9 December 2024

Dear Supplier,

REQUEST FOR PROPOSALS – SUPPLY OF INTERNAL CONDOMS AND/OR WATER-BASED LUBRICANT

Pharmac invites proposals for the supply of internal condoms and/or water-based lubricant for the New Zealand subsidised market.

This request for proposals (**RFP**) letter incorporates the following schedules:

- Schedule 1 specifies the products for which Pharmac is requesting proposals and sets out the background to the RFP and the types of proposals sought;
- Schedule 2 describes the process that Pharmac expects to follow in relation to the RFP;
- Schedule 3 sets out information about the estimated size of the forecast subsidised market for the products; and
- Schedule 4 contains the RFP form in which you are to provide details of your proposal.

If you wish to submit a proposal, you must submit it to Pharmac via the Government Electronic Tenders Service (GETS) no later than 12.00 p.m. on 31 January 2025.

If you have any enquiries about this RFP you should submit them on GETS prior to 22 January 2025, responses to all enquires will be published on GETS. If you do need to get in touch via email, please contact Michael Chung at procurement@pharmac.govt.nz

We will also be holding an online supplier briefing 1.30pmNZT Thursday 12 December 2024. If you are interested in attending this, please register your interest by emailing procurement@pharmac.govt.nz

We look forward to receiving your proposal.

Yours sincerely

Geraldine MacGibbon
Director, Pharmaceuticals

Schedule 1: Products, background to RFP and types of proposals sought

1. Products

Pharmac is interested in considering any proposal from suppliers of internal condoms and/or water-based lubricant. Suppliers do not have to include both internal condoms and water-based lubricant in their proposal.

2. Background to RFP

Internal condoms and water-based lubricant are not currently funded by Pharmac. We have received and assessed funding applications for these products.

Clinical advice

Our expert clinical advisory committees have recommended both products be funded. Information regarding the clinical advice we have received on these products can be found on the Application Tracker:

- Internal condoms for sexually transmitted infection (STI) prevention and contraception
- Water-based, non-irritant lubricant for use with funded condoms.

Distribution of products

Currently, Pharmac funds a range of external latex condoms (range of funded products can be found here). Funded external latex condoms are available via prescription with dispensing from a community pharmacy. Additionally, Pharmac funds a distribution system for the bulk supply of external latex condoms directly to certain community health organisations. Pharmac's intent is that internal condoms and water-based lubricant, if funded, would be distributed in the same way as external latex condoms (i.e. through both pathways).

Reasons for running the RFP

Pharmac is aware of multiple internal condom and water-based lubricant products that are available in New Zealand or overseas. In light of this competition, the purpose of this RFP is to:

(a) determine if funding of internal condoms would be possible from within the available budget based on the proposals received; and

(b) determine if funding of water-based lubricant would be possible from within the available budget based on the proposals received.

Any proposals submitted in response to the RFP would be evaluated in accordance with the process set out in Schedule 2.

Intended outcome of the RFP

Principal Supply Status

Through this RFP, Pharmac intends to award the successful supplier(s) Principal Supply Status (PSS) in the community for:

(a) internal condoms, and/or

(b) water-based lubricant single-use sachets (4 g or larger)

Pharmac may, depending on proposals received, also award the successful supplier(s) Principal Supply Status (PSS) in the community for:

(c) water-based lubricant multi-use container (50 - 499 g), and/or

(d) water-based lubricant multi-use container (500 g or larger)

The awarding of PSS means that the successful supplier's brand would be the principal funded brand of internal condoms and/ or water-based lubricant in New Zealand. The supplier would be guaranteed at least 95% of the funded internal condom market in the community and/or 95% of the funded water-based lubricant market in the community (i.e. products would not be funded, or under PSS, in Health NZ hospitals).

Brands of internal condoms and/or water-based lubricant other than the PSS brand could be funded for use in up to 5% of the funded community market(s), via the alternative brand allowance outlined below. PSS includes only the community market.

For the avoidance of doubt, there are four possible PSS arrangements for supply in the community market that could result from this RFP. These are outlined in the table below.

