

## **Minute of Informative Session I - ITB/2021/32162 Procurement of medicines in response to the consolidated demand of federal entities of the United Mexican States for the supply of the year 2022.**

**Date: December 7th, 2021 Time: 9:30 am (Central Mexico Time)**

The content and objectives of the meeting are read:

- Explanation of the use of the eSourcing system
- Inform about the process for requesting clarifications
- Recommendations for the preparation of bids
- UNGM Registration
- Suppliers' questions

### **1. Subject: Use of the eSourcing platform for bid preparation.**

- Bidders were shown the steps to follow in order to express their interest and how to view the bidding documents.
- It is explained that the supplier must confirm interest, and in case of being negative it is requested to select the reasons for the rejection.
- Suppliers were requested to register on UNGM.
  - It is mentioned that more than one (1) registered mail (alternate contact) can be used in UNGM so that more than one (1) person can prepare the offer.
- General navigation tips, and the use of eSourcing was taught.
- It is reminded that the official channel for sending and responding to clarifications to the ITB documents, and communications during the preparation of the offer is only through the eSourcing system.
- It is mentioned that the eSourcing system operates in UTC time zone.
  - Additionally, information is provided on how to display the UTC time zone and calculate the time difference.
- The relevance of both time markers is remembered:
  - 1) Deadline for submission of bids, and 2) Send clarification requests.
- Additionally, the eSourcing tabs and sub-tabs are explained in detail, as well as their contents, and the actions to be performed in each tab if applicable to the bidder.
- The fields of the forms are taught and explained, what they mean, to whom they apply, how to complete them and with what information, whether they indicate mandatory or non-mandatory, how to save the changes, documents required by type of form, etc.
  - Example: If you are involved in a joint venture, you must complete the forms applicable to the joint venture. It was shown how to navigate and interact with the joint venture forms to complete each member's specific information.

- Note: in joint ventures, bidders must create one UNGM per individual company and additionally create a UNGM for each joint venture in which they participate.
- Bid security is explained in detail, as well as the applicable amounts, the format to be used, and the form of presentation.
- It is explained HOW clarifications should be made and that the clarification should be classified based on topics.
  - If there are multiple questions, it is requested that clarifications be made separately by topic as there is no limit to the number of questions that can be asked.
- It is indicated on how to select the lots for which you will bid.
  - Individually or for all lots.
- The importance of only selecting the lots to be offered is mentioned so that the individual lot forms appear for each lot.
- Pre-qualified bidders under invitations to bid ITB/2020/17938; ITB/2020/17978; ITB/2020/17979 are reminded that they have previously been sent their prequalification notification via eSourcing and should upload it to the applicable forms.
- Suppliers are advised that if they had already submitted their bid and realized that there was an error in their bid, they have the option to withdraw their bid, make changes, and resubmit their bid as long as it is prior to the bid submission deadline.
- It is indicated that the Guide for using eSourcing is located in the DOCUMENTS tab.
- It's reminded that offers will only be received through eSourcing. This means NOT by email.

## **2. Subject: Bidding Documents on eSourcing - Section I: Instructions to Bidders.**

- The importance of this section, which establishes the provisions that govern the bidding process was mentioned, and some relevant clauses of the section were explained.
- A brief summary and specific points of the most relevant clauses of Section I were shared.

## **3. Subject: Bidding Documents on eSourcing - Section II: Evaluation Criteria.**

- The flexibility in Joint Venture bids is noted in contrast to previous invitations to bid.
- The sections of the document and the content of the same are generally mentioned.
- A brief summary and specific points of each topic are shared, which are also detailed in the bidding documents.
- The method for Evaluation and Selection is explained

- It is indicated that the criteria will be evaluated according to the compliant or non-compliant condition.
- The general evaluation criterion to be used is explained → lowest evaluated bid that substantially meets the requirements.
- The financial evaluation model that will be used is explained.
- The process, the evaluation content and what will be specifically evaluated in its three (3) stages are generally explained.

**4. Subject: Bidding Documents on eSourcing - Section III - List of Requirements.**

- The content of the document, general requirements and the two (2) appendices (and their contents) are generally explained.
- It was communicated that there is NO delivery plan at this point in time.
- It was informed that the list of products required in the current invitation to bid is available in an Excel document in the Documents tab of the eSourcing system.

