

REPUBLIC OF KENYA

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO.38/2017 OF 13TH APRIL 2017

BETWEEN

UAP INSURANCE COMPANY LTD..... Applicant

AND

TECHNICAL UNIVERSITY OF MOMBASAProcuring Entity

Review against the decision of Technical University of Mombasa in the matter of Tender Number TUM/MEDI/2016-2017 for Provision of Staff Medical Insurance Services for the Financial Year 2016/2017

BOARD MEMBERS PRESENT

1. Mrs. Josephine Mong'are - In the Chair
2. QS.Hussein Were - Member
3. Mr. Paul Ngotho - Member
4. Mr. Peter Ondieki - Member
5. Mr. Nelson Orgut - Member

IN ATTENDANCE

1. Stanley Miheso - Holding Brief for Secretary
2. Maureen Namadi - Secretariat

PRESENT BY INVITATION

Applicant – UAP Insurance Company Limited

1. Miriam Metto - Advocate
2. Mercy Gitau - Pupil

Procuring Entity – Technical University of Mombasa

1. George Kashindi - Advocate
2. Diana Akumu - Legal Assistant
3. Serah Okumu - Legal Officer
4. Nicole Kagonya - Intern
5. Susan Mwangi - Procurement Manager

Interested Parties

1. J. Ogalloh - Jubilee insurance

BOARD'S DECISION

Upon hearing the representations of the parties and interested candidates before the Board and upon considering the information and all the documents before it, the Board decides as follows:

BACKGROUND OF AWARD

INVITATION OF BIDS

The tender for the Provision of Staff Medical Insurance Services for Financial Year 2016/2017 for Technical University of Mombasa - Tender Number TUM/MEDI/2016-2017 - was advertised on 23rd February, 2017 in the *Daily Nation* newspaper. The tender was closed and opened on 3rd March, 2017 at 10.00 am. Eleven (11) tenders were opened and results recorded as shown below:

Table 1: Tender Opening Results

Bidder No.	Name of Bidder	Amount Quoted (Kshs)	Bid Bond (Kshs)
01	AAR Insurance Solutions	98,128,300.00	2,183,206.00
02	UAP Insurance	89,819,540.00	3,000,000.00
03	Jubilee Insurance	96,383,337.00	2,930,394.00
04	Trident Insurance	66,037,939.00	1,700,000.00
05	Takaful Insurance of Africa	73,733,846.00	1,474,677.00
06	Resolution Insurance Company	103,768,358.00	2,249,800.00
07	Liaison Insurance	97,074,120.00	1,600,000.00
08	Britam Insurance	88,286,490.28	2,000,000.00
09	Heritage Insurance Company	105,521,551.00	2,841,723.00
10	CIC Group	112,442,704.00	3,140,000.00
11	APA Insurance	No tender sum	No bid bond

TENDER EVALUATION

Technical University of Mombasa's evaluation committee carried out evaluation of bids in three stages of preliminary (mandatory) evaluation, technical evaluation and financial evaluation and recommended award.

Preliminary Evaluation

This was an elimination stage where each bidder's submission was checked for completeness and compliance to the stated tender submission requirements. To be deemed responsive, tenders were checked for the following mandatory requirements:

- 1 Must state:
 - a) Physical address, Postal Address and Telephone Numbers
 - b) Owned and leased
 - c) Trade License
 - d) Number of Branches; Specify if applicable
- 2 PIN Certificate
- 3 Current Tax Compliance Certificate
- 4 Certificate of Incorporation
- 5 Must be Registered and Licensed by Insurance Regulatory Authority for the current year and a copy of the current license be submitted
- 6 Must be a member of the Association of Kenya Insurers (AKI) and Membership Certificate be submitted
- 7 Must Provide Managerial and key personnel competency profiles and attach organisation structure
- 8 Must provide the following:
 - a) Name of Underwriters
 - b) Name of Bankers
 - c) Reinsures
 - d) Name of Underwriters' Actuarial Consultants
 - e) Name of Auditors

- 9 Must have paid up capital plus share capital totalling to at least Kshs. 1 Billion
- 10 Must have done annual gross medical premiums in the previous year of Kshs 4 Billion
- 11 Must give a list of five (5) reputable clients and the total clients premiums for the last three years i.e. 2014, 2015 and 2016
- 12 Must submit recommendation letters from the list clients under 4.1.10 for the services envisaged under this tender
- 13 Must submit certified audited accounts for the last two years duly signed by the auditor (2014 and 2015)
- 14 Must state number of years served in Medical insurance, Staff qualification and experience in medical insurance (claims) Portfolio.
- 15 Must submit details of five major clients with annual medical premiums of 100 million in the year 2015, summary of services rendered, value of contracts and contact person, address, and telephone numbers including those supplied to TUM in the last two years.

