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HP10-2021BIO: SUPPO: in terms of the Public

Management Act, 19 (Act 1 of 19) The Special Requirements and Conditions of Contract are supplementary to the General Conditions of Contract. Where, however, the Special Requirements and Conditions of Contract are in conflict with the General Conditions of the Contract, the Special Requirements and Conditions of Contract will prevail.

3.

4.

PARTICIPANTS	CONTACT PERSON	TEL NO	E-MAIL



**K JAMALOODIEN**  
**DIRECTOR: AFFORDABLE MEDICINES**  
**For: DIRECTOR-GENERAL: HEALTH**  
**DATE: 2 November 2020**



	Supplier Code	CSD Code	Postal Address	Contact Person	Telephone / Cellphone Number	E-mail
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Item No	Item Specification	Estimate	Quantity Awarded	Split	Supplier Name	Central Supplier Database Number	Supplier Code V-Number	Registered Product Name	Delivered Price	Pack Size Offered: Unit Pack	Lead-Time ( 14 calendar days)	MoQ	Total Score	National Stock Number	UOM
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SPECIAL REQUIREMENTS DISPOSITIONS



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## ABBREVIATIONS

API	: Active Pharmaceutical Ingredient
BAC	: Bid Adjudication Committee
B-BBEE	: Broad-Based Black Economic Empowerment
CA	: Contract Price Adjustment
CSD	: Central Supplier Database
EAN	: European Article Numbering
EME	: Exempted Micro Enterprise
GM	: Good Manufacturing Practice
MCC	: Medicines Control Council
MHL	: Master Health Products List
MCC	: Master Procurement Catalogue
NDoH	: National Department of Health
RFPA	: Referential Procurement Policy Framework Act
SE	: Qualifying Small Enterprise
oE	: State of Exchange
SAHRA	: South African Health Products Regulatory Authority
SAS	: South African Revenue Service
SBD	: Standard Bidding Document
VAT	: Value-Added Tax



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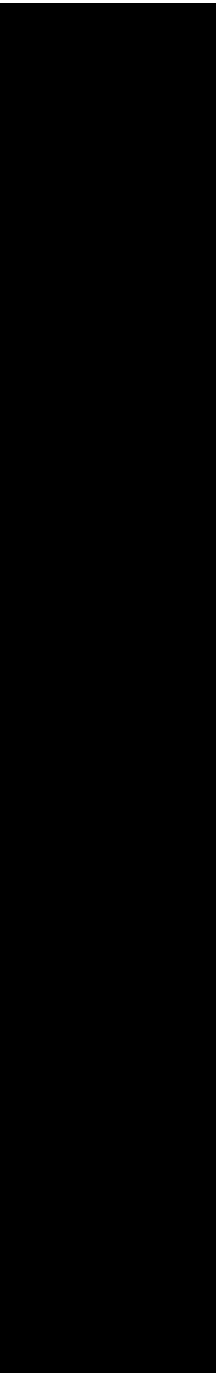
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### 3.1 PHASE I: MANDATORY REQUIREMENTS

Bidders must su



### 3.1.2 RESPONSIVE BIDS

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Bidders are required to submit responsive bids by completing all the prices in the Excel Bid Response Document and response fields in the fillable DF bid document. In this regard, bidder's attention is drawn to the document "Definition of fields in the Bid Response Document" explaining the different fields in the bid document.

### 3.1.3 BID DOCUMENTS

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Bidders are required to submit responsive bids by completing all the prices, mandatory response fields and item questionnaires.









Mr Dumisani Malele Depot Manager Tel: 011 62 9131 Gauteng: Medical Supplies Depot Store 3 35 Junette Avenue Hurst Hill 2092	Mr Nisaar Mia Pharmaceutical Policy Specialist Tel: 021 4 35 00 Western Cape: Department of Health 4th Floor, Cape Medical Depot 16 Chiappini Street Cape Town 001
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- No samples must be sent to the National Department of Health.
- Samples must be marked with the bid number, the item number as well as the bidder's name and address.
- Bidders must submit at least one original package of each offer for evaluation.
- It is the responsibility of the bidder to ensure that samples have been received at the addresses provided above.
- All samples for awarded items will be retained for the period of the contract.
- All samples must be a true representation of the product which will be supplied.
- All samples submitted must include the package insert or document detailing professional information approved by the MCC or SAHSA.
- Proof of sample submission, including a signed copy of the item list as received by the sample evaluation site, must be submitted with the bid documents at the closing date and time of the bid.

#### 4.2 COMPLIANCE WITH SPECIFICATIONS

Items must comply with the specification as detailed in the bid document.

#### 5. PHASE III: PREFERENCE POINT SYSTEM

##### 5.1 A MAXIMUM OF 80 OR 90 POINTS IS ALLOCATED FOR PRICE ON THE FOLLOWING BASIS:

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- $s$  = points scored for price of bid under consideration  
 $t$  = price of bid under consideration

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**Set 1: Hard copy legally binding bid documents**

Bidders must complete all SBD, BD and Bid response forms in black ink, typed. Where no electronic entry field is provided bidders must complete the forms in black ink, handwritten in capital letters. The signed hard copy of the bid document will serve as the legal bid document.

