

**REQUEST FOR PROPOSAL (RFP)**  
No. UKRSAFEMED082A

<b>Name of the Request for Proposal:</b>	<b>Conducting a preliminary audit of the readiness of the State Enterprise "Medical Procurement of Ukraine" and the certification audit to implement the international standard ISO 37001: 2016 "Anti-bribery management system"</b>
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"Management Sciences for Health, Inc." (MSH), implementing the USAID Safe, Affordable, and Effective Medicines for Ukrainians (SAFEMed) Project, invites you to submit a proposal following the requirements of this request.

Proposals must be received no later than the date and time listed in the table below:

<b>Date of request for submission of the proposal:</b>	October 19, 2021
<b>Final date for submitting questions:</b>	October 22, 2021
<b>Final date and time of submission of the proposal:</b>	October 29, 2021 by 6:00 pm
<b>Contact Information:</b>	<a href="mailto:ua-safemed-procure@safemedua.org">ua-safemed-procure@safemedua.org</a>

<b>Full description of needs / Terms of reference / Specifications</b>
<p><b>1. General information</b></p> <p>Management Sciences for Health, Inc. (MSH), an implementing partner of USAID technical assistance project Safe, Affordable, and Effective Medicines for Ukrainians (SAFEMed), calls for the submission of quotes for ISO 37001 audit services.</p> <p>As part of technical assistance, the USAID SAFEMed project supports the sustainable development of the SE "Medical Procurement of Ukraine" to improve national procurement practices and improve public access to much needed medicines. Among other things, one of the identified areas of support of the SE is to standardize the anti-corruption policies and ensure compliance against best international practices and selecting an independent audit company to assess the anti-corruption system of Medical Procurement of Ukraine and develop a roadmap in order to obtain the international standard ISO 37001: 2016.</p> <p>According to the results of financial statements for 2020, in 2021 the State Enterprise "Medical Procurement of Ukraine" received the legal status of a 'particularly important enterprise for the economy', which requires a reliable system of anti-corruption measures that will prevent corruption at any stage of the procurement process. In addition, the standardization of anti-corruption activities at the State Enterprise "Medical Procurement of Ukraine" will increase the level of credibility of the company both from national and</p>

international partners/ Increasing credibility and building trust from the market will create a transparent, healthy competition, and maximize value for taxpayer money.

Period of provision of services: starting November 2021 with deliverable basis payment scheme after completion of each phase.

## 2. Description of services

**Following the requirements of ISO 37001: 2016, the audit company must implement the following tasks:**

- 1) To conduct a ***preliminary assessment*** of CPA's current management system to identify any possible gaps necessary to meet the requirements of the ISO 37001 standard:
  - a. To review the entire system of anti-corruption measures implemented in the State Enterprise "Medical Procurement of Ukraine" with regard to their completeness and compliance with the requirements of ISO 37001: 2016 "Anti-bribery Management Systems".
  - b. To review the internal policies and procedures governing the implementation of anti-corruption measures.
  - c. To conduct interviews and surveys of employees of the State Enterprise "Medical Procurement of Ukraine" to establish the level of anti-corruption culture, anti-corruption knowledge, the level of perception of corruption in the enterprise and provide a report.
- 2) To provide a ***complete and detailed report on the results of the assessment*** with regard to the level of compliance of the anti-corruption system of the State Enterprise "Medical Procurement of Ukraine" with the requirements of ISO 37001: 2016 "Anti-bribery Management Systems" with a detailed explanation of such discrepancies, to include:
  - a. Proposals for their implementation in the activities of the State Enterprise "Medical Procurement of Ukraine".
  - b. Conclusions on their compliance or non-compliance with the requirements of ISO 37001: 2016 "Anti-Corruption Management Systems", indicating such non-compliance (if any).
- 3) To develop and provide a ***phased Action Plan*** to bring the anti-corruption system in the State Enterprise "Medical Procurement of Ukraine" in line with the requirements of ISO 37001: 2016 "Anti-bribery Management Systems" for a certification audit indicating the necessary actions, including:
  - a. Develop and provide proposals on the methodology and methods of implementation of the standard ISO 37001: 2016 "Anti-bribery Management Systems" in the activities of the State Enterprise "Medical Procurement of Ukraine".
- 4) To conduct a ***certification audit*** in order to evaluate whether the declared management system conforms to all requirements of ISO 37001: 2016 "Anti-bribery Management Systems"
- 5) To provide a ***certification audit report*** of completion, to include general information such as (auditors, audit dates, audit plan, audit criteria), audit actions performed, list of interviews, audit results

