

PARLIAMENT OF KENYA



PARLIAMENTARY SERVICE COMMISSION

MINUTES OF THE PRE-BID COMMITTEE

PJS/002/2023-2024 GROUP LIFE INSURANCE FOR MEMBERS OF PARLIAMENT, PJS/003/2023-2024 GROUP LIFE INSURANCE FOR STAFF OF PSC, PJS/004/2023-2024 GROUP PERSONAL ACCIDENT FOR MEMBER OF PARLIAMENT, PJS/005/2023-2024 GROUP PERSONAL ACCIDENT FOR STAFF OF PSC. HELD AT THE PROTECTION HOUSE, 2ND FLOOR BOARDROOM, ON 31ST AUGUST, 2023 AT 11.00AM.

MEMBERS PRESENT

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| 1. Ms. Susan Walala, Deputy Director Legal, ODG | Chair |
| 2. Ms. Lilian Wata, Chief Human Resource Officer | Member |
| 3. Mr. Daniel Jumbale, Finance Officer | Member |
| 4. Mr. Morris Mwiti, Inspector I, QS | Member |
| 5. Mr. Jonathan Agunda, Procurement Officer | Secretary |
| 6. Ms. Judy Muthoni, Procurement Officer | Secretariat |

IN ATTENDANCE

1. Mr. Keith Kisinguh, Chief Procurement
2. Mr. Bernard Langat, Procurement Officer
3. Mr. Daniel Odemba, Procurement Officer
4. Ms. Ruth Wairimu, Procurement Officer
5. Mr. Reagan Wanjala, Procurement Officer
6. Ms. Gumato Bonaya, Procurement Officer
7. Ms. Damaris Bitengo, Office Assistant

PROSPECTIVE TENDERERS AND THEIR REPRESENTATIVES PRESENT

No.	Representative	Company Name	Email Address	Telephone No.
1.	Boaz Ajowi	M/s Pioneer General Insurance Limited	bajowi@pioneerinsurance.co.ke	0710425587
2.	Elijah Ngugi	M/s The Heritage Insurance	tnyambaso@heritage.co.ke	0705680693
3.	Francisca Wamugunda	M/s Madison General Insurance	Francisca.wamugunda@madison.co.ke	0710175722
4.	Lucy Mariga	M/s Africa Merchants Association Company Ltd	Lucy.mariga@amac.co.ke	0711350403

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5.	Christopher Haiga	M/s Metropolitan	Christopher.haiga@ahudnestau.co.ke	0726438769
6.	Kevin Osia	M/s Geminia Insurance	Kevin.osia@gemini.a.co.ke	0722459334
7.	Beatrice Chelangat	M/s Old Mutual Life	Beatrice.chelangat@oldmutual.co.ke	0714387520
8.	Ronoh Bernard	M/s Jubile Life	Bernard.ronoh@jubileekenya.com	0799000380
9.	Thomas Opondo	M/s APA Life	thomas.opondo@apalife.co.ke	0712118180
10.	Davis Achoki	M/s Minet	Davis.achoki@minet.co.ke	0725370833
11.	Evance Osee	M/s Pioneer Insurance	aosee@pioneerassurance.co.ke	0714141525
12.	Andrew Nyagwansa	M/s ABSA Life Assurance	wanjiku.kimani@absa.africa	0725479412
13.	Henry Kariuki	M/s Geminia Life Insurance Co. Ltd	life@geminialife.co.ke	0725168021
14.	David Ikandi	M/s ABSA Life	David.ikandi@absa.africa	0710675261
15.	Patrick Manyara Omboga	M/s Sanlam Life	corporatebusiness@sanlam.co.ke Patrick.manyara@outlook.com	0721236051
16.	Njeri Kinyanjui	M/s Pioneer Assurance	nkinyanjui@pioneerassurance.co.ke	0721350769
17.	Dennis Dida	M/s Britam Life	ddida@britam.com	0721251568
18.	Samuel Karoki	M/s First Assurance	skaroki@firtassurance.co.ke	0710489706
19.	Edward Riungu	M/s Liaison Group	engiogu@liaisongroup.net	0700254390
20.	Vicky Kagema	M/s CIC General Insurance Ltd	vicky.kagema@ke.cicinurancegroup.com	0720149484
21.	Doreen Kinywa	M/s CIC General Insurance Ltd	doreen.kinywa@cic.co.ke	0724430836
22.	Simon Mbogo	M/s APA Insurance Ltd	simon.mbogo@apainsurance.org	0722678555
23.	Urbanus Munyoya	M/s Unisaco Insurance Broker	unisacolimited@gmail.com	0722485242
24.	Daniel Cheruiyot	M/s APA Insurance Ltd	daniel.cheruiyot@apainsurance.org	0720592104
25.	Selfin Gitonga	M/s APA Insurance Ltd	selfin.gitonga@apainsurance.org	0791930151
26.	George Ngotho	M/s Heritage Insurance Company Ltd	George.ngotho@heritage.co.ke	0710554381
27.	Kevin Lugonzo	M/s Corporate Insurance Co. Ltd	klugonzo@corporatekenya.com	0708401886
28.	David Otieno	M/s Jubilee Insurance	pearlbrandke@gmail.com	0711948117 0723805254

