

ADDENDUM 3/CLARIFICATIONS

DATE: 17TH SEPTEMBER, 2026

TENDER NO: IEBC/OIT/02/2026 - 2027 - SUPPLY AND DELIVERY OF BALLOT PAPERS, TACTILE FOLDERS, REGISTER OF VOTERS AND STATUTORY ELECTION RESULT DECLARATION FORMS.

1.0 RECONCILIATION OF ACCEPTABLE FORM OF TENDER SECURITY - ITT 18.1 vs REQUIREMENT NO.14 PURSUANT TO ORDER B

Query raised in Review: Inconsistency between ITT 18.1 of Tender Data Sheet and Requirement No.14 of Section III Preliminary Evaluation on acceptable form of Tender Security.

1.1 Clarification / Amendment:

For avoidance of doubt, and to reconcile the two provisions as ordered by PPARB, the following shall apply:

Requirement No.14 and ITT 18.1 are hereby harmonized and amended to read as follows:

"Tender Security of Kenya Shillings Forty Million Only (Ksh.40,000,000.00) in form of EITHER:

(a) cash; OR (b) a bank guarantee; OR (c) a guarantee by an insurance company registered and licensed by the Insurance Regulatory Authority listed by the Authority (PPRA); OR (d) a guarantee issued by a financial institution approved and licensed by the Central Bank of Kenya (CBK).

Valid for 270 days from date of tender opening. The guarantee shall be in format provided in Section IV - Tendering Forms.

1.2 Tender Extension - Pursuant to Order C:

Pursuant to Order C of the PPARB Decision, the closing / opening date is hereby extended: 1st October 2026 at 11:30 AM at Anniversary Towers, 6th Floor Boardroom.

1.3 Consolidated Clarifications of queries from bidders

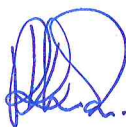
Pursuant to the Public Procurement and Asset Disposal Act (PPADA), 2015, and the clarifications requested by prospective tenderers, the Commission has compiled clarifications as per the table below:-

Theme	Clarifications of queries from bidders
1. Margin of Preference	NOT APPLICABLE. This is an Open International Tender per PPADA Sec 92. References to margins of preference or reservation rules in Section III or the Tender Data Sheet (TDS) are hereby deleted in their entirety. Evaluation at ITT 32.3 = N/A.
2. 40% Local Content	MANDATORY for all foreign tenderers per PPADA Sec 157(8)(b) & Reg 158. It is not optional. Formula: $\text{Local Content \%} = (\text{Kenyan Costs} / \text{Total DDP Tender Sum inclusive of all taxes, duties, freight, insurance, CBL}) \times 100.$ Qualifying Costs: Kenyan-flag shipping, Kenyan clearing firm, inland transport, warehousing, security, material handling, local insurance, local labor, local PM, local packaging, local professional services. Evidence at Tender Stage: Duly filled Form 5 + breakdown of costs + commitment letters/MoUs with Kenyan firms. Final verified invoices required at call-off. Request to remove this criterion (Q55) is explicitly DENIED as it is a statutory baseline constraint.
3. Sample Submission	As per tender document

Theme	Clarifications of queries from bidders
4. Booklet Definition	As per tender document
5 & 6. Tender & Performance Securities	Tender Security: Fixed at KES 40 Million, valid for 270 days from the tender opening date. Acceptable Form(a) cash; OR (b) a bank guarantee; OR (c) a guarantee by an insurance company registered and licensed by the Insurance Regulatory Authority listed by the Authority (PPRA); OR (d) a guarantee issued by a financial institution approved and licensed by the Central Bank of Kenya (CBK). Commercial banks are permitted to state a explicit calendar expiry date equivalent to Opening Date + 270 days; Performance Security: Modified to a two-tier framework model. 1) Framework Level: A Bank Guarantee of 200M of the Estimated Framework Value, valid for 365 days and renewable for Years 2 and 3. 2) Call-Off Level: 10% value of the specific call-off price, released within 30 days of delivery completion.
7. Vendor Capacity	As per tender evaluation criteria
8. Delivery Timeline	AMENDED. Contractual delivery is fixed at 30 calendar days, activated strictly from the latest of the following operational dependencies: LPO issuance, final artwork sign-off, delivery of validated variable data, or formal written production authorization. The 21-day metric is an internal factory capacity benchmark used for technical score allocation, not a contractual turnaround limit. The 10-day turnaround financial evaluation clause is deleted. Liquidated Damages (LD) under GCC Clause 26 will not apply to any delays caused by IEBC administrative bottlenecks (such as delayed artwork design sign-offs or variable data verification drops). The 30-day window encompasses production, international freight, port clearance, and final delivery to the IEBC central warehouse in Nairobi.

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9. Disaster Recovery & BCP	ACCEPTED. The primary production Disaster Recovery (DR) site may be wholly-owned OR affiliated via a legally binding contract/consortium mechanism. The DR facility must be located in a separate geographical region and hold valid ISO 14298 secure printing certification. Required Tender Evidence: Active MoU/SLA, current lease/ownership documentation, ISO 14298 certificates, equipment infrastructure inventory, and high-resolution site photography. Physical verification of the DR site is moved from technical evaluation to the Post-Qualification due diligence stage.
10. Security Features & Costs	TECHNICAL RELAXATION TO OPTIMIZE COST & TIMELINES: • Serialization: Single-colour black tapered serialization is ACCEPTED (supersedes the expensive multi-colour tapered requirement). • Guilloche & Micro-text: Static guilloche patterns and static micro-text layouts are ACCEPTED (variable formats per page are not mandatory). • Embossing: Retained strictly as blind embossing only (no metallic foil stamping required). • Core Non-negotiable Specifications: Custom primary watermarks, embedded UV security elements, anti-copy/anti-scanner backgrounds, and anti-duplication QR codes remain strictly mandatory. • Form Variations: Ballot configurations must accommodate the statutory variants: President (1), Governor (47), Senator (47), County Woman Representative (47), Member of National Assembly/MP (290), and Member of County Assembly/MCA (1450). • Tear Factor: Verified using standard KS ISO 1974 (Elmendorf method) parameters under Clause 4.11.
11. Regulatory & Framework Scope	• Joint Ventures (JV): Strictly NOT ALLOWED (Q51, Q56). • ISO Certification: ISO 14298 certification remains an unalterable mandatory baseline; ISO 27001 is not an acceptable equivalent (Q57). • Data Protection: Registration with the Kenyan Office of the Data Protection Commissioner (ODPC) is modified. Bidders may

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	submit a formal legal commitment framework to finalize ODPC registration prior to actual data handover, provided they submit equivalent statutory data privacy credentials from their home country at the tender submission stage. • Pricing: All financial bids must remain strictly fixed for the entire 3-year framework period on a Delivered Duty Paid (DDP) IEBC Warehouse Nairobi basis. No tax or duty exemptions will be processed. • Framework Quantities: Handled on an 'as and when required' basis. The indicative baseline volume is approximately 30 Million ballot papers, but this does not constitute a guaranteed minimum purchase volume.



Kulundu R. K. (Mrs.)
Ag. Commission Secretary/CEO