(compliance or non-compliance for each requirement of the standard), identified non-conformities and recommendations for certification (or non-certification).

- 6) To issue a *certificate of the ISO 37001: 2016* “Anti-bribery Management Systems” if all the corrective actions were performed at the SE “Medical Procurement of Ukraine” and the non-conformities to the standard were eliminated.

**Approximate terms of service provision**

Type of work	Due Date
<p>1) To conduct a <i>preliminary assessment</i> of CPA’s current management system to identify any possible gaps necessary to meet the requirements of the ISO 37001 standard:</p> <ul style="list-style-type: none"> <li>a. To review the entire system of anti-corruption measures implemented in the State Enterprise "Medical Procurement of Ukraine" with regard to their completeness and compliance with the requirements of ISO 37001: 2016 "Anti-bribery Management Systems".</li> <li>b. To review the internal policies and procedures governing the implementation of anti-corruption measures.</li> <li>c. To conduct interviews and surveys of employees of the State Enterprise "Medical Procurement of Ukraine" to establish the level of anti-corruption culture, anti-corruption knowledge, the level of perception of corruption in the enterprise and provide a report.</li> </ul>	<p>To finalize between 1 to 4 months from the contract signature date</p>
<p>2) To provide a <i>complete and detailed report on the results of the assessment</i> with regard to the level of compliance of the anti-corruption system of the State Enterprise "Medical Procurement of Ukraine" with the requirements of ISO 37001: 2016 "Anti-bribery Management Systems" with a detailed explanation of such discrepancies, to include:</p> <ul style="list-style-type: none"> <li>a. Proposals for their implementation in the activities of the State Enterprise "Medical Procurement of Ukraine".</li> <li>b. Conclusions on their compliance or non-compliance with the requirements of ISO 37001: 2016 "Anti-Corruption Management Systems", indicating such non-compliance (if any).</li> </ul>	<p>This deliverable must be finalized no later than 4 months from the contract signature date</p>
<p>3) To develop and provide a <i>phased Action Plan</i> to bring the anti-corruption system in the State Enterprise "Medical Procurement of Ukraine" in line with the requirements of ISO 37001: 2016 "Anti-bribery Management Systems" for a certification audit indicating the necessary actions, including:</p>	<p>To finalize between 4 to 7 months from the contract signature date</p>

<p>a. Develop and provide proposals on the methodology and methods of implementation of the standard ISO 37001: 2016 "Anti-bribery Management Systems" in the activities of the State Enterprise "Medical Procurement of Ukraine".</p>	
<p>4) To conduct a <i>certification audit</i> in order to evaluate whether the declared management system conforms to all requirements of ISO 37001: 2016 “Anti-bribery Management Systems”</p>	<p>This deliverable must be finalized no later than 7 months from the contract signature date</p>
<p>5) To provide a <i>certification audit report</i> of completion, to include general information such as (auditors, audit dates, audit plan, audit criteria), audit actions performed, list of interviews, audit results (compliance or non-compliance for each requirement of the standard), identified non-conformities and recommendations for certification (or non-certification).</p>	<p>This deliverable must be finalized no later than 8 months from the contract signature date</p>
<p>6) To issue a <i>certificate of the ISO 37001: 2016</i> “Anti-bribery Management Systems” if all the corrective actions were performed at the SE “Medical Procurement of Ukraine” and the non-conformities to the standard were eliminated.</p>	<p>This deliverable must be finalized 8 months from the contract signature date</p>

