenya Ltd**					
	1	S9030 Patient Ventilators	Piece	20	3,000,000	60,000,000.00	**Komtel Kenya Ltd**
	2	KN 95 Face Mask	Piece	190,000	700.00	133,000,000.00	**Komtel Kenya Ltd**
	3	Face Mask 3 Ply Tie on	Box 50's	20,000	4,500.00	90,000,000.00	**Komtel Kenya Ltd**
Sub Total						**283,000,000.00**	
GRAND TOTAL						**2,336,000,000.00**	

ADVISORY TO MDAs ON PROCUREMENT PROCEDURES APPLICABLE TO URGENT PURCHASES TO DEAL WITH COVID-19

Introduction

1. The question has arisen regarding the appropriate procurement procedures during the current COVID -19 Pandemic, in situations where government has to deal with emergency purchases to address various facets of the pandemic.

2. In the NDITC meeting on Friday 17 April 2020 the issue of emergency purchase of face masks came up and this advisory addresses that question but also touches on all such procurements generally .

3. The Advisory recommends that to address the necessary emergency purchases ,procuring entities may take advantage of the DIRECT Procurement mode of Procurement whose essential attributes are highlighted hereunder:

4. Pursuant to Article 227 of the Constitution, Parliament enacted the Public Procurement and Assets Disposal Act 2015 (the Act), which provides the procedures for efficient public procurement and for assets disposal by public entities.

5. Section 92 of the Act sets out various methods of procurement, with section 91 (1) setting out open tendering as the preferred procurement method. **However section 92 does recognize other methods of procurement including DIRECT procurement.**

Direct Procurement –Conditions Precedent

6. Section 103 of the Act allows a procuring entity to use direct procurement ***so long as the purpose is not to avoid competition and subject to fulfillment of any of the following conditions***:

   a) *Not applicable*
   b) *Due to war, invasion, disorder, **natural disaster** or **there is an urgent need for the goods, works or services, and engaging in tendering proceedings or any other method of procurement would therefore be impractical**, provided that the **circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part***

   c) ***Owing to a catastrophic event, there is an urgent need for the goods, works or services, making it impractical to use other methods of procurement** because of the time involved in using those methods;*

d) Not Applicable;

*e) For the acquiring of **goods, works or services provided by a public entity provided that the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances**.*

7. In the present instance, procurement of masks and related items/equipment to address COVID-19 qualifies as "urgent need" as provided for under section 103 (b) and (c) above. The term is defined under section 2(1) of the Public Procurement and Asset Disposal Act, as follows:

> *the need for goods, works or services in circumstances where there is **an imminent or actual threat to public health**, welfare, safety, or of damage to property, such that engaging in tendering proceedings or other procurement methods would not be practicable.*

8. **COVID-19 poses an actual threat to public health** and therefore procurement of masks and related items/equipment to assist in containing the virus qualifies as an urgent need.

Direct Procurement –Procedure to Follow

9. Section 104 of the Act provides the following procedure to be followed in Direct Procurement:

   a) **Issue a tender document which shall be the basis of tender preparation by tenderer and subsequent negotiations;**
   b) **Appoint an ad hoc evaluation committee pursuant to section 46 of the Act to negotiate with the person for the supply of goods;**
   c) **Ensure appropriate approvals under the Act have been granted;**
   d) **Ensure the resulting contract is in writing and signed by both parties.** The said contract (and above tender document) should be based on the standard procurement and asset disposal documents issued by the Public Procurement Regulatory Authority (PPRA) as required by section 58 of the Act;
   e) **Report the contract award to the PPRA as required by section 138(2) of the Act.**

10. The approvals referenced under (c) are the usual ***internal procurement approvals*** referenced under section 69 of the Act as facilitated by the procuring entity's procuring department. Pursuant to Regulation 22 of the 2006 Regulations, these approvals include:

a) A purchase requisition from the user department, approved by its head, which shall include all necessary information pertaining to the procurement including estimated market value of the goods;

b) The purchase requisition is forwarded to the procurement unit which then forwards it to the persons in charge of finance, who signs and confirms availability of funds;

c) The procurement unit may then proceed to prepare the tender document under the supervision of the accounting officer and in consultation with the user department.

11. Procuring entities should also ensure that the following requirements of the Act are adhered to:

a) The procurement is within the approved budget of the Ministry – Section 46(2)(a);

b) Ensure that the procurement processes are handled by different professional offices in respect of procurements initiation, processing and receipt of goods – Section 46(2)(h);

c) Establish an inspection and acceptance committee which will inspect and where necessary, test the goods received; and may accept or reject, on behalf of the procuring entity, the delivered goods in line with section 48 of the Act.

12. Procuring entities can also take advantage of section 103 (e) which permits the DIRECT procurement of goods, works or services provided ***by a public entity*** provided that ***the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances.***

CONCLUSION

MDAS are advised to note and take advantage of the above provisions in order to make the necessary urgent procurements to deal with the COVID-19 pandemic.

It is possible and practical to go through the above processes within the shortest time possible in order to achieve the object of direct procurement.

The Office of the Attorney General is available to provide any required clarifications.

SOLICITOR GENERAL
17 APRIL 2020

Annexure - 41 -

PPRA
PUBLIC PROCUREMENT REGULATORY AUTHORITY
UPHOLDING PROCUREMENT STANDARDS

REF: PPRA/6/5 VOL. 1(1) **27th March, 2020**

PPRA CIRCULAR NO. 02/2020

All Accounting Officers, National & County Governments
All Clerks, Senate, National & County Assembly (ies)
Chief Registrar, the Judiciary and the Courts
All Secretaries/CEOs/Accounting Officers, Constitutional Commissions & Independent Offices
All CEOs, State Corporations
All Vice Chancellors, Public Universities
All Ambassadors/High Commissioners, Kenya Diplomatic Missions
All Principals, Public Colleges, Polytechnics, Training Institutes, Primary & Secondary Schools
All Trustees, Public Pension Funds
All County Commissioners, County Service Delivery Coordination Units
All Fund Account Managers, NG-CDFs
All County Coordinators, NGAAFs

RE: PREVENTIVE MEASURES FOR HANDLING OF PROCUREMENT ACTIVITIES FOR PROCURING ENTITIES DUE TO CORONA VIRUS (COVID- 19)

Following the Presidential address to the Nation on 15th and 25th March, 2020 on the measures that the Government of Kenya has put in place to reduce the potential spreading of the Corona Virus (COVID-19) and continuous guidance from the Ministry of Health, procuring entities are reminded to fully comply with these guidelines to mitigate the spread of COVID-19 as they conduct procurement activities. The Authority has continued to offer appropriate advice and guidance to its stakeholders and hereby issues guidelines shown below to support the preventive measures on the spreading of COVID-19 outlined by the Government, for handling procurement activities for all procuring entities.

Given the current situation in the Country and the guidance issued by the Ministry of Health with respect to COVID-19 matters, procuring entities are advised to scale down their procurement activities with exception of the ongoing procurement processes, save for the procurement of essential and critical services. For the initiated procurement processes, Accounting Officers should make a decision on whether the procurement process can proceed in the context of the prevailing circumstances and in view of the Government directives as well as objectives/principles enshrined in the Public Procurement and Asset Disposal Act, 2015 (the Act) and the possibility of the entity achieving the intended outcome of the subject procurement within the existing constraints. Where a procuring entity is unable to process an ongoing procurement to conclusion, the Accounting Officer will be expected to make a rational decision on whether to terminate the procurement by invoking provisions of Section 63 of the Act on the basis of force majeure to avoid inherent challenges and risks.

National Bank Building, 11th Floor, Harambee Avenue | P.O Box 58535-00200, Nairobi,Kenya | Tel: +254 (020) 3244000, 2213106/7
Email: info@ppra.go.ke;feedback@ppra.go.ke | Website: www.ppra.go.ke

PPRA is ISO 9001:2015 Certified

It is hereby emphasized that procurement planning is compulsory in order to ensure efficient procurement of goods, works and services and it must be prepared in line with annual budgets, its implementation monitored and adjustments made as appropriate and that prior requisite approvals are obtained in accordance with the Act. Consequently, the Accounting officers are advised to review their procurement plans to prioritize and fast track procurements that facilitate delivery of essential services and if necessary re-allocate resources for the same in view of the existing regulatory and policy frameworks, including review of the methods of procurement in the approved procurement plan, to be consistent with the current situation, in accordance with the Act.

1. **Emerging Procurements to Mitigate Spread of COVID-19**
   In response to the current situation, procuring entities at both National and County Governments have deployed resources in laying down measures and interventions to address the COVID-19 pandemic some of which may involve procurement.

   Accounting Officers are reminded to ensure that such emerging procurements are reflected/captured in the Approved Procurement Plan maintained in accordance with Section 53 of the Act and budget set aside to meet the resultant financial obligations before commencement of such procurements, in line with Section 53(8) of the Act. Further, Accounting Officers are reminded to ensure that necessary approvals are secured in line with the provisions under Section 69 of the Act especially with regard to retrospective approvals.

2. **Pre- Bid Meetings and Site Inspections**
   All procuring entities should suspend pre-bid meetings/conferences and provide potential bidders with a dedicated and continuously monitored email address and phone number/s for seeking clarifications or any other communication. Bidders should be instructed to raise any queries resulting from the bidding documents or seek clarifications by email. Responses to clarifications shall be copied to all potential bidders by email. In exceptional cases and where pre-bid meetings involve site inspections, the entities should schedule bidders to visit the sites in smaller groups of not more than 3 bidders at a time. Such site visits/inspections should not be mandatory and if possible should be delayed and where it is critical for potential bidders to inspect sites before submitting their bids, it should be conducted in strict compliance with the measures put in place by the Government to reduce spread of COVID-19.

3. **Bid Submissions**
   Whereas bids shall be submitted in hard or soft copy as per instructions issued by procuring entities, entities are encouraged to use electronic means as much as possible. For international tenders where foreign bidders are not able to submit bids in hardcopy, they should give unconditional Powers of Attorney to a local representative/partner to submit their bids as allowed/specified in the tender documents or through other electronic means as provided for by the procuring entity. Any Bids received in hardcopy should be quarantined first for the requisite timeframe and then sanitized appropriately to reduce spread of COVID-19.

4. **Bid Closing**
   Procuring Entities should opt to extend the bid submission deadlines in such circumstances where there is no urgency. The procuring entity shall ensure that no two or more tenders are

closing at same time to limit the number of the bidders expected to witness bid opening exercise.

5. **Bid Opening**
The procuring entity shall ensure that no two or more tenders are opened concurrently to limit the number of the bidders witnessing the exercise. Where bidders or their representatives chose to attend the bid opening, the procuring entity shall ensure that the venue where opening is conducted is spacious and observe a social distance of at least 1.5 metres away from each other. Screening of attendees should take place and sanitary facilities must be provided at all opening sessions. If possible bids may be opened with electronic attendance through conferencing facilities with the concurrence of all bidders. Failure by bidders to attend any bid opening will not invalidate the process. The results of bid opening shall be communicated by the respective procuring entities to the bidders by email; or any other acceptable electronic means of communication.

6. **Post Qualifications**
Given that travelling outside the country is not allowed by the Government, a procuring entity may conduct such post qualification engagements through video conferencing where possible. In exceptional cases, a procuring entity may conduct due diligence locally but with a team of not exceeding five (5) officers who are members of the appointed tender evaluation committee for the subject procurement and prior arrangements must be put in place by the procuring entity and the concerned bidder to ensure that social distancing amongst other measures are strictly observed as per the directives issued by the Government and Ministry of Health.

7. **Evaluation Committee Meetings**
Procuring entities will conduct evaluation committee meetings in strict adherence to the Government directives mentioned above. The evaluation committee members should be positioned in a space of at least 1.5 metres away from each other during the meetings, amongst all other protective and preventive measures as directed by the Ministry of Health.

8. **Compliance Monitoring and Investigations**
The Authority has suspended compliance monitoring and investigations that involve direct physical contact with procuring entities and other subjects. However, the Authority will continue to conduct compliance monitoring and investigations of the procurement and asset disposal activities by the procuring entities through other approaches. Communications and queries in this regard, shall be done by email.

9. **Technical Support and Training Activities**
The Authority has suspended offering of trainings/technical support interventions with the stakeholders through physical contacts. However, the Authority will continue to receive requests for technical support/advisory through ***info@ppra.go.ke*** and telephone calls. The Authority will subsequently issue written responses/advice as appropriate to procuring entities/stakeholders and communicate the same electronically.

10. **Submission of Mandatory Reports to the Authority**
Procuring entities will continue to submit the mandatory reports to the Authority in conformity with the existing reporting guidelines and formats through ***reports@ppra.go.ke***. The Authority shall not receive physical/ hardcopy reports.

In addition, Accounting Officers should continue to upload all contract awards in the Public Procurement Information Portal (PPIP) in compliance with the requirements of the Executive Order No. 2 of 2018 - *Procurement of Public Goods, Works and Services by Public Entities.* Further, Accounting Officers are reminded to publish all contracts awards in their websites pursuant to Section 138(1) of the Act.

11. Administrative Reviews

The conduct of reviews at the Public Procurement Administrative Review Board (PPARB) shall be undertaken as per guidelines issued vide Circular Nos. PPRA/ARB/01.Vol.2 (113) of 16th March, 2020 and PPRA/ARB/01.Vol.2 (114) of 24th March, 2020 respectively, which are available on ***http://ppra.go.ke/circulars/*** and on the Authority's social media platforms.

12. Contract Implementation and Management

Accounting officers are advised to review implementation of the ongoing contracts with a view to ensuring that such contracts are performed in strict compliance with the measures put in place by the Government to reduce spread of COVID-19. The contractors should undertake in writing to commit to full compliance with the measures put in place by the Government to reduce spread of COVID-19 with regular reports submitted to the procuring entity on interventions the contractor has undertaken. The procuring entity is obliged to monitor and ensure the contractor complies with the undertakings and the safety measures put in place by the Government.

Where contract implementation including sites activities are affected by the current situation or where implementation of the contract will lead to a breach of the directives issued by the Government on the spread of COVID-19, the Accounting officer should take measures to ensure that suspension of the contract is done in writing and consent of parties secured in accordance with the terms and conditions espoused in the contract to mitigate contractual disputes and loss of public resources. Accounting officers are advised to consult the office of the Attorney General and or the County Attorney where any matter relating to a contract is unclear to them.

13. Compliance with the Procurement Law

All Accounting Officers are reminded to comply with the Act and the Regulations issued under the repealed Public Procurement and Disposal Act, 2005 pursuant to Section 24 of the Interpretation and General Provisions Act, Cap 2 of the Laws of Kenya in line with Section 44 (1) of the Act. Accounting officers shall conduct all procurement and asset disposal processes with a view of ensuring realisation of value for money and economy, and proper utilisation of public resources.

14. How to reach PPRA

The Authority's services can be accessed through the following available platforms:

(a) Tel: 020-3244000/020-2213106/7
(b) Email: ***info@ppra.go.ke; feedback@ppra.go.ke*** and ***reports@ppra.go.ke***
(c) Social media: Facebook (PPRAKenya) and Twitter (PPRAKenya)
(d) Website: ***www.ppra.go.ke***

Please bring the contents of this circular to the attention of all officers involved in the public procurement and disposal processes within your entities for compliance. NB. The Authority will

continue to review these guidelines based on the updated advice and directions issued by the Government on COVID-19.

