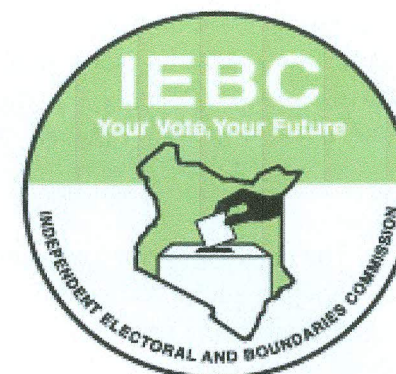


INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION



ADDENDUM


5th May, 2021

TENDER NO: IEBC/OIT/001/21/2020/2021 - SUPPLY, DELIVERY, INSTALLATION, TESTING, COMMISSIONING, SUPPORT AND MAINTENANCE OF THE KENYA INTEGRATED ELECTIONS MANAGEMENT SYSTEM (KIEMS); AND HARDWARE EQUIPMENT AND ACCESSORIES

TO ALL BIDDERS,

Pursuant to section 75(1) of the Public Procurement and Assets Disposal Act, 2015 the Commission hereby makes an addendum to the above tender as follows: -

NO	BIDDER QUERY/QUESTION OR COMMISSION ADDITIONAL INFORMATION	REFERENCE IN ITT	RESPONSE/CLARIFICATION
1.	<p>Section 5.2 mentions that "the Commission desires to put in place a new technology with a view of addressing the emerging issues and experiences of 2017 general Elections".</p> <p>Bidder required clarification if, as part of the "vendor evaluation" criteria, vendors who exhibited past poor performance issues while executing projects in the Republic of Kenya, especially in elections, will be prevented from participating in this tender.</p>	Section 5.2	The Commission will comply with The Public Procurement and Asset Disposal Act, 2015 on the eligibility of Tenderers.

2.	<p>To successfully complete, the integration between the software and the biometric tablets in the IEBC inventory, having full access to the devices is required. The device shown in Appendix 1 is the Morpho Tablet, a proprietary device from Idemia, IEBC's previous supplier. Bidder requested confirmation that IEBC will guarantee that:</p> <ul style="list-style-type: none"> i. The winning bidder will have access to all drivers, SDKs, and libraries to operate all the components of the biometric tablets, including the image of the operating system. ii. There will be no proprietary blocking elements in the biometric tablets that would prevent a successful software integration. iii. The winning bidder will not be liable against any intellectual property violation claim that could potentially be made by the original manufacturer of the biometric tablets. iv. The IEBC has full rights to use the biometric tablets even with software developed by a company who is not the original manufacturer/provider of the tablet. v. The IEBC provides guarantees that any company contracted for this project, other than the original supplier of the tablets, will have all elements at its disposal to make the integration with the tablet successful 	Section V, subsection 5.7, item 5.7.1 (page 89)	The Commission will take every necessary step to facilitate access to the drivers, SDK and other elements of the biometric tablets to make the integration with the tablet to the successful winning bidder
3.	Bidder observed that the experience of 50,000 tablets to a single client is too restrictive and limits participation to a larger number of qualified suppliers with strong experience in complex electoral projects.	EVALUATION AND COMPARISON OF TENDERS. Section C, LOT 1, Business Operational Capacity (page 70)	The bidder should provide evidence of supplying 50,000 election or registration related technology devices cumulatively within the years 2016, 2017, 2018, 2019, and 2020. 

4.	Bidder requested confirmation that the experience requested is for at least 5 projects "supplying tablets, hardware equipment and accessories" deployed between 2016 and 2021; and that the Commission does not require one certificate to be provided for each year from 2016 and 2021.	EVALUATION AND COMPARISON OF TENDERS. Section C, LOT 1, Firm's Experience (page 70) EVALUATION AND COMPARISON OF TENDERS. Section C, LOT 2, Firm's Experience (page 72)	The requirement experience is cumulative for the entire period
5.	Since the existing biometric tablets in IEBC's inventory do not have an iris scanner and the specifications of the new biometric tablets do not require to have an iris scanner, bidder requested confirmation that iris capture and matching will not be part of the scope of the project.	Section V, subsection 5.8.1, item A, subitem 1.x (page 91) Section V, subsection 5.8.1, item A, subitem 6.ix (page 93) Section V, subsection 5.8.2, item A, subitems 1 and 2 (page 110)	The requirement is for any future hardware devices that will be acquired by the Commission. Therefore, the software to be supplied should have the required capabilities Any new hardware device proposed by the vendor MUST have iris scanner features to support the software requirement.
6.	Fingerprints will be captured by the tablets, using a 500 PPI fingerprint reader. Since cameras / scanners to capture latent fingerprints are explicitly outside the scope of the required solution, bidder requested that all requirements related to the capture and processing of latent fingerprints are removed.	Section V, subsection 5.8.1, item B, subitems 3.a.ii and 3.a.iii (page 98)	Capturing of latent fingerprints is outside the scope