**3. Qualification requirements:**

- Legally registered in Ukraine;
- Ability to read documentation and provide reports in Ukrainian and English;
- Availability of IAS (International Accreditation Service) accreditation;
- Existence of at least 4 years of international experience in the field of preliminary (preparatory) audits for certification of ISO 37001:2016 "Anti-bribery Management System";
- Availability of employees with appropriate qualifications who have the necessary knowledge and experience;
- Availability of successful certification audits according to the standard ISO 37001: 2016 "Anti-bribery Management Systems" in Ukraine.
- The proposal is valid for 30 calendar days;
- Acceptable payment terms (payment on delivery without VAT after each implementation stage);
- Compliance with Section 889 of the National Defense Authorization Act (NDAA) 2019 (Appendix No. 2).

**4. Terms of payment and requirements for VAT exemption**

The SAFEMed project is entitled to tax benefits and is exempt from VAT on goods (works, services) purchased in the customs territory of Ukraine, so payment for services will be made without VAT. Applicants who are VAT payers must be ready, in case of acceptance of the tender offer, to go through the procedure of exemption from value-added tax (see "Requirements for exemption from VAT").

<b>USAID SAFEMed project address</b>	17 Reitarska street, 5th floor, office 23, Kyiv 01030, Ukraine
<b>Payment conditions:</b>	<p><b>Bank transfer without VAT.</b></p> <p><b>Payment during 10 business days from the date of invoice and provision of services. Payment after implementation of each phase.</b></p>
<b>Requirements for exemption from VAT</b>	<p>The Safe, Affordable and Effective Medicines for Ukrainians (Safe and Affordable Medicines) - SAFEMed project is an international technical assistance project implemented in Ukraine with the financial support of the United States Agency for International Development (USAID), Treaty № AID-121-C -17-00004, following the Agreement between the Government of Ukraine and the Government of the United States of America on humanitarian and technical and economic cooperation of May 7, 1992 (hereinafter - the "Agreement").</p> <p>The project purchases goods, works and services from the Tender Winner following the above Agreement and the Procedure for Attracting, Using and Monitoring International Technical Assistance, approved by the Resolution of the Cabinet of Ministers of Ukraine of February 15, 2002 N 153 (153-2002-n) "On creation of a unified system for attracting, using and monitoring international technical assistance". The value of such goods, works and services is exempt from value-added tax.</p> <p>Procurement of goods, works and services is carried out at the expense of the international technical assistance project and corresponds to the category (type) of goods, works and services specified in the procurement plan.</p> <p>Applicants who are VAT payers must be ready, in case of acceptance of the tender offer, to go through the procedure of exemption from value-added tax.</p> <p>The winner will be provided with a package of documents for exemption from VAT, namely:</p> <ol style="list-style-type: none"> <li>1. Copy of the registration card of the Project, within which the purchase of goods, works, services is provided, certified by the seal of the Project;</li> <li>2. Copy of the procurement plan, certified by the seal of the Project;</li> <li>3. Copy of the contract for the provision of services, certified by the signature and seal of the Project.</li> </ol> <p>The SAFEMed Project Accountant upon request can provide additional clarifications on the VAT exemption procedure.</p>

### 5. Submission of proposals

To participate in the tender, please submit your commercial proposal in electronic form to the address: [ua-safemed-procure@safemedua.org](mailto:ua-safemed-procure@safemedua.org) until **October 29, 2021 by 6:00 pm local time**. The copies of the documents provided must be legible and of good quality. The participant is responsible for the accuracy of the information provided in his price offer.

All questions and clarifications related to this request for proposals should be sent to: [ua-safemed-procure@safemedua.org](mailto:ua-safemed-procure@safemedua.org)

## **6. Content of the proposal**

Proposals submitted must be valid for consideration for at least 30 calendar days.