**5. Subject: Bidding Documents on eSourcing - Section IV - Attachments to the Bid.**

- The content and documentation to be uploaded to the eSourcing system at the time of submitting the bid was detailed.
- The forms to be uploaded with the offer are generally explained.
- The amounts applicable to the Bid Security, the format, acceptable institutions, presentation, etc., are explained again.
  - It is indicated that the information is detailed in the invitation to bid documentation.

**6. Subject: Bidding Documents on eSourcing - Section V - Contract Model.**

- The contract model (Purchase Order - PO) and the long-term agreement (LTA) were discussed.
- Expectations about the use of an LTA and its scope were explained.
- The PO, or POs are a part of the LTA and will respect what was agreed to in the LTA (price, delivery lead time, and product).
- UNOPS has no obligation to purchase a minimum or maximum quantity in an LTA.
  - The purchasing commitment is the PO(s).
- For this bidding process the quantities are stated in the list of requirements in Section III.
- The quantities on the requirements list are going to be purchased from the awarded contractors through an initial PO, and additional demands for supplies will be made through purchase orders linked to an LTA.

- The LTA has a duration of 1 year with the possibility of extension to 2 years depending on supplier's performance, reasonable pricing and availability of funds.
- The payment model and its conditions were explained.
- Additional details about the General Conditions were provided.
  - General Conditions are the clauses that will govern the contract and what the parties must comply with. It is informed that some clauses are adjusted or new ones are included, such adjustments were made through the Special Conditions that are an integral part of the contract.
- It was mentioned that prior to awarding, UNOPS may exercise the right to vary quantities by 20% (upwards or downwards). This will not affect the price. The PO (Purchase Order) is the binding contractual document that the parties must comply with according to the obligations and responsibilities of each party.
- POs linked ,and not linked to an LTA were explained.
  - First PO will be for the awarded quantities, based on the List of Requirements. This will be the independent PO or NOT linked to an LTA, this is issued in order to secure the first contracting according to the quantities defined in the award.
- Upon signature of the first PO, it is expected to sign in parallel the LTA which is the instrument to be used for future purchases. To this effect and within the framework of the LTA, UNOPS may issue new POs to procure new requirements, these POs are called POs linked to an LTA.
- Performance Guarantee Form: it was indicated that this form contains the conditions to be met by the Guarantees / Bonds, and which must be complied with by the contractor.

#### **7. Subject: Bidding Documents on eSourcing - Section VI - Contract Management.**

- Topics in reference to the Contractual Management, the contractual process, signing of the LTA, signing of the PO contract, process of the first PO, issuance of PO linked to the LTA and documents to be submitted for the signing of the PO were mentioned. Delivery plan, receipt of goods, receipt and replacement of goods are also mentioned.
- It was informed that Contractual Management covers from contract formalization, and includes the delivery plan, goods receipt, and payment.
- It was informed that a single supplier LTA will be used. That is, each LTA will be unique to each supplier in this bidding process, and each LTA may contain one, or more Lots.
- LTA Pricing - Pricing will be based on the currency of the offer. Price adjustments are considered, which are applicable on an annual basis.
- Prior to issuing the PO linked to an LTA, the supplier will be asked to confirm product availability, and compliance with delivery lead times. If there is an agreement the PO will be issued. Everything will be previously agreed between both parties.

- LTA unit prices are fixed for the first year of the agreement.
- If at the time of issuance of the PO linked to an LTA there is a market price reduction, such reductions will be applied to the UNOPS price.
- POs will be sent to suppliers through email.
- The Delivery Schedule may not be modified without prior agreement with UNOPS.
- First delivery will be in July 2022.
- UNOPS may request the contractor to move deliveries forward, but this shall be previously agreed between both parties.
- Performance evaluation: the elements that will be evaluated at the time of evaluating suppliers were explained.
- Distribution points: 11 distribution points in Mexico City, which may be modified with prior notice, but will always be located in Mexico City and the State of Mexico (urban area).

