TERMS OF REFENCE
Request for Quotation (RFQ) for Supply and Delivery of Personal Protective Equipment

Purpose

The purpose of the Request for Quotations is to invite potential bidders to submit a quotation for supply and delivery of Personal Protective Equipment (PPE). This equipment is intended for use by AQUITY staff operating in the implementation districts of the Global Fund Grant.

Background and Introduction

AQUITY Innovations NPC has been appointed by the National Department of Health to serve as one of the GLOBAL FUND TB Sub-Recipients (SRs) in South Africa. The project activities will be implemented in Mpumalanga (Ehlanzeni district) and Eastern Cape provinces (OR Tambo and Buffalo City Metro districts). Among other interventions, the program seeks to provide nutritional support to patients with TB and MDR TB and to strengthen services at community level.

This procurement of PPE material is key to ensure safety and protection of AQUITY personnel working in facilities across districts of implementation areas. To achieve this objective, the equipment must meet the Global Fund minimum standards, WHO standards, SAHPRA, S.A.B.S, S.AN.S and any applicable regulatory standards for supplies relevant for medical use. Materials supplied at submission and upon delivery, will be subjected to strict tests to ensure compliance with standards.

QUANTITIES TO BE TENDERED FOR

Description	Units	Quantity
Surgical Masks		200,000
N95 Mask		15,000
IR thermometer		300
Gloves, examination, nitrile, powder-free, non-sterile.	Pairs	110,000
Heavy duty Apron		200,000
Alcohol-based hand rub (100ml & 500ml))		8,000
Handwash (Bottle of 100ml & 500ml)		8,000
Bio-hazardous bag		2,200
Hand drying tissue 50 to 100m roll		3,000
Face Shield		5000

ADMINISTRATIVE AND EVALUATION CRITERIA

TERMS OF REFENCE
Request for Quotation (RFQ) for Supply and Delivery of Personal Protective Equipment

1. MANDATORY ADMINISTRATIVE REQUIREMENTS

1.1 It is the responsibility of each supplier to ensure that complete documents are submitted on or before the closing date and time.

1.1.1 The supplier must submit all required documents indicated hereunder:

1.1.2 Declaration of Interest.

1.1.3 B-BBEE Status Level Verification Certificate (where preference points are claimed) (Original or Certified Copy).

1.1.4 Certified copy of registration certificate with CIPC or proof of ownership/ shareholding.

1.1.5 SAHPRA certification to handle and distribute health products as well a certification of manufactured products that they meet the S.A.B.S or WHO standards as a minimum, in line with section 1.7 below.

1.2 **SARS Tax Clearance**

1.2.1 The supplier must submit the valid SARS Tax Clearance Certificate for confirmation of Value Added Tax (VAT) registration and other Tax related matters.

1.2.2 The bidders are required to be registered on the Central Supplier Database and compliance status will be verified. Where a Consortia / Joint Ventures/ Sub Contractors are involved, each party must comply fully with the requirements.

1.3 The supplier must submit a profile of the entity which includes but is not limited to the following:

1.3.1 Name, structure, and strategies,

1.3.2 Names and identity numbers of all directors, chief operating officers,

1.3.3 Business: products and/or services which the entity is trading.

1.3.4 Risk management strategy to mitigate against any risk that might arise for the duration of the,

1.3.5 Three (3) testimonials/ references from previous contractors/client

1.4 All suppliers must submit together with the proposed **quotations together with samples** for the products quoted.

1.5 All submissions must include a certification by the Chief Executive Officer of the bidding supplier that all quoted materials meet the technical specifications required under this TOR and the company warranties against defects.

1.6 Financial stability - stamped **original** bank rating letter with finance grading.

1.7 **South African Regulatory Authority (Medicines Control Council)**

1.7.1 Bidders are required to adhere to Medicines and related substances Act, 1965 (Act No. 101 of 1965), as amended as per the Regulation relating to Medical Devices and In Vitro Diagnostic Medical Devices. Non-compliance with these conditions will invalidate the bid.

1.7.2 Manufacturers, distributors and wholesalers, as referred to in Section 22C(1)(b) of the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965), must obtain a license for the manufacturing, importing, exporting, distribution and wholesaling of medical devices and IVDs, as issued by the South African Regulatory Authority.

1.7.3 Bidders must submit with the bid, on or before the closing date and time of bid evidence of the approved medical device establishment license.