Ten out of the eleven bidders who submitted tenders did not pass the preliminary evaluation stage for failure to meet one or more of the mandatory requirements and were disqualified from further evaluation. Messrs UAP Insurance Company Limited ("the Applicant" herein) was among bidders who did not meet all the mandatory requirements of the tender and was disqualified at the preliminary stage of the evaluation. The Applicant was disqualified for failure to meet the annual gross medical premiums in the previous year of Kshs 4 billion instead it was Kshs. 3.796b;

details of five major clients with annual medical premiums of 100 million in the year 2015; summary of services rendered; value of contracts and contact person, address, and telephone numbers including those supplied to TUM in the last two years.

Messrs Jubilee Insurance Limited was the only bidder adjudged responsive at the preliminary evaluation stage and was consequently taken to the next stage of the evaluation, that is, technical evaluation.

Technical Evaluation

The threshold at the technical evaluation stage was 75% for a bidder to be evaluated at the financial stage. Bidders who score below 75 marks will be eliminated at this stage from the evaluation process. Messrs Jubilee Insurance (Bidder 003) who qualified at the preliminary stage was evaluated for technical responsiveness. The results of the technical evaluation were as shown in the table below.

	<i>Criteria</i>	Marks	003
1	Experiences: Experience in provision of services of similar nature and magnitude in each of the last five (5) years (1-yr = 1mark, 2= 3mks 3 yrs = 5mks, 4 yrs = 6mks, 5yrs= 8mks)	10	10
2	Reputation: Proof of satisfactory services (Recommendations from at least five clients in each of the following categories:- (i) Civil service or state corporation: Each 3 marks up to a maximum of 4 (ii) Other sectors: 1 mark	15	15
3	Competence profile: Qualification of Chief Executive Officer and at least three key personnel managing medical insurance. Portfolio:- (a) Qualifications: A.C.I.I or AIK	12	9

	<i>Criteria</i>	Marks	003
	(b) CEO: 2 Marks		
4	Highest business volume handled in the last three (3) years in Medical Insurance Cover: Over 4 Billion 5 Marks Up to 4 Billion..... 3 Marks Up to 1 Billion..... 2 Marks	5	5
5	Attach a detailed technical proposal on how you plan to implement the contract (including annual premiums trend for the past two (2) years) as per requirements.	10	10
6	Maximum Value of risk Firm is available to handle – Ksh. 500 million = 2 marks, above Kshs. 500 million = 5 Marks	5	5
7	(a) Network coverage & extensiveness of approved hospitals & service providers, flexibility and convenience (i) Within Mombasa and less than 20 counties (marks=3) (ii) In Over 20 Counties (Marks=10)	13	13
	(b) <i>Inpatient and Outpatient Dental & optical Cover</i>	5	5
	(c) Pre-existing, Chronic and HIV & AIDs cover and terrorism and political violence extension	5	2.5
	(d) Last expense: Principal and	5	5
8	Proposal of scheme administration, case management and claims turnaround time administration based on client references	10	10
9	Additional benefits: The tender may provide any other additional information/Benefits offered relevant to provision of the medical Insurance cover (1 Marks per benefit)	5	5
	Total Marks	100	94.5

From the table above Bidder 003 - Jubilee Insurance - scored 94.5% in the technical evaluation which was way above the pass mark of 75% and therefore qualified for financial evaluation stage.