MAURICE J.O. JUMA, MBS
DIRECTOR GENERAL

Copy to: **Dr. Joseph K. Kinyua, EGH**
Head of Public Service
Office of the President
Harambee Avenue
NAIROBI

Mr. Nzioka Waita
Chief of Staff and Head of President's Delivery Unit
Office of the President
Harambee Avenue
NAIROBI

Hon. Justice (Rtd.) Paul Kihara Kariuki, EGH
Attorney General
Office of Attorney General
and Department of Justice
NAIROBI

Dr. Julius Muia, CBS
Principal Secretary
The National Treasury
The National Treasury and Planning
Treasury Building
NAIROBI

The Auditor General
Kenya National Audit Office
Anniversary Towers
NAIROBI

Jacqueline Mogeni (Mrs)
Chief Executive Officer
Council of Governors
Delta Corner House, Off Waiyaki Way
NAIROBI

Annexure 42

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

INTERNAL MEMO

TO: Director Commercial Services
Director Operations
Director Finance and Strategy
Director Legal Services
Internal Audit Manager,
Warehouse Manager,
Finance Manager
Quality Assurance Manager
ICT Manager
Head SSD
Sales & Marketing Manager
All Procurement Managers

CC: Chief Executive Officer

FROM: Director, Procurement

DATE: 24th April, 2020

SUBJECT: **EMERGENCY PROCUREMENT OF COVID-19 HPT'S THROUGH DIRECT PROCUREMENT**

We refer to the Directors meeting with the Chief Executive Officer held on Tuesday, 21st April, 2020 between 9.00am to 11.30 am concerning status of Covid-19.

Based on the procurement presented, it was noted that commitment letters issued to date amount to **Kshs. 3,996,636,560.** This is a substantial budget which almost equals KEMSA Capital budget.

In view of the substantial commitment letters issued going forward;

That procurement reviews all commitment letters and that any supplier who has delayed to supply as per the deadline in the commitment letter, the letter should be cancelled with immediate effect without reference to the supplier.

You may note that, these are Emergency Procurements in which suppliers are required to supply the HPT's in accordance to the dates in the commitment letters.

The Public Procurement Regulatory Authority in its circular PPRA *Circular No.02/2020 dated 27th March 2020 on the Preventive Measures for Handling of Procurement Activities for Procuring Entities Due to Corona Virus (Covid -19)* has given guidelines to be followed by the procuring entities while undertaking procurement during this time of Corona Virus (COVID-19).

Further, the solicitor General has issued an advisory to Public Entities requiring them to undertake Procurement only if they have sufficient budgets to meet the obligation of the resulting contracts.

In view of the above, and the contents therein in the circular and advisory, we reiterate the following; -

1. Pursuant to Section 69(1) of the Public Procurement and Asset Disposal Act (PPADA) 2015, all approvals relating to any procedures in procurement shall be in writing and properly dated, documented and filed.

   Procurement Department is therefore the custodian of all procurement processes and records. Without these records, no procurement process can be initiated as required with respect to retrospective approvals.

2. That necessary approvals are secured in line with the provisions under Section 69 of the PPADA 2015 with regard to retrospective approvals.

   This implies the following;

a) Under Regulation 22 of the 2006 Public Procurement and Disposal Regulations, these approvals include;
   i. A purchase requisition from the user department, approved by its head, which shall include all necessary information pertaining to the procurement including estimated market value of the goods;
   ii. The procurement unit may then proceed to prepare the tender document under the supervision of the Procurement Managers.

b) That prospective suppliers wishing to supply the various items under Covid-19, must submit letters of intent indicating that they wish to supply KEMSA with HPT's where they have Ex-stocks or expect immediate arrival of commodities.
   The intent letter should clearly indicate the item description, quantities available, expected delivery date and offered prices.

   The supplier will also be required to submit a sample that will be evaluated and analyzed by the technical personnel to ascertain conformance to the required technical specifications.

c) Direct Procurement Procedure to follow;

i. Issue a tender document which shall be the basis of tender preparation by tenderer and subsequent negotiations;

ii. Appoint an ad hoc evaluation committee pursuant to section 46 of the Act to negotiate with the person for the supply of goods;

iii. Ensure appropriate approvals under the Act have been granted;

iv. Ensure the resulting contract is in writing and signed by both parties. The said contract (and above tender document) should be based on the standard procurement and asset disposal documents issued by the Public Procurement Regulatory Authority (PPRA) as required by section 58 of the Act;

v. Report the contract award to the PPRA as required by section 138(2) of the Act.

d) Availability of budget to meet the resultant expenditure

i. The procurement is within approved budget- Section 46(2)(a);

ii. Ensure that the procurement processes are handled by different professional offices in respect of procurements initiation, processing and receipt of goods - Section 46(2)(h);

iii. Establish an inspection and acceptance committee which will inspect and where necessary, test the goods received; and may accept or reject, on behalf of the procuring entity, the delivered goods in line with section 48 of the Act.

e) Procuring entities can also take advantage of section 103 (e) which permits the Direct Procurement of goods, works or services provided *by a public entity* provided that *the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances.*

f) Pursuant to section 24 of the interpretation and General Provisions Act, Cap 2 of the law of Kenya in line with Section 44 (i) of the Act. All officers shall conduct all procurement and asset disposal processes with a view of ensuring realization of **value for money** and economy and proper utilization of public resources.

g) That the procurement department will only prepare bid (Tender) documents for Direct procurements under emergency for HPTs where supplies have been delivered to the warehouse.

This process will be initiated with advise from the Director, Operations on status of Covid-19 deliveries.

Thank you

CHARLES E. JUMA

Annexure - 4B -

June

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

INTERNAL MEMO

TO: Chief Executive Officer
Director, Legal Services
Director, Commercial Services
Director, Operations
Director, Finance & Strategy

Approved 15/5/2020

FROM: Director, Procurement

DATE: 15th May, 2020

SUBJECT: **PROFESSIONAL OPINION ON COVID-19 HPT'S EMERGENCY PROCUREMENT THROUGH DIRECT PROCUREMENT**

Reference is made to the various emergency procurements we have undertaken through Direct Procurement for various items to meet the needs of COVID-19 and advise as follows:

1. That the Public Procurement Regulatory Authority (PPRA) and the Solicitor General have issued guidelines to be followed by Procuring Entities while undertaking procurement activities under COVID-19. See PPRA Circular No.02/2020 dated 27th March, 2020 and Solicitor General advisory dated 17th April, 2020.

2. That Direct Procurement on emergency basis is premised on the fact that there is an urgent need of the items and use of other methods of procurement except Direct Procurement will not be practical. The Public Procurement and Asset Disposal Act (PPADA) 2015 defines urgent need as follows;

   "Urgent Need" means the need of goods, works or services in circumstances where there is an imminent or actual threat to public health, welfare, safety, or of damage to property such that engaging in tendering proceedings or other procurement methods would not be practicable.

3. That currently, we have procured the following listed items through Direct Procurement on Emergency basis;
    1. Surgical Face Masks 3 Ply
    2. KN95 Face Masks
    3. KN99 Face Masks
    4. N95 Face Masks with Respirator/Filter
    5. Personal Protective Equipment (PPE) Kit
    6. Face Shield
    7. Surgical Gloves Size 7.0, 7.5 & 8.0
    8. Nitrile Gloves
    9. Pair of Goggles
    10. Infrared Thermometers
    11. Instant Hand sanitizer
    12. Ventilators

It is noted that most of the suppliers have delivered the items therefore, currently we have adequate stocks of the above listed items and hence, any new procurements of these items under Direct Procurement will **NOT** meet the threshold of PPADA 2015, Section 103 (2) (b) (c) which states as follows;

a) Due to war, invasion, disorder, natural disaster or there is an urgent need for the goods, works or services, and engaging in tendering proceedings or any other method of procurement would therefore be impractical, provided that the circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part.

b) Owing to a catastrophic event, there is an urgent need for the goods, works or services making it impractical to use other methods of procurement because of the time involved in using those methods.

4. That Public Entities should ensure that all procurements should be within the approved budget in line with section 44 (I) of PPADA.

(2) In the performance of the responsibility under subsection (1) an Public Entities shall;

(a) Ensure that procurements of goods, works and services of the Pubic Entity are within approved budget of that entity.

Further, in the Financial Year 2019-2020 approved budget for procurement of HPT's under KEMSA Capital is **KES. 4,655,709,000.00**. The total value of Direct Procurement on emergency basis under COVID-19 is **KES. 5,324,481,200.00.** This exceeds the approved budget by KES.**668,772,200.00.**

The budget allocated for procurement of HPT's has therefore been exhausted and exceeded. Any procurement above the approved budget will be a breach of the PPADA 2015.

In view of the above, and in compliance to PPADA 2015, I therefore, advise;

i. that we put on hold any new Direct Procurements for the above listed items,
ii. that MoH and any other authority letters will be processed as per allocated budget,
iii. that Development Partners procurement of COVID-19 HPT's will be processed in line with authorities received.
iv. that any Emergency Direct Procurements having commitment letters issued above the allocated budget will require a reallocation of funds by the Finance Department to enable their processing.

Kindly note that submission of samples for evaluation from prospective suppliers wishing to participate in emergency procurement for COVID-19 HPT's should be discouraged until further advised. The evaluation of samples is giving prospective suppliers false hope that they will be issued with commitment letters, which is not the case at the moment.

The above is forwarded for your perusal, information and consideration.

Thank you.

CHARLES E. JUMA

Annexure -44-

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

INTERNAL MEMO

TO: Chief Executive Officer

FROM: Director, Procurement

CC: Director, Legal Services
Director, Commercial Services
Director, Finance & Strategy
Director, Operations

DATE: 4th June, 2020

SUBJECT: **ADVISORY ON COVID-19 HPT'S EMERGENCY PROCUREMENT THROUGH DIRECT PROCUREMENT**

Reference is made to my internal Memos dated 24th April, 2020 and 15th May 2020 concerning the above subject.

We have scrutinized and analyzed the various commitment letters issued to the various suppliers for supply of Covid-19 HPT's and advise as follows;

1. That in March, April and early May 2020 various commitment letters were issued to suppliers for the supply of Covid-19 with delivery timelines.

2. That all procurements must be undertaken within an approved budget pursuant to the Public Procurement and Asset Disposal Act (PPADA) 2015 section 44 (2)(a) *"Ensure that procurements of goods, works and services of the Public entity are within approved budget of that entity.*

   (2)(h) "Ensure that the procurement processes are handled by different professional offices in respect of procurements, initiation, processing and receipts of goods, works and services.

   To date, you may note that the total commitment letters amount to **KES7,699,260,500.00** against an approved budget of **KES4,655,709,000.0** for procurement of HPT's under KEMSA Capital for financial year 2019/2020.
   This has exceeded the approved budget by **KES.3,043,551,500.00** ***(See attached schedule for ease of reference).***

As a result of the above, the Procurement Department will only be able to retrospectively process emergency Direct Procurement to the tune of **KES.4,638,310,500.00**. Therefore, commitment letters amounting to **KES.3,060,950,000.00** do not have a budget line and hence cannot be processed.

3. That with regard to emergency procurement of Covid-19 items under direct procurement section 103 (1) of PPADA 2015 allows a procuring entity to use direct procurement (2) as long as the purpose is not to avoid competition and subject to fulfillment of the following conditions;

b) *Due to war, invasion, disorder, natural disaster or there is an urgent need for the goods, works or services, and engaging in tendering proceedings or any other method of procurement would therefore be impractical, provided that the circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part*

c) *Owing to a catastrophic event, there is an urgent need for the goods, works or services, makii it impractical to use other methods of procurement because of the time involved in using those methods;*

e) *For the acquiring of goods, works or services provided by a public entity provided that the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances.*

It is noted that from section 103 (2) (b) and (c) above, the pertinent criteria to be considered is, there is an urgent need of the goods and that it is impractical to use other methods of procurement.

The default method of procurement is open tendering for the purpose of enhancing competition.
Further that quantities to be procured must be reasonable and not exaggerated so as not to avoid competition.

4. That with reference to commitment letter issued to KILIG Limited I wish to mal the following comments;

a) That direct procurement for emergency is a method allowed for the procurement of goods, works and services in response to an emergency where there is a threat to Public Health and Safety whose procurement must be done within the shortest time possible. This procurement is considered as a stop gap measure to allow the procuring entity plan for competitive procurement through open tendering should more of the goods be required for a longer time.

b) The goods being procured must be ex-stock and should be delivered immediately or within the shortest time hence not exceeding one (1) month. The quantities involved must be reasonable so as not to avoid open tendering.

c) From KILIG Limited commitment letter, the total quantity requested is 450,000 kits at approximate unit price of KES. 9,000.00 bringing the total amount to KES.4,050,000,000.00. This is a huge and substantial quantity which will last a long time and does not meet threshold of procurement under direct procurement for emergency.

From the above, it is therefore observed that the procurement of the proposed quantity can only be carried out through open tendering and there should be a budget to meet the resultant expenditure as planned in the procurement plan. Furthermore, currently KEMSA has stocks available of 160,000 Kits of PPE at warehouse adequate to meet immediate needs. There is also pending pipeline delivery of 200,970 PPE Kits with partial deliveries having been delivered. The time granted to KILIG Limited is approximately three (3) months which is adequate time to facilitate procurement by way of a competitive process. Any additional quantities can only be procured through **Open Tendering**. In regard to this therefore, KEMSA has adequate stocks of PPE for the time being and there cannot be a justification for emergency procurement of this item.

In conclusion and in view of the above I recommend as follows;

a) With regard to commit letters with a deficit budget of **KES.3,060,950,000.00** that funds/budget to meet this resultant expenditure be availed or these procurements be differed to Financial Year 2020/2021.

b) That commitment letter issued to KILIG Limited should be cancelled/revoked with immediate effect as this procurement does not meet the threshold of PPADA 2015. That any continuation of fulfilment of this commitment letter will amount to a breach of PPADA 2015.

c) That there should be no more issuing of commitment letters to prospective suppliers. Any procurement anticipated should be planned for and carried out in accordance to the PPADA 2015 through Open Tendering.

d) That Quality Assurance Department should be advised to stop any further evaluation of any samples as this is giving prospective suppliers false impression that we are still carrying out emergency procurements.

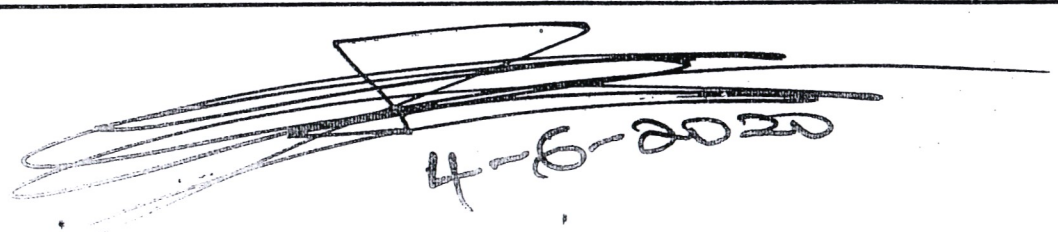
e) That procurement will only retrospectively process procurement for commitment letters in its custody.

The above recommendations are forwarded for your perusal, information and consideration.

Thank you.

