

21 May 2020

UNICEF CLARIFICATION NOTICE (No. 6)

REFERENCE: RFP-DAN-2020-503174 PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR COVID-19 PANDEMIC RESPONSE

The following comments are offered in order to clarify articles within the above tender document. Clarification and Correction comments will be issued on an as needed basis in order to respond to inquiries received from potential Proposers.

IMPORTANT NOTE:

During the review of submissions under Window 2 there were a number of errors or omissions in submissions due to Proposers not following the instructions to Proposers in the RFP document, resulting in delays in the evaluation process.

Proposers are to read the Instructions to Proposers and follow the guidance provided in the RFP document and subsequent clarifications when submitting Proposals.

CLARIFICATIONS:

1. Question raised

In the "UNICEF CLARIFICATION NOTICE (No.1) published on Apr 17th, the UNICEF response to questions 29 reads: Chinese standards GB2626:2006, or GB19083-2010, or GB/T32610-2016 are acceptable as long as a test report from an independent lab is provided to ensure that the relevant parameters are met, e.g. bacterial filtration efficiency and splash resistance for surgical mask type IIR and marketing clearance of Chinese regulatory authority.

Then on May 4th, UNICEF CLARIFICATION NOTICE (No. 4) published an Important Notice regarding the "White List" issued along with MOFCOM No.12 announcement. Please note, the companies on the "White List" are "with Certification/Authorization from other Countries" such as EU or US.

The question is: Does UNICEF ONLY accept the manufacturers from the "White List" who comply with Chinese standard, AND at the same time, CE standard OR FDA standard? If yes, then it contradicts with the answer to Question 29 in CLARIFICATION NOTICE No.1, as well as the Tender Annex C, Article B. 2. d. It means, UNICEF cannot accept the manufacturers only on the white list announced by MOFCOM Announcement 5 on April 1st, who comply fully with Chinese standards?



UNICEF response:

Please note that Clarification Notice No. 1 was posted on April 17th, therefore before announcement of MOFCOM Announcement 12 by Chinese authorities. Consequently, the information in the Important Notice regarding MOFCOM No. 12 announcement posted in the UNICEF Clarification Notice No. 4 on 04 May 2020 is prevailing.

After posting of Clarification Notice No. 4, UNICEF was approached by potential Bidders to provide further clarification if the manufacturers have to be registered in the approved list both in line with Announcement 5 as well as Announcement 12.

At the moment the latest confirmed information available to UNICEF confirms that Announcement 5 and Announcement 12 continue to be implement and both are executed simultaneously for medical products. That is, if the 5 categories of medical devices are exported in accordance with Chinese quality standards (Governed by Announcement 5), a registration license for medical devices issued by NMPA (National Medical Products Administration) is required; if the goods are exported in accordance with a foreign quality standard (Governed by Announcement 12), manufacturers should be registered with MOFCOM for CE and FDA to be included on the white list.

Please note that the following product groups under this tender ARE subject to Announcement 12 requirements:

- Medical face masks
- Protective gowns and coveralls
- Non-medical face masks

The following product groups under this tender ARE NOT subject to Announcement 12 requirements:

- Gloves
- Faceshields
- Goggles

However, UNICEF continuously monitors the latest developments and will be posting additional information by means of issuing new Clarification Notices.

Consequently, please note, if the Proposal is evaluated as technically and commercially compliant based on the RPF requirements, in order to be recommended for award to UN Agencies, the Proposer will be obliged to confirm compliance with Announcement 5 and (or) Announcement 12 to be able to export the offered products, depending on the scope of their applicability as per latest official information communicated and clarified by Chinese authorities at the moment of consideration for award.

2. Question Raised

The contest has a deadline for the presentation of proposals until the end of June but in the delivery periods I see that it is from April. What does this mean?



UNICEF response included in Clarification Notice 1, Question 5:

The tender will be active for the period from 14th April 2020 until 30th June 2020. Considering the scale and urgency of demand there are multiple submission windows during this RFP. Proposers may submit proposals through one or more of the submission windows. For the detailed submission schedule refer to clause 3.4.1. and 3.4.2 of the RFP document.

3. Question raised

It would be great to know to which country the different products are to be delivered. This is because we have different factories producing and the best for you and us would be to offer from the nearest factories. If there is any good answer to this we would appreciate an answer.

UNICEF response included in Clarification Notice 1, Question 10 and Question 15:

The products will be delivered globally to countries where the participating UN Agencies and NGOs operate. For further details, refer to Clause 3.12.3 of the RFP document.