Financial Evaluation

In Financial Evaluation the tenderer met the requirements as per the TUM tender document on medical cover. However the evaluation committee sought further clarification on the following:

i) Smart cards

The smart card for members costs Kshs. 1100.00 but after negotiating with the TUM Evaluation team, the proposed service provider agreed to subsidize the cost by Kshs. 1,000,000.00, i.e. TUM will pay less Kshs 1,000,000.00 of the total cost.

ii) Terrorism

On the issue of terrorism, the proposed provider said they always step in to take care of their clients and liaise with the National government on other logistics;

iii) Staff over 70 years

The proposed provider agreed to cover TUM staff and their spouses up to the age of 76 years.

iv) Social community services

The proposed provider indicated willingness to consider TUM proposal on Corporate- Social activities

v) Optical frame

The proposed provider agreed to set the limit for the frame at Kshs. 15,000.00 instead of the earlier limit of Kshs. 10,000.00.

vi) Hospital accommodation

The initial proposal was as follows:

Category	Grade	Families	Lives	Benefit per day net of NHIF
A	Grade 16-17	3	11	Standard Private Room up to to Kshs. 18,000.00
B	Grade 11-15	123	519	Standard Private Room up to to Kshs. 12,500.00
C	Grade 5-10	314	1,212	General ward bed
D	Grade 1-4	208	855	General ward bed

The provider agreed to adjust the limit for standard private room for grade 11-15 from Kshs 12,500.00 to Kshs. 15,000.00 per day.

vii) Last expense

The provider accepted to have the last expense of Kshs. 100,000.00 per person as a stand-alone benefit.

viii) Lodger fees

The age limit to benefit from the lodger fees was raised to 12 years from 10 years.

Recommendation

Based on the foregoing, the committee recommended **Bidder 003, namely, Jubilee Insurance Company Limited** for award of the tender for Provision of Staff Medical Insurance Services at the Technical University of Mombasa being the best evaluated bidder at a cost of Kshs. 96,383,337.00 (Kenya Shillings Ninety Six Million Three Hundred Eighty Three Thousand Three Hundred Thirty Seven Only).

PROFESSIONAL OPINION

The Acting Procurement Manager noted that the report submitted to the Evaluation Committee on 28th March, 2017 and observed as follows:

1. That the appointed teams worked within the scope, as specified in the Tender documents, advertisements posted on the local daily on 23rd February, 2017 and the addenda.
2. That the evaluation was based on the bidders' responsiveness to the criteria set out in the Tender Document with a valid Bid Bond of 2% as the Tender Security.
3. That the Tenders were evaluated by the Evaluation Team for the purpose of making the recommendation as per Section 85 of the Public Procurement Asset Disposal Act, 2015.

The Acting Procurement Manager agreed with the Evaluation Committee's findings and recommendation for the award of the tender to Bidder 003, namely, Jubilee Insurance Company at a cost of Kshs. 96,383,337.00.

The Accounting Officer of the Procuring Entity, the Vice-Chancellor, approved the recommendation of award to Messrs **Jubilee Insurance Company at a cost of Kshs. 96,383,337.00.** Letters of award and notification were done on 30th March, 2017.

REQUEST FOR REVIEW

This Request for Review was lodged by M/S UAP Insurance Company Limited, (hereinafter "the Applicant") of Bishops Gardens Towers, Bishops Road, Nairobi, P. O Box 43013-00100, Nairobi on 13th April, 2017 against the decision of Technical University of Mombasa (hereinafter "the Procuring Entity") in the matter of Tender Number TUM/MEDI/2016-2017 for the provision of staff medical insurance services for the financial year 2016/2017.

The Applicant sought the following orders of the Board:

- 1. That the tendering process of the above tender be investigated and reviewed;**
- 2. That the award of the tender to the successful bidder be annulled; and**
- 3. That the Board makes the decision on award of tender in substitution for the decision of the Procuring Entity.**
- 4. That cost of this request be awarded to the Applicant.**

The Procuring Entity, in its response, argued that the entire Request for Review lacked merit, was incompetent and ought to be dismissed with costs to the Procuring Entity.

The Applicant was represented by Ms Miriam Metto, Advocate while the Procuring Entity was represented by Mr. George Kashindi, Advocate.

PRELIMINARY OBJECTION

The Applicant herein lodged this Request for Review on 13th April 2017 seeking, among others, the quashing of the decision of the Procuring Entity to award the tender to the successful bidder. The Procuring Entity in its memorandum of response filed on 2nd May 2017 challenged the application on the ground that it was filed out of time and that the Procuring Entity had already entered into a contract with the successful bidder and that therefore the Board lacked jurisdiction to hear and determine it.

The Board notes that, a preliminary issue having arisen, it is duty bound to determine it before proceeding to hear and determine the request for review on its merits if it finds that it has jurisdiction to do so. The Board has consistently held in the past that where it finds itself not to have jurisdiction in a matter before it, it downs its tools and does not make one step to inquire into the substance of the matter. The Board now proceeds to determine the preliminary issue raised by the Procuring Entity in this request for review.