CHARLES E. JUMA

SUMMARY OF COVID -19 EMERGENCY DIRECT PROCUREMENTS					
1	KN95 Face Mask	Piece	1,836,400	700.00	1,285,480,000.00
2	N95 Cone shaped	Piece	29,900	900.00	26,910,000.00
3	N95 (1860) face masks	Piece	5,000	1,300.00	6,500,000.00
4	Infra-Red Thermometers	Piece	21,646	10,000.00	216,460,000.00
5	Personal Protective Equipment (PPE)	Set	360,970	9,000.00	3,248,730,000.00
6	Face shield	Piece	42,190	500.00	21,095,000.00
7	Pair of Goggle	Pair	46,000	500.00	23,000,000.00
8	Surgical Gloves - Size 7.0, 7.5 & 8.0	50 Pairs	126,700	2,100.00	266,070,000.00
9	Nitrile Gloves - Size Medium & Large	50 Pairs	2,190	850.00	1,861,500.00
10	Instant Hand Sanitizer	500 Ml	330,000	500.00	165,000,000.00
11	ICU Patient Ventilator CVD	Piece	75	3,150,000	236,250,000.00
12	Surgical mask disposable 3 ply	Piece	24,397,600	90.00	2,195,784,000.00
13	Viral Transport Media (VTM)	Piece	20400	300	6,120,000.00
GRAND TOTAL					**7,699,260,500.00**

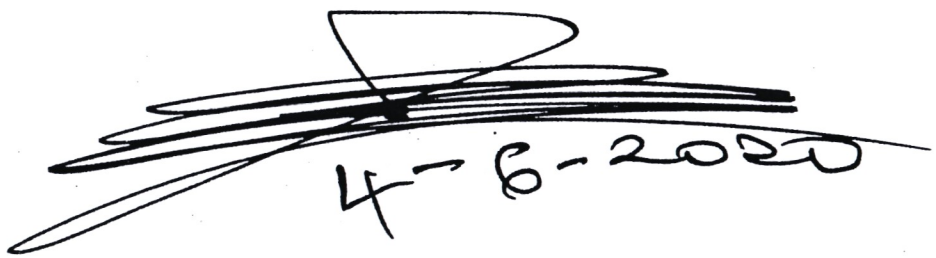


ITEMS DELIVERED NOT COVERED BY 2019/2020 HPT'S APPROVED BUDGET AS OF 4TH JUNE 2020

NO	ITEM DESCRIPTION	UOM	QTY	APPROX UNIT PRICE	TOTAL PRICE	SUPPLIER
	Accenture Kenya Limited					
1	Personal Protective Equipment (PPE)	Kit	12,000	9,000.00	**108,000,000.00**	**Accenture Kenya Limited**
	Abyssinia Group of Indurstries(AGI)					
1	N95 Face mask with respirator	Piece	30,000	900.00	**27,000,000.00**	**Abyssinia Group of Indurstries**
	Bell Industries Ltd					
1	Personal Protective Equipment (PPE)	Kit	15,000	9,000.00	135,000,000.00	**Bell Industries Ltd**
2	Infrared Thermometer	Piece	5,000	10,000.00	50,000,000.00	**Bell Industries Ltd**
	Sub Total				**185,000,000.00**	
	Medilife Biologicals Ltd					
1	KN95 Face Mask	Piece	200,000	700.00	140,000,000.00	**Medilife Biologicals Ltd**
2	Surgical mask disposable 3 ply Ear - Loop	Pack of 50's	20,000	4,500.00	90,000,000.00	**Medilife Biologicals Ltd**
	Sub total				**230,000,000.00**	
	Nanopay Limited					
1	KN95 Face Mask	Piece	50,000	700.00	**35,000,000.00**	**Nanopay Limited**
	Light Up Africa Limited					
1	Instant Hand Sanitizer	500 Ml	50000	500.00	**25,000,000.00**	**Light Up Africa Limited**
	Shop 'N' Buy Ltd					
1	Personal Protective Equipment PPE	Kit	100,000	9,000.00	900,000,000.00	**Shop 'N' Buy Ltd**
2	KN95 Face Mask	Piece	100,000	700.00	70,000,000.00	**Shop 'N' Buy Ltd**
	Sub total				**970,000,000.00**	
	Ziwala Ltd.					
1	KN95 Face Mask	Piece	120,000	700.00	**84,000,000.00**	**Ziwala Ltd.**
	Wallabis Ventures Limited					
1	Personal Protective Equipment	Kit	10,000	9,000.00	**90,000,000.00**	**Wallabis Ventures Limited**
	Megascope Healthcare(K) Limited					
1	Personal Protective Equipment	Kit	85,000	9,000.00	765,000,000.00	Megascope Healthcare(K) Limited
2	KN95 Facial Masks	Piece	50,000	700.00	35,000,000.00	Megascope Healthcare(K) Limited
3	KN99 Facial Masks	Piece	50,000	700.00	35,000,000.00	Megascope Healthcare(K) Limited
	Sub Total				**835,000,000.00**	

4-6-2020

	Aszure Commercial Services Limited					
1	KN95 Face Mask	Piece	248,500	700.00	173,950,000.00	Aszure Commercial Services Limited
	La Miguela Holdings Ltd					
1	Personal Protective Equipment PPE	Kit	20,000	9,000.00	**180,000,000.00**	**La Miguela Holdings Ltd**
	Everywhere Distributors Ltd					
1	Personal Protective Equipment PPE	Kit	10,000	9000.00	90,000,000.00	**Everywhere Distributors Ltd**
2	Eye Protective Goggles	Piece	10,000	500.00	5,000,000.00	**Everywhere Distributors Ltd**
3	Particulate Respirator N95	Piece	20,000	900.00	18,000,000.00	**Everywhere Distributors Ltd**
4	Face Sheild	Piece	10,000	500.00	5,000,000.00	**Everywhere Distributors Ltd**
Sub Total					**118,000,000.00**	
GRAND TOTAL					**3,060,950,000.00**	



KENYA MEDICAL SUPPLIES AUTHORITY

Annexure -45-

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606000
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM//2020/045 Date: 21st April, 2020

CERTIFIED TRUE COPY OF THE ORIGINAL (CTC) 07 JUL 2020

REGAL FREIGHTERS
P.O.BOX 99569-80100
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF SURGICAL FACE MASK TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item;

No.	Item Description	Unit of measure	Quantity
1	Surgical Masks	60,000packs of 50	3,000,000 pieces

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse in 10 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

ABDIRASHID MOHAMED ABDI
ID/m- 14539169
21/04/2020

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:
KEMSA/CEO/ADM//2020/041

Date: 16th April, 2020

NORTHLINK GSC LIMITED
P.O.BOX 21810-00100
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item.

No.	Item Description	Quantity
1	Masks (N95) with Filter	200,000
	3 Ply Surgical Mask	1,500,000

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse in 15 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

CERTIFIED TRUE COPY
OF THE ORIGINAL
(CTO)
07 JUL 2020
Signature.....
Kenya Medical Supplies Authority

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 20392241
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/PROC/ADM/2020 Date: 9th April, 2020

Head of Commercial and Operations
East Afria
Meraky Health Care
P O BOX 27030 – 00100
NAIROBI
Email: merakyhealthcare.com

CERTIFIED TRUE COPY OF THE ORIGINAL (CTO)
07 JUL 2020
for: Kenya Medical Supplies Authority

Dear Sir/Madam,

RE: COMMITMENT LETTER - EMERGENCY PROCUREMENT OF KN 95 MAKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA).

No.	Item Description	UoM	Quantity
1	KN95 Face Mask	Piece	200,000

You are therefore requested to supply the available quantities for the mentioned commodities to KEMSA Embakasi Warehouse in 15 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

Dr. Wairimu Mbogo
ID. 24651827
Nairobi

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 2039224
GSM +254 719 033000, +254 733 696600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM//2020/053 Date: 14th May, 2020

EVERYWHERE DISTRIBUTIRS LTD.
P.O.BOX 22142-00400
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS AND OTHER ITEMS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following items;

No.	Item Description	Quantity
1	Complete STERILE PPE Kits	10,000
2	Eye Protection Goggles	10,000
3	Particulate repiratorN95	20,000
4	Face Shield	10,000

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse in 28 days from the date of this letter in response to the emergency.

The procurement process will commence immediately and there will be no further extension to supply the above items.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

CERTIFIED TRUE COPY OF THE ORIGINAL (CTO)
07 JUL 2020
Signature:.....
Kenya Medical Supplies Authority

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM/2020

Date: 5th May 2020

La Miguela Holdings Ltd
P O Box 2694 - 00621
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF COMPLETE PPE KIT COVID-19 (CORONA VIRUS) PREPAREDNESS (EXTENSION DELIVERY DATES)

Reference is made to our letter KEMSA/CEO/ ADM/ 2020/061 dated 21st April, 2020 requesting you to deliver the above mentioned items by **4th June, 2020** and advise that the delivery timeline has been revised as below;

No.	Item Description	Unit Pack	Quantity	Delivery Date
1	Complete PPE Kit Overall Googles Masks Boots Gloves	Kit	10,000 10,000	4th June, 2020 22nd June, 2020

You are therefore requested to supply the quantities for the mentioned items to KEMSA Embakasi Warehouse on or before **22nd June 2020** in response to the emergency.

The procurement process will commence thereafter.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM/2020

CERTIFIED TRUE COPY OF THE ORIGINAL (CTC)
07 JUL 2020

Date: 21st April, 2020

La Miguela Holdings Ltd
P O Box 2694 - 00621
NAIROBI

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF COMPLETE PPE KIT COVID-19 (CORONA VIRUS) PREPAREDNESS (EXTENSION DELIVERY DATES)

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organization on a strategic Partnership to supply Kenya Medical Suppliers Authority (KEMSA) with the following

No.	Item Description	Unit Pack	Quantity
1	Complete PPE Kit Overall Googles Masks Boots Gloves	Kit	20,000

You are therefore requested to supply the quantities for the mentioned items to KEMSA Embakasi Warehouse in 11 days from the date of this letter in response to the emergency.

The procurement process will commence thereafter.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203
GSM +254 719 033000, +254 733 606
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/PROC/ADM/2020 Date: 30th April, 2020

CERTIFIED TRUE COPY OF THE ORIGINAL (CTO)
07 JUL 2020
Signature:.....
Kenya Medical Supplies Authority

Shop 'N' Buy Limited
P O Box 35227 – 00200
NIROBI
Email: shopnbuy254.com

Dear Sir/Madam,

RE: COMMITMENT LETTER - EMERGENCY PROCUREMENT FOR ITEMS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA).

No.	Item Description	Unit Pack	Quantity
1	Personal Protective Equipment (Full PPE Kits	Kit	100,000
2	KN 95 face mask	Pieces	100,000

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse on or before **Wednesday, 20th May, 2020** in response to the emergency. The procurement process will commence thereafter.

Failure to deliver within the stipulated timeliness the Commitment Letter stands cancelled.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

James Chelule
ID. 20057263

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203922400
GSM +254 719 033000, +254 733 606600
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/ADM//2020/047

Date: 28th April, 2020

MEDILIFE BIOLOGICALS LTD
P.O.BOX 00377-00623
NAIROBI
Email:soyuz.mishra@medilife.co.ke

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item.

No.	Item Description	Quantity
1	3 Ply Face Mask	1,000,000
2	KN95 Face Mask	200,000
3	Face Shield	20,000

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse within a period of fourteen days in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

CERTIFIED TRUE COPY
OF THE ORIGINAL
(CTO)
07 JUL 2020
Signature:.....
Kenya Medical Supplies Authority

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203
GSM +254 719 033000, +254 733 60
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/ CEO/ PROC/ADM/2020 **Date: 24th April, 2020**

Komtel Kenya Ltd
P O BOX 13898 -00800
NAIROBI
Email:komtelkel@gmail.com

Dear Sir/Madam,

RE: COMMITMENT LETTER - EMERGENCY PROCUREMENT OF S9030 VENTILATORS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA).

No.	Item Description	Unit of Measure	Quantity to be delivered within 5 days
1	S9030 Patient Ventilators	Piece	20

You are therefore requested to supply the quantities for the mentioned items to KEMSA Embakasi Warehouse by close of business on Wednesday **29th April, 2020** in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203522490
GSM +254 719 033000, +254 733 606000
Email: info@kemsa.co.ke

All Corrosponderice should be addressed to Chief Executive Officer

When replying please quote our ref:
KEMSA/CEO/ADM/ /2020/043

Date: 17th April, 2020

KOMTEL KENYA LIMITED
P.O.BOX 13898-00800
NAIROBI
Email:komtel@gmail.com

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF KN95 MASKS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item.

No.	Item Description	Quantity	Status
1	KN95 Face Mask	10,000	Delivered
2	KN95 Face Mask	190,000	Deliver Immediately
	Total	200,000	

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse immediately in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

Tel: +254 20 3922000, Fax: +254 [illegible]
GSM +254 719 033000, +254 733 [illegible]
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:
KEMSA/CEO/ADM/ /2020/039

Date: 14th April, 2020

Komtel Kenya Limited
P. O. Box 32735-00600
GPO NAIROBI

07 JUL 2020

Dear Sir/Madam,

RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF PPE KIT TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organization on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA) with the following item:

No.	Item Description	Quantity
1	Face Masks 3ply	1,000,000

You are therefore requested to supply the quantities for the mentioned commodity to KEMSA Embakasi Warehouse in 15 days from the date of this letter in response to the emergency.

The procurement process will commence immediately.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

COMMITMENT LETTERS ISSUED IN CEO'S OFFICE

S/NO	ITEM NO	ITEM DESCRIPTION	UOM	QTY	APPROX UNIT PRICE	TOTAL PRICE	SUPPLIER
1		**Regal Freighters**					
	1	Face Mask 3 Ply Tie on	Box 50's	60,000	4,500.00	**270,000,000.00**	**Regal Freighters**
2		**Northlink GSC Ltd**					
	1	Face Mask 3 Ply Tie on	Box 50's	30,000	4,500.00	**135,000,000.00**	**Northlink GSC Ltd**
3		**Meraky Healthcare**					
	2	KN 95 Face Mask	Piece	200,000	700.00	**140,000,000.00**	**Meraky Healthcare**
4		**Everywhere Distributors Ltd**					
	1	Personal Protective Equipment (PPE)	Kit	10,000	9,000.00	90,000,000.00	**Everywhere Distributors Ltd**
	2	Eye Protetion Goggles	Pair	10,000	500.00	5,000,000.00	**Everywhere Distributors Ltd**
	3	Particulate Respirator N95	Piece	20,000	900.00	18,000,000.00	**Everywhere Distributors Ltd**
	4	Face Shield	Piece	10,000	500.00	5,000,000.00	**Everywhere Distributors Ltd**
Sub Total						**118,000,000.00**	
5		**La Miguela Holdings Ltd**					
	1	Personal Protective Equipment (PPE)	Kit	20,000	9,000.00	**180,000,000.00**	**La Miguela Holdings Ltd**
6		**Shop 'N' Buy Limited**					
	1	Personal Protective Equipment (PPE)	Kit	100,000	9,000.00	900,000,000.00	**Shop 'N' Buy Limited**
	2	KN 95 Face Mask	Piece	100,000	700.00	70,000,000.00	**Shop 'N' Buy Limited**
Sub Total						**970,000,000.00**	
7		**Medilife Biologicals Ltd**					
	1	Face Mask 3 Ply Tie on	Box 50's	20,000	4,500.00	90,000,000.00	**Medilife Biologicals Ltd**
	2	KN 95 Face Mask	Piece	200,000	700.00	140,000,000.00	**Medilife Biologicals Ltd**
	3	Face Shield	Piece	20,000	500.00	10,000,000.00	**Medilife Biologicals Ltd**
Sub Total						240,000,000.00	

8		Komtel Kenya Ltd					
	1	S9030 Patient Ventilators	Piece	20	3,000,000	60,000,000.00	Komtel Kenya Ltd
	2	KN 95 Face Mask	Piece	190,000	700.00	133,000,000.00	Komtel Kenya Ltd
	3	Face Mask 3 Ply Tie on	Box 50's	20,000	4,500.00	90,000,000.00	Komtel Kenya Ltd
		Sub Total				**283,000,000.00**	
		GRAND TOTAL				**2,336,000,000.00**	

Shop n Buy letter of intent - 46 -

SHOP'N'BUY LIMITED
Ambassador Court, | Suite No. A4 Milimani Rd
Opp. Heron Hotel | P.O. Box 35227-00200- Nairobi
Office Line: 0726 60 | Email: shopnbuy254.com
www.shopnbuy.co.ke

Top innovative online store

Kenya Medical Supplies Authority,
13th Commercial Street, Industrial Area.
P.O Box 47715-00100,
Nairobi,
Kenya.
Date: 9th April 2020.

RE: SUPPLY OF KN95 FACEMASK

We, Shop n buy wish to supply one hundred thousand KN95 facemasks (100,000).

Regards,

SHOP 'N' BUY LIMITED



James K Cheluley,
Director.

SHOP'N'BUY LIMITED
Ambassador Court, | Suite No. A4 Milimani Rd
Opp. Heron Hotel | P.O. Box 35227-00200- Nairobi
Office Line: 0726 60 | Email: shopnbuy254.com
www.shopnbuy.co.ke

Top innovative online store

Kenya Medical Supplies Authority,
13th Commercial Street, Industrial Area.
P.O Box 47715-00100,
Nairobi,
Kenya.
Date: 14th April 2020.