1.7.4 In the event that an approved medical device establishment license and/or registration certificate cannot be obtained from the South African Regulatory Authority, prior to the closing date and time of the bid, the bidder must submit evidence of application made to the South African Regulatory Authority, to be licensed as a medical device establishment (in the form of an Acknowledgement Letter received from the South African Regulatory Authority).

1.7.5 Upon such time that medical devices are called up for registration, via publication in the Government Gazette, bidders, who have been licensed as medical device establishments must submit evidence of the approved registration certificate of the said medical device.

1.7.6 Evidence of application made to the South African Regulatory Authority, to register the said medical device (in the form of an Acknowledgement Letter received from the South African Regulatory Authority) will be required during the contract period if applicable.

1.7.7 All items offered by bidders requiring registration in terms of section 15(7) of the Medicines and Related Substances Act, Act 101 of 1965, as amended. The medicines must comply with the conditions of registration for the duration of the contract.

1.7.8 The bidder must hold, and be represented as the applicant, on the Medicine Registration Certificate GW12/7, for all offered products, in terms of section 15(3)(a) of the Medicines and Related Substances Act, Act 101 of 1965.

1.7.9 Bidders must comply with the requirements of the Patents Act, 1978 (Act 57 of 1978) and the Trademarks Act, 1993 (Act 194 of 1993) as amended, is the responsibility of the bidder.

1.8 **Submission and Responsiveness**

1.8.1 Suppliers must submit two sets (one original signed copy, one electronic copy-PDF) of bid documents according to the instructions below:

1.8.2 The signed original hard copy of the bid document will serve as the legal bid document.

1.8.3 All pages in the bid submission must be initialed by the same person with black ink.

1.8.4 Where certified copies of documents are required, the person certifying such documents must not be associated with the bidder in any way.

1.8.5 The use of correction fluid is not acceptable. Any change/s must be clearly indicated and initialed.

1.8.6 All bid documents must be submitted on or before the closing time of the bid (date and hour specified in the bidding documents).

1.8.7 Incomplete bids will be deemed non-responsive.

1.8.8 Submission must be made, together with the requested samples, to the tender box at AQUITY Innovations NPC, 114 Sovereign Drive, Route 2 Office Park, Nellmapius Drive, Pretoria, 1783 on or before th**e 28th of September 2020, 16:00hrs**, **being the closing date** for this tender.

1.9 **Authorization Declaration**

1.9.1 All bidders must complete the "Authorization Declaration" in their letterhead for all relevant goods or services.

1.9.2 Any bidder who is sourcing goods or services from a third party must complete the "Authorization Declaration" in full for all relevant goods or services.

1.9.3 The purchaser reserves the right to verify any information supplied by the bidder in the Authorization Declaration and should the information be found to be false or incorrect, the purchaser will exercise any of the remedies available to it in the bid documents.

1.9.4 The bidder must ensure that all financial and supply arrangements for goods or services have been mutually agreed upon between the bidder and the third party**. No** agreement between the bidder and the third party will be binding on the purchaser.

1.9.5 Failure to submit a duly completed and signed Authorization Declaration, with the required annexure(s), in accordance with the above provisions will invalidate the bid for such goods or services offered.

2. SPECIAL CONDITIONS

2.1 The Purchaser reserves the right to award according to the most economical service option submitted. The contractor is under no obligation to accept the lowest or any quote.

2.2 The Purchaser reserves the right to stop the contract partly or, temporarily or indefinitely, in which event

neither claim nor liability whatsoever shall lie against the contractor either due to non-compliance, non-performance, by the supplier.

2.3 The Purchaser reserves the right to not make an award, or make multiple awards as seen fit.

2.4 The Purchaser reserves the right to conduct price negotiations, where deemed necessary.

2.5 All suppliers are bound to protect the confidentiality of all data (including the protection of personal information) and information gathered and accessed through the work on assignment. Information and data received and accessed through this project may only be used to meet the objectives outlined in these specifications

2.6 The Purchaser reserves the right to request any relevant documentation at any stage of procurement.

2.7 All records, data and information relating to the programme are owned by the contractor and remain the intellectual property of the contractor and as such must be treated as confidential by the supplier.

2.8 At the end of the contract period, the supplier shall make available to contractor a record of all the data and information relating to the contractor to enable the new supplier to sufficiently and properly take on that data and information in a manner which would enable the new supplier to commence delivering services to the purchaser.

2.9 The Purchaser reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits.

2.10 Expired Products – Expired products will not be accepted. All products must be valid and certified to remain as such for at least **18 months** from the date of delivery.

2.11 Stock and Delivery Period – The submissions **must** be made only for available stock for delivery within two weeks of receipt of appointment letter. Where lead times apply, these should be detailed in the submission. Failure to meet this requirement will render the appointment cancelled.