In resolving the preliminary issue the Board is guided by the provisions of Section 167 of the Public Procurement and Asset Disposal Act 2015 (hereinafter "the Act"), which states as follows:

Section 167 ()

From the documents submitted the Board notes the following:-

- i) The Tenders were advertised on 23thFebruary, 2017 with two addendums subsequently posted in its website;
- ii) The tender closed and was opened on 9thMarch, 2017 at 10.00 a.m.;
- iii) The minutes of the tender opening and a register of tenders were prepared pursuant to Section 78(6) of the Act;
- iv) The evaluation was completed and a report produced dated 28thMarch, 2017;
- v) The Applicant was disqualified at the preliminary evaluation stage and the reasons were;
 - a. Did not meet the annual gross medical premiums in the previous year of Ksh. 4 Billion instead it was Kshs. 3.796b.
 - b. Did not provide details of five major clients with annual medical premiums of 100 million in the year 2015, summary of services rendered, value of contracts and contact person, address, and telephone numbers including those supplied to Technical University of Mombasa in the last two years.
- vi) The professional opinion was produced dated 28thMarch, 2017;
- vii) Notification letters to successful and unsuccessful bidders were produced dated 30th March, 2017;

viii) The notification letters to unsuccessful bidders did not disclose the winning bidder; and

ix) The Contract with the winning bidder was signed on 14th April, 2017.

From the forgoing, the Board observes that in the Applicant's tender document a letter dated 9th March, 2017 and signed by Kanyingi Kagucia states that its gross annual premiums for the year 2016 are 6 billion but Audited Accounts for the year 2016 are yet to be published. The Applicant thus attached excerpts of Accounts for 2014 and 2015 which were less than 6 billion.

In view of the foregoing, the Board finds that the request for review as filed is competent and proceeds to dismiss the preliminary objection of the Procuring Entity.

The Board having struck out the preliminary objection now proceeds to determine, on its merits, the request for review. The Applicant raised six grounds which it argued as follows:

THE APPLICANT'S CASE

The Applicant submitted that the Procuring Entity stated in its letter of notification dated 30th March, 2017 that the Applicant's bid was not successful on the ground that it did not meet the annual gross medical

premiums in the previous year of Kshs 4 billion and that it was Kshs 3.796 billion instead. The Applicant, in its submission, contested the Procuring Entity's proposition and stated that it had made a declaration in its tender that its annual medical premiums for the previous year (that is, 2016) was Kshs 6 billion, far exceeding the condition to meet the Kshs 4 billion medical premiums in the year 2016. It submitted further that audited accounts for the year 2016 were yet to be published adding that the figure of Kshs. 3.796 billion was the annual medical premiums the year 2015 and therefore ought not to have been used as a criterion for rendering the Applicant's tender unsuccessful.

The Applicant averred that another ground the Procuring Entity relied on to declare its bid unsuccessful was one of failure to provide details of five major clients with annual medical premiums of Kshs 100 million as set out in the tender documents. The Applicant again disputed this contention of the Procuring Entity and asserted that it had provided the said details in its bid. It went on to dispute the third ground of disqualification of its tender, that which claimed that it did not meet the requirement for the summary of services rendered, value of contracts and contact person, address, and telephone numbers including those supplied to the Procuring Entity in the last two years. The Applicant stated that the said information was provided and that the requirement was fulfilled in its bid.

THE PROCURING ENTITY'S RESPONSE

In response the Procuring Entity averred on the issue of annual medical premiums that the accounts submitted by the Applicant were those totalling Kshs 3.796 Billion and not the Kshs 4 Billion required in the tender document. It averred further that the Applicant failed to demonstrate proof of a declaration of annual medical premiums of Kshs 6 billion for the year 2016.

On the issue of client references the Procuring Entity submitted that the Applicant failed to provide details of five major clients with annual medical Premiums of 100 million and that it also failed to provide a summary of the services rendered to those clients. It submitted further that the details provided by the Applicant were incomplete and not supported by any documentary evidence.

The Procuring Entity concluded its submissions by requesting the Board to dismiss the Request for Review and to order the Applicant to pay its costs.