Internal condoms
Water-based lubricant single-use sachets (4 g or larger)
Water-based lubricant multi-use container (50 - 499 g)
Water-based lubricant multi-use container (500 g or larger)

Please note that for water-based lubricant, we may progress either single-use sachets only, or single-use sachets and multi-use containers. We would not progress multi-use containers of water-based lubricant without also progressing single-use sachets.

Pharmac would award one supplier PSS for internal condoms.

Multiple suppliers may be awarded PSS for water-based lubricant container sizes, as defined by product descriptions; or one supplier may be awarded PSS for all water-based lubricant container sizes progressed. For example, three suppliers may be awarded PSS for the three products: single-use sachets, a 50-499 g multi-use container and a 500 g and larger multi-use container.

Pharmac may award one supplier PSS for internal condoms and another supplier(s) PSS for water-based lubricant, or Pharmac may award PSS to the same supplier for both internal condoms and all water-based lubricant proposals that are progressed.

See the *Types of Proposals Sought* below for details of the specific combinations of proposals allowed in this RFP. Proposal options are also in the response form.

The PSS period would be **three years**. See *Term* below for more information.

Alternative Brand Allowance

Typically, the 5% alternative brand allowance (ABA) would be for individuals with unique clinical circumstances who need an alternative brand of treatment funded. Pharmac retains its discretion as to who could access funding for an alternative brand and how funded access to it would be enabled. Funded access to an ABA brand could be by a listing on the Pharmaceutical Schedule or by Pharmac's Exceptional Circumstances framework.

Transition period

If funded, both internal condoms and/ or water-based lubricant would be new listings. PSS would start immediately from the date of listing (i.e. PSS would not be subject to a transition period).

Other considerations

As a result of this RFP, if awarded PSS, Pharmac would retain the right at its sole discretion to change eligibility criteria to either internal condoms and/ or water-based lubricant at any time, including during the PSS period.

Eligibility Criteria

Please note that the eligibility criteria below are in line with those currently recommended to Pharmac by the Reproductive and Sexual Health Advisory Committee. The criteria are intended to be indicative and may change following consideration of consultation feedback or further advice from the Reproductive and Sexual Health Advisory Committee and/or PTAC. Pharmac reserves the right to change the criteria as part of this RFP process.

Internal condoms:

We are proposing that internal condoms would be funded without restriction ("open listed").

Water-based lubricant:

Water-based lubricant would be subject to criteria restricting access only when dispensed with funded condoms (both external and, if progressed through this RFP, internal condoms).

As a result of this RFP, it is Pharmac's intention that one single-use water-based lubricant sachet would be supplied with every subsidised condom distributed, this would be the specified eligibility criteria for water-based lubricant.

In the event one or more water-based lubricant multi-use container products are funded (in addition to single-use sachets) the amount of lubricant that could be funded in these larger pack sizes would be proportional to the number of condoms.

If funded, multi-use containers of water-based lubricant may only be available via the distribution pathway to community organisations (and not be available via community pharmacy).

Patents

At the time of the release of this RFP, Pharmac is not aware of the existence of any patents regarding the products in this RFP.

However, Pharmac makes no representation as to the patent status of the products and accepts no liability for any patent infringement that might occur as a result of this RFP or Pharmac's acceptance of a proposal, including infringement of process patents.

3. Types of proposals sought

The below tables outline the products sought through this RFP. Suppliers may submit proposals for either internal condoms, or water-based lubricant, or both products.

Internal condoms:
PSS would apply to the product, with a 5% ABA.

Table 1: Internal condom products sought

Product	Pack size requirements	Requirement
Internal condoms	Dispensing pack (100 condoms or less per pack)	**Must** provide proposal
	Distribution pack (>100 condoms)	May provide proposal

Water-based lubricant:
PSS would apply to the product (i.e. single-use sachets 4 g or larger, multi-use container 50-499 g, and/or multi-use container 500 g or larger), with a 5% ABA for each relevant line.