RE: SUPPLY OF PROTECTIVE SUITS

We, Shop n buy wish to supply hundred thousand (100,000) complete protective suits. This includes:

1. Protective suit.
2. Shoe cover.
3. Goggles.
4. KN95 Facemask
5. Gloves.

Regards,



James K Cheluley,
Director.

Shopnbuy letter of intent - 46 -

SHOP'N'BUY LIMITED
Ambassador Court, | Suite No. A4 Milimani Rd
Opp. Heron Hotel | P.O. Box 35227-00200- Nairobi
Office Line: 0722 748 074 | Email: shopnbuy254.com
www.shopnbuy.co.ke

29th April 2020

The Chief Executive Officer
Kenya Medical Supplies Authority
P O BOX 47715 00100
NAIROBI

Dear Sir,

REQUEST TO SUPPLY COVID-19 ITEMS

Our company is engaged with supply of items to support the Covid-19 pademic in the country.

We wish to partner with KEMSA in the provision of the items to prevent the spread of the pandemic in the country.

We are therefore, willing to supply the following items as per the prices indicated inclusive of VAT.

No.	Item Description	Unit Pack	Quantity	Price per unit (Ksh)
1	Personal Protective Equipment (Full PPE Kits	Kit	100,000	9,500.00
2	KN 95 face mask	Pieces	100,000	800.00

Your consideration will be highly appreciated.

Yours faithfully,

JAMES K CHELULEY
DIRECTOR
SHOP 'N' BUY LIMITED

SHOP 'N' BUY LIMITED
TEL: 0722 748074
NAIROBI

KEMSA (CEO's Office)
RECEIVED EXTERNAL
29 APR 2020
Received by:
Time:
Action By:
CC.

shop'n'buy & letter of intent - 46 -

SHOP'N'BUY LIMITED
Ambassador Court, | Suite No. A4 Milimani Rd
Opp. Heron Hotel | P.O. Box 35227-00200- Nairobi
Office Line: 0722 748 074 | Email: shopnbuy254.com
www.shopnbuy.co.ke

Top innovative online store

19th May 2020

The Chief Executive Officer
Kenya Medical Supplies Authority
P O BOX 47715 00100
NAIROBI

Dear Sir,

REQUEST FOR EXTENSION OF COMMITEMNT LETTER

Reference is made to your letter KEMSA/CEO/PROC/ADM/2020 dated 30th April requesting us to supply Covid-19 items to support the Ministry of Health in the prevention of spread of the Pandemic.

We were required to deliver the items to KEMSA Warehouse by 20th May 2020 but we did not meet the deadline.

Some of our items delayed due to flight challenges and clearance hiccups.

Your consideration will be highly appreciated.

Yours faithfully,

JAMES K CHELULEY
DIRECTOR
SHOP 'N' BUY LIMITED

SHOP 'N' BUY LIMITED
TEL. 0722 748074
NAIROBI

KEMSA (CEO's Office)
RECEIVED EXTERNAL
19 MAY 2020
Received By: .....
Time: .....
Action By: .....
CC. .....

Shop Naby – Committment Ltr – 47

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203
GSM +254 719 033000, +254 733 606
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/PROC/ADM/2020

Date: 20th May, 2020

Shop 'N' Buy Limited
P O Box 35227 – 00200
NIROBI
Email: shopnbuy254.com

Dear Sir/Madam,

RE: RE: COMMITMENT LETTER- EMERGENCY PROCUREMENT OF ITEMS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS (EXTENSION OF DELIVERY DATES)

Reference is made to our letter KEMSA/CEO/ PROC/ADM/ 2020 dated 30th April, 2020 requesting you to deliver the above mentioned Wednesday, 20th May 2020 and advise that the delivery timeline has been revised as below;

No.	Item Description	Unit Pack	Quantity ordered	Quantity to deliver by 5th June 2020	Quantity to deliver by 30th June 2020	Quantity to deliver by 3rd July 2020	Quantity to deliver by 10th July 2020
1	Personal Protective Equipment (Full PPE Kits	Kit	100,000	40,000	20,000	20,000	20,000
2	KN 95 face mask	Piece	100,000	78,300	21, 700	Nil	Nil

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse as advised above in response to the emergency. The procurement process will commence thereafter.

Failure to deliver within the stipulated timeline the Commitment Letter stands cancelled.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

Collected by Arthur

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

Shopnbuy - commitment letter - 47

KENYA MEDICAL SUPPLIES AUTHORITY

Commercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KEMSA
KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

Tel: +254 20 3922000, Fax: +254 203
GSM +254 719 033000, +254 733 60(
Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

KEMSA/CEO/PROC/ADM/2020

Date: 30th April, 2020

Shop 'N' Buy Limited
P O Box 35227 – 00200
NIROBI
Email: shopnbuy154.com

Dear Sir/Madam,

RE: COMMITMENT LETTER - EMERGENCY PROCUREMENT FOR ITEMS TO SUPPORT MINISTRY OF HEALTH ON COVID-19 (CORONA VIRUS) PREPAREDNESS

The Government of Kenya in preparedness to respond to Corona Virus threat in the country has identified your organisation on a Strategic Partnership to supply Kenya Medical Supplies Authority (KEMSA).

No.	Item Description	Unit Pack	Quantity
1	Personal Protective Equipment (Full PPE Kits	Kit	100,000
2	KN 95 face mask	Pieces	100,000

You are therefore requested to supply the quantities for the mentioned commodities to KEMSA Embakasi Warehouse on or before **Wednesday, 20th May, 2020** in response to the emergency. The procurement process will commence thereafter.

Failure to deliver within the stipulated timeliness the Commitment Letter stands cancelled.

Please note, your supplies will be accepted using a delivery note as the other documents shall follow to facilitate payment.

Yours faithfully,

James Chelule

DR. JONAH MANJARI
CHIEF EXECUTIVE OFFICER

Ministry of Transport - Annex -

	AIRWAY BILL NUMBER	GOODS DESCRIPTION	DATE OF ARRIVAL	DATE OF RELEASE	CONSIGNEE (RECIPIENT OF THE GOODS)	FLIGHT NO.
1	071-36996013	COVID 19 detection kits	24-03-20	24-03-20	Kenya Medical Research Institute	ET 318
2	071 - 37000084	Medical Supplies	15-04-20	15-04-20	Kenya Medical Research Institute	ET 3859
3	071-37019975	Laboratory supplies, kits, screening, hospital care & IPC material	22-05-20	24-05-20	Ministry of Health	ET 3318
4	071-37020583	Detection kits	20-05-20	24-05-20	Kenya Medical Research Institute	ET 8304
5	071-37019986	Detection kits	20-05-20	24-05-20	Ministry of Health	ET 8304

Ministry of Transport - Annex - 4

James W. Macharia, EGH.
CABINET SECRETARY

Date: 2/09/20

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Ministry of Transport - Annex - 48

COVID-19 DONATIONS BY JACK MA

NO	AIR WAY BILL,COUNTRY OF ORIGIN,AND CONSIGNMENT DETAILS	GOODS DESCRIPTION AND QUANTITY	WAY BILL AND DELIVERY	REMARKS
1	• AWB: 07136996013 • ORIGIN: CHINA • FROM: MINISTRY OF HEALTH ETHIOPIA • CONSIGNEE:**KENYA MEDICAL RESEARCH INSTITUTE-MBAGATHI**	• DETECTION KITS- FOR 2019 NOVEL CORONAVIRUS RNA (PCR FLUORESCENCE PROBING • - 11,300 KITS	DELIVERY: **KEMSA EMBAKASI** ON 24/03/2020 VIDE GCA WAYBILL 3430	RECEIVED BY VITALIS SHIKHULU FROM KEMSA AND TRANSPORTED BY KEMSA -TRUCK NO. KAT332X
2	• AWB: 071-37000084 • ORIGIN: CHINA • FROM: MINISTRY OF HEALTH ETHIOPIA • CONSIGNEE: KENYA **MEDICAL RESEARCH INSTITUTE-MBAGATHI**	• MEDICAL SUPPLIES-(ASSORTED) 274PKGS + 12PKGS (SAME AIRWAYBILL AMMENDED TOTAL 286PKGS)	DELIVERY: **KEMSA EMBAKASI** ON 15/04/2020 VIDE GCA WAYBILL 3444 AND GCA WAYBILL 2668 OF28/05/2020	274 PKGS RECEIVED BY DR. ISABELLA AYAGAH (M.O.H)AND TRANSPORTED BY KEMSA – TRUCK GKA538G 12 PKGS RECEIVED BY DR. ALICE SOITA (M.O.H) AND TRANSPORTED BY KEMSA – TRUCK NO. KBK497X
3	• AWB: 784-13098293 • ORIGIN: EMBASSY OF THE REPUBLIC OF KENYA - CHINA • CONSIGNEE: **DR. ISABELLAH AYAGAH HEAD GLOBAL HEALTH SECURITY (M.O.H)**	• DISPOSABLE GLOVES/ MASKS 39 BOXES • ANTIBODY TEST KITS (COLLOIDAL GOLD - 2 BOXES • COVID-19 1gm/1mlG ANTI BODY TESTING KIT (COLLODIAL GOLD 1 BOX • DISPOSAL MEDICSL EXAM GLOVES- 9 BOXES	DELIVERY: **KEMSA EMBAKASI** ON 28/05/2020 VIDE GCA WAYBILL 2668	RECEIVED BY DR. ALICE SOITA (M.O.H) AND TRANSPORTED BY KEMSA- TRUCK NO. KBK497X

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• AWB: 071-37019975 • ORIGIN: ADDIS ABABA ETHIOPIA AFRICAN CENTRE FOR DISEASE CONTROL CONSIGNEE: **MINISTRY OF HEALTH**		DELIVERY: **KEMSAEMBAKASI** ON 24/05/2020 VIDE GCA WAYBILL 2667 (LESS 21PKGS)	AFRICAN CARGO DID NOT RECEIVE ALL PACKAGES (SHORTLANDED 21 PKGS) RECEIVED BY DR. ALICE SOITA (M.O.H) AND TRANSPORTED BY KEMSA- TRUCK NOs. KCE006S, KCD629X AND KBR948J
• AWB: 071-37019986 • ORIGIN: ADDIS ABABA		DELIVERY: **KEMSAEMBAKASI** ON	RECEIVED BY DR. ALICE SOITA AND

Scanned with CamScanner

ETHIOPIA AFRICAN CENTRE FOR DISEASE CONTROL • CONSIGNEE: **MINISTRY OF HEALTH/KEMRI-MBAGATHI**	DETECTION KIT CONTAINING: 107 PCS - 1 PACKAGE • ASSORTED MEDICAL SUPPLIES - • LABORATORY KITS SCREENING HOSPITAL CARE AND 1PC • MATERIAL FOR COVID RESPONSE ONLY) SCRABS WITH VTM/500PCS, • EXTARCTION WITH 30X48 TEST (34 CTNS) • DETECTION KITS 210X96 TESTS, (1CTN) • CIVILIAN KN95 MASKS 500PCS (40 CTNS) • DISPOSABLE MEDICAL N95 MASKS 175 PCS (115CTNS) • SURGICAL MASK 1960 PCS GUN (5 CTNS) • THERMOMETER 40 PCS GLOVES 1000 PCS (2 CTNS) • FACE SHIELDS 650 PCS (20CTNS) • GLOVES (4CTNS) • PPES 70 PCS (402 CTNS) • VENTILATOR 10PCS • INFRARED	24/05/2020 VIDE GCA WAYBILL 2667	TRANSPORTED BY KEMSA- TRUCK NOs. KCE006S, KCD629X AND KBR948J

Scanned with CamScanner

		THERMO SCANNER 3PCS 697 PACKAGES 9451 KGS		
	• AWB: 071-37020583 • ORIGIN: ADDIS ABABA ETHIOPIA AFRICA CENTRE FOR DISEASE CONTROL • CONSIGNEE: **KENYA MEDICAL RESEARCH INSTITUTE-KILIFI**	DETECTION KITS - 107 PCS 5PACKAGES	DELIVERY: **KEMSAEMBAKASI** ON 24/05/2020 VIDE GCA WAYBILL 2667 (LESS 21PKGS)	RECEIVED BY DR. ALICE SOITA AND TRANSPORTED BY KEMSA- TRUCK NOs. KCE006S, KCD629X AND KBR948J

Fo each of the consignments we have attached available:

- Airway Bill
- Commercial Invoice
- Parking List
- CA waybill/Delivery Note

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EMERGENCY PROCUREMENT FOR COVID - 19 (GOODS DELIVERED AND AMOUNT PAID)