#### **8. Subject: Request for Clarifications**

- Tender Information tab, Request a Clarification tab:
  - Clarifications are requested there, and can only be related to the bidding documents.
  - In this tab, you can select the category of the clarification from a drop down list; and it should be properly selected because this facilitates the response by UNOPS and the location by the supplier at the time the response is published.
  - There is no limit to the number of requests for clarification per supplier.
  - It is required to separate them by topic and not to include several topics in the same request for clarification.
- Revisions tab:
  - The Amendments and Clarifications are shown: However, it is reported that in the Documents tab when an Amendment is published, an excel file(s) with the requested clarifications will be published. Also in the UNGM in revisions appears the number of amendments and clarifications. If you expressed interest you will receive an email when there are amendments and clarifications.

#### **9. Subject: Bid Preparation, Vendor Submission Tab.**

- Vendor submission tab: when preparing your bid **it is important in this tab to select the lots to be offered**. These lots will turn into green and the forms for these lots will be opened, the lots that are not selected in this tab will not appear in their respective price and technical forms.
- Questionnaires tab: Includes UN Supplier Code of Conduct link to be read, and it requires read confirmation.

- Supplier forms tab: forms A,B,C,D,E,F that are referenced in the criteria section, will be completed in this tab.
  - Form B is the code of conduct form, you must read and confirm the statement.
  - Form C: applies if a bidder was prequalified, this is where the bidder must attach the prequalification notification, and updated documents, if any. If you were not prequalified, you do not need to complete this form. If you did not receive the Prequalification Notification letter via eSourcing in the previous process, it means that you are not prequalified.
  - 20 MB is the maximum size to be uploaded per field.
  - Form D for joint ventures: only those who will submit a joint proposal need to fill out this form. The members of the joint venture must be detailed, as many lines as there are participants (up to 5 as an option).
  - In the subcontractors section, all subcontractors must be added, indicating what the subcontract is about and to which lots it applies.
  - In the documents section, the joint venture form, duly signed by the parties, and the required documentation of the consortium must be added.
  - Form E1: it is the information of the individual bidder or the lead member of the joint venture: If it is a joint venture, the UNGM number of the lead member must be included and it is suggested to create a UNGM for the Venture. In addition each member must have its own UNGM Number. The joint offer must be submitted through the UNGM number of the joint operation when possible. And the individual offers with the UNGM of each supplier.
    - SECTION: INFORMACIÓN LEGAL: Constitution and Reforms: A line must be added for each document to be declared, the first one must be the incorporation of the company and all the required fields must be filled in. If in the reforms there are changes in the name of the company, the new name and the dates in which this change took place must be indicated.
    - SECTION: INFORMACIÓN DEL PERSONAL: Complete with the full names of the persons representing the positions indicated therein, as for members, only the information of persons that are ALIVE should be included.
    - SECTION: VÍNCULOS COMERCIALES Y/O CONFLICTOS DE INTERÉS: declare links or potential conflicts with UNOPS, INSABI (preparation, execution, supervision of contracts) **information should not be withheld** as conflicts are presumed and should be analyzed as to whether they are real or only potential. It was requested to declare any

business relationship or potential conflict of interest with other competitor(s), regardless of whether they bid for the same lot or for different lots. Commercial ties or potential conflicts of interest may include, among others, but not limited to: i) Ownership and/or management in common with other competitor(s). ii) Other personnel in common with other competitor(s). iii) Facilities (offices or warehouses) in common with other competitor(s). For each statement, it is requested to inform if there is any commercial strategy to determine among the companies related to which lots they are bidding for. **Please be reminded that failure to declare this information could be considered a fraudulent practice punishable under the UNOPS Procurement Manual.**

- SECTION: AGENTES: Indicate if agents have been used to prepare your bid, although UNOPS does not recommend using any Agent and the bid should be prepared by each bidder.
  - SECTION: INFORMACIÓN FINANCIERA: current assets, current liabilities, undiscounted sales volume for fiscal years 2019 and 2020. To calculate liquidity ratio and financial capacity.
  - SECTION: SUBCONTRATISTAS: all subcontractors must be added, indicating what the subcontract is about and to which lots it applies.
  - SECTION: DOCUMENTOS: This is where the bid documents must be uploaded: Bid Submission Form, Declaration of Eligibility, Bid Security or Bid Securing Declaration, Power of Attorney granted to the signatory of the bid, Financial Statements, Certified Public Accountant's Certification (or equivalent), Supplier's Commitment to Sustainability, Evaluation result using the WEP tool.
- Forms E2 to E5 are the same as E1 and apply only to the other members of the joint venture.
  - Form F: you must upload all the documents related to your experience, object of the contract, dates, currencies, amounts, etc. One row for each experience to be added. It is not necessary to upload all the company's experience. Only upload the experience that meets the criteria. The amount to consider will be the amount received. In the Tender Particulars tab you can find the link to the United Nations exchange rates if you want to consult them.
- Tender Forms tab: here you can find the DRiVE program questionnaires, with the objective of ensuring that UNOPS suppliers operate responsibly and according to high