The participating UN Agencies and NGOs have undertaken a forecast exercise to inform industry of expected quantities to be procured. Information was collected from their local offices who estimated their needs, based on discussions with other local development and humanitarian partners and, importantly, with ministries of health in their countries.

Proposers may highlight specific facts in their proposals that they consider UNICEF should be made aware of.

4. Question Raised

We are registered Canadian company and MDEL holding Importer interested in submitting bid for PPEs. Please let me know if private companies can participate?

UNICEF response:

We invite the Proposals from all Suppliers which can submit the Proposal for any or all required products, in line with product requirements and in conformity with the RFP conditions. Proposals from private companies will therefore be considered. A Proposer will only be eligible for consideration if it complies with the representations set out in Clause 3.13.2 of the tender document, including the representations on ethical standards, including conflicts of interest. For further details refer to Clause 3.7 and Clause 3.13 of the RFP document.

5. Question Raised

Annex D section 1 - QMS Standards requires ISO9001 or ISO 13485 including scope. Our manufacturer in China has these accreditations, however we (the Supplier) do not, instead we are licensed in China to Level 3 to sell PPE which is the requirement. Will this be acceptable?



UNICEF response:

Please submit your Proposal to enable us to evaluate based on the complete list of technical documents presented.

6. Question Raised

I am trying to participate in the tender mentioned in the subject of the email. However, each time I click the button to express interest, it asks me to refer to the Documents Tab, of which I have read every document. Could you please help me understand how I get past this so I may submit my offer?

UNICEF response:

As per clause 3.4.3 of the RFP, Proposers are requested to inform UNICEF by E-MAIL to: "ppetender@unicef.org" that they intend to submit a bid. It is not required to Express Interest through UNGM.

All Proposals must be submitted/resubmitted electronically to supplybid@unicef.org, the ONLY ACCEPTABLE E-MAIL ADDRESS for receipt of Proposals. No other recipient should be "Cc" or "Bcc" in the e-mail submission. **Any Proposals received in any other manner will be invalidated.**

The Proposals must be submitted in line with the Instructions to Proposers in RFP-DAN-2020-503174 PPE Tender Document made available via UNGM (<https://www.ungm.org/Public/Notice/106842>) and using the Response Templates provided (Annex D: Technical Proposal Response Template and Annex E: Commercial Proposal Response template).

7. Question Raised

We are one of the largest disposable gloves manufacturer in the world and is interested to submit a bid for the exam gloves only. This is our first time participating in this process and hope to have a quick chat about this opportunity. Would it be possible to talk to someone?

UNICEF response:

You may submit offers for individual items. You are not required to submit offers for all items.

Due to reasons of transparency and equal treatment to all Bidders, UNICEF cannot provide guidance to individual suppliers via telephone. According to RFP Clause 3.4.4. Proposers are required to submit any questions in respect of this Solicitation Document by E-MAIL to ppetender@unicef.org. Considering the prolonged open tender period and the intent to award over a staggered timeline the deadline for receipt of questions is 3 days prior to each submission window deadline.

UNICEF compiles the questions received on a regular basis and posts the responses to all questions in the Clarification Notices.



A link to **Video presentations** on the tender document providing further information on the tender document and guidance on how to complete Annex D and Annex E have been posted on UNGM (<https://www.ungm.org/Public/Notice/106842>) to provide support and information to proposers.

8. Question Raised

I see the tender (<https://www.ungm.org/Public/Notice/106842>) and deadline is: June 30th , 2020. So if we send you the tender documents and the quotation , how long could i get the result ?

UNICEF response according to Clarification No. 4, Question 7:

As per clause 3.10.3, UNICEF will only notify the Proposer(s) that has/have been awarded a Purchase Order(s) or LTA resulting from this solicitation process; UNICEF may, but is not required to, notify other Proposers of the outcome of this solicitation process.

The tentative expected lead-time for evaluation completion and recommendation for award will vary dependent on the number of offers received. It is in UNICEF's best interest to make awards as soon as possible to secure available supply. The target is 15 working days after each Window closing date. However, this will be dependent upon the number of offers to be evaluated and the completeness of the offers received.

As per clause 2.8.1 Awards with an estimated value over USD 500,000 made by UNICEF as an outcome of the RFP be published on the following site: http://www.unicef.org/supply/index_27009.html , advising the product group, awarded supplier and total value of award.

