



11 May 2020

UNICEF CLARIFICATION NOTICE (No. 5)

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.

CLARIFICATIONS:

1. Question raised

I have been trading as an agent with the suppliers for one year, so I only have one year of audited accounts. Will this disqualify me from the bid?

I have legal company registration and a Certificate of Incorporation with Good Standing. My company has also passed the process test for the UK government tender for PPE.

"A complete copy of the company's latest audited financial statements, with comparative figures for the previous year."

UNICEF response:

According to Clarification No. 3, Question 9:

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 above, please submit the required documentation to the extent possible and additional supportive text or documentation to illustrate your company's financial standing. Additional information can be provided in Section 14 of the commercial response template.



2. Question raised

Which documents in particular must be signed and scanned?

UNICEF response:

The following documents must be submitted in scanned pdf copies in addition to soft copies:

Annex E Commercial Response Templates. Sections 1, 2, 3, 4, 5,6 and 15 (please refer for details to RFP clause 3.8.19 Commercial Response Structure, and 3.8.11).

Annex D Technical Response Templates. Technical Questionnaire for each product item offered. Please take note of RFP clause: 4.10 Technical file submission.

3. Question raised

I just found the open tender and the product specifications were mentioning FFP and N95.

We have xxxxx KN95 masks on stock, which are available for immediate shipment. Are KN95 also accepted, since they do feature all needed certifications like:

- CE certified
- EN149:2001+A 1:2009
- GB 2626-2006
- FDA approval

I would highly appreciate a timely answer, as I would like to put in an offer.

If you have any other useful information as well as the most urgent products, I will contact our suppliers for lead times, quotes and available production quantity.

UNICEF response:

The full list of items required under the conditions of RFP is available in Annex A. Tender Products and Quantities. Proposals for KN95 masks are accepted, please submit your Proposal according to RFP requirements. In case the product you are offering has different specifications from technical specifications outlined in Annex B Technical Specifications, please note that RFP-DAN-2020-503174 does provide for the opportunity to submit alternative offers (please refer to RFP Clause 3.2). The basis of evaluation will be in accordance with the terms and conditions listed within the RFP.

Regarding the payment variants, are you able to give us further information, or should I put it in the offer as an option?

An additional possible supply with the condition of full or partial pre-payment? Or other financing schemes?

UNICEF response:

According to Clarification 1, Question 25:



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. Please include the specific payment terms of your offer in Section 3 of the commercial response template, including any additional commentary in the space provided in the section 3 template.

4. Question raised

We would formally like to request for participation in the above-mentioned tender for PPE.

We would like to know if this tender is still formally open.

UNICEF response:

Proposers are requested to inform UNICEF as soon as possible by E-MAIL to: "ppetender@unicef.org that they **intend to submit a bid** and have received the Solicitation Document including all referenced Annexes (A- H) to ppetender@unicef.org that they intend to submit a bit and have received the Solicitation Document including all referenced Annexes (A- H).

The tender will be active for the period of time from **14th April 2020** until **30th June 2020**.

Deadlines as indicated below are set within this period. Proposers shall be allowed to submit their proposals during the scheduled "windows" during the tender period. Please see RFP Clause 3.4.1 for details on submission Window closing deadlines.

5. Question raised

We have submitted the tender documents, when can we have the reply?

Could I know when have 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 UNICEFs 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.

6. Question raised

According to Table 5 Technical Submission Check List of the tender document, page 34 of 34, proposers have to submit independent laboratory testing. Please, help to clarify how to select independent laboratory, who should do it and what is the procedure of control in that case?

UNICEF response:

The lab test should be performed by a lab accredited by regulatory authority in country of origin or a well-known independent lab performing testing parameters for the product.

7. Question raised

Clause 2.1.3 states that: Additional documentation or information may be submitted by the proposer in response to the requirements of this RFP in Section 17 of Annex D for technical information or Section 14 of Annex E for commercial information. There is no section 17 of Annex D, could UNICEF please clarify what this should read?

