

25 July 2014

Dr. Samir Bouzid
Team Manager
UNDP – Chad
Route De Farcha - Ex Batiment Sner
BP 906 N'Djamena
Chad

UNICEF Reference: Cost Estimate 10015176 revision 2 (Please quote on all correspondence)

Dear Dr. Bouzid,

Please find attached our revised cost estimate for ARVs, totalling USD 1,886,238.18 valid until 30 September 2014 as per your request originally received through UNICEF Supply Division in Copenhagen on 11 July 2014. The freight costs have been updated as agreed.

In addition to the information provided in the attachments, we would like to bring the following to your kind attention:

1. Delivery

The estimated prices are in accordance with Incoterm 2010 CIP N'Djamena airport, with shipment by air. Delivery times are indicative as actual delivery schedule can only be confirmed by our supplier at the time we place a confirmed order with them.

2. Commodities/Services

In addition to the explanatory footnotes included in the Cost Estimate, kindly note the following:

- We have noted your request for delivery by September 2014 and will do our utmost to meet your needs, provided the funds are made available on time as well as availability of products with our manufacturers.
- All items are expected to be delivered directly from our supplier to N'Djamena airport by air.

3. Shelf life

All products offered will be shipped directly from the suppliers and will have a minimum of 80% shelf life remaining at the time of delivery to UNICEF's freight forwarder.

4. Registration of pharmaceuticals

According to the information we have available, the products offered under this cost estimate are not registered in Chad. We kindly ask you to confirm registration requirements as applicable to the country, such that import waivers can be obtained by your offices before the goods are shipped.

5. Memorandum of Understanding (MOU)

Procurement activity shall be initiated by UNICEF in accordance with the valid Memorandum of Understanding between your organization and UNICEF. The purpose of the MOU is to set out the framework of processes, rights and obligations related to procurement services as well as to outline areas of understanding between the parties.

6. Standards for procurement of pharmaceuticals to treat HIV/AIDS

UNICEF Supply Division places considerable emphasis on the quality of products it procures, starting from its raw materials, Active Pharmaceutical Ingredients (APIs) and excipients to the finished pharmaceutical product.

UNICEF Supply Division participates in the WHO prequalification programme (<http://who.int/prequal/>) that is designed to facilitate access to medicines that meet unified standards of quality, safety and efficacy. Therefore, where possible preference will be given to WHO prequalified products during procurement.

When there are no WHO prequalified products or there are limited numbers of prequalified manufacturers, UNICEF Supply Division may consider for procurement medicines that either have approval from stringent regulatory authorities such as EMEA (EU) and US-FDA (USA), or have been technically evaluated and approved for procurement by UNICEF during the course of a competitive bidding process.

7. Patent Legislation - Developing countries (LDCs)

This Cost Estimate contains multi-source (generic) antiretrovirals. As of January 1, 2005, developing countries must implement TRIPS into their national legislation, and therefore provide patent protection for pharmaceuticals. If a medicine is under patent in-country, there are a number of options governments can use as public health safeguards:

- voluntary license from patent holder (or a price break)
- compulsory licenses
- “government use” or “public, non-commercial use” licenses
- parallel importation

These “flexibilities” need to be enabled in national legislation, if countries need to use them. Governments can, and are encouraged to, obtain assistance from the WHO and WTO on these issues, and will be referred to the appropriate contact upon request.

By proceeding with Procurement Services, the customer assures UNICEF that to the best of their knowledge, the procurement is in line with national and international laws and regulations governing patents. In the case of Chad, we have on file a letter from the Ministry of Health dated 20 February 2007 (attached). Should this document have been modified or replaced since then, please inform us accordingly.

8. Order Confirmation / Payment

If you accept this Cost Estimate and wish to procure the supplies through UNICEF based on the attached Cost Estimate, advance payment for the total amount of the Cost Estimate is required by transferring funds within the validity period, as follows:

By bank wire transfer:

UNICEF Reference: CE 10015175-R2

Nordea Bank Danmark A/S
Vesterbrogade 8
Postboks 850
DK-0900 Copenhagen C
Denmark
SWIFT: NDEADKKK

Beneficiary details:

Account holder: United Nations Children’s Fund
Bank/Clearing Code: 2191
Account No.: 5005848856
IBAN No.: DK4220005005848856

Pay-Through/Intermediary Bank (from or via USA):

Bank of America Merrill Lynch, New York
SWIFT: BOFAUS3N

Please note that the procurement services to be provided under this Cost Estimate shall be governed solely by UNICEF's General Terms and Conditions, the provisions contained in the attached Cost Estimate, the accompanying cover letter and the valid Memorandum of Understanding between your organization and UNICEF.

9. Handling Fees

The handling fees are established at the minimum amount UNICEF reasonably concludes is required to meet all related transaction costs and to support the supply of quality assured goods and services. The handling fees appear beneath each line item of the Cost Estimate.