9. Question Raised

We submitted our proposal for Window 3. But in our proposal we have indicated we have 500,000 surgical masks ready in our inventory. Will those be taken into consideration before the window 3 expires? Just to be ready in case there is a favorable decision for that inventory.

UNICEF response:

The evaluation of Proposals submitted in response to Window 2 is currently ongoing. Due to the number and scale of offers received in response to Window 2 the evaluation and will not be finalized before Window 3 submission deadline (31 May 2020). Proposers may be approached to extend the validity of their Proposals in order to enable further evaluation.

The Proposals may choose to extend the validity of their current Proposal submitted for Window 2 or may choose to withdraw their offer for Window 2 and re-submit the amended Proposal for Window 3.

10. Question Raised

In regard to the RFP-DAN-2020-503174 I Would like to know if there is any chance to put in the tender, only products to be delivered to Argentina. If so please explained how to me how to do it.

UNICEF response:



The products will be delivered globally to countries where the participating UN Agencies and NGOs operate. For further details, refer to Clause 3.12.3 of the RFP document.

If there is a need for the products supported by the participating UN Agencies and NGOs in the country of production, the proposal with delivery limited to one specific country may be considered for award.

Proposers may include such conditionality in their offers if they wish, noting that this will inform the evaluation based on the demand requirements.

11. Question Raised

We intend to submit multiple bids within the same time window. Is it required to submit a complete bid every time or will it suffice, only to submit the commercial and technical documents of the added product with an explanatory letter?

This question was addressed in clarifications 5, question 15, however the clarification refers to clause 3.6.2 and 3.6.2 which only concern either an amendment or withdrawal of a bid and our requests concerns an additional bid. Please clarify."

UNICEF response:

Please refer to clause 3.6.2 which is applicable to the scenario you describe above as these are essentially amendments to your original offer.

12. Question Raised

1) For Item no 180 cap, surgical, boffuant, non-woven

The packing and labelling information is missing for the above-named item in Annex-D Technical Specifications.

UNICEF response:

Please refer to RFP Annex D Technical Proposal Response Templates. The Packaging and Labelling information section is available for every item. Please refer to tab S0305078 for item 180. Labelling of the primary packaging displays, at least: product name, product reference, manufacturer name. Information for particular storage conditions (temperature, pressure, light, humidity, etc.), as appropriate (or equivalent harmonised symbol), if applicable. All indicated at least in English.

2) The PPE Gowns (ITEM 130-170) and Coveralls (ITEM 70-90) are prepared at our garment factory and that factory is W.R.A.P Certified by USA of which we have attached the certificate. Please clarify for us if this certificate is sufficient to be able to participate in the bid for Gowns and Coveralls or we require ISO AND CE certificates.



UNICEF response:

Please submit your Proposal to enable us to evaluate based on the complete list of technical documents presented.

13. Question Raised

If we want to have a Joint Venture with another company whose role would be only financial, in helping us pay to the manufacturers until we get paid by UNICEF, what is the process and what is needed for that? We assume they don't need to register in UNGM online portal and don't need to submit financials, right? But we still claim this as a JV in the paperwork? What documents are needed?

UNICEF response:

Please refer to RFP clause 3.12.2.2 Joint Ventures. The description of the organization of the joint venture/ consortium/ association must clearly define the expected role of each of the entities in the joint venture in delivering the requirements of this Solicitation Document, both in the Proposal and the Joint Venture Agreement. **All entities that comprise the joint venture will be subject to the eligibility and qualification assessment by UNICEF.**

Please additionally refer to clauses 3.7.2 Joint Venture, Consortium or Association for details on the required documents for the Joint Venture.

RFP provisions under clause 3.10.5 SUPPLIER REGISTRATION AND EVALUATION will be applicable to the party designated as the lead entity of the Joint Venture (see 3.7.2) and which will be submitting the Proposal. The evaluation will be initially required for the same lead entity; however, UNICEF may request in course of evaluation process to submit the financial information for the second party in the Joint Venture depending on the specifics of the JV Agreement.

14. Question Raised

Our procurement company usually acts as an intermediary or broker company buyer and supplier. We normally get a small fee of the total amount after a transaction.

We have access to a wide network of suppliers and factories and can supply most PPE products you require.

Is this intermediary/broker arrangement possible with UNICEF, our company and suppliers we bring?

UNICEF response:

UNICEF does not recognize tri-party agreements. In case of signature of Purchase Order between UNICEF and the Supplier the payment is made to directly to the Supplier, which is the contractual party to the PO, upon fulfillment of the PO conditions (whether the Supplier in an agent, distributor or manufacturer). Please refer for details of supplier eligibility criteria to RFP Clause 3.7 Eligibility; Proposer Information.



Please review the standard UNICEF Contractual Provisions and the UNICEF General Terms and Conditions of Contract (Goods) for the supply of goods publicly available on the UNICEF Supply website: http://www.unicef.org/supply/index_procurement_policies.html;

15. Question Raised

Now can we add new item if the Proposal is already submitted?

UNICEF response:

The Proposals which have been received in response to Window 1 and Window 2 cannot be amended in course of evaluation process to include any additional products or revised conditions. Please submit the new Proposal for the additional product offered in the next submission Window 3 (31st May 2020, 23:59 Copenhagen time).

If you have submitted a proposal and want to amend it before the window deadline then please review clause 3.6.2

16. Question Raised

We are a multi-national global company, the subsidiary who is bidding do not have the auditing report as it is our first year in new country which is different than the mother company country but has the expertise for the PPE. My questions if possible, to submit our parent company auditing report for the past three years?

UNICEF response:

There is no minimum required limit of experience. According to RFP clause 3.10.2 Basis for awards: Purchase orders and/or Long Term Arrangements will be awarded to the proposers offering the most competitive proposals, supporting the achievements of the objectives of this tender, whose products are commercially and technically acceptable, compliant to all mandatory requirements including the technical and quality standards and whose proposal is in compliance with all Instructions, Specific Terms and Conditions, and UNICEF General Terms and Conditions contained in the RFP, provided the proposal is reasonable, and it is in the interest of UNICEF and/or other participating UN Agencies and NGOs to accept it.

In the specific case if the subsidiary is the Proposer and the Party to the Contract in case of award, the Proposer should provide the required documentation to the extent possible and additional supportive text or documentation to illustrate the subsidiary's financial standing. In addition, please submit clear information about the legal relations to the parent company, and the auditing report of the parent company.

2. Reference to the tender clauses; 3.12.2.2, 3.7.2 and 3.12.2.1, it is not clear what are the documents requested in case of JV or Consortium of two parties? Suppose one is the leader but what are the



legal documents required from the JV/Consortium? Should both provide the auditing reports and all other documents requested?

UNICEF response: please refer to Question 13 above.

RFP provisions under clause 3.10.5 SUPPLIER REGISTRATION AND EVALUATION will be applicable to the party designated as the lead entity of the Joint Venture (see 3.7.2) and which will be submitting the Proposal. The evaluation will be initially required for the same lead entity; however, UNICEF may request in course of evaluation process to submit the financial information for the second party in the Joint Venture depending on the specifics of the JV Agreement.

3.The next window of bidding is 30th May, if we consider 15-20 days UNICEF take a decision/verification, it means the proposed schedule of the bidder to supply/manufacture to be from 20th June till end of August (2nd period in the sheet) and Sept-Dec (third period in the sheet)?

UNICEF response:

Window 3 Submission Deadline is: by latest 23.59 hours (Copenhagen time) 31 May 2020. The proposed schedule in Commercial Proposal Annex E, Section 5 Monthly Offered Quantities may be offered starting from 20th June 2020 based on the tentative estimate of the evaluation process. However, the Proposers are invited to offer the information about the available schedules earlier (inclusively with Immediate availability) as such offers may be prioritized during evaluation in order to cover the urgent need for specific items by any of the participating Organizations.

17. Question Raised

Does a manufacturer/supplier require to submit a marketing approval from one of the IMDRF Management Committee for the following products classified as a low risk products in Class I Or a manufacture/supplier can submit a compliance certificate (Declaration of Conformity) for the products with affix CE marking on them?

- *Item no. 180-Cap, surgical, bouffant, non-woven*
- *Item no. 40-Mask, surgical, type IIR, tie strap, disp./PAC50*
- *Item no. 50-Mask, medical, type I, disp/BOX-50*
- *Item no. 60-Mask,surgic,typell,disp., pack of 50*

UNICEF response:

For low risk product the Declaration of Conformity is sufficient.

18. Question Raised

We are a distributor of PPE and have an interest in bidding on the PPE contract due June 30. I was trying to find out what the next step in the process is. We have already registered on the UN Global Marketplace, it now says we need to be registered with Unicef as well.