Proposals should include the following information:

1. Technical proposal.
2. Commercial offer.

*Proposals may be submitted in Ukrainian or English, or both languages.*

## **7.1. Technical proposal:**

### **7.1.1. Required copies of documents under the qualification requirements:**

- Registration documents of a legal entity;
- Confirmation of compliance with qualification requirements (Appendix No.1);
- Confirmation of Compliance with Section 889 of the National Defense Authorization Act (NDAA) 2019.  
A signed copy of Appendix No. 2 must be included in the package of documents submitted for the tender.

### **7.1.2. Full contact information of the participant:**

- Legal name, physical and legal addresses;
- VAT payer registration number, EDRPOU identification code;
- Contact details for explanations and clarifications.

### **7.1.2. Participant`s portfolio:**

- Information on the relevant experience of the company in conducting preliminary and/or certification audits of the certification standard ISO 37001:2016 "Anti-bribery Management System";
- Information on IAS (International Accreditation Service) accreditation;
- Information on at least 4 years of international experience in the field of preliminary (preparatory) audits for certification of ISO 37001:2016 "Anti-bribery Management System";
- Description of the team with the necessary knowledge and experience, which will be involved in the audit;
- Information on successful certification audits according to the standard ISO 37001: 2016.

### **7.1.3. Previous work experience/recommendations:**

- If you have not provided services for MSH in the last 3 years, please provide contact information of 3 current/former customers for recommendations or reference letters;
- Information on experience with international technical assistance projects (if available).

### **7.1.4. Acceptable payment terms:**

Provide written confirmation of payment terms: Payment during 10 business days from the date of invoice and provision of services. Payment after implementation of each phase.

## **7.2. The commercial proposal must contain:**

Information on the total cost of audit services following the scope of work, implementation phases and timelines.

*Prices must be offered in UAH without VAT.*

**Commercial proposals will be evaluated according to the following criteria:**

<b>Evaluation criteria</b>	<b>Maximum number of points</b>
<b>Compliance with qualification requirements</b>	
<u>Compliance with qualification requirements: "YES / NO"</u> <ul style="list-style-type: none"> <li>- Legally registered in Ukraine;</li> <li>- Ability to read documentation and provide reports in Ukrainian and English;</li> <li>- Availability of IAS (International Accreditation Service) accreditation;</li> <li>- Existence of at least 4 years of international experience in the field of preliminary (preparatory) audits for certification of ISO 37001:2016 "Anti-bribery Management System";</li> <li>- Availability of employees with appropriate qualifications who have the necessary documented knowledge and experience and who will be involved in the audit;</li> <li>- Availability of successful certification audits according to the standard ISO 37001: 2016 "Anti-bribery Management Systems" in Ukraine.</li> <li>- The offer is valid for 30 calendar days;</li> <li>- Acceptable payment terms (payment on delivery without VAT after each implementation stage);</li> <li>- Compliance with Section 889 of the Defense Authorization Act (NDAA).</li> </ul>	<p>If there is at least one "NO" answer, the commercial offer will be rejected</p>
<b>A. Previous experience and ability of the participant to provide services</b>	
<u>Participant's portfolio:</u> <ul style="list-style-type: none"> <li>- Relevant experience of the company;</li> <li>- Experience of preliminary and/or certification audits;</li> <li>- The degree to which the provider has performed similar assignments.</li> </ul>	30
<u>Previous work experience/recommendations:</u> <ul style="list-style-type: none"> <li>- Contact information of 3 current / former customers for recommendations;</li> <li>- Experience of cooperation with international technical assistance projects.</li> </ul>	10
<b>B. Cost of services</b>	
Evaluation of a commercial proposal	60
<b>Maximum number of points</b>	<b>100</b>

**MSH holds its tenders based on value for money principle; therefore, none of the criteria is prevailing. All quotes will be considered and evaluated based on the aggregate criteria.**