integrity standards, with special attention to areas related to human rights, labor rights, ethical conduct, sexual exploitation and environmental responsibility. While responses to the above forms are mandatory, responses will not affect the chances of success of a particular bid, and all information provided will be treated confidentially and will not be disclosed without prior consent of the bidder / contractor. UNOPS reserves the right to make inspection and verification visits of the information provided during the execution of the contract.

- Lot Specific Forms tab: only the forms for the lots previously selected in the Lots tab will be enabled here. You can go back and enable or disable the lots you want to add or delete.
- Financial Offer tab: The selected lots are loaded and all the requested fields must be filled in. The price to be evaluated will be: *A. Unit price (DDP excluding VAT) for volumes less than or equal to 100% of the quantity required in the bid [Base Unit Price].*
- The system recognizes the decimal point "." as the decimal separator.
- You must not enter a thousand separators.
- The fields that mark percentages must indicate the number. For example, if it indicates 16, it will be interpreted as 16%.

#### **10. Subject: General Recommendations.**

- Once completed, the bid may be submitted. The bid may be modified, withdrawn for modification and resubmitted, provided this is done before the Bid Submission Deadline indicated in the Tender Information, General Information tab. The bid cannot be withdrawn after the expiration of the submission date and withdrawal within this time may result in the execution of the bid security.
- UNOPS does not endorse the use of consulting firms by bidders in the preparation of their bids, as all information on how to work with UNOPS is within the public domain at <https://www.unops.org/business-opportunities>.
- The use of such consulting firms is the responsibility of the bidding companies. According to UNOPS policy, suppliers who engage in prohibited practices, such as collusive or fraudulent practices, may be sanctioned by UNOPS. (<https://www.unops.org/business-opportunities/vendor-sanctions>)
- Interested suppliers are encouraged to complete the How to become a UNOPS supplier? course, available FREE of charge at: <https://www.unops.org/business-opportunities/doing-business-with-unops>

### **11. Subject: Questions from Suppliers**

Attached are the questions asked through SLIDO by suppliers in the file: MD\_0801ES\_v01 Nota Aclaratoria No. 00 Preguntas Reunión de Aclaración Previa I.xlsx available in the Documents tab. There will be no Clarification Notes document in English.

### **12. Subject: UNGM Registration**

- Access [www.ungm.org](http://www.ungm.org) and follow the instructions.
- After this you must ACTIVATE the account, through the link you will receive in the email used to open the registration.
- You must log in with the email and password, and the registration begins.
- UNSPSC, describes the categorized goods, and you must select the codes that your company sells.
- Within contacts (4) is the main contact who created the account and you can add guest contacts, which are those who may have access to work with the offer in eSourcing.
- In *My Submissions Statuses*, UNOPS must be selected as the agency and other agencies can be selected as well.
- If when creating an account it is indicated that you are already registered, you should go to the top right corner on the button with a question mark, you will be redirected to <https://help.ungm.org/> , in this page you will find help information on other topics about registration on the portal. You should go to UNGM Help Center > For potential suppliers > Set up an account on UNGM. There you can review the Article *Upon account creation, UNGM informs that a company with the same name or an account with similar information already exists. What does it mean?* and follow the instructions there.
- UNOPS requires only the basic registration to participate in ITBs.
- UNGM offers Subscribing to the Tender Alert Service (TAS) which enables suppliers to receive alerts of relevant procurement opportunities via email. This service notifies suppliers of new and revised procurement opportunities published on UNGM corresponding to the suppliers' products and/or services. This has a cost but it is not obligatory to be subscribed. For UNOPS tenders you only need to complete the Registration at Basic Level, and it is totally free of charge.

Finally, participants are asked to upload their questions to the eSourcing system in order to answer them in a timely manner.