NO	ITEM DESCRIPTION	SUPPLIER	UOM	QTY	UNIT PRICE	TOTAL PRICE -AS PER COMMITMENT LETTERS	RECEIPT VALUE	AMOUNT PAID	PAYMENT STATUS	Remarks
1	KN95 Face Mask	ABSA CHEMICALS LTD	Piece	30,000	700.00	21,000,000.00	21,000,000.00	21,000,000.00	Paid	
2	Personal Protective Equipment (PPE)	ACCENTURE KENYA LIMITED	Piece	25,000	9,000.00	225,000,000.00	225,000,000.00	117,000,000.00	Partialy Paid	Partially Processed
3	KN95 Face Mask	AGI	Piece	30,000	700.00	21,000,000.00	21,000,000.00	-	Not Paid	Goods not processed
4	Red Top Plain Tubes	AMIKEN LTD	Pack of 100s	500	750	375,000.00	364,500.00		Not Paid	Goods not processed
5	ICU PATIENT VENTILATOR CVD_EM06CVD007_-1	ANGELICA MEDICAL SUPPLIES LTD	Piece	4	2900000.00	11,600,000.00	11,600,000.00	11,600,000.00	Paid	
6	INFUSION PUMPS VOLUMETRIC CVD_EM06CVD006_-1	ANGELICA MEDICAL SUPPLIES LTD	Piece	100	280000.00	28,000,000.00	8,120,000.00	8,120,000.00	Partialy Paid	Goods not processed
7	PATIENT MONITOR CVD_EM06CVD008_-1	ANGELICA MEDICAL SUPPLIES LTD	Piece	14	368000.00	5,152,000.00	2,576,000.00	2,576,000.00	Partialy Paid	Goods not processed
8	Personal Protective Equipment (PPE)	ANGELICA MEDICAL SUPPLIES LTD	Piece	32,000	9,000.00	288,000,000.00	288,000,000.00	288,000,000.00	Paid	
9	PULSE OXIMETER (FINGER TYPE) CVD_EM06CVD004_-1	ANGELICA MEDICAL SUPPLIES LTD	Piece	100	65000.00	6,500,000.00	650,000.00	650,000.00	Partialy Paid	Goods not processed
10	Syringe Pump	ANGELICA MEDICAL SUPPLIES LTD	Piece	63	174000.00	10,962,000.00	9,570,000.00	9,570,000.00	Paid	
11	Thermometer	ANGLICA MEDICAL SUPPLIES LTD	Piece	1,900	10000.00	19,000,000.00	19,000,000.00	19,000,000.00	Paid	
12	Surgical Gloves size 7.5	ANTARC HEALTHCARE	50 Pairs	3,500	2100.00	7,350,000.00	7,070,000.00	7,070,000.00	Paid	
13	Instant Hand Sanitizer	ARMICK LIMITED	500 Ml	40,000	495.00	19,800,000.00	19,800,000.00	19,800,000.00	Paid	
14	Surgical mask disposable 3 ply Ear - Loop	ARMIK LIMITED	50's	100,000	4500.00	9,000,000.00	9,000,000.00	9,000,000.00	Paid	
15	Instant Hand Sanitizer	AROMAKARE LTD	501 Ml	40,000	500.00	20,000,000.00	19,800,000.00	19,800,000.00	Paid	
16	KN95 Face Masks	ASZURE COMMERCIAL SERVICES LTD	Piece	500,000	700.00	350,000,000.00	347,515,000.00	347,515,000.00	Paid	
17	Personal Protective Equipment (PPE)	BELL INDUSTRIES LTD	Piece	15,000	9000.00	135,000,000.00	134,625,000.00	134,625,000.00	Paid	
18	Thermometer	BELL INDUSTRIES LTD	Piece	5,000	10000.00	50,000,000.00	50,000,000.00	-	Not Paid	Goods not processed
19	Surgical mask disposable 3 ply Ear - Loop	BENNETS VENTURES LIMITED	Pack of 50's	2,000,000	4500.00	180,000,000.00	180,000,000.00	180,000,000.00	Paid	
20	Surgical mask disposable baby 3 ply Ear-loop	BEYOND HOLDINGS	40's	4,800	3600.00	432,000.00	432,000.00		Not Paid	Goods not processed
21	KN95 Face Mask	BRIEMA GRAINS STORES	Piece	200,000	700.00	140,000,000.00	140,000,000.00	167,000,000.00	Paid	
22	Surgical mask disposable 3 ply Ear - Loop	BRIEMA GRAINS STORES	Pack of 50's	300,000	4500.00	27,000,000.00	27,000,000.00		Paid	
23	Surgical mask disposable 3 ply Ear-loop	CAPERINA ENTERPRISES LTD	Pack of 50's	500,000	4500.00	45,000,000.00	45,000,000.00	45,000,000.00	Paid	
24	Surgical mask disposable 3 ply Ear-loop	CARESHA HEALTHCARE SOLUTIONS LIMI	Pack of 50's	1,050,000	4500.00	94,500,000.00	94,500,000.00	94,500,000.00	Paid	
25	Surgical mask disposable 3 ply Ear - Loop	CIREM CONTRACTORS LTD	Pack of 50's	100,000	4500.00	18,000,000.00	18,000,000.00	18,000,000.00	Paid	
26	Surgical mask disposable 3 ply Ear-loop	CLIMATE EVOLUTION AFRICA LTD	Pack of 50's	6,000	4500.00	540,000.00	540,000.00		Not Paid	Processed but not paid
27	Surgical Gloves size 7.0	CROWN HEALTHCARE	50 Pairs	1,000	2100.00	2,100,000.00	1,850,000.00		Not Paid	Goods not processed
28	Surgical Gloves size 7.5	CROWN HEALTHCARE	50 Pairs	18,000	2100.00	37,800,000.00	32,375,000.00		Not Paid	Goods not processed
29	Surgical Gloves size 8.0	CROWN HEALTHCARE	50 Pairs	3,200	2100.00	6,720,000.00	5,920,000.00		Not Paid	Goods not processed
30	Paracetamol Tablets 500 mg	DAWA LTD	100s Blisters	200,000	70.00	14,000,000.00	13,908,377.00		Not Paid	Goods not processed
31	Personal Protective Equipment (PPE)	DEEKAY RELIEF LIMITED	Piece	20,000	9000.00	180,000,000.00	181,900,000.00	182,835,000.00	Paid	Exchange rate
32	Surgical Gloves size 7.5	DOMINION SUPPLIES LIMITED	50 Pairs	40,000	2100.00	84,000,000.00	84,000,000.00	35,700,000.00	partialy paid	Partially Processed
33	Surgical mask disposable 3 ply Ear - Loop	DOMINION SUPPLIES (K) LTD	Pack of 50's	500,000	4500.00	45,000,000.00	45,000,000.00	45,000,000.00	Paid	
34	Personal Protective Equipment (PPE)	DOMINION SUPPLIES (K) LTD	Piece	10,000	9000.00	90,000,000.00	90,000,000.00	90,000,000.00	Paid	
35	Personal Protective Equipment (PPE)	DUKE AGENCIES LTD	Piece	20,000	9000.00	180,000,000.00	180,000,000.00	180,000,000.00	Paid	
36	Face shield	DUTCH CARE HOLDINGS LTD	Piece	9,190	500.00	4,595,000.00	4,595,000.00		Paid	
37	Personal Protective Equipment (PPE)	DUTCH CARE HOLDINGS LTD	Piece	10,000	9000.00	90,000,000.00	90,000,000.00	94,595,000.00	Paid	
38	Instant Hand Sanitizer	ECOTECH EAST AFRICA LTD	502 Ml	40,000	500.00	20,000,000.00	19,600,000.00	19,600,000.00	Paid	
39	Surgical mask disposable 3 ply Ear - Loop	EDUMART ENTERPRISES LTD	Pack of 50's	516,900	4500.00	51,921,000.00	51,921,000.00	51,921,000.00	Paid	
40	KN95 Face Mask	ENCARTER DIAGNOSTICS LTD	Piece	1,400	700.00	980,000.00	980,000.00		Not Paid	Goods not processed
41	Surgical mask disposable 3 ply Ear - Loop	ESCOBAR KENYA LIMITED	Pack of 50's	375,000	4500.00	33,750,000.00	33,750,000.00	33,750,000.00	Paid	
42	Face shield	EVERYWHERE DISTRIBUTORS LTD	Piece	10,000	500.00	5,000,000.00	4,994,798.40		Paid	Exchange rates
43	Pair of Goggle	EVERYWHERE DISTRIBUTORS LTD	Pair	10,000	550.00	5,500,000.00	5,132,367.00		Paid	Exchange rates
44	Particulate Repirator N95	EVERYWHERE DISTRIBUTORS LTD	Piece	20,000	700.00	14,000,000.00	13,968,504.00	114,266,578.00	Paid	Exchange rates
45	Personal Protective Equipment (PPE)	EVERYWHERE DISTRIBUTORS LTD	Piece	10,000	9000.00	90,000,000.00	89,419,590.00		Paid	Exchange rates
46	Surgical mask disposable 3 ply Ear-loop	FIRSTHAND GROUP	pack of 50's	1,500	4500.00	135,000.00			Not Paid	Goods not processed
47	Surgical mask disposable 3 ply Ear-loop	GEOKIM SUPPLIES COMPANY LTD	Pack of 50's	1,000,000	4500.00	90,000,000.00	90,000,000.00	90,000,000.00	Paid	
48	Surgical mask disposable 3 ply Ear-loop	GLADLAB SUPPLIES LTD	pack of 50's	1,500,000	4500.00	135,000,000.00	135,000,000.00	135,000,000.00	Paid	
49	Surgical mask disposable 3 ply Ear - Loop	HAKSSON MEDIPHAM SUPPLIES	Pack of 50's	8,500	4500.00	765,000.00	765,000.00	765,000.00	Paid	
50	Surgical mask disposable 3 ply Ear-loop	HAMETHYST LIMITED	Pack of 50's	30,000	4500.00	2,700,000.00	2,700,000.00	2,652,632.00	Paid	VAT Withheld
51	Surgical Gloves size 7.5	HARLEYS LIMITED	50 Pairs	4,000	1590.00	6,360,000.00	6,354,000.00	6,476,754.00	Paid	exchange rates
52	Instant Hand Sanitizer	JKUAT	500 Ml	40,000	490.00	19,600,000.00	19,400,000.00	19,400,000.00	Paid	
53	Viral Transport Media (VTM)	KEMRI	Piece	30,600	300.00	9,180,000.00	6,528,000.00		Not Paid	Goods not processed
54	Voter Mixer	KOBIAN KENYA LTD	Piece	2	51300.00	102,600.00			Not Paid	Goods not processed
55	Surgical mask disposable 3 ply Ear - Loop	KOMTEL KENYA LIMITED	Pack of 50's	1,000,000	4500.00	90,000,000.00	90,000,000.00	223,000,000.00	Paid	
56	KN95 Face Mask	KOMTEL KENYA LTD	Piece	190,000	700.00	133,000,000.00	133,000,000.00		Paid	

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57	KN95 Face Mask	KOMTEL KENYA LTD	Piece	10,000	700.00	7,000,000.00			Not Paid	Goods not processed
58	Ventitlator	KOMTEL KENYA LTD	Piece	20	3000000.00	60,000,000.00	60,000,000.00		Not Paid	Goods not processed
59	Personal Protective Equipment (PPE)	LA MIGUELA HOLDINGS LTD	Piece	20,000	9000.00	180,000,000.00	180,000,000.00		Not Paid	Goods not processed
60	Paracetamol Tablets 500 mg	LABORATORY & ALLIED LTD	100s Blisters	154,000	72.00	11,088,000.00	10,463,068.00		Paid	
61	Surgical mask disposable 3 ply Ear - Loop	LEON INTERTIORS DECO & DESIGNS	Pack of 50's	500,000	4500.00	45,000,000.00	42,500,000.00	42,500,000.00	Paid	
62	Instant Hand Sanitizer	LIGHTUP AFRICA	500 Ml	20,000	500.00	10,000,000.00	34,650,000.00	9,900,000.00	Paid	
63	Instant Hand Sanitizer	LIGHTUP AFRICA	500 Ml	50,000	500.00	25,000,000.00		24,750,000.00	Paid	
64	Personal Protective Equipment (PPE)	M/S KILIG	450,000	1,000	9,000	9,000,000.00	9,000,000.00		Not Paid	Goods not processed
65	Surgical mask disposable 3 ply Ear - Loop	MARRAY AND SONS VENTURES LTD	Pack of 50's	500,000	4500.00	45,000,000.00	45,000,000.00	45,000,000.00	Paid	
66	Face shield	MEDILIFE BIOLOGICALS	Piece	20,000	500.00	10,000,000.00			Not Paid	Goods not processed
67	KN95 Face Mask	MEDILIFE BIOLOGICALS	Piece	200,000	700.00	140,000,000.00	140,000,000.00		Not Paid	Goods not processed
68	Theatre Boots – Size 11	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	12	900.00	10,800.00	10,800.00		Not Paid	Goods not processed
69	Theatre Boots – Size 6	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	36	900.00	32,400.00	32,400.00		Not Paid	Goods not processed
70	Theatre Boots – Size 7	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	36	900.00	32,400.00	32,400.00		Not Paid	Goods not processed
71	Theatre Boots – Size 9	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	24	900.00	21,600.00	21,600.00		Not Paid	Goods not processed
72	Theatre Boots– Size 8	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	36	900.00	32,400.00	32,400.00		Not Paid	Goods not processed
73	Surgical mask disposable 3 ply Ear - Loop	MEDLIFE BIOLOGICALS	Pack of 50's	1,000,000	4500.00	90,000,000.00	90,000,000.00		Not Paid	Goods not processed
74	Atropine Injection - 1mg/Ml	MEDS	10 Pack	21,000	132.00	2,772,000.00	2,772,000.00		Not Paid	Goods not processed
75	Budesonide Resp 0.25mg/Ml 2ml	MEDS	20 Pack	1,200	1069.00	1,282,800.00	1,282,800.00		Not Paid	Goods not processed
76	Hydrocortisone Injection - 100mg	MEDS	Vial	1,890	22.50	42,525.00	42,525.00		Not Paid	Goods not processed
77	Povidone-Iodine Solution - 10%	MEDS	500 Ml	4,000	156.00	624,000.00	624,000.00		Not Paid	Goods not processed
78	Prednisolone Tablets - 5mg	MEDS	Pack of 100s	2,289	79.00	180,831.00	180,831.00		Not Paid	Goods not processed
79	KN95 Face Mask	MEGASCOPE HEALTHCARE (K) LTD	Piece	10,000	700.00	7,000,000.00	7,000,000.00		Not Paid	Processed but not paid
80	KN95 Face Mask	MEGASCOPE HEALTHCARE (K) LTD	Piece	50,000	700.00	35,000,000.00	35,000,000.00		Not Paid	Goods not processed
81	KN99 Face Mask	MEGASCOPE HEALTHCARE (K) LTD	Piece	50,000	700.00	35,000,000.00	35,000,000.00		Not Paid	Goods not processed
82	Thermometer	MEGASCOPE HEALTHCARE (K) LTD	Piece	9,500	10000.00	95,000,000.00	95,000,000.00	55,000,000.00	Partialy Paid	Partially Processed
83	Face shield	MEGASCOPE HEALTHCARE (K) LIMITED	Piece	3,000	500.00	1,500,000.00	1,500,000.00	1,500,000.00	Paid	
84	Ventitlator	MEGASCOPE HEALTHCARE (K) LIMITED	Piece	55	3000000.00	165,000,000.00	90,000,000.00		Not Paid	Goods not processed
85	Personal Protective Equipment (PPE)	MEGASCOPE HEALTHCARE (K) LIMITED	Piece	85,000	9000.00	765,000,000.00	765,000,000.00		Not Paid	Goods not processed
86	KN95 Face Mask	MERAKY HEALTH CARE	Piece	200,000	700.00	140,000,000.00	140,000,000.00	140,000,000.00	Paid	
87	Surgical Face Mask 3 Ply Tie-on	NAIROBI ENTERPRISES LTD	Pack of 50's	2,000,000	2080.48	83,219,004.00	81,338,400.00	16,701,115.00	Partialy Paid	Processed but not paid
88	KN95 Face Mask	NANOPAY LIMITED	Piece	50,000	700.00	35,000,000.00	34,979,000.00	34,979,000.00	Paid	
89	Pair of Goggle	NEITOR SOLUTIONS LTD	Pair	25,000	550.00	13,750,000.00	13,750,000.00	13,750,000.00	Paid	
90	Instant Hand Sanitizer	NEL	500 Ml	100,000	500.00	50,000,000.00	48,869,250.00		Not Paid	Goods not processed
91	Personal Protective Equipment (PPE)	NHAJOL ENTERPRISES	Piece	2,000	9000.00	18,000,000.00	18,000,000.00	18,000,000.00	Paid	
92	Surgical mask disposable 3 ply Ear - Loop	NORTHLINK GSC LIMITED	Pack of 50's	1,500,000	4500.00	135,000,000.00	135,000,000.00	135,000,000.00	Paid	
93	Surgical mask disposable 3 ply Ear - Loop	OHIYO COMPANY LTD	Pack of 50's	750,000	4500.00	67,500,000.00	67,500,000.00	67,500,000.00	Paid	
94	Thermometer	OMAERA PHARMACEUTICALS	Piece	5,000	10000.00	50,000,000.00	50,000,000.00	49,122,807.00	Paid	VAT Withheld
95	Pair of Goggle	PANIM HOLDINGS	Pair	1,000	550.00	550,000.00	550,000.00	550,000.00	Paid	
96	Hospital Bed with Matress	PASAIBA TOURMALINE	Piece	120	38000.00	4,560,000.00	4,554,000.00		Not Paid	Goods not processed
97	Surgical mask disposable 3 ply Ear - Loop	PETREL AGENCIES	Pack of 50's	500,000	4500.00	45,000,000.00	45,000,000.00	45,000,000.00	Paid	
98	Thermometer	PETREL AGENCIES LTD	Piece	246	10000.00	2,460,000.00	2,460,000.00	2,460,000.00	Paid	
99	Nitrile gloves (Large)	PETREL AGENCIES LTD	50 Pairs	490	800.00	392,000.00	392,000.00		Paid	
100	Nitrile gloves (Medium)	PETREL AGENCIES LTD	50 Pairs	1,700	790.00	1,343,000.00	1,343,000.00	1,735,000.00	Paid	
101	Surgical mask disposable 3 ply Ear-loop	PETREL AGENCIES LTD	Pack of 50's	840,000	4500.00	75,600,000.00	75,600,000.00	75,600,000.00	Paid	
102	Surgical Gloves size 7.5	PROTETTA HOLDINGS LTD	50 Pairs	20,000	2100.00	42,000,000.00	42,000,000.00	42,000,000.00	Paid	
103	Surgical Gloves size 7.5	PROTETTA HOLDINGS LTD	50 Pairs	15,000	2100.00	31,500,000.00	31,500,000.00		Not Paid	Goods not processed
104	KN95 Face Mask	PURMA HOLDINGS LTD	Piece	5,000	700.00	3,500,000.00	3,500,000.00	30,500,000.00	Paid	
105	Personal Protective Equipment (PPE)	PURMA HOLDINGS LTD	Piece	10,000	9000.00	90,000,000.00	90,000,000.00	90,000,000.00	Paid	
106	Surgical mask disposable 3 ply Ear - Loop	PURMA HOLDINGS LTD	Pack of 50's	300,000	4500.00	27,000,000.00	27,000,000.00		Paid	
107	Paracetamol Tablets 500 mg	REGAL PHARMACEUTICALS LTD	100s Blisters	36,000	70.00	2,520,000.00	2,304,000.00		Not Paid	
108	Surgical mask disposable 3 ply Ear-loop	REGAL FREGHTERS	Pack of 50's	3,000,000	4500.00	270,000,000.00	270,000,000.00	270,000,000.00	Paid	
109	Surgical mask disposable 3 ply Ear - Loop	REMYHILL COMPANY LIMITED	Pack of 50's	175,000	4500.00	15,750,000.00	15,750,000.00	15,750,000.00	Paid	
110	Surgical mask disposable 3 ply Ear-loop	SAGANA HOLDINGS LIMITED	Pack of 50's	248,250	4500.00	22,342,500.00	21,846,000.00	21,846,000.00	Paid	
111	Surgical mask disposable 3 ply Ear - Loop	SALGAD INVESTMENT LIMITED	Pack of 50's	250,000	4500.00	13,500,000.00	13,500,000.00		Not Paid	Processed but not paid
112	THEATRE BOOTS ANTISTATIC - SIZE 10	SETLIFE MEDICAL SOLUTIONS LTD	Pair	10,000	1501.00	15,010,000.00	10,507,000.00	10,507,000.00	Partialy Paid	