7.	<p>Fingerprints will be captured by the tablets, using a 500 PPI fingerprint reader. Since the capture of latent fingerprints are explicitly outside the scope of the required solution, bidder requested that all requirements related to the capture and processing of latent fingerprints, including standards for the treatment of latent fingerprints, are removed.</p>	<p>Section V, subsection 5.8.1, item B, subitems 3.a.ix and 3.a.x (page 99-100)</p> <p>Section V, subsection 5.8.1, item B, subitems 3.k.iv and 3.k.v (page 108)</p>	<p>Capturing of latent fingerprints is outside the scope</p>
8.	<p>Fingerprints will be captured by the tablets, using a 500 PPI fingerprint reader. Since the capture of latent fingerprints are explicitly outside the scope of the required solution, bidder requested removing "latent image" from the referred requirement</p>	<p>Section V, subsection 5.8.1, item B, subitem 3.c.i (page 100)</p>	<p>Capturing of latent fingerprints is outside the scope</p>
9.	<p>While 500 PPI fingerprint images are to be captured using the biometric tablet, there seems to be an (unknown) number of legacy fingerprint records with low image quality.</p> <p>Bidder suggested that as a supplier of biometric technology, mixing good quality fingerprints with low quality fingerprints will provide mixed outcomes in terms of the matching accuracy, even with the implementation of intelligent mechanisms for interpolating or transcoding images of different quality.</p> <p>Bidder strongly suggest that as part of the data migration process, all legacy fingerprints are previously analysed, and identify those fingerprints whose quality is so low that they cannot be safely used in the system.</p>	<p>Section V, subsection 5.8.1, item B, subitems 3.a.i, 3.a.ii, 3.a.iv and 3.a.vi (pages 98-99)</p>	<p>This an implementation detail that will be discussed by the winning bidder.</p>

	Bidder suggested that this does not mean discarding the fingerprints (they can be kept for archiving or auditing purposes), but it does imply disabling them for use in matching. Only those fingerprints that pass the quality and resolution thresholds would be enabled. This would prevent problems downstream, especially failures on election day		
10.	Bidder requested confirmation that the time allocated for data migration of "six (6) weeks" corresponds only to migrating the existing data from IEBC's legacy database to the new database. Bidder further sought confirmation that this migration does not assume performing any deduplication post migration of the data	Section V, subsection 5.8.1, item C, subitem 2 (page 110)	The same is confirmed; The migration does not relate to deduplication period
11.	Bidder made reference to the section that describes the use cases related to the Electronic Voter Identification (EVI) software, which runs on election day. Bidder requested the Commission to describe the use case scenario of the Electronic Voter Verification (EVV) software during the inspection of the register of voter: whether the EVV also tied to a polling station; whether it is multi-day; and if it is different as compared to the EVI?	Section V, subsection 5.8.2, item A (page 110)	Both EVV and EVI uses biometric to identify the voters. Data partitioning per electoral area is an implementation detail that will be discussed during project implementation.
12.	Bidder requested the Commission to provide an estimated range of number of units that may be ordered. For instance, the minimum and maximum quantities to be ordered.	Section V, subsection 5.7, item 5.7.1 (page 89)	The Commission projects to have 53,000 polling station in 2022.

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13.	Considering that 3G/4G would suffice to provide network connectivity to the KIEMS and that 5G has not yet been widely adopted, bidder requested confirmation that devices with 2G/3G/4G wireless connectivity would be acceptable.	Section V, subsection 5.7, item 5.7.1, subitem 2.viii (page 90)	The Minimum capacity of 3G/4G plus Wi-Fi is desirable
14.	WSQ is also proven standard compression method for 500 PPI fingerprint images, widely used worldwide for high resolution image compression. Bidder requested that the image compression requirement accepts WSQ as the compression method for 500 PPI fingerprint images.	Section V, subsection 5.8.1, item B, subitem 3.a.vii and 3.a.x (page 99-100)	The current system uses WSQ standard. The new system should be compatible. However, for the current Tender, all vendors must comply with the standards in the Tender document.
15.	<p>The requirements state that it would be possible to modify the electoral area mapping from the registration stations or the central system, and that these changes need to be updated across all registration stations. In a highly distributed system (tens of thousands (standalone devices), this scheme represents an important operational a technical challenge, especially if the synchronization is done frequently. Connectivity between devices and central system has to be highly reliable to minimize synchronization issues. Bidder requested the Commission to provide additional information regarding:</p> <p>a. How frequent and likely electoral area mapping updates are.</p> <p>b. Will there be any restrictions that would regulate or minimize such changes in the data</p>	<p>Section V, subsection 5.8.1, item A, subitem 25 (page 94)</p> <p>Section V, subsection 5.8.1, item B, subitem 1.xi.(g) (page 97)</p>	This is not a frequent task and it can be done via WiFi connectivity at Commission's central or regional offices.
16.	A requirement mentions that there should be an "In-kit AFIS for validation of enrolments". Bidder requested the Commission to provide the maximum number of records per registration tablet to dimension the local AFIS licenses	Section V, subsection 5.8.1, item A, subitems 6.ii and 10 (page 92-93)	Maximum of 500 voters

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17.	To ensure ICAO compliance, environment conditions are key. Bidder requested confirmation that the IEBC will ensure there will be a homogeneous background when pictures are taken (i.e., there will be a backdrop panel or background cloth at each registration station)	Section V, subsection 5.8.1, item B, subitems 3.b.i, 3.b.ii and 3.b.iii (page 100)	The Commission will provide homogeneous background when pictures are taken
18.	A requirement states the generation of a "confirmation of registration slip". Since the specifications of the biometric tablet do not include a printer, bidder requested confirmation whether a portable printer needs to be provided per device (e.g., 2" thermal printer), or if this "registration slip" is a digital record to be stored in the device.	Section V, subsection 5.8.1, item A, subitem 5 (page 92)	This is just a digital record and no printer is required
19.	Bidder sought to know if the system is expected to perform the automatic distributions of voters to polling stations; Or if the voter-to-polling-station assignment happen during the registration process, directly in the tablet.	Section V, subsection 5.8.1, item B, subitem 1.ix (page 95)	<p>Voters are expected to voter where they registered.</p> <p>Thus the polling centres are as per the registration centres.</p> <p>However, since the law caps the total number of voters at 700, the system will need to observe these when generating the register of voters.</p> <p>This is to confirm that the voters are assigned to the polling centres during registration</p>