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29.	Jackline Kibuchi	M/s Britam	jkibuchi@britam.com	0723124608
30.	Renson Kitur	M/s Madison Life Assurance Kenya	rkur@madison.co.ke	0725518335

AGENDA

1. Preliminaries
2. Clarifications Sought by the Prospective Tenderers
3. A. O. B

MIN. NO. 01/ PJS/002-005/2023-2024 - PRELIMINARIES

The Chairperson called the meeting to order at 11:00 a.m. The chairperson welcomed everyone present to the meeting and requested those present to introduce themselves.

The pre-bid conference for the procurement of Group Life and Group Personal Accident Covers was attended by the entire membership of the committee, the Chief Procurement Officer, and officers from the Chief Procurement Officer's department. The Chief Procurement Officer indicated that the officers from his department were present for learning purposes.

The conference commenced with opening remarks from the Chairperson, who welcomed all potential bidders to the significant pre-bid conference. She outlined the following objectives of the pre-bid conference:

- a) To foster a clear understanding of the tender requirements.
- b) To address any queries potential bidders may have.
- c) To promote transparency throughout the procurement process.

She emphasized the Parliamentary Service Commission's (PSC) commitment to fair competition and open communication. The pre-bid conference served as a platform for the PSC to ensure that all potential bidders had an equal opportunity to comprehend the intricacies of the tender.

The Chairperson highlighted that the tender pertained to critical aspects of providing comprehensive coverage for Members and staff of parliament, safeguarding their well-being and financial security. She acknowledged the expertise and innovative solutions of the potential bidders in achieving this objective.

Potential bidders were informed that technical experts and finance representatives from the PSC would guide them through various aspects of the tender. These sessions would cover technical specifications, legal requirements, and financial considerations. Attendees were encouraged to actively participate in the upcoming Q&A session, as their questions and concerns would contribute to the overall quality of the process.

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Ms. Wata, the technical expert, provided insights into critical aspects of the tender. She emphasised the evaluation process, particularly the technical requirements, and explained the rationale behind these requirements based on the PSC's experience in claims settlement by underwriters. Ms. Wata underscored the unique nature of the client and the importance of potential bidders meeting the minimum requirements set out in the tender. She also emphasised the financial capacity of the provider, noting the higher claims profile for the PSC and the reason for the technical evaluation's emphasis on this aspect.

Mr. Agunda, the procurement officer and secretary, offered a brief overview of the procurement process. Prospective bidders were also taken through the expected procurement process and probable timelines for these tenders by the secretary to the committee.

The Chief Procurement Officer addressed potential bidders, emphasising that the tender document was prepared in accordance with Article 227 of the Constitution and the provisions of the Public Procurement and Asset Disposal Act 2015.

Prospective bidders were advised that where an underwriter will bid with the broker, the underwriter should not submit another separate bid and vice versa. Prospective bidders were advised that a good insurance firm/bidder is one who has the ability to settle claims on time. They were also advised that the claims experience for Parliamentary Service Commission is high.