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113	THEATRE BOOTS ANTISTATIC - SIZE 9	SETLIFE MEDICAL SOLUTIONS LTD	Pair	7,000	1518.00	10,626,000.00	10,626,000.00	10,626,000.00	Paid	
114	THEATRE BOOTS ANTISTATIC - SIZE 9	SETLIFE MEDICAL SOLUTIONS LTD		3,000	1518.00	4,554,000.00	4,554,000.00	4,554,000.00	Paid	
115	Theatre Boots Antistatic – Size 7	SETLIFE MEDICAL SOLUTIONS LTD	Pair	2,675	1344.60	3,596,805.00	3,596,805.00	3,596,805.00	Paid	
116	Theatre Boots Antistatic – Size 11	SETLIFE MEDICAL SOLUTIONS LTD	Pair	5,825	1392.21	8,109,623.25	8,109,623.25	8,109,623.00	Paid	
117	Theatre Boots Antistatic – Size 8	SETLIFE MEDICAL SOLUTIONS LTD	Pair	5,000	1339.20	6,696,000.00	6,696,000.00	6,696,000.00	Paid	
118	Personal Protective Equipment (PPE)	SHOP 'N' BUY LTD	Piece	100,000	9000.00	900,000,000.00	900,000,000.00		Not Paid	Goods not processed
119	KN95 Face Mask	SHOP 'N' BUY LTD	Piece	100,000	700.00	70,000,000.00	70,000,000.00		Not Paid	Goods not processed
120	Paracetamol Tablets 500 mg	SKY LIGHT CHEMICALS LTD	100s Blisters	50,000	68.00	3,400,000.00	3,325,000.00		Not Paid	Processed but not paid
121	Partemol Infusion (Paracetamol) 100 Ml	SKY LIGHT CHEMICALS LTD	Vial	70,000	220.00	15,400,000.00	15,120,000.00		Not Paid	Processed but not paid
122	Surgical mask disposable 3 ply Ear-loop	TELEFLEX MEDICAL TECHNOLOGIES LTD	Pack of 20's	19,200	1800.00	1,728,000.00	1,728,000.00	3,600,000.00	Paid	
123	Surgical mask disposable 3 ply Ear-loop	TELEFLEX MEDICAL TECHNOLOGIES LTD	Pack of 40's	20,400	3600.00	1,836,000.00	1,836,000.00		Paid	
124	Surgical mask disposable 3 ply Ear-loop	TELEFLEX MEDICAL TECHNOLOGIES LTD	Pack of 50's	400	4500.00	36,000.00	36,000.00		Paid	
125	Surgical Gloves size 7.5	TELEFLEX MEDICAL TECHNOLOGIES LTD	50 Pairs	20,000	2100.00	42,000,000.00	42,000,000.00	42,000,000.00	Paid	
126	N95 (1860) Face mask	THERMOSYSTEMS E.A LTD	Piece	5,000	1257.00	6,285,000.00	4,588,050.00		Not Paid	Goods not processed
127	Surgical mask disposable 3 ply Ear-loop	TRADESOFT LTD	pack of 50's	61,650	4500.00	5,548,500.00	5,548,500.00	5,548,500.00	Paid	
128	KN95 Face Mask	TRIPPLEAGE INVESTMENT LTD	Piece	20,000	700.00	14,000,000.00	14,000,000.00		Not Paid	Processed but not paid
129	KN95 Face Mask	TRONZ VENTURES LIMITED	Piece	20,000	700.00	14,000,000.00	14,000,000.00	13,754,386.00	Paid	VAT Withheld
130	Personal Protective Equipment (PPE)	TRONZ VENTURES LIMITED	Piece	1,970	9000.00	17,730,000.00	17,730,000.00	17,730,000.00	Paid	
131	Surgical Gloves size 7.5	TROPICAL TWIN INVESTMENT LTD	50 Pairs	2,000	2100.00	4,200,000.00	3,960,000.00	3,960,000.00	Paid	
132	KN95 Face Mask	VILLA SURGICAL & EQUIPMENT LIMITED	Piece	10,000	700.00	7,000,000.00	7,000,000.00	7,000,000.00	Paid	
133	Surgical mask disposable 3 ply Ear - Loop	VILLA SURGICAL & EQUIPMENT LIMITED	Pack of 50's	1,500,000	4500.00	135,000,000.00	135,000,000.00	135,000,000.00	Paid	
134	Surgical mask disposable 3 ply Ear - Loop	VISROM COMPANY LIMITED	Pack of 50's	1,000,000	4500.00	90,000,000.00	90,000,000.00	90,000,000.00	Paid	
135	KN95 Face Mask	WALLABIS VENTURES LIMITED	Piece	10,000	700.00	7,000,000.00	7,000,000.00	7,000,000.00	Paid	
136	Personal Protective Equipment (PPE)	WALLABIS VENTURES LIMITED	Piece	10,000	9000.00	90,000,000.00	90,000,000.00	90,000,000.00	Paid	
137	Surgical mask disposable 3 ply Ear-loop	WALLABIS VENTURES LIMITED	Pack of 50's	10,000	4500.00	45,000,000.00	45,000,000.00	45,000,000.00	Paid	
138	KN95 Face Mask	ZIWALA LTD	Piece	30,000	700.00	21,000,000.00	21,000,000.00	21,000,000.00	Paid	
139	KN95 Face Mask	ZIWALA LTD	Piece	120,000	700.00	84,000,000.00	84,000,000.00	84,000,000.00	Paid	
	TOTAL					7,780,281,788.25	7,632,065,588.65	4,703,614,200.00	-	

EMERGENCY PROCUREMENT FOR COVID - 19 (PROCESSED BUT NOT PAID)

NO	ITEM DESCRIPTION	SUPPLIER	UOM	QTY	UNIT PRICE	TOTAL PRICE -AS PER COMMITMENT LETTERS	RECEIPT VALUE	PAYMENT STATUS	AMOUNT PAID	UNPAID AMOUNT	Remarks
26	Surgical mask disposable 3 ply Ear-loop	CLIMATE EVOLUTION AFRICA LTD	Pack of 50's	6,000	4500.00	540,000.00	540,000.00	Not Paid		540,000.00	Processed but not paid
111	Surgical mask disposable 3 ply Ear - Loop	SALGAD INVESTMENT LIMITED	Pack of 50's	250,000	4500.00	13,500,000.00	13,500,000.00	Not Paid		13,500,000.00	Processed but not paid
120	Paracetamol Tablets 500 mg	SKY LIGHT CHEMICALS LTD	100s Blisters	50,000	68.00	3,400,000.00	3,325,000.00	Not Paid		3,325,000.00	Processed but not paid
121	Partemol Infusion (Paracetamol) 100 Ml	SKY LIGHT CHEMICALS LTD	Vial	70,000	220.00	15,400,000.00	15,120,000.00	Not Paid		15,120,000.00	Processed but not paid
128	KN95 Face Mask	TRIPPLEAGE INVESTMENT LTD	Piece	20,000	700.00	14,000,000.00	14,000,000.00	Not Paid		14,000,000.00	Processed but not paid
79	KN95 Face Mask	MEGASCOPE HEALTHCARE (K) LTD	Piece	10,000	700.00	7,000,000.00	7,000,000.00	Not Paid		7,000,000.00	Processed but not paid
60	Paracetamol Tablets 500 mg	LABORATORY & ALLIED LTD	100s Blisters	154,000	72.00	11,088,000.00	10,463,068.00	Partialy Paid	-	10,463,068.00	Processed but not paid
107	Paracetamol Tablets 500 mg	REGAL PHARMACEUTICALS LTD	100s Blisters	36,000	70.00	2,520,000.00	6th March 2020	2304000	paid	2,304,000.00	Processed but not paid
87	Surgical Face Mask 3 Ply Tie-on	NAIROBI ENTERPRISES LTD	Pack of 50's	2,000,000	2080.48	83,219,004.00	81,338,400.00	Partialy Paid	16,701,115.00	64,637,285.00	Processed but not paid
75	Budesonide Resp 0.25mg/Ml 2ml	MEDS	20 Pack	1,200	1069.00	1,282,800.00	1,282,800.00	Not Paid		1,282,800.00	Goods not processed-With LPOS
74	Atropine Injection - 1mg/Ml	MEDS	10 Pack	21,000	132.00	2,772,000.00	2,772,000.00	Not Paid		2,772,000.00	Goods not processed-With LPOS
77	Povidone-Iodine Solution - 10%	MEDS	500 Ml	4,000	156.00	624,000.00	624,000.00	Not Paid		624,000.00	Goods not processed-With LPOS
32	Surgical Gloves size 7.5	DOMINION SUPPLIES LIMITED	50 Pairs	40,000	2100.00	84,000,000.00	84,000,000.00	partialy paid	35,700,000.00	48,300,000.00	Goods not processed-With LPOS
103	Surgical Gloves size 7.5	PROTETTA HOLDINGS LTD	50 Pairs	15,000	2100.00	31,500,000.00	31,500,000.00	Not Paid		31,500,000.00	Goods not processed-With LPOS
27	Surgical Gloves size 7.0	CROWN HEALTHCARE	50 Pairs	1,000	2100.00	2,100,000.00	1,850,000.00	Not Paid		1,850,000.00	Goods not processed-With LPOS
28	Surgical Gloves size 7.5	CROWN HEALTHCARE	50 Pairs	18,000	2100.00	37,800,000.00	32,375,000.00	Not Paid		32,375,000.00	Goods not processed-With LPOS
29	Surgical Gloves size 8.0	CROWN HEALTHCARE	50 Pairs	3,200	2100.00	6,720,000.00	5,920,000.00	Not Paid		5,920,000.00	Goods not processed-With LPOS
96	Hospital Bed with Matress	PASAIBA TOURMALINE	Piece	120	38000.00	4,560,000.00	4,554,000.00	Not Paid		4,554,000.00	Goods not processed-With LPOS
2	Personal Protective Equipment (PPE)	ACCENTURE KENYA LIMITED	Piece	25,000	9,000.00	225,000,000.00	225,000,000.00	Partialy Paid	117,000,000.00	108,000,000.00	Goods not processed-With LPOS
30	Paracetamol Tablets 500 mg	DAWA LTD	100s Blisters	200,000	70.00	14,000,000.00	13,908,377.00	Not Paid		13,908,377.00	Goods not processed-With LPOS
53	Viral Transport Media (VTM)	KEMRI	Piece	30,600	300.00	9,180,000.00	6,528,000.00	Not Paid		6,528,000.00	Goods not processed-With LPOS
		TOTAL								388,503,530.00	

EMERGENCY PROCUREMENT FOR COVID - 19 (VAT WITHELD VARIANCE & EXCHANGE RATE DIFFERENCE)

NO	ITEM DESCRIPTION	SUPPLIER	UOM	QTY	UNIT PRICE	TOTAL PRICE -AS PER COMMITMENT LETTERS	RECEIPT VALUE	PAYMENT STATUS	AMOUNT PAID	UNPAID AMOUNT	PAYMENT DATE-19/20	PAYMENT DATE-19/21	Remarks
31	Personal Protective Equipment (PPE)	DEEKAY RELIEF LIMITED	Piece	20,000	9000.00	180,000,000.00	181,900,000.00	Paid	182,835,000.00	(935,000.00)		14.07.2020	Exchange rate
42	Face shield	EVERYWHERE DISTRIBUTORS LTD	Piece	10,000	500.00	5,000,000.00	4,994,798.40	Paid		4,994,798.40			Exchange rates
43	Pair of Goggle	EVERYWHERE DISTRIBUTORS LTD	Pair	10,000	550.00	5,500,000.00	5,132,367.00	Paid		5,132,367.00			Exchange rates
44	Particulate Repirator N95	EVERYWHERE DISTRIBUTORS LTD	Piece	20,000	700.00	14,000,000.00	13,968,504.00	Paid	114,266,578.00	(100,298,074.00)			Exchange rates
45	Personal Protective Equipment (PPE)	EVERYWHERE DISTRIBUTORS LTD	Piece	10,000	9000.00	90,000,000.00	89,419,590.00	Paid		89,419,590.00			Exchange rates
50	Surgical mask disposable 3 ply Ear-loop	HAMETHYST LIMITED	Pack of 50's	30,000	4500.00	2,700,000.00	2,700,000.00	Paid	2,652,632.00	47,368.00			VAT Withheld
51	Surgical Gloves size 7.5	HARLEYS LIMITED	50 Pairs	4,000	1590.00	6,360,000.00	6,354,000.00	Paid	6,476,754.00	(122,754.00)			exchange rates
94	Thermometer	OMAERA PHARMACEUTICALS	Piece	5,000	10000.00	50,000,000.00	50,000,000.00	Paid	49,122,807.00	877,193.00			VAT Withheld
116	Theatre Boots Antistatic – Size 11	SETLIFE MEDICAL SOLUTIONS LTD	Pair	5,825	1392.21	8,109,623.25	8,109,623.25	Paid	8,109,623.00	0.25			
129	KN95 Face Mask	TRONZ VENTURES LIMITED	Piece	20,000	700.00	14,000,000.00	14,000,000.00	Paid	13,754,386.00	245,614.00			VAT Withheld
	TOTAL					375,669,623.25	376,578,882.65	-	377,217,780.00	(638,897.35)			

SUMMARY

SUMMARY	AMOUNT IN (KSHS)	AMOUNT IN (KSHS)
GOODS DELIVERED		7,632,065,588.65
-AMOUNT PAID		**4,703,614,200.00**
-PROCESSED BUT NOT PAID	**388,503,530.00**	
-VAT WITHHELD VARIANCE &EXCHANGE RATE DIFF	(638,897.35)	
-GOODS NOT PROCESSED	**2,540,586,756.00**	2,928,451,388.65

EMERGENCY PROCUREMENT FOR COVID - 19 (GOODS NOT PROCESSED)