10. Contingency/ Buffer

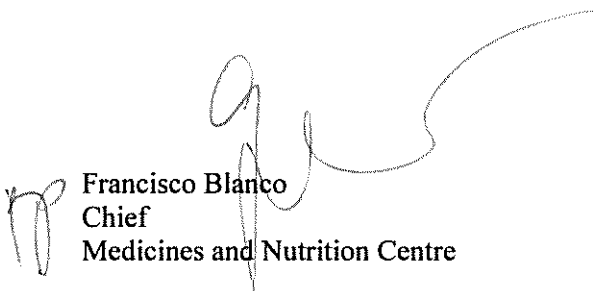
No buffer condition applies to cover this transaction. However, as outlined in the signed MOU, the Customer is responsible for any price fluctuations, if they arise.

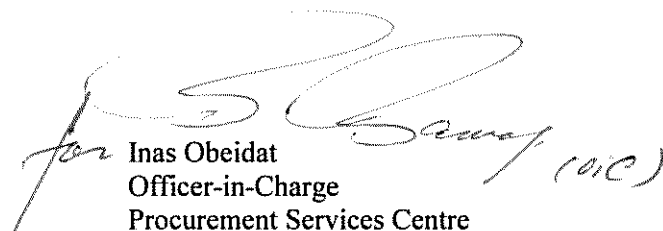
11. Statement of Account/Invoice

After shipment of all supplies and recording of all expenses incurred, UNICEF will provide a Statement of Account/Invoice. Any amount due to UNICEF should be paid as per agreed payment terms.

We appreciate the opportunity to provide a Cost Estimate and hope the information is satisfactory. For any further clarification please do not hesitate to contact your focal point at UNICEF Niels Henningsen, at nhenningsen@unicef.org.

Yours sincerely,


Francisco Blanco
Chief
Medicines and Nutrition Centre


for Inas Obeidat
Officer-in-Charge
Procurement Services Centre

Enc: - Cost Estimate 10015176 revision 2
- Letter from the Ministry of Health dated 20 February 2007

CC: Regina Aplogan, Clement Djumo, UNICEF Country Office.



Procurement Services

UNDP - CHAD (Global Fund)

Route De Farcha - Ex Batiment Sner

BP 906 NDJAMENA

CHAD

Cost Estimate 10015176
 / Revision 2

FA3

Customer details	
Date	25 Jul 2014
Customer code	U08115
Consignee code	Customer to confirm
Cost Estimate valid until	30 Sep 2014
MoU status	MOU in effect

Item no.	WH or NW	Material no.	Description	Quantity	unit	Unit price US dollars	Total amount US dollars
10	NW	S1400527	3TC150mg + NVP200mg + AZT300mg tabs/PAC-60gb Handling fee 4.00% = 33,339.11	100,419	each	8.300	833,477.70
			Item offered Generic Supplier				
			This product is either WHO-prequalified and/or SRA approved				
			Delivery time is 8-10 weeks + 2 weeks for shipping				
20	NW	S1400523	3TC150mg + AZT300mg tabs/PAC-60 Handling fee 4.00% = 10,324.44	36,873	each	7.000	258,111.00
			Item offered Generic Supplier				
			This product is either WHO-prequalified and/or SRA approved				
			Delivery time is 8-10 weeks + 2 weeks for shipping				
30	NW	S1400069	Efavirenz 600mg tabs/PAC-30 Handling fee 4.00% = 4,596.24	34,820	each	3.300	114,906.00
			Item offered Generic Supplier				
			This product is either WHO-prequalified and/or SRA approved				
			Delivery time is 6-8 weeks + 2 weeks for shipping				

Procurement Services

Item no.	WH or NW	Material no.	Description	Quantity	unit	Unit price US dollars	Total amount US dollars
40	NW	S1400630	3TC300mg+TDF300mg tabs/PAC-30 Handling fee 4.00% = 7,953.22	40,996	gb each	4.850	198,830.60
			Item offered Generic Supplier				
			This product is either WHO-prequalified and/or SRA approved				
			Delivery time is 6-8 weeks + 2 weeks for shipping				
50	NW	S1400122	Nevirapine 200mg tabs/PAC-60 Handling fee 4.00% = 902.02	9,596	gb each	2.350	22,550.60
			Item offered Generic Supplier				
			This product is either WHO-prequalified and/or SRA approved				
			Delivery time is 6-8 weeks + 2 weeks for shipping				
60	NW	S1400598	ATV/r 300mg+100mg tabs/PAC-30 *** Order item cancelled ***	4,870	gb each		
70	NW	S1400540	LPV/r 200+50mg heat/st tabs/PAC-120 Handling fee 4.00% = 6,287.93	8,103	pb each	19.400	157,198.20
			Item offered Generic Supplier				
			This product is either WHO-prequalified and/or SRA approved				
			Delivery time is 6-8 weeks + 2 weeks for shipping				
Cost of supplies							1,585,074.10
Freight, Insurance & Inspection							237,761.12
Handling fee							63,402.96
Total estimated costs							1,886,238.18
Total amount to be deposited							1,886,238.18

Procurement Services

Estimated weight/volume : 22,544.683 KG / 79,215.660 CDM
Consignee : Customer should confirm the consignee details provided in the Request Form.
Delivery terms : CIP N'DJAMENA AIRPORT, Chad
Mode of shipment : Air

Please Note

* WH = warehouse item; NW = non-warehouse item.