2.12 The bidder must ensure the correctness and validity of the quote. All price(s) and quantities quoted are at the bidder's risk. The prices quoted shall be "firm prices" and shall remain valid for the procurement period. Non-firm prices (including rates of foreign exchange variations) will not be accepted.

2.13 No late bids will be accepted.

2.14 No fronting is acceptable in this tender.

2.15 The purchaser reserves the right to conduct due diligence on all submitted documentation as well as further sampling on delivered items to ensure compliance with the statutory regulation before settlements can be made.

2.16 The quantities reflected on the bid terms of reference are estimated quantities and no guarantee is given or implied as to the actual quantity which will be procured during the contract period.

2.17 No brand change is allowable for bided items once an award has been made without written approval from the purchaser. An official amendment will be necessary should the supplier make such request. The quality of the product must not be lower than the initial awarded product.

2.18 Suppliers will not be allowed to deliver a new brand other than the bran awarded to them prior to the brand change.

3. BID EVALUATION CRITERIA

EVALUATION PHASE 1: MANDATORY REQUIREMENTS:

Bidders' must submit all required documents indicated hereunder with the bid documents at the closing date and time of the bid. During this evaluation phase, bidder's responses will be evaluated based on the documents submitted under mandatory requirements. This phase is not scored and bidders who fail to comply with all the mandatory criteria will be disqualified.

The purchaser reserves the right to award in situation where service delivery may be affected negatively.

3.1. PREVIOUS EXPERIENCE AND CAPABILITIES-RELATED REQUIREMENTS (20%):

1	Demonstrated supplier experience and certification of products supplied meeting the minimum requirements of the is tender.
Substantive documentation supplied.	Provide company profile showing at least 2 years' experience and at least 3 reference letters for work done

3.2 COMPETENCY AND SKILLS (40%):

2	Provide proof of compliance with relevant regulatory requirements.
Substantiate or provide relevant document	Application must include all documentation required for the product certification and warranties as well as company registrations and standards certification with the applicable regulatory bodies.

3.3 FINANCIAL CAPABILITY (20%):

3	Provide Original Bank Letter, Auditor Confirmation Letter, and recent Audited Financial Statements, SARS Clearance,
Substantiate or provide relevant document	Provide Original Bank Rating confirming financial capability from registered Financial Institution (Bank Letter must be stamped by the bank after the bid advert date) as well as audited financial statements.

3.4 PRICE AND B-BEEE (10%):

4	Bids evaluated in the 90/10 preference system
Substantiate or provide relevant document	Quotation Supplied and B-BEEE certification of level 2 or better.

3.5 SAMPLE TESTING (10%):

5	Submitted Samples must be certified by SANAS accredited institution of full compliance with the set standards.
Substantiate or provide relevant document	SANAS or SABS accreditation of sample submitted together with the bid submission.

THE SCORING CRITERIA FOR EVALUATION OF FUNCTIONALITY

SCORE	CLASSIFICATION	DEFINITION
0	No response (complete non-compliance)	No response at all or insufficient information provided in the response such that the solution is totally unassessable and/or incomprehensible

TERMS OF REFENCE
Request for Quotation (RFQ) for Supply and Delivery of Personal Protective Equipment

SCORE	CLASSIFICATION	DEFINITION
1	Unsatisfactory response (potential for some compliance but very major areas of weakness)	Substantially unacceptable submission which fails in several significant areas to set out a solution that addresses and meets the requirements: little or no detail may (and, where evidence is required or necessary, no evidence) have been provided to support and demonstrate that the Supplier will be able to provide the services and/or considerable reservations as to the Supplier's proposals in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements Would represent a very high-risk solution for the AQUITY.
2	Partially acceptable response (one or more areas of major weakness)	Weak submission which does not set out a solution that fully addresses and meets the requirements: response may be basic/ minimal with little or no detail (and, where evidence is required or necessary, with insufficient evidence) provided to support the solution and demonstrate that the Supplier will be able to provide the services and/or some reservations as to the Supplier's solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements May represent a high-risk solution for AQUITY.
3	Satisfactory and acceptable response (substantial compliance with no major concerns)	Submission sets out a solution that largely addresses and meets the requirements, with some detail (or, where evidence is required or necessary, some relevant evidence) provided to support the solution; minor reservations or weakness in a few areas of the solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements Medium, acceptable risk solution to AQUITY.

SCORE	CLASSIFICATION	DEFINITION
4	Fully satisfactory /very good response (fully compliant with requirements).	Submission sets out a robust solution that fully addresses and meets the requirements, with full details (and, where evidence is required or necessary, full and relevant evidence) provided to support the solution; provides full confidence as to the relevant ability, understanding, expertise, skills and/or resources to deliver the requirements Low/no risk solution for AQUITY.
5	Outstanding response (fully compliant, with some areas exceeding requirements)	Submission sets out a robust solution and, in addition, provides or proposes additional value and/or elements of the solution which exceed the requirements in substance and outcomes in a manner acceptable to the Department; provides full confidence as to the relevant ability, understanding, expertise, skills and/or resources not only to deliver the requirements, but also exceed it as described Low/no risk solution for the AQUITY.

4. EVALUATION PHASE 2: TECHNICAL SPECIFICATION COMPLIANCE

Items must comply with specification as stated in the bid document of each item. The specification as per the pricing schedule is a summary description and the attached **Annexure A** is the detailed technical Specification of all the items. None compliance to the specification requirement will invalidate the items which the compliance is not adhered to.

4.1 PHASE II (A): SAMPLES SUBMITTED TO A TESTING INSTITUTION

4.1.1. Where a standard is indicated on the item specification, a sample must be submitted to a testing institution accredited by SANAS **before** closing date and time of bid. The purpose is to obtain a test report for the items being offered in the bid.

4.1.2. Where specific specifications and/ or standards are applicable on materials and supplies, the quality of products shall not be less than the requirements of the latest edition of such specifications and/or standards.

4.1.3. Test reports must be submitted proving that the relevant item(s) complies with the specification after inspection and testing of the samples by a SANAS accredited or recognized institution. The test reports must not be older than twelve (12) months at the closing date of the bid.

4.1.4. In the event that a test report cannot be obtained from the testing institution prior to the closing date

and time of the bid, the bidder must obtain proof (issued by the testing institution) that the sample had been submitted to the testing institution before or on the closing date and time of the bid. In this case, bidders must submit the test reports to AQUITY Innovations NPC within 15 days after the closing date and time of bid. It is the responsibility of the bidder to ensure that the test report is submitted to AQUITY Innovations NPC (tenders@aquity.org) within the stipulated timelines

4.1.5. Bids not supported by test reports at time of evaluation will be disregarded in respect of the item(s) for which test reports are not submitted.

4.1.6. The procedures for sampling and testing for product compliance may differ and should be obtained from the relevant testing institution. The cost of compliance testing will be for the account of the prospective bidder.

4.1.7. All bidders, including current contractors are required to submit samples at a testing institution.

4.1.8. Bidders must enquire at the following institutions for the relevant standards. A list of accredited institutions is available on the SANAS website http://www.sanas.co.za

4.1.9. SANS, SABS, ISO AND CKS specifications are available from South African Bureau of Standards Office's countrywide. Obtaining of such standards/specifications will be the responsibility of and for the account of the prospective bidder

4.2 PHASE II (B): SAMPLES SUBMITTED FOR VISUAL SCREENING

4.2.1 Samples must be submitted for the purpose of visual screening of products offered for compliance to specification during the evaluation phase.

4.2.2 Bidders must submit their samples together with test reports certifying that the samples submitted meet the required specified standards in this tender.

4.2.3 Representative samples are not acceptable. Where different sizes of the same product are called for against different item numbers, samples of each size must be submitted.

4.2.4 All bidders, including current suppliers, are required to submit samples for visual screening.

4.2.5 All samples submitted for visual screening must be a true representation of the product which will be supplied. Samples of all items awarded against this bid will be retained for the duration of the contract period.

4.2.6 Unsuccessful bidders who have submitted samples must collect such items within 1month of the commencement of the contract. Samples not collected within this period will be disposed of at the discretion of the AQUITY Innovations NPC.

4.2.7 Bids not supported by samples will invalidate the bid for the item(s) for which samples are not

submitted.

GUIDELINES ON HOW SAMPLES MUST BE SUBMITTED

4.2.8 With the company name, the line number and where applicable a test report. This detail must appear on a label attached to each individual item package.

4.2.9 All samples, including the labelling requirements, must be a true representation of the product that will be supplied during the contract period.

4.2.10 Where applicable, packaging of samples submitted must be marked with the expiry date, batch identification prefixed by the “LOT” the word “sterile” and the sterilisation method, Trade name or trademark of the manufacture and product code as relevant.

4.2.11 Failure to comply with this condition may invalidate the bid against the relevant item.