NO	ITEM DESCRIPTION	SUPPLIER	UOM	QTY	UNIT PRICE	TOTAL PRICE AS PER COMMITMENT LETTERS	RECEIPT VALUE	PAYMENT STATUS	AMOUNT PAID	UNPAID AMOUNT	Remarks
3	KN95 Face Mask	Abyssinia Iron & Steel	Piece	30,000	700.00	21,000,000.00	21,000,000.00	Not Paid	-	21,000,000.00	Goods not processed-Withouth LPO
4	Red Top Plain Tubes	AMIKEN LTD	Pack of 100s	500	750	375,000.00	364,500.00	Not Paid		364,500.00	Goods not processed-Withouth LPO
18	Thermometer	BELL INDUSTRIES LTD	Piece	5,000	10000.00	50,000,000.00	50,000,000.00	Not Paid	-	50,000,000.00	Goods not processed-Withouth LPO
20	Surgical mask disposable baby 3 ply Ear-loop	BEYOND HOLDINGS	40's	4,800	3600.00	432,000.00	432,000.00	Not Paid		432,000.00	Goods not processed-Withouth LPO
40	KN95 Face Mask	ENCARTER DIAGNOSTICS LTD	Piece	1,400	700.00	980,000.00	980,000.00	Not Paid		980,000.00	Goods not processed-Withouth LPO
46	Surgical mask disposable 3 ply Ear-loop	FIRSTHAND GROUP	pack of 50's	1,500	4500.00	135,000.00		Not Paid		-	Goods not processed-Withouth LPO
54	Voter Mixer	KOBIAN KENYA LTD	Piece	2	51300.00	102,600.00		Not Paid		-	Goods not processed-Withouth LPO
57	KN95 Face Mask	KOMTEL KENYA LTD	Piece	10,000	700.00	7,000,000.00		Not Paid		-	Goods not processed-Withouth LPO
58	Ventitlator	KOMTEL KENYA LTD	Piece	20	3000000.00	60,000,000.00	60,000,000.00	Not Paid		60,000,000.00	Goods not processed-Withouth LPO
59	Personal Protective Equipment (PPE)	LA MIGUELA HOLDINGS LTD	Piece	20,000	9000.00	180,000,000.00	180000000	Not Paid		180,000,000.00	Goods not processed-Withouth LPO
64	Personal Protective Equipment (PPE)	M/S KILIG	450,000	1,000	9,000	9,000,000.00	9,000,000.00	Not Paid		9,000,000.00	Goods not processed-Withouth LPO
66	Face shield	MEDILIFE BIOLOGICALS	Piece	20,000	500.00	10,000,000.00		Not Paid		-	Goods not processed-Withouth LPO
67	KN95 Face Mask	MEDILIFE BIOLOGICALS	Piece	200,000	700.00	140,000,000.00	140,000,000.00	Not Paid		140,000,000.00	Goods not processed-Withouth LPO
68	Theatre Boots – Size 11	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	12	900.00	10,800.00	10,800.00	Not Paid		10,800.00	Goods not processed-Withouth LPO
69	Theatre Boots – Size 6	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	36	900.00	32,400.00	32,400.00	Not Paid		32,400.00	Goods not processed-Withouth LPO
70	Theatre Boots – Size 7	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	36	900.00	32,400.00	32,400.00	Not Paid		32,400.00	Goods not processed-Withouth LPO
71	Theatre Boots – Size 9	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	24	900.00	21,600.00	21,600.00	Not Paid		21,600.00	Goods not processed-Withouth LPO
72	Theatre Boots– Size 8	MEDISYSTEM SUPPLY & SERVICES LTD	Pair	36	900.00	32,400.00	32,400.00	Not Paid		32,400.00	Goods not processed-Withouth LPO
73	Surgical mask disposable 3 ply Ear - Loop	MEDLIFE BIOLOGICALS	Pack of 50's	1,000,000	4500.00	90,000,000.00	90,000,000.00	Not Paid		90,000,000.00	Goods not processed-Withouth LPO
76	Hydrocortisone Injection - 100mg	MEDS	Vial	1,890	22.50	42,525.00	42525	Not Paid		42,525.00	Goods not processed-Withouth LPO
78	Prednisolone Tablets - 5mg	MEDS	Pack of 100s	2,289	79.00	180,831.00	180,831.00	Not Paid		180,831.00	Goods not processed-Withouth LPO
82	Thermometer	MEGASCOPE HEALTHCARE (K) LTD	Piece	9,500	10000.00	95,000,000.00	95,000,000.00	Partialy Paid	55,000,000.00	40,000,000.00	Goods not processed-Withouth LPO
80	KN95 Face Mask	MEGASCOPE HEALTHCARE (K) LTD	Piece	50,000	700.00	35,000,000.00	35,000,000.00	Not Paid		35,000,000.00	Goods not processed-Withouth LPO
81	KN99 Face Mask	MEGASCOPE HEALTHCARE (K) LTD	Piece	50,000	700.00	35,000,000.00	35,000,000.00	Not Paid		35,000,000.00	Goods not processed-Withouth LPO
84	Ventitlator	MEGASCOPE HEALTHCARE (K) LIMITED	Piece	55	3000000.00	165,000,000.00	90,000,000.00	Not Paid		90,000,000.00	Goods not processed-Withouth LPO
85	Personal Protective Equipment (PPE)	MEGASCOPE HEALTHCARE (K) LIMITED	Piece	85,000	9000.00	765,000,000.00	765,000,000.00	Not Paid		765,000,000.00	Goods not processed-Withouth LPO
90	Instant Hand Sanitizer	NEL	500 Ml	100,000	500.00	50,000,000.00	48,869,250.00	Not Paid		48,869,250.00	Goods not processed-Withouth LPO
118	Personal Protective Equipment (PPE)	SHOP 'N' BUY LTD	Piece	100,000	9000.00	900,000,000.00	900,000,000.00	Not Paid		900,000,000.00	Goods not processed-Withouth LPO
119	KN95 Face Mask	SHOP 'N' BUY LTD	Piece	100,000	700.00	70,000,000.00	70,000,000.00	Not Paid		70,000,000.00	Goods not processed-Withouth LPO
126	N95 (1860) Face mask	THERMOSYSTEMS E.A LTD	Piece	5,000	1257.00	6,285,000.00	4588050	Not Paid		4,588,050.00	Goods not processed-Withouth LPO
	TOTAL -					2,690,662,556.00	2,595,586,756.00	-	55,000,000.00	2,540,586,756.00	

Annexure -50-

MINISTRY OF HEALTH
OFFICE OF THE PRINCIPAL SECRETARY

Telephone: Nairobi 254 -20 -2717077
Fax: 254 -20 – 2719008
Email: **pshealthke@gmail.com**
When replying please quote:

AFYA HOUSE
CATHEDRAL ROAD
P.O Box 30016 -00100
NAIROBI

Ref: No. MOH/ADM/1/1/171 Vol. I (196)

15th April 2020

Dr. Jonah Manjari
Chief Executive Officer
Kenya Medical Supplies Authority
P.O Box 47715 - 00100
NAIROBI

BD/FSP
FM1/A 27/4/2020

RE: PROCUREMENT OF GOODS UNDER THE CONTINGENCY EMERGENCY RESPONSE COMPONENT

The World Bank funded Transforming Health Systems Project (THS-UCP), through the Contingency Emergency Response Component supports the covid response activities though procurement of critical goods and services.

Various items have been identified and approved by the World Bank for procurement by KEMSA.

This is to approve the procurement of goods worth **KES. 758,690,583.25** as outlined in the attached annex. Disregard all other requests made in relation to Covid as they have been captured under this approval.

Susan N. Mochache, CBS
PRINCIPAL SECRETARY

Encls.

KEMSA (CEO's Office)
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24 APR 2020
Received : Meres
Time: 11:07
Action By:
CC.

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Certified

KENYA MEDICAL SUPPLIES AUTHORITY

onmercial Street, Industrial Area
P.O. Box 47715, 00100 GPO,
Nairobi, Kenya

KENYA MEDICAL SUPPLIES AUTHORITY — YOUR PARTNER IN HEALTHCARE

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Email: info@kemsa.co.ke

All Correspondence should be addressed to Chief Executive Officer

When replying please quote our ref:

INTERNAL MEMO

TO: Director Commercial Services
Director Operations
Director Finance and Strategy
Director Legal Services
Internal Audit Manager,
Warehouse Manager,
Finance Manager
Quality Assurance Manager
ICT Manager
Head SSD
Sales & Marketing Manager
All Procurement Managers

CC: Chief Executive Officer

FROM: Director, Procurement

DATE: 24th April, 2020

SUBJECT: **EMERGENCY PROCUREMENT OF COVID-19 HPT'S THROUGH DIRECT PROCUREMENT**

We refer to the Directors meeting with the Chief Executive Officer held on Tuesday, 21st April, 2020 between 9.00am to 11.30 am concerning status of Covid-19.

Based on the procurement presented, it was noted that commitment letters issued to date amount to **Kshs. 3,996,636,560.** This is a substantial budget which almost equals KEMSA Capital budget.

In view of the substantial commitment letters issued going forward;

That procurement reviews all commitment letters and that any supplier who has delayed to supply as per the deadline in the commitment letter, the letter should be cancelled with immediate effect without reference to the supplier.

You may note that, these are Emergency Procurements in which suppliers are required to supply the HPT's in accordance to the dates in the commitment letters.

The Public Procurement Regulatory Authority in its circular PPRA *Circular No.02/2020 dated 27th March 2020 on the Preventive Measures for Handling of Procurement Activities for Procuring Entities Due to Corona Virus (Covid -19)* has given guidelines to be followed by the procuring entities while undertaking procurement during this time of Corona Virus (COVID-19).

Further, the solicitor General has issued an advisory to Public Entities requiring them to undertake Procurement only if they have sufficient budgets to meet the obligation of the resulting contracts.

In view of the above, and the contents therein in the circular and advisory, we reiterate the following; -

1. Pursuant to Section 69(1) of the Public Procurement and Asset Disposal Act (PPADA) 2015, all approvals relating to any procedures in procurement shall be in writing and properly dated, documented and filed.

   Procurement Department is therefore the custodian of all procurement processes and records. Without these records, no procurement process can be initiated as required with respect to retrospective approvals.

2. That necessary approvals are secured in line with the provisions under Section 69 of the PPADA 2015 with regard to retrospective approvals.

   This implies the following;

a) Under Regulation 22 of the 2006 Public Procurement and Disposal Regulations, these approvals include;
   i. A purchase requisition from the user department, approved by its head, which shall include all necessary information pertaining to the procurement including estimated market value of the goods;
   ii. The procurement unit may then proceed to prepare the tender document under the supervision of the Procurement Managers.

b) That prospective suppliers wishing to supply the various items under Covid-19, must submit letters of intent indicating that they wish to supply KEMSA with HPT's where they have Ex-stocks or expect immediate arrival of commodities.
   The intent letter should clearly indicate the item description, quantities available, expected delivery date and offered prices.

   The supplier will also be required to submit a sample that will be evaluated and analyzed by the technical personnel to ascertain conformance to the required technical specifications.

c) Direct Procurement Procedure to follow;

i. Issue a tender document which shall be the basis of tender preparation by tenderer and subsequent negotiations;
ii. Appoint an ad hoc evaluation committee pursuant to section 46 of the Act to negotiate with the person for the supply of goods;
iii. Ensure appropriate approvals under the Act have been granted;
iv. Ensure the resulting contract is in writing and signed by both parties. The said contract (and above tender document) should be based on the standard procurement and asset disposal documents issued by the Public Procurement Regulatory Authority (PPRA) as required by section 58 of the Act;
v. Report the contract award to the PPRA as required by section 138(2) of the Act.

d) Availability of budget to meet the resultant expenditure

i. The procurement is within approved budget- Section 46(2)(a);
ii. Ensure that the procurement processes are handled by different professional offices in respect of procurements initiation, processing and receipt of goods - Section 46(2)(h);
iii. Establish an inspection and acceptance committee which will inspect and where necessary, test the goods received; and may accept or reject, on behalf of the procuring entity, the delivered goods in line with section 48 of the Act.

e) Procuring entities can also take advantage of section 103 (e) which permits the Direct Procurement of goods, works or services provided *by a public entity* provided that *the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances.*

f) Pursuant to section 24 of the interpretation and General Provisions Act, Cap 2 of the law of Kenya in line with Section 44 (i) of the Act. All officers shall conduct all procurement and asset disposal processes with a view of ensuring realization of **value for money** and economy and proper utilization of public resources.

g) That the procurement department will only prepare bid (Tender) documents for Direct procurements under emergency for HPTs where supplies have been delivered to the warehouse.

This process will be initiated with advise from the Director, Operations on status of Covid-19 deliveries.

Thank you

CHARLES E. JUMA

KENYA MEDICAL SUPPLIES AUTHORITY YOUR PARTNER IN HEALTHCARE

INTERNAL MEMO

TO: Chief Executive Officer
Director, Legal Services
Director, Commercial Services
Director, Operations
Director, Finance & Strategy

Approved 15/5/2020

FROM: Director, Procurement

DATE: 15th May, 2020

SUBJECT: PROFESSIONAL OPINION ON COVID-19 HPT'S EMERGENCY PROCUREMENT THROUGH DIRECT PROCUREMENT

Reference is made to the various emergency procurements we have undertaken through Direct Procurement for various items to meet the needs of COVID-19 and advise as follows:

1. That the Public Procurement Regulatory Authority (PPRA) and the Solicitor General have issued guidelines to be followed by Procuring Entities while undertaking procurement activities under COVID-19. See PPRA Circular No.02/2020 dated 27th March, 2020 and Solicitor General advisory dated 17th April, 2020.
2. That Direct Procurement on emergency basis is premised on the fact that there is an urgent need of the items and use of other methods of procurement except Direct Procurement will not be practical. The Public Procurement and Asset Disposal Act (PPADA) 2015 defines urgent need as follows;

   "Urgent Need" means the need of goods, works or services in circumstances where there is an imminent or actual threat to public health, welfare, safety, or of damage to property such that engaging in tendering proceedings or other procurement methods would not be practicable.

3. That currently, we have procured the following listed items through Direct Procurement on Emergency basis;

1. Surgical Face Masks 3 Ply
2. KN95 Face Masks
3. KN99 Face Masks
4. N95 Face Masks with Respirator/Filter
5. Personal Protective Equipment (PPE) Kit
6. Face Shield
7. Surgical Gloves Size 7.0, 7.5 & 8.0
8. Nitrile Gloves
9. Pair of Goggles
10. Infrared Thermometers
11. Instant Hand sanitizer
12. Ventilators

It is noted that most of the suppliers have delivered the items therefore, currently we have adequate stocks of the above listed items and hence, any new procurements of these items under Direct Procurement will **NOT** meet the threshold of PPADA 2015, Section 103 (2) (b) (c) which states as follows;

a) Due to war, invasion, disorder, natural disaster or there is an urgent need for the goods, works or services, and engaging in tendering proceedings or any other method of procurement would therefore be impractical, provided that the circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part.

b) Owing to a catastrophic event, there is an urgent need for the goods, works or services making it impractical to use other methods of procurement because of the time involved in using those methods.

4. That Public Entities should ensure that all procurements should be within the approved budget in line with section 44 (I) of PPADA.

(2) In the performance of the responsibility under subsection (1) an Public Entities shall;

(a) Ensure that procurements of goods, works and services of the Pubic Entity are within approved budget of that entity.

Further, in the Financial Year 2019-2020 approved budget for procurement of HPT's under KEMSA Capital is **KES. 4,655,709,000.00**. The total value of Direct Procurement on emergency basis under COVID-19 is **KES. 5,324,481,200.00.** This exceeds the approved budget by KES.668,772,200.00.

The budget allocated for procurement of HPT's has therefore been exhausted and exceeded. Any procurement above the approved budget will be a breach of the PPADA 2015.

In view of the above, and in compliance to PPADA 2015, I therefore, advise;

i. that we put on hold any new Direct Procurements for the above listed items,
ii. that MoH and any other authority letters will be processed as per allocated budget,
iii. that Development Partners procurement of COVID-19 HPT's will be processed in line with authorities received.
iv. that any Emergency Direct Procurements having commitment letters issued above the allocated budget will require a reallocation of funds by the Finance Department to enable their processing.

Kindly note that submission of samples for evaluation from prospective suppliers wishing to participate in emergency procurement for COVID-19 HPT's should be discouraged until further advised. The evaluation of samples is giving prospective suppliers false hope that they will be issued with commitment letters, which is not the case at the moment.