Verification:

- * Customer should verify the Cost Estimate is in line with their requirements and advise in case of discrepancy.
- * By accepting this Cost Estimate, the customer agrees with delivery of alternate items offered herein in place of requested items which are not available.
- * For computational purposes, item unit prices figure to three decimal places. Total amounts are quoted to two decimal places.

Shelf-life of Pharmaceuticals:

- * Pharmaceuticals despatched from UNICEF Supply Division's warehouse in Copenhagen:
 - For pharmaceuticals which have a shelf-life of more than two (2) years, the minimum remaining shelf-life shall be thirteen (13) months at the time of despatch.
 - For pharmaceuticals which have a shelf-life of two (2) years or less, the minimum remaining shelf-life shall be one-third of the total shelf-life at the time of despatch.
- * Pharmaceuticals shipped directly from suppliers:
 - The minimum remaining shelf-life shall be 80% of the total shelf-life at the time of delivery to the freight forwarder.

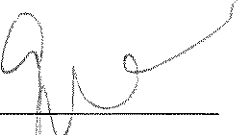
Inspection of Goods Received:

Customer should inspect all goods upon receipt, make remarks on the shipping documents and put the carrier on notice when appropriate. UNICEF must be informed immediately after the inspection in order to assist with filing any insurance claims.

In any event the above measures must be taken within the following time limits:

- Air: 14 days upon receipt of goods (Ref.: Warsaw Convention)
- Sea: 3 days upon receipt of goods (Ref.: Haag-Visby Maritime law)
- Rail: 7 days upon receipt of goods (Ref.: COTIF (CIM) Convention)
- Truck: 7 days upon receipt of goods (Ref.: CMR-"Law")

For more details please refer to link: http://www.unicef.org/supply/index_23869.html

Signature: 
Name: Gitanjali Sakhua
Procurement Centre: MAC

Signature: 
Name: Yasuyo Yamaguchi (o/c)
Procurement Services Centre

CHAD

REPUBLIQUE DU TCHAD
PRESIDENCE DE LA REPUBLIQUE
PRIMATURE
MINISTERE DE LA SANTE PUBLIQUE
SECRETARIAT GENERAL
DIRECTION GENERALE DE ACTIVITES SANITAIRES
DIRECTION DE LA PHARMACIE, DUMEDICAMENT
ET DES LABORATOIRES

UNITE-TRAVAIL-PROGRES

Certification of non-recognition and non-enforceability of patents and data protection in respect of Pharmaceutical Products

Whereas

Further to Paragraph 7 of the Declaration on the TRIPS Agreement and Public Health adopted by the WTO Ministerial Conference on 14 November 2001 (WT/MIN(01)/DEC/2), the WTO Council for TRIPS decided on 27 June 2002 (IP/C/25) that least developed Members of the WTO need not enforce patents and data protection with respect to pharmaceutical products at least until January 1, 2016.

The 30 August 2003 Decision by the WTO General Council on Implementation of Paragraph 6 of the Doha Declaration (WT/L/540) acknowledged that the system established by the Decision is without prejudice to the exemption granted to least developed Members pursuant to Article 66.1 of the TRIPS Agreement.

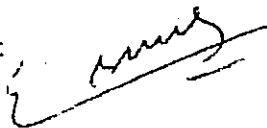
The Director of Pharmacy and Medicines, Ministry of Health hereby confirms that:

- (a) Patents and data protection with respect to pharmaceutical products shall not be recognized or deemed enforceable within and with respect to Chad at least until 1 January 2016;
- (b) Importation, manufacturing, use, sale, and offering for sale of pharmaceutical products is authorized notwithstanding any patents which may have been granted or data protection rules which may be applicable with respect to those products; and
- (c) Patents and data protection rights may not be enforced by holders thereof within and with respect to Chad with regard to any actions by the government or third parties undertaken during the period extending at least until 1 January 2016.

The Director of Pharmacy and Medicines, Ministry of Health also hereby confirms that:

This declaration will be forwarded for information to the relevant national/regional patent office and may also be shared with other UN organizations.

Signed:



Dated: 20 February 2007

Official stamp

Dr ZARANA BANDIANG:

