



**ONLINE BRIEFING SESSION – 2 JULY 2021
QUESTIONS AND ANSWERS**

No	Clause	Question	Answer
HP05-2021DI/01 – HP06-2021SVP/01 – HP09-2021SD/01			
1		The electronic document to be submitted in a CD, can the memory stick be an acceptable device to submit the electronic document?	Yes, a memory stick is acceptable. Please ensure your scanned copy of your full bid submission and all the electronic excel files PBD9, Annexure A, Excel Bid response are clearly named on the Memory stick.
2		What to do in the event that a subsidiary of the holding company is the applicant and another subsidiary of the holding company which have all the licences and CDG registration and certificates for manufacturing, can the co-subsiary still bid by receiving a licence either from the co-subsiary which is the applicant or the holding company?	<p>In terms of section 3.1.1, of the SRCC the bidder offering a product must be the holder of a licence to manufacture or import medicines as issued in terms of Section 22C of the Medicines Act. The licences, for manufacturing, from the other co-subsiary and or holding company will not be accepted.</p> <p>With respect to a conglomerate company, where the bidder and the applicant might not be the same, both the Bidder and the Applicant must submit the licence to manufacture or import medicines in their name as issued in terms of Section 22C of the Medicines Act issued.</p> <p>Furthermore, a conglomerate company, where the bidder and the applicant may not be the same, the relationship between the Bidder and the Applicant</p>



**ONLINE BRIEFING SESSION – 2 JULY 2021
QUESTIONS AND ANSWERS**

			must be clearly stated in an official letter with supporting documents provided.
3		Can set 2 and 3 be on one CD or Memory Stick?	Yes, both sets can be on either a memory stick or CD. Please ensure your scanned copy of your full bid submission and all the electronic excel files PBD9, Annexure A, Excel Bid response are clearly named on the Memory stick/CD.
4		Do we still have to submit samples even if we submitted on the original tender for the products that were not awarded?	Yes, please submit samples again this contract is seen as a new standalone contract and conforms to all the requirements as indicated in the SRCC. Refer to the SRCC regarding the submission of samples.
5		(1) Can the sample be accepted even if it has expired. (2). If physical sample is not available as can be the case with items not under production at the time of bidding, can the artwork and mock packaging be accepted as sample proxy?.	Yes, please submit samples again. This contract is seen as a new standalone contract and conforms to all the requirements as indicated in the SRCC. Refer to the SRCC regarding the submission of samples
6		What is the acceptable time period for downloading the CSD report before the submission date?	It would be advisable to download a CSD report within the last week before bid closure. There has been CSD reports submitted that are one year old (this is not acceptable).
7		Is electronic signatures acceptable?	Yes, when using electronic signatures, please do not protect the excel documents as we need to download the



**ONLINE BRIEFING SESSION – 2 JULY 2021
QUESTIONS AND ANSWERS**

			data. Please ensure that you sign the excel bid response. You can protect the PDF documents.
8		HP05-2021DI/01 where you only call for lopromide. Is this vials or prefilled syringes. The tender specifically call for lopromide which exclude other product in the same category of Iodinated LOCM?	<p>The request is for an injection this means it can come in any form as long as it is injectable.</p> <p>Furthermore, the list that has been published is what was agreed upon with the provinces.</p>
9		Laptops dont have CD drives these days, is there another form we can send set 2 in?	<p>Yes, a memory stick is acceptable. Please ensure your scanned copy of your full bid submission and all the electronic excel files PBD9, Annexure A, Excel Bid response are clearly named on the Memory stick.</p>
10		This may be a SAHPRA related question, but they state that if your product is awarded a tender then any variation will be expedited. However, two of our variations are taken more than 4 months to be approved. Is there a possibility that DoH can put pressure on SAHPRA to review the variations quicker?	<p>SAHPRA is an independent body, NDoH does not have any influence on SAHPRA operational issue.</p>
11		Performance in Previous Contracts -(1) We take that the current supplier monitoring dashboard that talks to supply performance is what is being used as a primary tool to determine compliance to supply conditions, If so,	<p>It is a known fact that provinces do exceed demand forecasts by a huge margin at times thereby affecting supplier performance. We can as a way of extending an olive branch, allow the supplier in question to send through a</p>



**ONLINE BRIEFING SESSION – 2 JULY 2021
QUESTIONS AND ANSWERS**

		<p>does the department knows how accurate this measurement parameters are. So far these parameters only talks to supply side factors, and performance can be influenced by demand side which is not necessarily being factored in the scoring. (2) Does the scoring allows for moderation to accommodate supply factors not necessarily known and mitigatable., and how do we know if and how the performance scoring has affected the bid award.</p>	<p>written complaints stating why their score was negative and file those complaints for later reference on the system. Alternatively, the contracting unit can consider adding a separate measure on their bid evaluation basis to track, for instance, the Orders vs Forecasts and define confidence intervals which when exceeded a supplier can be pardoned.</p>
12		<p>Are we able to get the estimate quantities per province it need be? (and if not how would you determine where they go)?</p>	<p>The successful bidders are encouraged to discuss the quantities with the provinces at the start of and during the contract.</p>
13		<p>What happen if ordered quantities exceed the estimates significantly. Are companies penalised when not be able to supply these orders within the specified time of 14 days?</p>	<p>Non-compliance letters are not sent to suppliers that have exceeded the estimates. Suppliers can send written complaint if the scores on RSA Pharma are impacted negatively due to that.</p>
14		<p>We are encouraged in the bid document to indicate deviation from mandatory Leadtime of 75 days, If we indicate this and still get awarded, does it mean the deviation has been accepted and accommodated, if so, and provinces generate penalties associated with the penalties, do we have grounds tocontest penalties.</p>	<p>With reference to paragraph 25.1 of the SRCC, the initial lead time is prescribed “The initial lead time as proposed in the bid response document will be calculated from date of award of the contract and NOT the date of placement of the first order. This period may not exceed 75 calendar days from the date of award.” Its unlikely that the NDoH will award a contract to a bidder</p>



**ONLINE BRIEFING SESSION – 2 JULY 2021
QUESTIONS AND ANSWERS**

			who cannot supply within the required lead time. In the event that such a bid has been awarded provinces may generate penalties against the bidder, as prescribed by the General Conditions of Contract and the Special Requirement and Conditions of Contract. With reference to paragraph 25.1 of the SRCC, "Failure to comply with the contractual lead time may result in penalties being enforced"
15		Will these slides be shared?	Yes, it will be available on the NDOH website.
16		Will local manufacturers be given additional consideration vs importers especially in light of current economic realities of the country?	The Special Requirements and Conditions of Contract does allow preference to locally manufactured products. See the relevant section for the conditions under which local manufacturers may enjoy preference.
17		Please advise when will the supplementary tenders come into effect?	The bid validity is 180 days from the date of bid closure. It is the mission of the NDOH to award before the bid validity expires.
18		Can one make offer 1 as per tender specifications, and offer 2 as deviation?	Yes - please mark both offers clearly and mark the Samples for Sample Submission clearly Offer 1 and Offer 2.



HEALTH
REPUBLIC OF SOUTH AFRICA

ONLINE BRIEFING SESSION – 2 JULY 2021 QUESTIONS AND ANSWERS

_____ **END** _____