- *Quotes submitted after the deadline has passed or that do not include all of the information requested will be rejected.*
- *This RFP is non-binding and in no way obligates MSH to award any contract. MSH reserves the right to purchase any or all of the items requested, to adjust quantities if necessary, or to make no purchase. Firm commitment to purchase is not established until MSH issues a written order. MSH will not pay for vendors quote preparation costs.*
- *MSH procurement staff are instructed not to request or accept any commission relating to this order, and MSH has procedures in place to detect such payments. Please do not offer or pay any such commission, as this could result in your quotation being rejected. Please report any MSH representative asking for such a payment to the following email address: [auditcommittee@msh.org](mailto:auditcommittee@msh.org)*

**Appendix No. 1**

**Compliance with qualification requirements**

<b>Company Name:</b>			
<b>No.</b>	<b>Qualification Requirements</b>	<b>YES/NO</b>	<b>Comments</b>
<b>1</b>	Legal registration in Ukraine		
<b>2</b>	Ability to read documentation and provide reports in Ukrainian and English		
<b>3</b>	Availability of IAS (International Accreditation Service) accreditation		
<b>4</b>	Existence of at least 4 years of international experience in the field of preliminary (preparatory) audits for certification of ISO 37001:2016 "Anti-bribery Management System"		
<b>5</b>	Availability of employees with appropriate qualifications with necessary knowledge and experience, who will be involved in the audit		
<b>6</b>	Availability of successful certification audits according to the standard ISO 37001: 2016		
<b>7</b>	The proposal is valid for 30 calendar days		
<b>8</b>	Acceptable payment terms (payment on delivery without VAT after each implementation stage)		
<b>9</b>	Compliance with Section 889 of the National Defense Authorization Act (NDAA) 2019		

**Date:**

**Signature:**



Додаток № 2/ Appendix No. 2

*Дотримання вимог Розділу 889 Федерального Закону США  
про асигнування на національну оборону 2019 року/  
Compliance with Section 889  
of the National Defense Authorization Act (NDAA) 2019*

<p><u>Підтвердження про дотримання вимог Розділу 889 Закону США про національну оборону</u></p> <p>Ми провели огляд приладів, їх складових, технологій та/або послуг, що надаються Management Sciences for Health (MSH) у відповідь на Запит на надання комерційної пропозиції, і визначили, що жоден з них не підпадає під «перелік телекомунікаційного обладнання або послуг», зазначеному в Законі Джона С. Маккейна про національну оборону, Розділ 889 (або в правилах перехідного правового регулювання).</p> <p>Заборонене телекомунікаційне обладнання та технічні засоби охорони охоплюють такі, що створені, розроблені, виготовлені та надані переліченими нижче компаніями або особами, причетними до володіння або контролю над ними.</p> <ol style="list-style-type: none"> <li>1. Huawei Technologies</li> <li>2. Dahua Technology</li> <li>3. Hangzhou Hikvision Digital Technology</li> <li>4. Корпорація Hytera Communication</li> <li>5. Корпорація ZTE</li> <li>6. Будь-який дочірній підрозділ або філія зазначених вище компаній</li> </ol>	<p><u>Attestation of NDAA 889 Compliance</u></p> <p>We have conducted a review of the devices, components and/or services we are offering to Management Sciences for Health (MSH) in response to this RFQ/RFP and have determined that none of them contain or rely on “covered telecommunications equipment or services” under the John S. McCain National Defense Authorization Act, Section 889 (or the interim rule.)</p> <p>Prohibited telecommunications and security equipment and services include those designed, developed, manufactured, or supplied by entities listed below or persons affiliated with their ownership or control.</p> <ol style="list-style-type: none"> <li>1. Huawei Technologies Company</li> <li>2. Dahua Technology Company</li> <li>3. Hangzhou Hikvision Digital Technology Company</li> <li>4. Hytera Communication Corporation</li> <li>5. ZTE Corporation</li> <li>6. Any subsidiary or affiliate of the above entities</li> </ol>
<p>Назва компанії:</p> <p>Відповідальна особа:</p> <p>Посада:</p> <p>Підпис:</p> <p>Дата:</p>	<p>Company Name:</p> <p>Responsible person:</p> <p>Title:</p> <p>Signature:</p> <p>Date:</p>