The above is forwarded for your perusal, information and consideration.

Thank you.

CHARLES E. JUMA

KENYA MEDICAL SUPPLIES AUTHORITY

INTERNAL MEMO

TO: Chief Executive Officer

FROM: Director, Procurement

CC: Director, Legal Services
Director, Commercial Services
Director, Finance & Strategy
Director, Operations

DATE: 4th June, 2020

SUBJECT: **ADVISORY ON COVID-19 HPT'S EMERGENCY PROCUREMENT THROUGH DIRECT PROCUREMENT**

Reference is made to my internal Memos dated 24th April, 2020 and 15th May 2020 concerning the above subject.

We have scrutinized and analyzed the various commitment letters issued to the various suppliers for supply of Covid-19 HPT's and advise as follows;

1. That in March, April and early May 2020 various commitment letters were issued to suppliers for the supply of Covid-19 with delivery timelines.

2. That all procurements must be undertaken within an approved budget pursuant to the Public Procurement and Asset Disposal Act (PPADA) 2015 section 44 (2)(a) *"Ensure that procurements of goods, works and services of the Public entity are within approved budget of that entity.*

   (2)(h) "Ensure that the procurement processes are handled by different professional offices in respect of procurements, initiation, processing and receipts of goods, works and services.

   To date, you may note that the total commitment letters amount to **KES7,699,260,500.00** against an approved budget of **KES4,655,709,000.0** for procurement of HPT's under KEMSA Capital for financial year 2019/2020.
   This has exceeded the approved budget by **KES.3,043,551,500.00** ***(See attached schedule for ease of reference).***

As a result of the above, the Procurement Department will only be able to retrospectively process emergency Direct Procurement to the tune of **KES.4,638,310,500.00**. Therefore, commitment letters amounting to **KES.3,060,950,000.00** do not have a budget line and hence cannot be processed.

3. That with regard to emergency procurement of Covid-19 items under direct procurement section 103 (1) of PPADA 2015 allows a procuring entity to use direct procurement (2) as long as the purpose is not to avoid competition and subject to fulfillment of the following conditions;

b) *Due to war, invasion, disorder, natural disaster or there is an urgent need for the goods, works or services, and engaging in tendering proceedings or any other method of procurement would therefore be impractical, provided that the circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part*

c) *Owing to a catastrophic event, there is an urgent need for the goods, works or services, makin it impractical to use other methods of procurement because of the time involved in using those methods;*

e) *For the acquiring of goods, works or services provided by a public entity provided that the acquisition price is fair and reasonable and compares well with known prices of goods, works or services in the circumstances.*

It is noted that from section 103 (2) (b) and (c) above, the pertinent criteria to be considered is, there is an urgent need of the goods and that it is impractical to use other methods of procurement.

The default method of procurement is open tendering for the purpose of enhancing competition.
Further that quantities to be procured must be reasonable and not exaggerated so as not to avoid competition.

4. That with reference to commitment letter issued to KILIG Limited I wish to mak the following comments;

a) That direct procurement for emergency is a method allowed for the procurement of goods, works and services in response to an emergency where there is a threat to Public Health and Safety whose procurement must be done within the shortest time possible. This procurement is considered as a stop gap measure to allow the procuring entity plan for competitive procurement through open tendering should more of the goods be required for a longer time.

b) The goods being procured must be ex-stock and should be delivered immediately or within the shortest time hence not exceeding one (1) month. The quantities involved must be reasonable so as not to avoid open tendering.

c) From KILIG Limited commitment letter, the total quantity requested is 450,000 kits at approximate unit price of KES. 9,000.00 bringing the total amount to KES.4,050,000,000.00. This is a huge and substantial quantity which will last a long time and does not meet threshold of procurement under direct procurement for emergency.

From the above, it is therefore observed that the procurement of the proposed quantity can only be carried out through open tendering and there should be a budget to meet the resultant expenditure as planned in the procurement plan. Furthermore, currently KEMSA has stocks available of 160,000 Kits of PPE at warehouse adequate to meet immediate needs. There is also pending pipeline delivery of 200,970 PPE Kits with partial deliveries having been delivered. The time granted to KILIG Limited is approximately three (3) months which is adequate time to facilitate procurement by way of a competitive process. Any additional quantities can only be procured through **Open Tendering**. In regard to this therefore, KEMSA has adequate stocks of PPE for the time being and there cannot be a justification for emergency procurement of this item.

In conclusion and in view of the above I recommend as follows;

a) With regard to commit letters with a deficit budget of **KES.3,060,950,000.00** that funds/budget to meet this resultant expenditure be availed or these procurements be differed to Financial Year 2020/2021.

b) That commitment letter issued to KILIG Limited should be cancelled/revoked with immediate effect as this procurement does not meet the threshold of PPADA 2015. That any continuation of fulfilment of this commitment letter will amount to a breach of PPADA 2015.

c) That there should be no more issuing of commitment letters to prospective suppliers. Any procurement anticipated should be planned for and carried out in accordance to the PPADA 2015 through Open Tendering.

d) That Quality Assurance Department should be advised to stop any further evaluation of any samples as this is giving prospective suppliers false impression that we are still carrying out emergency procurements.

e) That procurement will only retrospectively process procurement for commitment letters in its custody.

The above recommendations are forwarded for your perusal, information and consideration.

Thank you.

CHARLES E. JUMA

SUMMARY OF COVID -19 EMERGENCY DIRECT PROCUREMENTS

1	KN95 Face Mask	Piece	1,836,400	700.00	1,285,480,000.00
2	N95 Cone shaped	Piece	29,900	900.00	26,910,000.00
3	N95 (1860) face masks	Piece	5,000	1,300.00	6,500,000.00
4	Infra-Red Thermometers	Piece	21,646	10,000.00	216,460,000.00
5	Personal Protective Equipment (PPE)	Set	360,970	9,000.00	3,248,730,000.00
6	Face shield	Piece	42,190	500.00	21,095,000.00
7	Pair of Goggle	Pair	46,000	500.00	23,000,000.00
8	Surgical Gloves - Size 7.0, 7.5 & 8.0	50 Pairs	126,700	2,100.00	266,070,000.00
9	Nitrile Gloves - Size Medium & Large	50 Pairs	2,190	850.00	1,861,500.00
10	Instant Hand Sanitizer	500 Ml	330,000	500.00	165,000,000.00
11	ICU Patient Ventilator CVD	Piece	75	3,150,000	236,250,000.00
12	Surgical mask disposable 3 ply	Piece	24,397,600	90.00	2,195,784,000.00
13	Viral Transport Media (VTM)	Piece	20400	300	6,120,000.00
	GRAND TOTAL				7,699,260,500.00

4-6-2020

ITEMS DELIVERED NOT COVERED BY 2019/2020 FY'S APPROVED BUDGET AS OF 4TH JUNE 2020

NO	ITEM DESCRIPTION	UOM	QTY	APPROX UNIT PRICE	TOTAL PRICE	SUPPLIER
	Accenture Kenya Limited					
1	Personal Protective Equipment (PPE)	Kit	12,000	9,000.00	108,000,000.00	**Accenture Kenya Limited**
	Abyssinia Group of Indurstries(AGI)					
1	N95 Face mask with respirator	Piece	30,000	900.00	27,000,000.00	**Abyssinia Group of Indurstries**
	Bell Industries Ltd					
1	Personal Protective Equipment (PPE)	Kit	15,000	9,000.00	135,000,000.00	**Bell Industries Ltd**
2	Infrared Thermometer	Piece	5,000	10,000.00	50,000,000.00	**Bell Industries Ltd**
	Sub Total				**185,000,000.00**	
	Medilife Biologicals Ltd					
1	KN95 Face Mask	Piece	200,000	700.00	140,000,000.00	**Medilife Biologicals Ltd**
2	Surgical mask disposable 3 ply Ear - Loop	Pack of 50's	20,000	4,500.00	90,000,000.00	**Medilife Biologicals Ltd**
	Sub total				**230,000,000.00**	
	Nanopay Limited					
1	KN95 Face Mask	Piece	50,000	700.00	35,000,000.00	**Nanopay Limited**
	Light Up Africa Limited					
1	Instant Hand Sanitizer	500 Ml	50000	500.00	25,000,000.00	**Light Up Africa Limited**
	Shop 'N' Buy Ltd					
1	Personal Protective Equipment PPE	Kit	100,000	9,000.00	900,000,000.00	**Shop 'N' Buy Ltd**
2	KN95 Face Mask	Piece	100,000	700.00	70,000,000.00	**Shop 'N' Buy Ltd**
	Sub total				**970,000,000.00**	
	Ziwala Ltd.					
1	KN95 Face Mask	Piece	120,000	700.00	84,000,000.00	**Ziwala Ltd.**
	Wallabis Ventures Limited					
1	Personal Protective Equipment	Kit	10,000	9,000.00	90,000,000.00	**Wallabis Ventures Limited**
	Megascope Healthcare(K) Limited					
1	Personal Protective Equipment	Kit	85,000	9,000.00	765,000,000.00	Megascope Healthcare(K) Limited
2	KN95 Facial Masks	Piece	50,000	700.00	35,000,000.00	Megascope Healthcare(K) Limited
3	KN99 Facial Masks	Piece	50,000	700.00	35,000,000.00	Megascope Healthcare(K) Limited
	Sub Total				835,000,000.00	

4-6-2020

	Aszure Commercial Services Limited					
1	KN95 Face Mask	Piece	248,500	700.00	173,950,000.00	Aszure Commercial Services Limited
	La Miguela Holdings Ltd					
1	Personal Protective Equipment PPE	Kit	20,000	9,000.00	180,000,000.00	La Miguela Holdings Ltd
	Everywhere Distributors Ltd					
1	Personal Protective Equipment PPE	Kit	10,000	9000.00	90,000,000.00	Everywhere Distributors Ltd
2	Eye Protective Goggles	Piece	10,000	500.00	5,000,000.00	Everywhere Distributors Ltd
3	Particulate Respirator N95	Piece	20,000	900.00	18,000,000.00	Everywhere Distributors Ltd
4	Face Sheild	Piece	10,000	500.00	5,000,000.00	Everywhere Distributors Ltd
	Sub Total				**118,000,000.00**	
	GRAND TOTAL				**3,060,950,000.00**	

4-6-2020

Shopnbuy - Certificate of Incorporation - Annexure - 5

No. **PVT-5JUJ6JY**

CERTIFICATE OF INCORPORATION

I hereby **CERTIFY** that,

SHOP 'N' BUY LTD

is on this date 14 Feb 2020 Incorporated under the Companies Act, 2015 and that the Company is a **PRIVATE LIMITED COMPANY.**

.....

Registrar Of Companies

This is a system generated certificate. To validate this document send the word **BRS** to **21546**

Shopnbuy- Tax Compliant Certificate - Annexure - 51

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : P051893640L

Certificate Date: 27/04/2020

Name and Address :

Shop 'n' Buy Ltd
N/A, NAIROBI, Westlands District,
PO Box:35227,
Postal Code:00200

Certificate Number:
KRAWON1171261020

This is to confirm that Shop 'n' Buy Ltd,
Personal Identification Number P051893640L
has filed relevant tax returns and
paid taxes due as provided by Law.

This Certificate will be valid for
twelve (12) months up to 26/04/2021.

Caveat This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker.This certificate confirms your compliance status for a period of five years preceding the date of issue. The certificate may however be with withdrawn on grounds of outstanding debt affecting periods prior to this.

Shop'n'buy – CR12 – Annexure – 5(

THE REPUBLIC OF KENYA

BUSINESS REGISTRATION SERVICE
P. O. BOX 30031
NAIROBI
18 JUN 2020

To
SHOP 'N' BUY LTD
P.O. Box 35227
00200 - CITY SQUARE

THE COMPANIES ACT, 2015

According to the records reading to the below company held by the Companies Registry as at **18 Jun 2020**

COMPANY	SHOP 'N' BUY LTD
COMPANY NUMBER	PVT-5JUJ6JY
NOMINAL SHARE CAPITAL	10,000.00
NUMBER AND TYPE OF SHARES (VALUE PER SHARE)	ORDINARY: 100 (KES 100.00 EACH)
DATE OF REGISTRATION	2020-02-14
REGISTERED OFFICE	P.O BOX 35227, CITY SQUARE TELEPHONE: +254722588792, EMAIL: LULEYBIZ@GMAIL.COM COUNTY: NAIROBI, DISTRICT: NAIROBI WEST DISTRICT , LOCALITY: NAIROBI WEST STREET: MILIMANI RD, BUILDING: AMBASSADOR COURT
POSTAL ADDRESS	P.O BOX 35227 CITY SQUARE
ENCUMBRANCES	

Name of Directors and Shareholders of the above company with their particular are as follows

NAME	DESCRIPTION	ADDRESS	COUNTRY	SHARES
JAMES KIPKETER CHELULEY	DIRECTOR/SHAREHOLDER	P.O BOX 35227 CITY SQUARE	KENYA	ORDINARY: 100

Yours Faithfully,
REGISTRAR OF COMPANIES

REF NO: OS-A7FAP3M

DISCLAIMER: THIS IS A SYSTEM GENERATED CERTIFICATE AND DOES NOT REQUIRE A SIGNATURE

1) ABSA Chemicals Ltd
2) Accenture Kenya Limited
3) AGI
4) Angelica Medical Supplies Ltd
5) Amiken Ltd
6) Antarc Healthcare
7) Armik Limited
8) Aromakare Ltd
9) Aszure Commercial Services Ltd
10) Bell Industries Ltd
11) Bennets Ventures Ltd
12) Beyond Holdings
13) Briema Grains Stores
14) Caperina Enterprise Ltd
15) Caresha Healthcare Solutions Ltd
16) Cirem Contractors Ltd
17) Climmate Evolution Africa Ltd
18) Crown Healthcare
19) Dawa Ltd
20) Deekay Relief Ltd
21) Dominion Supplies Ltd
22) Duke Agencies Ltd
23) Dutch Care Holdings Ltd
24) Ecotech East Africa Ltd
25) Edumart Enterprise Ltd
26) Encarter Diagnostic Ltd
27) Escobar Kenya Ltd
28) Everywhere Distributors Ltd
29) Firsthand group
30) Geokim Supplies Company Ltd
31) Gladlab supplies ltd
32) Haksson Medipham Supplies
33) Hamethyst Ltd
34) Harleys Ltd
35) JKUAT
36) KEMRI
37) Kobian kenya Ltd
38) Komtel Kenya Ltd
39) La Maguiela Holdings Ltd
40) Labaratory & Allied Ltd
41) Leon Interiors Deco & Design
42) Lightup Africa
43) Marray and Sons Ventures Ltd
44) Medilife Biologicals
45) Medisystems Supply & Services Ltd

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46) Medilife Biologicals
47) MEDS
48) Megascope Healthcare (K) Ltd
49) Meraky Health Care
50) Nairobi Enterprise Ltd
51) Nanopay Ltd
52) Neitor Solutions Ltd
53) NEL
54) Nhajol Enterprise
55) Northlink GSC Ltd
56) Ohiyo Company Limited
57) Omaera Pharmaceuticals
58) Panim Holdings
59) Pasaiba Tourmaline Ltd
60) Petrel Agencies Ltd
61) Proteta Holdings
62) Purma Holdings Ltd
63) Regal Pharmaceuticals ltd
64) Regal Freighters
65) Remyhill Company Ltd
66) Sagana Holdings Ltd
67) Salgad Investment ltd
68) Setlife Medical Solutions Ltd
69) Shop and Buy Ltd
70) Sky Light Chemicals Ltd
71) Teleflex Medical Technologies Ltd
72) Thermosystems E.A Ltd
73) Tradesoft Ltd
74) TrippleAge Investment Ltd
75) Tronz Ventures Limited
76) Trpoical Twin Investment Ltd
77) Villa Surgical & Equipment Ltd
78) Visrom Company Ltd
79) Wallabis Ventures Ltd
80) Ziwala Ltd