UNICEF response:

According to Clarification No. 1 CORRECTION 2:

Clause 2.1.3 Proposal Response Format "Additional documentation or information may be submitted by the proposer in response to the requirements of this RFP in Section 17 of Annex D for technical information or Section 14 of Annex E for commercial information."

should instead read

"Additional documentation or information may be submitted by the proposer in response to the requirements of this RFP in Section 14 of Annex E for commercial information."

8. Question raised

1. *If a proposer (in an African Country) is an agent for a trader in China.*
2. *The trader in China is a distributor for many manufacturers in China and has a good reputation and is strategically positioned to source quality products in China*
3. *The proposer has agent-ship arrangement with the trader for all payments to be made directly to the Trader in China after which the Agent will be paid commission.*



4. The Trader in China manages the orders, the finances and the contracts and is liable for all the issues.

Questions.

- 1. Can the Proposer described above allowed to bid in its name?*
- 2. Is such an arrangement recognized by UNICEF?*
- 3. Can UNICEF pay directly to the trader?*
- 4. What documentation is needed under such an arrangement?*

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;

9. Question raised

When factory (A) is approved by the UN for PPE purchase while purchasing through supplier (X) and currently delivering.

Would the same factory (A) need to be approved again for the same product when purchasing through supplier (Y)?

UNICEF response:

The evaluation of offered products from respective manufacturers will be undertaken in line with RFP conditions and subject to compliance of Annex C Technical Requirements. Therefore, each product offered will need to be reviewed to ensure that it meets all the requirements of this tender.

Additionally, please note that UNICEF is obliged to acknowledge the issuance of Chinese MOFCOM No.12 announcement. In order for the goods to be exported from China, the respective manufacturers have to be registered in the List of Medical Devices and Supplies Companies and the List of Non-Medical Use Face Masks Companies depending on the type of offered product respectively. As such, this affects UNICEF ability to award any contracts to affected suppliers. Please refer for details to Clarification No. 4 IMPORTANT NOTE. UNICEF will be issuing additional Clarifications in order to update Bidders on the potential changes on such requirement based on further communication from Chinese authorities.



10. Question raised

We are a XXXXXXX owned manufacturer in Bangladesh and are able to supply PPE. Our company is XXXXXX.

We do have a few queries and would appreciate if they could be answered.

1. *We have developed and produced a 3 layer mask with anti - microbial properties. Please see attached. Would UNICEF be interested in buying same? The mask is washable at 50 degrees and can washed and reused 40 times.*
2. *We have developed woven scrubs and uniforms for doctors and nurses which has antimicrobial properties. These too can be washed and reused. Please let me know if UNICEF would be interested in same. Please see attached.*
3. *In terms of the factories we comply with all environmental and sustainability requirements and meet all EU compliance. Please advice in addition to these if the factories need to comply with any other requirements if they are making PPE for UNICEF.*
4. *Please advice if we can have the size and technical spec or measurements for medical gowns etc.*

UNICEF response:

1. Please submit your Alternative Proposal (U282700). Please revert to Annex E Commercial Proposal Template and Annex D Technical Proposal Template.
2. Please submit your Alternative Proposal (U282700). Please revert to Annex E Commercial Proposal Template and Annex D Technical Proposal Template.
3. Please refer to Annex C Technical Requirements and Annex B Technical Specifications.
4. Please refer to Annex A Tender Products and Quantities and Annex B Technical Specifications.

11. Question raised

1. In the "UNICEF CLARIFICATION NOTICE (No.1) publish 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:



Response to this question will be provided in Clarification Notice No. 6.

2. For product with minor deviation with the tender requirement, for example, for masks, sterilized instead of non-sterile, or ear loop instead of head strap, should we fill in ONLY the U282700 form as alternative offer, or we can fill in the form under S0305xxx with deviation highlighted? Or both?

UNICEF response:

Please submit your Alternative Proposal (U282700). Please revert to Annex E Commercial Proposal Template and Annex D Technical Proposal Template.

12. Question raised

It requires the documents to be sent to UNICEF Supply Division. I am a registered UNGM vendor level one. I can't seem to find where to send the documents to SEU on UNGM website.