THE APPLICANT'S REPLY

The Applicant pleaded with the Board to allow the Request for Review, grant its prayers and condemn the Procuring Entity to pay the costs of the Request for Review.

THE BOARD'S FINDINGS

The Board, having considered the submissions made by the parties and examined all the documents that were submitted to it, has identified the following issue for determination in this Request for Review:

- (i) *Whether the Procuring Entity failed to evaluate the Applicant's tender at the preliminary evaluation stage in accordance with the evaluation criteria set out in the tender document thereby breaching the provisions of Section 80(2) of the Act.*

The Board now proceeds to determine the issue framed for determination as follows:

1. As to whether the Procuring Entity failed to evaluate the Applicant's tender at the preliminary evaluation stage in accordance with the evaluation criteria set out in the tender document thereby breaching the provisions of Section 80(2) of the Act

The Board observes that Tender Number TUM/MEDI/2016-2017 for the provision of staff medical insurance services for the financial year 2016/2017 for Technical University of Mombasa was opened on 3rd March 2017 and attracted eleven bidders. The opened tenders were evaluated in three stages of preliminary evaluation, technical evaluation and financial evaluation. It is further observes that ten bidders were disqualified at the preliminary evaluation stage and only one bidder, Messrs Jubilee Insurance

Company Limited (Bidder 003), was evaluated at the subsequent stages of technical and financial evaluation. The pass mark at technical evaluation stage was 75 marks out of a possible 100 marks. Messrs Jubilee Insurance Company Limited scored 94.5, well above the pass mark and proceeded to financial evaluation.

The Board notes that Bidder 003 was evaluated at the financial evaluation stage where it emerged the winner and was awarded the tender at a sum of Kshs 96,383,337.00 (Kenya Shillings Ninety Six Million Three Hundred Eighty Three Thousand Three Hundred Thirty Seven Only). The Applicant, being unsatisfied with the decision of the Procuring Entity to disqualify its tender, filed this request for review on 13th April 2017.

As earlier observed in this decision the Applicant was one of the ten bidders disqualified at the preliminary evaluation stage, out of the eleven bidders who submitted tenders. The Procuring Entity informed the Applicant *vide* letter of notification dated 30th March 2017 that its tender was unsuccessful, giving reasons, thus,

“...., I wish to inform you that you were unsuccessful in your bid for the service because you do not:

- 1. Meet the annual gross medical premiums in the previous year of Kshs 4 Billion instead it was Kshs. 3.796 b.*

2. *The details of five major clients with annual medical premiums of 100 million as set out in the tender documents,*
3. *The summary of services rendered, value of contracts and contact person, address, and telephone numbers including those supplied to TUM in the last two years."*

The Board has heard the Applicant's arguments in support of the Request for Review on the issue of the evaluation of the Applicant's tender to the effect that the Procuring Entity failed to take into consideration the documents provided in the Applicant's bid and which the Procuring Entity marked as missing in the letter of notification. The Board has also heard the opposing views of the Procuring Entity which, in effect, seek to support its decision to disqualify the Applicant's tender.

To assist in the determination of this issue, the Board has looked at the mandatory requirements found at page 27 of the tender document and which also form the preliminary evaluation criteria, as follows:

1. Must state:
 - a. Physical address, Postal Address and Telephone Numbers
 - b. Owned and leased
 - c. Trade License
 - d. Number of Branches; Specify if applicable

2. PIN Certificate
3. Current Tax Compliance Certificate
4. Certificate of Incorporation
5. Must be Registered and Licensed by Insurance Regulatory Authority for the current year and a copy of the current license be submitted
6. Must be a member of the Association of Kenya Insurers (AKI) and Membership Certificate be submitted
7. Must Provide Managerial and key personnel competency profiles and attach organisation structure
8. Must provide the following:
 - a. Name of Underwriters
 - b. Name of Bankers
 - c. Reinsures
 - d. Name of Underwriters' Actuarial Consultants
 - e. Name of Auditors
9. Must have paid up capital plus share capital totalling to at least Kshs. 1 Billion
10. Must have done annual gross medical premiums in the previous year of Kshs 4 Billion
11. Must give a list of five (5) reputable clients and the total clients premiums for the last three years i.e. 2014, 2015 and 2016
12. Must submit recommendation letters from the list clients under 4.1.10 for the services envisaged under this tender
13. Must submit certified audited accounts for the last two years duly signed by the auditor (2014 and 2015)

14. Must state number of years served in Medical insurance, Staff qualification and experience in medical insurance (claims) Portfolio.
15. Must submit details of five major clients with annual medical premiums of 100 million in the year 2015, summary of services rendered, value of contracts and contact person, address, and telephone numbers including those supplied to TUM in the last two years.

