

## REQUEST FOR PROPOSALS (RFP) TGF-17-001

**Schedule A**  
**Officer's Certificate of Conformance and Acknowledgement**

*Bidders<sup>1</sup> are required to complete this Certificate, and to return a version of this Certificate in PDF format **signed** by an Officer of their organization with the authority to undertake contractual obligations on behalf of the organization by 30 May 2017. Items 1 through 6 apply to all organizations. For organizations supplying artemisinin-containing products, in addition to items 1 through 6, items 7 through 11 are also applicable.*

As a duly authorized Officer of the organization listed below (the "Organization"), I confirm, acknowledge, and agree, on behalf of the Organization, that:

1. To my knowledge, there are no contractual or legal issues preventing the Organization from submitting the Organization's proposal to the RFP per the terms submitted in the proposal at a future date.
2. I have read and understand, and the Organization will comply with: (i) the Global Fund's Code of Conduct for Suppliers ([http://www.theglobalfund.org/documents/corporate/Corporate\\_CodeOfConductForSuppliers\\_Policy\\_en/](http://www.theglobalfund.org/documents/corporate/Corporate_CodeOfConductForSuppliers_Policy_en/)), and (ii) to all the terms contained or referred to in the RFP, including Section 5: Legal Matters.
3. The Organization will undertake the necessary steps to ensure that its business standards align with international best practices and will participate in any required activities to further this aim, either identified by themselves or as part of this process.
4. The Organization is financially sound and is not subject to any activity, either initiated by itself or by any other organization (including, but not limited to, a change of ownership), that may materially affect its ability to provide accurate information about the products included in its RFP submission.
5. The products proposed in the bid submission have been priced according to the technical specifications as defined in the RFP document and accompanying templates.
6. The Organization understands that all goods to be supplied under Global Fund Framework Agreements must be compliant with the Global Fund's Quality Assurance Policy on Pharmaceuticals.

**Additional items for organizations supplying artemisinin-containing products (i.e., not applicable for organizations not supplying artemisinin-containing products):**

7. The Organization understands and agrees that, unless expressly agreed by the Global Fund in writing, the list of Panel Artemisinin Manufacturers is strictly confidential and shall not be shared or communicated to any third-party without the Global Fund's prior written consent. While engaging with any Panel Artemisinin Manufacturer for the purpose of preparing its proposal in response to RFP TGF-17-001, the Organization shall under no circumstances divulge the list itself and the identity of the other Panel Artemisinin

<sup>1</sup> If a Bidder is submitting a proposal on behalf of a consortium, each consortium member is required to sign this Certificate of Conformance and Acknowledgement, as indicated on the signature page.

Manufacturers. Although Panel Artemisinin Manufacturers have been so informed individually by the Global Fund, the full list of Panel Artemisinin Manufacturers has not been communicated to them.

Notwithstanding the foregoing, the Organization is allowed to share the list of Panel Artemisinin Manufacturers only with its current or prospective Active Pharmaceutical Ingredient (API) suppliers and subject to a confidentiality agreement to be signed by the API suppliers with the obligation not to share the list to any third party and not to share the list itself and the identity of other Panel Artemisinin Manufacturers in their contact with Panel Artemisinin Manufacturers.

8. The Organization is required to use only artemisinin supply sourced from Panel Artemisinin Manufacturers for their products when working under a Global Fund Framework Agreement.
9. The Global Fund does not require the Organization to enter into business or contract with *every* Panel Artemisinin Manufacturer.
10. The Organization understands and agrees that even if the Global Fund reserves the right to conduct Environmental Health and Safety spot-checks at any time, it is the Organization that will take ownership of the continuous improvement plan monitoring of Panel Artemisinin Manufacturers it works with either directly or indirectly to source artemisinin for products to be supplied through a Global Fund Framework Agreement. The Organization agrees it will update the Global Fund over time accordingly.
11. The Organization understands that it will be required to ensure traceability of the artemisinin production site and artemisinin batch number used in each batch of finished pharmaceutical product supplied through a Global Fund Framework Agreement.

If your Organization has any reservations,<sup>2</sup> clarifications, or other descriptive information in connection with this Certificate, you may provide that information in the box below, or, as necessary, on additional pages, and submit that supplemental information as part of the signed version of this Certificate. Please note that non-compliance with any of the provisions of this Certificate will be taken into account in the Global Fund's evaluation of your Organization's bid submission.

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<sup>2</sup> Please note that modifications to the following provisions of the Framework Agreement are not acceptable: Record-Keeping and Audits, Governing Law and Dispute Resolution, No Waiver of Privileges and Immunities, compliance with the Global Fund's Code of Conduct for Suppliers and the Sanctions Panel Procedures, and the principles of the Most Favored Nation clause.

Please complete this page if your Organization **IS NOT** submitting its proposal as a consortium.

**Name of the Organization** \_\_\_\_\_

**Signature of Official / Authorized Signatory** \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Please check **one** of the following boxes:

☐ My Organization intends to supply artemisinin-containing products.

☐ My Organization does not intend to supply artemisinin-containing products.

Please complete this page only if your Organization **IS** submitting its proposal as a consortium.

**For Bidders submitting their proposals as a consortium ONLY**

The following consortium members are part of the consortium represented by \_\_[name of the company]\_\_\_\_\_, and hereby agree to all terms, conditions and obligations set forth in the present Schedule A, subject to reservations, clarifications, or other descriptive information, if any, as provided in the box below.

**Name of the lead organization  
representing the consortium** \_\_\_\_\_

**Signature of Official / Authorized Signatory** \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Please check **one** of the following boxes:

☐ My Organization intends to supply artemisinin-containing products.

☐ My Organization does not intend to supply artemisinin-containing products.

**Name of non-lead organization** \_\_\_\_\_

**Signature of Official / Authorized Signatory** \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Please check **one** of the following boxes:

☐ My Organization intends to supply artemisinin-containing products.

☐ My Organization does not intend to supply artemisinin-containing products.

[to be replicated for all other consortium members, if any]

**Comments (if any)**

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