Is there a separate email to send this document to?

Proposers are requested to submit the UNGM application number, along with the documentation listed below, to UNICEF Supply Division, attention Supplier Evaluation Unit (SEU),

(a) A copy of company's legal registration

(b) A complete copy of company's latest audited financial statements, with comparative figures for the previous year. This includes, but is not limited to, the following:

(c) The report from the auditor (signed by the auditors)

(d) The balance sheet,

(e) The income statements, and

(f) notes thereto

UNICEF response: please send the documents to vendorevaluation@unicef.org

13. Question raised

XXX...Our only question as for now would be, are we a high impact supplier?

We are more than willing to proof that we are able to support the world in this global crisis.

XXX company details XXXX,

UNICEF response:

Please take note of Clarification 1, Question 3: A high impact supplier is considered as a supplier whose proposal can have a significant impact towards the achievement of the objectives of the tender.

We invite you to please submit a Proposal, which will be considered and evaluated in line with RFP conditions.

14. Question raised



Section 3.12.8 Financial Requirement

Proposers must pass the financial evaluation conducted by UNICEF Supplier Evaluation Unit. All suppliers that do not meet the minimum UNICEF Financial Requirements will be considered disqualified from participation in the tender and will not be considered for any award. If a supplier has not undergone this review, an application must be submitted through United Nations Global Marketplace (UNGM) website at <http://www.ungm.org>, under <http://www.ungm.org/NewSupplierRegistration.aspx>. Instructions are provided on the website.

When I click on this link <http://www.ungm.org/NewSupplierRegistration.aspx>. The link is not operational.

UNICEF response:

According to information posted in Clarification No. 2, Question 15 and Clarification 4, Question 2:

To be eligible for an award, the proposer must submit the requested documentation to the UNICEF Supplier Evaluation Unit (or relevant UN Agency or NGO equivalent requested documentation to the relevant procurement entity). If a supplier has not undergone this review, an application must be submitted through United Nations Global Marketplace (UNGM) website at <http://www.ungm.org>.

The financial statements can be also submitted along with the Proposal. Supporting documents submitted by the Proposer may be in another language provided that they are accompanied by an appropriate translation in English. For further details refer to Clause 3.5. of the RFP document.

Additionally, information may be provided directly to Supply Division Evaluation Unit through email address vendorevaluation@unicef.org.

15. Question raised

Apologies if the below has been answered but we cannot seem to locate the answer.

We intend to submit a proposal for an additional product this weekend.

Should we a) add this proposal to our previous bid and resubmit the whole bid or b) submit a new bid based on this product alone?

UNICEF response:

Please review clause 3.6.2 and 3.6.3 of the RFP document.

16. Question raised

We are registered as a Level 1 vendor in the UNGM as vendor number: XXXXXX We would like to be a supplier to UNICEF. We have experience in supplying PPE to state government in the U.S. as



well as to private companies. We are a distributor for nine PPE manufacturers in China, Taiwan and Turkey.

However, we read that you require audited financials. On UNGM website it says audited, certified or equivalent. Audited financials in U.S. cost around \$20,000 per year. That's a lot of money for something that no one else requires from us -- none of the state governments, none of the local governments, and even not the U.S. Federal Government who certified us as their vendor through the General Services Administration (GSA). And NATO does not require them, either, as we are a registered vendor to NATO, too.

Hence, I would like to request an exemption based on the following criteria:

- 1) our financials are compiled by an independent outside CPA firm;
- 2) we are in good standing with the IRS and all tax authorities;
- 3) we are prepared to furnish our company's tax returns which have a higher reliability and importance than audited financials;
- 4) the cost of audited financials is prohibitively expensive, at least in the U.S.;
- 5) there is no equivalent request or practice to require audited financials from the U.S. state or local governments, or from other international organizations such as NATO, African Union, OSCE, and others;
- 6) we are a PPE supplier in good standing and successful track record to state government in the U.S., as well as working with U.S. FEMA on sourcing PPE in the fight against COVID-19.