The prospective bidders were informed that minutes of the pre-bid would be published on the Commission's website and those who attended and provided their email contacts would also be sent the minutes via their official email addresses provided.

MIN. NO. 02/PJS/002-005/2023-2024 – CLARIFICATIONS SOUGHT BY THE PROSPECTIVE APPLICANT

A. Mandatory Requirement No. 4 states that bidders must “Attach Power of Attorney that the signatory of the tender is authorized to sign the Tender on behalf of the tenderer”.

Clarification 1: A prospective bidder requested to know whether the person with power of attorney will be the one to sign in the tender document.

Answer: Prospective bidders were informed that the person with power of attorney should be the one to sign all documents regarding the tender.

B. Mandatory Requirement No. 20 states that bidders must “Provide a valid Data Controller and processor compliance certificate from the Commissioner of Data Protection (All parties to provide).”



Clarification 2: A prospective bidder requested to know whether MR20 could be done away with as it takes time to acquire data controller and processor compliance certificate.

Answer: Prospective bidders were informed that the committee will consult and revert back.

Committee Resolution: After consultations the committee resolved that the requirement will remain but amended to include "or receipt of evidence of payment for the certificate".

C. The Technical Criterion 5(b) provides that: "Bidder to provide capital adequacy ratio for the last 3 years (2020, 2021 and 2022) (attach certified extracts from IRA)"

Clarification 3: A prospective bidder requested to know whether the requirement to attach certified extracts from IRA as evidence of Capital Adequacy ratio could be done away with since IRA do not certify the said extracts.

Answer: Prospective bidders were informed that the requirement to attach certified extracts from IRA will be amended to read "attach extracts from IRA certified by a commissioner of oaths".

D. Clarification 4: A prospective bidder sought clarification on whether it was possible to provide limits for GPA benefits (medical, last expense and air evacuation).

Answer: Prospective bidders were informed that by providing limits it will not be competitive as it will be leading.

E. Technical Criterion 5 (c) requires the bidder to: "Attach summarized audited accounts showing Average Gross written premium in the last 3 years for Group Personal Accident cover."

Clarification 5: A prospective bidder requested whether the Gross Written Premiums requirement under technical evaluation for GPA could be amended to delete **average** and replace it with **Total** for the last three years.

Answer: Prospective bidders were informed that Gross Written Premium for GPA will be changed from average to cumulative total for the last three years.

F. Technical Criterion 5(b) requires the bidder to Bidder to provide capital adequacy ratio for the last 3 years (2020, 2021 and 2022) (attach certified extracts from IRA. A Capital adequacy ratio 200% and above to be awarded...10Mks. Capital adequacy ratio between 199% and 150%

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be awarded...7Mks. Capital adequacy ratio between 149% and 100%
be awarded...5Mks. Capital adequacy ratio below 100% to
be awarded...0Mks.

Clarification 6: A prospective bidder sought clarification on the capital adequacy ratio noting that the regulator IRA has already set a limit of 100% yet in the tender document, the highest score is put on bidder with capital adequacy ratio of 200%.

Answer: Prospective bidders were informed that the capital adequacy ratio of 200% requested was not set to defeat competition but to ensure an insurer with higher capacity to deliver on the client's high claims is obtained. Prospective bidders were also told that this requirement was not a mandatory requirement and therefore still those bidders with lower capital adequacy ratio will still score some marks depending on their level of the capital adequacy ratio. It was agreed to consult further and revert back.

Committee Resolution: It was resolved to revise the requirement as below;

5b)	Capital Adequacy	Bidder to provide capital adequacy ratio for the last 3 years (2020, 2021 and 2022) (Attach extracts from IRA certified by commissioner of oaths)	Capital adequacy ratio 150% and above to be awarded...10Mks. Capital adequacy ratio between 149% and 130% be awarded...7Mks. Capital adequacy ratio between 129% and 100% be awarded...5Mks. Capital adequacy ratio below 100% to be awarded...0Mks.
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G. Technical Requirement 5(a) provides that bidders Attach Audited accounts for the last 3 years (2020, 2021 and 2022) showing average paid up capital per year. Over Kshs.500 million– 10 marks. Others prorate as follows: Value x 10 Marks/500 million

Clarification 7: A prospective bidder raised concerns that the paid-up capital set by the regulator was Ksh.400,000,000 yet the tender document has set a maximum mark on bidders with paid up capital of Ksh.500,000,000.

Answer: Prospective bidders were informed that the requirement for paid up capital was not a mandatory requirement, but a requirement under technical evaluation where prospective bidders will score based on their level of paid-up capital.

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H. Proof of prompt claims settlement ability to its Group Personal Accident Insurance Schemes' Clients (Attach evidence in the form of discharge voucher and remittance advice within the last three years). Attach proof of prompt claims settlement ability to its Group Personal Accident Schemes' Clients in the form of 5 discharge vouchers and remittance advice within the last three years

Clarification 8: A prospective bidder raised concerns that the requirement to provide evidence of claims settlements would expose their client's data.

Answer: Prospective bidders were informed that requirement to provide evidence of claims settlements would remain. Instead, they were advised to hide the names of their client's when submitting the evidence.

I. Clarification 9: A prospective bidder sought clarification on technical requirement 2 a and b to ensure they are coherent.

Answer: Prospective bidders were informed to adhere to the requirement as specified in the tender document.

J. Clarification 10: A prospective bidder sought clarification on whether the requirement on 'all copies are to be certified by a commissioner for oaths' applies to the whole tender document.

Answer: Prospective bidders were informed that the requirement for all copies to be certified by commissioner for oaths applies to copy documents attached to the tender document, but the bidders have the freedom to certify the whole tender document if they want. Also, **all** copies mean any document that is not in its original form and should be certified.

K. Clarification 11: A prospective bidder sought clarification on technical requirement number 5c on what constituted the gross written premium for GPA.

Answer: Prospective bidders were informed that the gross written premium for GPA should include all cumulative general classes less medical.

L. Clarification 12: A prospective bidder sought clarification on scenarios where brokers participate in bidding and they are directly awarded a contract, then broker give underwriter letter of appointment. Prospective bidders sought to know if letter of appointment from the broker would suffice in the place of a contract.

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Answer: Prospective bidders were informed that they should attach contract from their broker together with the appointment letter from the broker.

- M. Clarification 13:** *Technical Evaluation 2 (a) - Attach evidence in the form of duly executed contracts or award letters (at least three) for Group Personal Accident Insurance with reputable clients each with premiums of at least Kshs. 10 million - **Kindly amend the requirement "contracts or award letters" to "contracts or award letters or Invoices/Debits"***

Answer: Prospective bidders were informed that the criteria shall remain.

- N. Clarification 14:** *Technical Evaluation 2 (a) - Attach evidence in the form of duly executed contracts or award letters (at least three) for Group Personal Accident Insurance with reputable clients each with premiums of at least Kshs. 10 million - **Kindly amend the requirement "10 million" to "2 million"***

Answer: Prospective bidders were informed that the criteria shall remain.

- O. Clarification 15:** *Technical Evaluation 2 (b) - Attach evidence in the form of duly executed contracts (at least 5 contracts) for Group Personal Accident with reputable clients each with premiums of at least Kshs. 10 million - **Kindly amend the requirement "at least 5 contracts" to "at least 5 contracts or awards or debits/invoices"***

Answer: Prospective bidders were informed that the criteria shall remain.

- P. Clarification 16:** *Technical Evaluation 5 (c) - Financial Capability-Attach summarized audited accounts showing Average Gross written premium in the last 3 years for Group Personal Accident Cover-Over Kshs. 1 Billion – 15 mark - **Kindly amend the requirement "Kshs. 1 Billion" to "Kes. 300 million"***

Answer: Prospective bidders were informed that the criteria shall remain.

The prospective bidders said that they had no more questions at this point.

The prospective bidders were advised that they could seek any further clarifications in writing via email through procurementpjs@parliament.go.ke or dg@parliament.go.ke before the submission deadline as indicated in the tender document.

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