The Board takes cognizance of the applicable law on evaluation found at Section 80 (2) of the Act and which states as follows:

Section 80(2) *“The evaluation and comparison shall be done using the procedures and criteria set out in the tender documents and, in the tender for professional services, shall have regard to the provisions of this Act and statutory instruments issued by the relevant professional associations regarding regulation of fees chargeable for services rendered.”*

Further, the Board notes that Regulation 47 states as follows:

Regulation 47(1) *“Upon opening of the tenders the evaluation committee shall first conduct a preliminary evaluation to determine whether –*

a) The tender has been submitted in the required format;

- b) Any tender security submitted is in the required form, amount and validity period;*
- c) The tender has been signed by the person lawfully authorized to do so;*
- d) The required number of copies of the tender have been submitted;*
- e) The tender is valid for the period required;*
- f) All required documents and information have been submitted; and*
- g) Any required samples have been submitted."*

Regulation 47(2) "The evaluation committee shall reject tenders, which do not satisfy the requirements set out in paragraph (1)."

The Board notes that it was a mandatory requirement of the tender that bidders have annual gross medical premiums in the previous year (2016) of Kshs 4 billion. The Applicant argued that it presented the financial statements of the year 2015 which showed a turnover of Kshs 3.796 billion since its audited accounts of 2016 had not been published and, further, that it made a declaration vide letter dated 9th March 2017 to the Procuring Entity that its 2016 turnover was Kshs 6 billion, far surpassing the Kshs 4 billion required in the tender document. The Procuring Entity contends that the Applicant did not fulfill this requirement.

The Board has perused the Applicant's tender document and observed that it indeed provided audited accounts for the year 2015 showing turnover in medical premiums of Kshs 3.796 billion. The statement for the year 2016 was not found in the tender document nor was the declaration of the turnover of Kshs 6 billion for the year 2016. The declaration seeing that it was dated 9th March 2017 it came after the tender opening and could not therefore have been taken into account during the evaluation of the Applicant's tender. It is the Board's view that the Applicant failed to meet this key requirement of the tender and we are inclined to agree with the Procuring Entity on its decision regarding this requirement.

On the issue of client references it was mandatory requirement number 15 in the tender document that the bidder provides details of five major clients with annual medical premiums of 100 million in the year 2015, summary of services rendered, value of contracts and contact person, address, and telephone numbers including those supplied to TUM in the last two years. The Board, having perused the Applicant's tender document, found that the Applicant had provided a list of five clients as follows:

1. British American Tobacco
2. Chase Bank

3. The National Police
4. Safaricom Limited
5. Teachers Service Commission

For each of the clients the Applicant provided the postal office box, name and telephone number of contact person and value of contract. The Board notes that the value of contracts provided exceeded the Kshs 100 million required in the tender document although there was no mention of the nature of services rendered. It is the Board's view that there was an attempt at partial fulfilment of the requirement by the Applicant but it failed to go the whole hog and provide all the information that was required.

In view of the foregoing, the Board finds that the Applicant failed to meet the stated mandatory requirements of the tender and further finds that the Applicant's tender was correctly evaluated. The Board therefore holds that the Procuring Entity did not breach the provisions of Section 80 (2) of the Act and the regulations made under it and proceeds to disallow this ground of review.

FINAL ORDERS

In view of all the foregoing findings and in the exercise of the powers conferred upon it by the Provisions of Section 173 of the Public

Procurement and Disposal Act, 2015 the Board makes the following orders on this Request for Review:-

1. The Request for Review filed by the Applicant on 13th April 2017 in respect of Tender Number TUM/MED/2016-2017 for the Provision of Staff Medical Insurance Services for the Financial Year 2016/2017 be and is hereby disallowed.
2. The Procuring Entity is at liberty to proceed with the procurement process to its logical conclusion.
3. In view of the outcome of the request for review each party shall bear its own costs.

Dated at Nairobi on this 4th day of May, 2017

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CHAIRMAN
PPARB

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SECRETARY
PPARB