Bidders must submit their complete bid in hard copy format (paper document). The Chief Executive Officer, Chief Financial Officer, or authorised designee of the entity submitting the bid must sign the official signature pages. All pages in the complete bid document must be initialed by same with black ink. The use of correction fluid is not acceptable. Any change/s must be clearly indicated and initialed.

As the National Department of Health complies with the regulations made under the Disaster Management Act, 2002, published in the Gazette 1 March 2020 no briefing session of public bid opening will be held. However, Bidders must still ensure that that bids are delivered on time to the correct address and deposited in the Tender Box. Late bid will not be accepted for consideration.

**Bidders must refrain from using binding methods like coil, comb, wire velobind, screw binding etc. It is requested that bidders pre-punch two holes on the left hand side of bid documents suitable for filing in a two hole lever arch file. Bid documents should be tied in parcels using string or rope that can be easily untied for filing purposes.**

**Set 2: PDF of Hard Copy, signed legal documents. i.e. pdf of Set 1)**

Bidders must submit a PDF version of the entire signed hardcopy bid, including all certificates and documents requested.

**Set 3: Electronic version of bid documents**

Bidders must submit the electronic versions (editable pdf) of all SBD and BD documents, Bid response Document and other relevant spreadsheets in Excel (not pdf).

All three sets of information must be submitted in order for the bid to be evaluated.

Ensure that the bid price is offered for the product as specified.

Bidders must ensure that the **price quoted** for a product (line item) on the Bid response Document is for the unit packs as specified. No conversion factors will be applied



## 10. LATE BIDS

Bids received after the closing date and time, at the address indicated in the bid documents, will not be accepted for consideration and, where practical, be returned unopened to the bidder.

## 11. COUNTER CONDITIONS

Bidders' attention is drawn to the fact that amendments to any of the bid conditions or setting of counter conditions by bidders may result in the invalidation of such bids.

## 1. FRONTING

The National Department of Health supports the spirit of broad based black economic empowerment and recognises that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background, the National Department of Health condemns any form of fronting.

The National Department of Health, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry/investigation, the onus will be on the bidder/contractor to prove that fronting does not exist.



#### **14. COMMUNICATION**

The National Department of Health, may communicate with bidders where clarity is sought after the closing date and time of the bid and prior to the award of the contract, or to extend the validity period of the bid





## SECTION

### 16. CONTRACT PERIOD

The contract shall be for the period from 01 January 2021 to 31 December 2022.

### 17. PARTICIPATING AUTHORITIES AND OTHER HEALTH ESTABLISHMENTS

Participating Authorities and Health Establishments which will be participating authorities in this contract are National Departments, Provincial Departments and other institutions as approved by the accounting officer.

Provincial Departments:

- Eastern Cape;
- Free State

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### 3.5 EXCEPTIONAL PRICE ADJUSTMENTS

Suppliers may request exceptional price adjustments according to the schedule in the table below. These will be activated if the absolute change between the base price and the three month retrospective average price indicated in the table below fluctuates by more than 10%.

Review	
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## SECTION C

### 6. SUPPLIER PERFORMANCE MANAGEMENT

6.1 **Supplier performance management** will be the responsibility of participating Authorities with oversight from the National Department of Health and, where supplier performance disputes cannot be resolved between them, the **8 M u 8 R 8 c w d O**



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- Unit packs must be labelled in accordance with regulation 10 of the General Regulations published in terms of the Medicines and Related Substances Act, 1965 (Act 101 of 1965). The label must include a barcode suitable for the identification and tracing of medication.

### 7.3 ARC DES

- All unit and shipper packs must be marked with the appropriate barcode number and symbology.
- The European Article Numbering Code 13 (EAN 13) has been accepted as standard.
- Suppliers are encouraged to include a 2D barcode or similar on their packaging that will include the following information:
  - Item name as contained in the contract circular and the Master Procurement Catalogue (MCC), or Master Health Products List (MHPL) which will replace the MCC.
  - The "proprietary name (brand name)"/"trade name" unique to a particular medicine, as approved by MCC or SAHA;
    - Dosage form and strength;
    - Pack size;
    - Batch number;
    - Expiry date.

### 8. SHELF LIFE

- Unless MCC or SAHA has approved a shorter shelf life, products must have a shelf-life of at least 12 months upon delivery.
- Contracted suppliers may apply in writing to participating Authorities to supply a product with a shorter shelf life provided that:
  - Applications are accompanied by an undertaking that such short-dated products will be unconditionally replaced or credited before or after expiry; and
  - Applications are approved by the participating Authorities before execution of orders; and
  - Upon notification of remaining expired stock such as per the contract circular (HP10-01-IO) shall be replaced by the supplier within the stipulated time frame.

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