20.	Bidder requested to know if the ROs need to connect remotely from their constituency to the central system to review and approve voter transfer cases; Or if this operation happen be performed from the central location.	Section V, subsection 5.8.1, item B, subitem 1.xi.(e) (page 96)	They will be required to do it remotely from the constituencies.
21.	Bidder requested to know if Returning Officers (ROs) need to connect remotely from their constituency to the central system to generate the register of voters and reports; Or if this operation happen be performed from the central location.	Section V, subsection 5.8.1, item B, subitem 1.xi.(h) (page 97)	The ROs are expected to generate regular reports and their preliminary registers by connecting remotely. However, the final register of voters will be done at the central system.
22.	Bidder requested the Commission to provide more information about how QR or barcodes are going to be generated and used throughout the system.	Section V, subsection 5.8.1, item B, subitem 1.xi.(j) (page 97)	The QR codes are generated at the end of register processing per polling station. The QR codes are used to open and attach a specific KIEMS kit to a specific polling station on the election day.

23.	Bidder requested for confirmation that voter registration records would be transmitted via Wi-Fi or through a mobile network (e.g., 3G/4G)	Section V, subsection 5.8.1, item A, subitem 19 (page 94)	This is confirmed
24.	Bidder requested the Commission to describe further what that functionality for "validation of the registration records against physical forms" by the RO would work.	Section V, subsection 5.8.1, item A, subitem 20 (page 94)	<p>During voter registration the ROs fill a statutory form before they capture the voters details into the system.</p> <p>Thus there's a need later to confirm that the voters they registered actually were processed at the central system.</p> <p>This can only be done using the forms.</p>
25.	Please confirm that the fingerprint images in the legacy database are in standard format, such as WSQ to do the migration.	Section V, subsection 5.8.1, item C (page 110)	Yes the fingerprint images are in standard WSQ format.

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26.	Bidder requested for confirmation if for Tender Security Bank Guarantee will be accepted a Bank Guarantee issued by an International Bank; or/and if the Guarantee may be presented in USD.	APPENDIX TO INSTRUCTIONS TO TENDERS 2.14.4 (page 18)	<p>Regulation 45 (1) of the Public Procurement and Asset Disposal Regulations, 2020 provides that <i>"Where an accounting officer of a procuring entity requires a tender security under section 61(1) of the Act, that tender security shall be in the form of—</i></p> <ul style="list-style-type: none"> <i>(a) Cash;</i> <i>(b) A bank guarantee;</i> <i>(c) A guarantee by an insurance company registered and licensed by the Insurance Regulatory Authority listed by the Authority; or</i> <i>(d) A guarantee issued by a financial institution approved and licensed by the Central Bank of Kenya".</i> <p>In the event a bidder wants to submit cash; it should be in Kenya Shillings; or a freely convertible currency.</p> <p>In the event of a guarantee, the bidder's bank must collaborate with a local issuing institution and only provide it through a Kenyan institution.</p>
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27.	Bidder requested confirmation if Performance Security Bank Guarantee will be accepted a Bank Guarantee issued by an International Bank; or the Guarantee be presented may be in USD.	GCC 3.7.3 (page 76)	For the purpose of efficiency, the Performance Security shall be issued through a local institution and recognised in Kenya.
28.	Bidder requested for confirmation that the Electoral Commission will pay the awarded contract to a Foreign Tenderer in Freely Convertible Currency	SCC 3.12.2 (page 81)	Payments will be in Kenya Shillings. Where a foreign currency is agreed upon, it shall be freely convertible and shall be based on the exchange rates ruling on the dates of bidding.
29.	Bidder requested clarification if the Authority can instrument the payment to Foreign Tenderer using Confirmed Letters of Credit issued by international reputed Banks.	SCC 3.12.2 (page 81)	Payment to Foreign vendor can be done using Confirmed Letters of Credit
30.	<p>In terms of results transmission: The Commission mentioned in the introduction, regarding the 46,500 tablets purchased for the August 2017 General Election and Fresh Presidential election, and IEBC request to use part of these tablets in an integrated fashion to scan and send reports.</p> <p>Bidder requested the Commission to provide details about the image quality of the tally reports scanned with the tablets during those elections e.g., percentage of reports that had to be resent, percentage of reports discarded due to issues with the image of the report scanned, etc.</p> <p>Bidder requested clarification on the performance in the previous election in the IEBC's perception; any incidents and KPIs they can analyse or perhaps a formal report. This is aimed to calculate potential failure ratios within the transmission process and risk mitigation strategies.</p>	<p>Section V. subsection 5.2 (page 2)</p> <p>Section V, subsection 5.4, item C subitem 20 (page 4)</p>	<p>The scanned images were satisfactorily transmitted from polling stations.</p> <p>Last resort was transmission from tallying centres which generally have better 3G coverage and a satellite transmission backup.</p> <p>With these provisions the Commission is confident the images can be transmitted 100% from the tallying centres which are 290 across the country.</p>

31.	<p>As per the ITT document section 5.7.1 the IEBC intends to reuse the existing Tablet it holds in inventory, and the supplier may be called upon to replace the hardware "as and when required".</p> <p>Bidder requested clarification on the quantity of Biometric Tablets, Rubber case protection, Power Banks, Adapter Chargers, Back Packs Carrying Cases & Tamper Evident Security Seals that the bidders must include in the Price Schedule.</p>	SECTION V, subsection 5.7.1 Price Schedule (Page 129)	<p>The tender requires unit prices of each of these items.</p> <p>The Commission can then order on "as and when required basis" from the successful bidder to an estimated maximum of 53,000 kits.</p> <p>The quantity can vary upwards depending on the outcome of voter registration.</p> <p>The outcome of the voter registration may result to more than 53,000 polling stations; hence the need to vary the quantity upwards</p>
32.	<p>In the case the proposed solution requires the provision and integration of core 3rd party software (e.g., AFIS), bidder requested confirmation that for Lot 2 Manufacturer Authorization Letters will be accepted to demonstrate ownership of these 3rd party components, similar to how it is described in "Hardware Equipment and Accessories Ownership" in Lot 1: <i>"The Bidder should provide evidence of ownership. Attach Manufacturer Certificate/Authorization to prove ownership/dealership"</i></p>	EVALUATION AND COMPARISON OF TENDERS. Section C, LOT 2, Technology Specifications (page 72)	<p>Manufacturer Authorization Letters acceptable together with assurance of the manufacturers to stand behind their product for the duration of the contract.</p>