UNICEF response:

All Proposals must be submitted electronically to **supplybid@unicef.org**, the ONLY ACCEPTABLE E-MAIL ADDRESS for receipt of Proposals. No other recipient should be "Cc" or "Bcc" in the e-mail submission. **Any Proposals received in any other manner will be invalidated.**

The Proposals must be submitted in line with the Instructions to Proposers in RFP-DAN-2020-503174 PPE Tender Document made available via UNGM (<https://www.ungm.org/Public/Notice/106842>) and using the Response Templates provided (Annex D: Technical Proposal Response Template and Annex E: Commercial Proposal Response template).

A link to **Video presentations** on the tender document providing further information on the tender document and guidance on how to complete Annex D and Annex E have been posted on UNGM (<https://www.ungm.org/Public/Notice/106842>) to provide support and information to proposers.

19. Question Raised

We also understand that there is an upcoming submission window by 31 May, please kindly advise if we can submit as a supplement to the 4 May bid or as a fresh bid for 31 May.

UNICEF response:

The Proposals which have been received in response to Window 1 and Window 2 cannot be amended in course of evaluation process to include any additional products or revised conditions. Please submit the new Proposal for the additional product offered in the next submission Window 3 (31st May 2020, 23:59 Copenhagen time).

20. Question Raised

1. Are samples required for the products:

Product # 10 - UNICEF Mat #: S0305109

- Description: Mask, high-fil., FFP2/N-95, no-valve, none sterile

Product # 50 - UNICEF Mat #: S0305146

- Description: Mask, medical, type I, disp/BOX-50

2. If so, would they have to be sent to:

UNITED NATIONS CHILDREN'S FUND (UNICEF)

Attention: Bid SECTION - RFP-DAN-2020-503174

Oceanvej 10-12, 2150 Nordhavn

Denmark?

UNICEF response:

In course of evaluation UNICEF will require the Proposers to submit product samples prior to recommending any product for the award based on the outcomes of the Proposal evaluation. Please see RFP clause 4.8 Review and Testing of Samples for details. All samples will be requested



to be shipped to UNICEF Country Office in China. **NO Samples should be submitted to UNICEF Supply Division when submitting the Proposal.**

21. Question Raised:

We are about to submit our offer for surgical masks in view of your tender for PPE products RFP-DAN-2020-503174. The type of surgical mask which is required is Type IIR 'with tie strap'. Our product is Type IIR and is produced in a cleanroom. However, it has earloops and therefore no tie straps. This is something we will start doing next year. Do you believe that there is still a substantial number of Type IIR surgical masks with earloop needed in the tender?

UNICEF response:

RFP-DAN-2020-503174 does provide for the opportunity to submit alternative offers (Clause 3.2 refers). The basis of evaluation will be in accordance with the terms and conditions listed within the RFP. Please submit your Proposal as Alternative Proposal under U282700 and provide required information on product specifications.

22. Question Raised:

I wanted to ask about payments. The contract states that most payments will take net 30 days to be processed. However in my experience during the process, all companies will need advanced payment as this eats into our cash reserves and significantly reduces cashflow.

My question is are all payments other than those with discounts or convincing statements going to take one month to be processed, as this greatly deters applications.

UNICEF response:

Understanding the current market constraints, UNICEF and other participating UN Agencies and NGOs are willing to consider offers of firm contracts and advance payment terms in order to achieve access to committed, significant and immediate production capacity increases and meaningful quantities of quality assured, affordably priced products. Proposers should note that the ability of the participating organizations to engage in agreements with firm/advance terms is finite and offers including such terms therefore need to demonstrate credibly how they will have a catalytic impact to achieve access to the needed supplies. For further details refer to Clause 3.1 of the RFP document.

23. Question Raised:

We are preparing a Proposal for RFP-DAN-2020-503174.

As such, what would be the product code for these items please :

Product # 10

- UNICEF Mat # : S0305109



- *Description : Mask, high-fil., FFP2/N-95, no-valve, none sterile*

Product # 50

- *UNICEF Mat # : S0305146*

- *Description : Mask, medical, type I, disp/BOX-50*

Would you eventually have a precise choice of Product Code to advise - within your codes listed at stage 5 of the Vendor Registration on the UNGM website - that can be applied to these 2 types of products ?

UNICEF response:

When preparing your Proposal there is no requirement to include the reference to Product Codes listed on UNGM website. Please only preserve the reference to Item Number and Material Number as according to RFP. An excel copy of the Table 2 from the RFP document has been added to the documents available on UNGM to enable the easy copying of the Item No, Material number and Material description for the completion of the proposal sheets in section 4 of the commercial review template.

Robert Matthews

22-05-2020

Robert Matthews
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UNICEF Supply Division