Please consider this request and let us know.

UNICEF response:

UNICEF may accept non-audited financial statements. Please submit your proposal.

17. Question raised

Hello. I am working with several manufacturers of PPE. I have reviewed the information located on this page:

<https://www.ungm.org/Public/Notice/106842>

To start the process, should I send an email containing attachments of all pertinent information to this email address? I can forward certifications, technical specifications, and product photos at any time. Would a given manufacturer need to register as a supplier beforehand?

Thank you in advance for your help.

UNICEF response:

Proposers are requested to inform UNICEF as soon as possible by E-MAIL to: "ppetender@unicef.org" that they **intend to submit a bid** and have received the Solicitation Document including all referenced Annexes (A- H).



IMPORTANT: PROPOSALS ARE NOT TO BE SENT TO THE EMAIL ADDRESS STATED ABOVE – ANY PROPOSALS SENT TO THE ABOVE-EMAIL ADDRESS WILL BE DISQUALIFIED.

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. There is no need to send the hard copies of the same through courier. For further details refer to Clause 2.5 of the RFP document.

Proposers are to use the Annex D: Technical Submission Response Template and Annex E: Commercial Submission Response Template when submitting their offers. All guidance is provided in the RFP document.

Please review in detail RFP Clause 2.1 Instructions to Proposers

18. Question raised

1) do you want bidders to send the separate Commercial Proposal and Technical Proposal files in ZIP compressed format? Just like we downloaded them?

2) if we propose to sell 5 items, does it mean we have to submit 5 Commercial Proposal ZIP files and 5 Technical Proposal ZIP files?

3) We do not understand how to submit Alternative Proposal under U282700. Can you provide more descriptive, step-by-step way to do it? For example, if we submit 5 Alternative Proposals for 5 different items (e.g., alternative masks, gowns, coveralls, goggles, faceshields) do we then create 5 Alternative Proposal U282700 "sheets" in one Excel file, or do we create 1 Alternative Proposal U282700 in 5 different Excel files?

UNICEF response:

1) Proposers shall submit Commercial and Technical Proposals maintaining the same folders zip structure of the Annex E (Commercial Proposal) and Annex D (Technical Proposal). Please zip the folders for each type of Proposal when submitting.

It is highly recommended to submit Proposals in two separate e-mails clearly marked as:

RFP-DAN-2020-503174 - xxxxx Ltd Technical Proposal

RFP-DAN-2020-503174 - xxxxx Ltd Commercial Proposal

2) Please submit one ZIP file for Commercial Proposal for all items. In order to offer 5 different items, please maintain information for all these items. Section 4 of Annex E Commercial Proposal Sheets has **22 templates in the file: one template for each product in a separate Tab**. Each template Tab has pre-defined item reference, material number and product description in the green fields - please DO NOT make any changes to these fields. Select the appropriate tab based on the product type you intend to offer: the name of each template Tab corresponds to the respective product Item number. Please submit one Excel file with separate Tab maintained for the products you would like to offer. In Sections 5 and 6 please provide required information for each item. Please refer to RFP Clause 3.8.11, Table Table 4. Commercial Submission Check List.



For Technical Proposal - Technical questionnaire should be completed for each quoted item (The questionnaire is located in folder 9 of Annex D). The technical questionnaire should be fully completed in an unlocked excel and a copy in PDF with stamp and signature.

All technical documentation and information submitted for the products requested under this RFP is to be included and submitted as per the structure in Annex D (Technical Proposal Response Template). The folder is meant to be submitted without any changes in the folder structure.

3) If you would like to submit 5 Alternative Proposals for 5 different items, please copy the Alternative Proposals tab to create 4 new ones for additional items and maintain all five Alternative Proposal tabs - one for each product respectively. You can include these all within the same excel file.

Please refer to Video Presentations providing the step-by-step guidance on how to maintain Section 4. Please note that Section 4 templates were amended (22 separate pre-defined tabs created for each product for easy use by the Bidders) after Video Presentations were posed, hence you will notice minor difference in video presentation material.

Robert Matthews

12-05-2020

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