33.	<p>Bidder sought clarification on sections of the RFP which seem to imply that the existing voters' database has a number of latent fingerprints or low-resolution fingerprints. Bidder sought statistics for the following:</p> <ul style="list-style-type: none"> • Number of records with fingerprint images with resolution of 500 PPI • Number of records with latent fingerprints • Number of records with all other fingerprints whole resolution is lower than 500 PPI 	Section V, subsection 5.8.1, item B, subitems 3.a.i through 3.a.x (page 98-100)	All fingerprints are currently digital with a minimum resolution of 500ppi
34.	Bidder requested the Commission to provide details of the existing VBLOCK converged server infrastructure.	Section V. subsection 5.8.3 i)	This information will be shared with the successful bidder at implementation stage.
35.	Bidder requested confirmation that the responses provided by the IEBC to the clarification questions raised by the bidders will be shared to all bidders.		<p>This is confirmed.</p> <p>Section 75 (3) of the Public Procurement and Asset Disposal Act, 2015 provides that <i>"A procuring entity shall promptly provide a copy of the addendum to each person to whom the procuring entity provided copies of the tender documents"</i>.</p>
36.	<p>Bidder requested confirmation that the responses provided by the IEBC to the clarification questions raised by the bidders will be legally binding for this procurement process and will be part of the contract to be signed by the IEBC with the successful bidder.</p> <p><i>Ph</i></p>		<p>This is confirmed.</p> <p>Section 75 (4) of the Public Procurement and Asset Disposal Act, 2015 provides that <i>"The addendum shall be deemed to be part of the tender documents"</i>.</p>

37.	The bidder made reference to the second paragraph of the technical evaluation section mentions "Step 2", and requested the Commission to provide more information about what this Step 2 consists of.	EVALUATION AND COMPARISON OF TENDERS: Section B, second paragraph (page 22)	STEP 2 refers to the technical evaluation stage
38.	<p>The referred requirement states: <i>20. The voter registration application shall provide functionality for validation of the registration records against physical forms by the registration officer and transmit the same at the constituency.</i></p> <p>Bidder requested the Commission to provide more details about what is expected from this validation functionality, and how the validation is expected to be performed.</p> <p>Bidder wanted to know if "transmit the same at the constituency" means it will be transmitted to the central system and the constituency user will be able to see it.</p>	Section V, section 5.8.1., item A, subitems 19 and 20 (page 94)	<p>Validation of registration records refers confirmation of the accuracy of the data captured in the system against the physically filled forms.</p> <p>The data captured will be transmitted to the central system and the constituency user should be able to view the data.</p>
39.	Bidder sought advise whether (any of) the qualification documents need to be legalized up to the relevant Embassy of Kenya	A. Preliminary Evaluation	Notary Public or Commissioner of Oath can certify documents that require authentication
40.	<p>Section II Instructions to Tenderers 2.13.3 c) establishes that the Tenderers shall provide "a clause-by-clause commentary on the Procuring Entity's Technical Specifications demonstrating substantial responsiveness of the goods and service to those specifications, or a statement of deviation and exceptions to the provisions of the Technical Specifications."</p> <p>Bidder requested confirmation if to comply with this requirement, the Tenderers must include in their bid the response to the Tables presented in Section II. B Technical Evaluation - from pages 22 to page 73 of the Invitation to Tender document.</p>	Section II, 2.13.3 c)	This is confirmed; the bidders should provide details of their response to the requirements as per the table provided

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41.	<p>The Instruction to Tenderers document establishes, in several points, that the expected scope of services covers By-Elections, Referendum and General Elections. For example:</p> <ul style="list-style-type: none"> • "Technical Support during Electoral Activities (By-Elections, Referendum and General Elections" (Page 63). • "Configure the KIEMS kits with voter's data for purposes of identification for polling day for by-elections, general elections, referendum and external elections" (Page 112) • "The Commission may require second level technical support services on case-by-case basis and "as and when required" during the electoral activities that may include by-elections, referendum and or General Elections" (Page 118). <p>Bidder requested confirmation on the Elections that are expected to be covered by this contract, and what would be the first election for which this will be implemented.</p>	<p>LOT2: TECHNICAL EVALUATION (Page 63)</p> <p>Section 5, subsection 5.8.2. B 2) (Page 112)</p> <p>Section 5, subsection 5.8.5 2) (Page 118)</p>	<p>By-Elections and referendums cannot be predetermined.</p> <p>The Successful bidder shall be required to provide technical support in any by-elections and referendum that may occur during the contract period.</p> <p>The next General Elections will be in August 2022</p>
42.	<p>Bidder requested confirmation the biometric feature Commission wants to deduplicate is fingerprints only in the ABIS and in the kit</p>	<p>Section V, section 5.8.1., item A, subitem 2 (page 92)</p> <p>Section V, subsection 5.8.1, item B, subitem 2 (page 97)</p>	<p>The only biometric features in the current database of voters are the fingerprints.</p> <p>However going forward, the new system should have capability to acquire and deduplication other biometric features.</p>

43.	In the voter registration front-end client, when updating a record, bidder requested confirmation if the operator will ONLY be allowed to update records of voters that are stored in the memory of this particular registration kit; and also confirmation that it will be allowed to update records that are not stored in the particular registration kit.	Section V, section 5.8.1., item A, subitem 27 (page 94)	This is confirmed. The operator will ONLY be allowed to update records of voters that are stored in the memory of this particular registration kit
44.	Bidder requested the Commission to specify the operating frequency bands for each one.	Section V, subsection 5.7, item 5.7.1, subitem 2.viii (page 90)	The bidder should include all frequencies used in Kenya.
45.	Bidder requested the Commission to specify when the additional tablets and accessories are required to replace faulty or missing devices and the MOQ.	Section V, subsection 5.7, item 5.7.1, subitem 1 (page 90)	The Commission shall issue a purchase order for the quantities as and when required.
46.	The registration devices will be sent to the field loaded with the registered voters from the initial migration. Bidder requested to know how many voters are estimated to be store in a device.	Section 5.8.1. A Page 91	Currently, the number of registered voters are 19.6 million
47.	Previous: In the Vendor Evaluation Lot 2 matrix, under Firm's Experience says "Bidder should provide evidence that they have been in similar business of supplying tablets, hardware equipment and accessories for the last 5 years. Attach Certified copies of contracts/ purchase orders for the years 2016, 2017, 2018, 2019, and 2020."	Vendor Evaluation - Lot 2 - Firm's Experience	Now reads: <i>"Bidders should provide evidence that they have been in the business of supplying and implementing Integrated Elections Management Systems for the last 5 years. Attach Certified copies of contracts/ purchase orders for the years 2016, 2017, 2018, 2019, and 2020"</i> .

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48.	<p>In the Lot 2 Vendor Evaluation / Business Operational Capacity bidder requested clarification if there is conflict between:</p> <ul style="list-style-type: none"> • "The Bidder shall provide evidence of at least one business undertaken of 50,000,000 USD and above in the years 2016, 2017, 2018, 2019, and 2020 for Supply, Delivery, Installation, Testing, Commissioning, Support and Maintenance of Integrated Elections Management System. Attach certified copies of contracts/ purchase orders.", and • "The bidder should provide evidence of having carried out Supply, Delivery, Installation, Testing, Commissioning, Support and Maintenance of Integrated Elections Management System to at least two government agencies involved in elections in the years 2016, 2017, 2018, 2019, and 2020. Attach certified copies of contracts/ purchase orders". 	Vendor Evaluation - Lot 2 - Business Operational Capacity	<p>Therefore, there is no conflict in the two requirements.</p> <p>The requirements must be met separately and are complementary to each other.</p>
49.	<p>In the Lot 1 Vendor Evaluation / Local Representation says "The bidder should provide a detailed support and maintenance plan. Attach documentary proof of ICT technical support staff with a local registered office in Kenya." Likewise, Lot 2 says "The bidder must show proof of ICT technical support staff with a local registered office in the country".</p> <p>Then in the Instruction to Tenderers, section 2.12.3 c) says "that, in the case of a tenderer not doing business within Kenya, the tenderer is or will be (if awarded the contract) represented by an Agent in Kenya equipped, and able to carry out the Tenderer's maintenance, repair, and spare parts-stocking obligations prescribed in the Conditions of Contract and/or Technical Specifications."</p> <p>Bidder requested confirmation that to comply with the Local Representation requirements of the Vendor Evaluation matrices (for Lot 1 and Lot 2), the Bidder can present evidence of an agreement of a Local Subcontractor equipped, and able to carry out the Tenderer's maintenance, repair, and spare parts-stocking obligations prescribed in the Conditions of Contract and/or Technical Specifications.</p>	Vendor Evaluation - Lot 2 - Local Representation	<p>This is confirmed.</p> <p>Further, the requirement for partnership and agreement with local company registered in Kenya, will apply to the successful bidder. The successful bidder will be required to provide the evidence of agreement/ partnership with local company for technical support, before signing the contract.</p>

50.	Bidder requested clarity on, in case "certified copies" are requested, if 'self-certifications' is accepted.		Self-certification is Not accepted. The Document should be certified by a Commissioner of Oaths or Notary Public
51.	Bidder requested for indication of the term (in years) of the contract, and the estimated date of contract signature.		The Contract will be signed for three (3) years as indicated on the tender document and the Commission will notify the successful bidder on the commencement date. The notification will be send to bidders approximately 30 days after tender opening date after which the contract may be entered into after another 30 days.
52.	On the "Price Schedule" is required the "quantity" of goods. Bidder requested confirmation on the quantities required.	Section II, item 2.9.1 (Page 7)	This will be on an "as and when required basis"
53.	Bidder sought inclusion of details about the expectations of the "2 factor authentication" requirement regarding the access to the backend components through centralized web applications?	Section V, item 5.8.1, item B,3, C "Network and Telecommunications Standards", item iii, 3 (Page101)	MFA authentication where users are granted access only after successfully presenting two or more pieces of evidence (or factors) to an authentication mechanism

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54.	Bidder requested the Commission to provide documentation about the IEBC/ICT security policies/guidelines.	Section V, many references on pages:101,105 and 106 (Page101)	This is an internal and confidential document. It shall be shared with the successful bidder
55.	Bidder requested clarification if "deletions" means marking a voter in deleted status; and also requested for detail more about the archiving and retrieval features mentioned in this item.	Section V, item 5.8.1, item B,3, N "Data Versioning and Audit Trail", item ii (Page110)	Deletions are not permanent but rather marking the voter as deleted.
56.	Bidder requested more clarification and information about how many tablets are currently owned, and what the technical specifications are of these devices (assuming the tablets currently owned have been purchased over a period of 4 years and may not be the same).	Section VI – Technical Specifications (Page 132)	<p>The "Android Tablets (Detailed specifications are in Appendix 1</p> <p>Additional components may be ordered on demand."</p> <p>The technical specification for the current tablets are as indicated on the tender document (page 132)</p>

57.	Bidder requested clarification if using the current tablets, which are assumed are more than one type, plus additional new tablets, could mean a provider has to configure software for multiple tablets, which significantly increases the complexity of this project; and provide this information in the tender	Section VI – Technical Specifications (Page 132)	<p>The Commission currently has only one type of tablets – as represented on page 132.</p> <p>The bidder to include all costs required to deliver the desired functionality.</p>
58.	Bidder requested information on the registration of voters, how this exercise will be performed, and when, so it is difficult to propose a solution in this regard.		<p>The successful bidder will only be required to supply, deliver and implement a software for voter registration.</p> <p>The actual voter registration is a continuous process and will be done by the Commission</p>
59.	Bidder cites that the Tablet device represented by a copy of the above-mentioned provider's technical datasheet for the tablet on page 132, shows clearly the technical specifications are specifically aligned to this device, and request Commission to provide a similar device of the same specifications, which again places us at a disadvantage.		<p>The specifications provided are the minimum requirements.</p> <p>Bidders are free to quote a device with higher specifications</p>
60.	Previously read: Page 70 – “Business Operational Capacity” – the requirement “The bidder should provide evidence of having supplied 50,000 tablets to a single client and above in the years 2016, 2017, 2018, 2019, and 2020.”		<p>Now Reads: The bidder should provide evidence of having supplied 50,000 tablets cumulative in the years 2016, 2017, 2018, 2019, and 2020.</p>

61.	<p>A requirement on Page 72 Read: "The Bidder shall/should provide evidence of at least one business undertaken of 50,000,000 USD and above in the years 2016, 2017, 2018, 2019, and 2020 for Supply, Delivery, Installation, Testing, Commissioning, Support and Maintenance of Integrated Elections Management System. Attach certified copies of contracts/ purchase orders."</p>		<p>Now Reads: "The Bidder shall should provide evidence of cumulative business undertaken of 50,000,000 USD and above in the years 2016, 2017, 2018, 2019, and 2020 for Supply, Delivery, Installation, Testing, Commissioning, Support and Maintenance of Integrated Elections Management System. Attach certified copies of contracts/ purchase orders."</p>
62.	<p>A requirement on Page 72 Read: – "The bidder should provide evidence of having carried out Supply, Delivery, Installation, Testing, Commissioning, Support and Maintenance of Integrated Elections Management System to at least two government agencies involved in elections in the years 2016, 2017, 2018, 2019, and 2020. Attach certified copies of contracts/ purchase orders."</p> <p>There is no definition of what would constitute an "Integrated Elections Management System" so it remains unclear how this term would actually be adjudicated for qualification purposes</p>		<p>Background on specific operational capacity and capability is of paramount importance to the Commission</p> <p>The Integrated Elections Management System is defined in the Elections Act 2011 as amended in 2016</p>
63.	<p>Bidder requested for information to be provided regarding the number of tablets that would be reused, or additional tablets that would be purchased, and note that there is no information regarding the operational capabilities of the tablets we believe were purchased several years ago, and whether these tablets could indeed be relied upon for the operations requiring our software proposal.</p>		<p>The Commission has been maintaining the hardware Tablets to ensure they are kept in a working status</p>

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64.	Bidder sought more information on the implementation of the AFIS as is expected to be initiated within 6 weeks of contract signature with the data migration.		The Commission currently has an AFIS of about 20 million voters with ten fingerprints were captured.
65.	Bidder requested clarification on the candidate management system and know if this system exists already, what the full functional specification is, and whether it is understood correctly that this should be integrated into the new Election Management System		<p>The Candidate Registration Management system exists for the purpose indicated in the tender document.</p> <p>The Key point of integration is at verification of voter registration status at the point of clearance of candidates vying for various positions.</p> <p>The results transmission system obtains the list of Candidate from the CRMS</p>

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<p>66.</p>	<p>On the required support elements , the bidder sought clarification on:</p> <ol style="list-style-type: none"> How the bidders should specify the complete cost of the support and maintenance activities If bidders could set up an average hourly cost, plus a minimum overall net hours for the service that would be requested when required for a particular election 	<p>Lot 2. Section 8-A. Support and Maintenance Requirements & Price Schedule (pages 129-131 of 147)</p> <p>All service and support of the System shall be provided under a comprehensive Support and Maintenance Agreement for the system.</p> <p>The Support and Maintenance Agreement shall provide for all of the maintenance support elements defined in the section, and the selected bidder shall be solely responsible for delivery of maintenance services under the contract</p>	<p>All components indicated as "as and when required", the Commission requires unit costs.</p> <p>For all the support and maintenance services the bidders should indicate the average hourly cost.</p> <p>The minimum overall net hours costs should be quoted as per the SLA standards in terms of response and resolution times.</p>
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67.	<p>Bidder sought clarification that the supply of the kits and accessories for replacement would be covered in Lot 1 (in terms of costs), while the cost of support activities related to that would be covered in this Lot 2.</p>	<p>Lot 2. Section 5-TECHNICAL SUPPORT DURING ELECTORAL ACTIVITIES. Page 63</p> <p>“Supply and delivery of additional KIEM kits and accessories to replace faulty or missing components that includes power banks, SD cards, Carrying cases, Security seals among others”.</p>	<p>Section 5.6.1 (A) (B) provides clarity:</p> <p>LOT 1: Framework for the supply and delivery of hardware equipment's and accessories that the Commission may require from time to time in preparation for By-Elections, General Elections and/or referendum.</p> <p>LOT 2: Supply, Delivery, Installation, Testing, Commissioning, support and Maintenance of the KIEMS Software.</p>
68.	<p>Bidder sought clarification if:</p> <ol style="list-style-type: none"> Commission could specify the existing hardware equipment available. The existing hardware would be used for just some of the modules (e.g. RTS), or it is a common platform for all backend components. HW equipment for the back-end system is included in the scope of the project, as the existing one is to be used. Existing HW configuration is in the scope of the required services, or it be done by third-parties, with the basic requirements set by the final contractor of this tender. 	<p>Lot 2. Section 5.8.3. Page 91</p> <p>“The Commission has the following hardware equipment that the successful tenderer should use with the supplied system: Converged Server infrastructure (VBLOCK - Details to</p>	<p>The detailed description and specifications will be provided to the successful bidder.</p> <p>The AFIS/ABIS should be installed on the hardware provided by the Commission</p>

	<p>e. AFIS / ABIS is to be installed also in that HW provided by the Commission, or they need new hardware; and if provided by Commission, if the project contractor should specify HW requirements.</p> <p>f. Commission could give some information about the maintenance status of existing hardware.</p>	be provided upon request)"	
69.	<p>Some components have very general but secondary (in terms of importance, functionality and quality of service obtained) requirements.</p> <p>Bidder requested for clarification if bidders can propose equivalent components, that provide the same overall service quality, but with minor variations in these "secondary" specifications, with the corresponding justification.</p>	<p>Lot 1. Section B. Technical evaluation. Page 22</p> <p>(Hardware specification)</p>	The supplier should propose to deliver equivalent to or higher than the specifications in the tender document.
70.	<p>In order to provide a realistic data migration plan, the complete migration of the register of voter's data into the new system must consider all project constraints and prerequisites, both on timeline and data quality.</p> <p>Drawing from their understand that bidders can propose a compressive but also comprehensive data migration plan that might span some data migration tasks further than just 6 weeks from contract signing, while maintaining the project feasibility, bidder requested for confirmation or, otherwise, clarify the basis for this requirement.</p>	<p>Lot 2. Data Migration. Page 53</p> <p>Bidders MUST commit that, if successful, they shall undertake the following:</p> <ul style="list-style-type: none"> - Submit a compressive data migration plan with deliverables and timelines as part of the bid document. - Migrate the existing register of voters' data into the new system within six (6) weeks upon contract signing. 	The maximum time proposed for data migration is 6 weeks. However, if the bidder finds it necessary to undertake post-migration activities then the bidder can indicate.

71.	<p>Bidder requested that, considering the requirement statement of clause 2.1.3 and SCC 3.15.1 get clarify if the subcontracting and/or consortium and/or a JV is allowed for this project.</p>	<p>2.1.3 - Instruction to Tenderers Pg. 5</p> <p>Tenderers shall provide the qualification information statement that the tenderer (including all members of a joint venture and subcontractors) is not associated, or have been associated in the past, directly or indirectly, with a firm or any of its affiliates which have been engaged by the Procuring entity to provide consulting services for the preparation of the design, specifications, and other documents to be used for the procurement of the goods under this Invitation for tenders.</p>	<p>Subcontracting, consortium or JV are acceptable as long as there is a clear legal bidding agreement between the parties.</p> <p>The agreement should detail the responsibilities and obligations of each party</p> <p>The tenderers, together with their joint ventures must submit their bids themselves.</p>
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		3.15.1 – SCC The Tender shall not be subcontracted Pg. 81	
72.	Previously: in A. PRELIMINARY EVALUATION: Required Price validity in the Form of Tender with the quoted prices confirming validity of 395 days from the tender closing date	EVALUATION AND COMPARISON OF TENDERS, Table A. PRELIMINARY EVALUATION, Point 4 - Price Validity The Form of Tender with the quoted prices confirming validity of 395 days from the tender closing date. Pg. 20	Now Reads: Required Price validity in the Form of Tender with the quoted prices confirming validity of 365 days from the tender closing date
73.	Bidder seeks clarify if the required bid validity period is 365 days or 395 days or 120 days.	Appendix to Instructions to Tenderers, Point 2.10.4 of the table Tender validity period shall be 365 day from the date of the tender opening	Tender validity period shall be 365 day from the date of the tender opening

74.	Bidder requested the Commission to provide the detailed requirements/specifications for IRIS images for data capture and matching.	<p>EVI- Front end application</p> <p>Authenticate and securely identify voters biometrically on the polling day using either fingerprint, facial or IRIS recognition. Allow an alternative search other than fingerprint, facial image, iris or other unique identifier. Provide an option for assisted search for voter data if necessary Pg. 54</p>	The specifications for IRIS images should comply with the international standards.
75.	Bidder requested Commission to provide VBLOCK - converged server infrastructure details.	5.8 - LOT 2: SUPPLY, DELIVERY, INSTALLATION, TESTING, COMMISSIONING, SUPPORT AND MAINTENANCE OF THE KIEMS SOFTWARE'S – Point 3	Detailed information on the infrastructure to be provided to successful bidder.

		Converged Server infrastructure (VBLOCK - Details to be provided upon request)	
76.	Bidders requested for period extension for the tender by 3 weeks as time will be required to prepare and courier the samples and also to take into account the clarifications/addenda issued by the Commission		Closing date now reads: Friday, 4 th June, 2021.
77.	Bidder requested for Clarity on the number of polling stations that will have to be equipped with the KIEMS devices (i.e. WITH REFERENCE TO THE ANDROID BIOMETRIC VOTER ENROLMENT AND VERIFICATION TABLETS); and the number of KIEMS devices that will have to be supplied afresh to cater for the needs of the additional polling stations, the additional number of constituencies as expected to come into place upon the approval of the BBI Bill		The Commission estimates the number to be about 10,000 subject to the increase in the number of voters in the next voter registration cycle.
78.	Bidder requested clarification on whether IEBC shall be conducting a fresh voter registration exercise and update and produce a fresh voter roll register before the Referendum on BBI is conducted or the Elections are conducted		Voter registration is continuous and the update of the voter register is also continuous.
79.	Bidder sought clarity on: for LOT 2 since the whole system is already used to full capacity, it would be necessary to employ a second system wither to replace the current one or to augment the existing one and the RFP needs to be amended accordingly.		The Commission intends to re-use available IT resources/equipment as far as possible to realize value for money.

80.	Bidder sought clarity about: On pages 22-23, 89-90, 127-128, and 132, if the biometric tablet described is exactly that of current provider; and the number of biometric tablets which could be procured.		<p>The photograph on page 127 and the technical description of the device are only meant to illustrate to the bidders the minimum technical specifications and the model of the existing tablets.</p> <p>Any equivalent or better model that performs the intended purpose of the tablet is acceptable.</p> <p>About 10,000 devices subject to the increase in the number of voters in the next voter registration cycle.</p>
81.	Bidder sought clarification on Data Migration. On pages 53 and 110, that selected vendor will have to "migrate the existing register of voters' data into the new system within six (6) weeks upon contract signing." The bidder sought to know if the allocated timelines could be increased.		<p>The maximum time proposed for data migration is 6 weeks. However, if the bidder finds it necessary to undertake post-migration activities then the bidder can indicate.</p>
82.	Bidder requested for clarification on Candidate Registration Management (CRMS). Page 86 of the open international tender states that: "The Commission has a candidates' registration application software that is used to register nominated candidates from the respective political parties as well as independent candidates. [...] The Commission requires that the CRMS be integrated with the biometric voter registration software and the results transmission software for seamless data exchange across the platforms." Bidder wanted information regarding the integration in the new KIEMS.		<p>The biometric voter registration central system is the core system for elections management. All other systems such as CRMS require integration for purposes of the voter register data to process registration of candidates for elections</p>

83.	Bidder sought clarification on Hardware. Page 83 of the tender document states that: "The KIEMS back-end consists of the infrastructure that hosts the application and database servers at the data centre" and page 91 indicates that: "The Commission has the following hardware equipment that the successful tenderer should use with the supplied system: i. Converged Server infrastructure (VBLOCK - Details to be provided upon request)". Thus bidder requested to know if this <i>mean that the IEBC expects the vendors to use this hardware with their proposed Biometric Voter Registration Module.</i>		The Commission expects the successful bidder to use the VBLOCK hardware. However, the detailed information will be shared with the successful bidder.
84.	Bidder requested for clarification on: LOT 2 (b): Support and Maintenance of the KIEMS Software: <i>a.</i> Technical Support during Biometric Voter Registration. The biometric tablets will be used by the IEBC to register eligible voters. Thus bidder sought information regarding this registration phase.		Voter registration is continuous by law (enhanced periodically) and the successful bidder that deploys its solution for this exercise will be required to provide technical support of the supplied system.
85.	Previously Read: 1.5 Completed tender documents and sample enclosed in plain sealed envelopes, marked with the tender reference number shall be addressed to: The Chief Executive Officer/Commission Secretary Independent Electoral and Boundaries Commission (IEBC), Anniversary Towers, University Way, Fifth Floor P O Box 45371-00100, Nairobi		Now Reads: Completed tender documents and sample enclosed in plain sealed envelopes, marked with the tender reference number shall be addressed to: The Ag. Commission Secretary/ Chief Executive Officer Independent Electoral and Boundaries Commission (IEBC), Anniversary Towers, University Way, Fifth Floor P O Box 45371-00100, Nairobi

86.	Previously Read: 1.8 Tenders will be opened immediately thereafter at the Independent Electoral and Boundaries Commission (IEBC), Anniversary Towers, University Way, Fifth Floor.		<p>Now Reads: Tenders will be opened immediately thereafter at the Independent Electoral and Boundaries Commission (IEBC), Anniversary Towers, University Way, Fifth Floor.</p> <p>Bidders are advised the opening exercise will be carried out online.</p> <p>Bidders or their representatives who wish to follow the opening proceedings are encouraged to send their email addresses to procurement@iebc.or.ke by close of business on Wednesday, 2nd June, 2021 in order for the Commission to send a link to the bidders.</p>
87.	Previously Read on Page 4 : <u>COMMISSION SECRETARY/CEO</u>		Now reads: <u>Ag. COMMISSION SECRETARY/CEO</u>

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88.	Previously read on the ITT page 17: There shall be an online pre-bid conference at 7:00 a.m. GMT on 9th April, 2021 through a link that will be shared with those who will send their email addresses before the said date. .		Read together with 1.4 reads: There shall be an online pre-bid conference at 7:00 a.m. GMT (10:00 AM Kenyan Time) on 19 th April, 2021 through a link that will be shared with interested tenderers who will send their email addresses through procurement@iebc.or.ke before the said date.
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The clarifications/amendments form part of the bidding document and are binding on all bidders. All other terms and conditions of the tender remain the same. Bidders who have already downloaded the bidding documents are required to acknowledge the receipt of this clarification with immediate effect. The tender closing date and the opening of ALL the above tenders has been extended to Friday, 4th June, 2021 at 8:00 a.m. GMT (11:00am Kenyan Time), in the 21st floor boardroom, Anniversary Towers, University Way

Yours faithfully,



Marjan Hussein Marjan

Ag. Commission Secretary/CEO