Table 2: Water-based lubricant products sought

Product	Pack size requirements	Requirement
Water-based lubricant – single use sachets (4 g or larger*)	Dispensing pack (100 or less sachets, preference for 60 sachet pack)	**Must** provide proposal

	Distribution pack (>100 sachets)	May provide proposal
Water-based lubricant – multi use container (50 g to 499 g*)	No specific requirements	May provide proposal
Water-based lubricant – multi use container (500 g* or larger)	No specific requirements	May provide proposal

*Proposals may be submitted for products that meet these volumes in either grams or millilitres.

Market share – water-based lubricant

Pharmac makes no representations as to market share for any water-based lubricant product, which may be awarded PSS as a consequence of this RFP. Please note that multiple products i.e. pack sizes, may be awarded PSS for water-based lubricant as stated in the table above. A supplier needs to rely on its own knowledge, skill and independent advice or assessment of the market size for any product and Pharmac is to have no liability in that regard.

Aggregate/ bundled proposals

In the instance that a proposal is submitted for water-based lubricant in multiple container sizes, an individual proposal for water-based lubricant single-use sachets only **must** also be submitted.

In the instance that a bundle proposal is submitted for both internal condoms and water-based lubricant, individual proposals for each product **must** also be submitted.

Pricing and Proposal Structure

(a) Suppliers **MUST** submit a proposal for internal condoms and/or water-based lubricant in accordance with the *types of proposals sought* in the section above, subject to the eligibility criteria described above.

(b) Suppliers **MAY** submit multiple proposals for the supply of internal condoms and/ or water-based lubricant.

Proposal Validity Period

(c) All proposals **MUST** remain valid for 12 months from the submission deadline. Suppliers must comply with the terms and conditions stated in their proposals. Changes to pricing and any other terms or conditions post-submission of the RFP proposal may result in disqualification from this RFP process. Pharmac may seek clarifications or engage in limited negotiations during the validity period.

Pack Sizes

(d) Suppliers wishing to submit proposals for internal condoms **MUST** submit proposals with a pack size of 100 condoms or less. Proposals **MAY** include additional pack sizes, including pack sizes larger than 100 condoms.

(e) Suppliers wishing to submit proposals for water-based lubricant **MUST** submit proposals for single-use sachets, in a pack size of 100 sachets or less. Pharmac has a preference for a pack size of 60 sachets to align with the current maximum dispensing amount for some external condoms. Proposals **MAY** include other pack sizes or container types, including single-use sachets in a pack size of larger than 100 sachets, multi-use containers containing 50-499 g, or 500 g or larger.

Lead Time

(f) For each product, proposals **MUST** include a lead time for product being made available in the New Zealand supply chain. Lead time is defined as the time in months or weeks from notification from Pharmac that the proposal has been accepted.

Term

(g) Proposals **MUST** include a PSS period of three years following the list date, for each product included in the proposal, with an ABA of 5%.

Transition and ongoing support

(h) Suppliers **MAY**, and are encouraged to, include information outlining the support that would be provided to implement the proposal (including information and support).

This may include:

- Resources for consumers outlining how to use these products, including information in te reo Māori, Samoan and Tongan.
- Questions and Answers ("Q&As").
- Website content, webinars.
- Awareness raising, e.g. through social media platforms.
- Initiatives that focus on access for populations experiencing health inequities including Māori, Pacific peoples, tāngata whaikaha (disabled people), and LGBTIQ+.
- Education for prescribers and providers on the use of these products and broader considerations around sexual health.

Consents and supporting evidence

(i) Suppliers **MUST** be able to legally supply their proposed products in New Zealand as evidenced by WAND registration number. Where WAND is not applicable to a proposed product, suppliers **MUST** state the reason why it is not applicable. Where a product is not registered on WAND, suppliers **MUST** demonstrate their ability to obtain WAND registration within a timeframe acceptable to Pharmac including estimated registration and supply dates.

(j) Proposals **MUST** include evidence of international compliance certification for any proposed products. The name of the certifying body and certificate **MUST** be included for each proposed product and suppliers **MUST** attach a copy of all relevant certificates.

(k) Proposals for internal condoms **MUST** include evidence of compliance with the relevant standards for contraceptives as set out by Medsafe.

Pharmac is **NOT** willing to consider the following types of proposals (out of scope)

(a) Proposals involving products, related products or devices other than internal condoms or water-based lubricant. For example, lubricant products should not include spermicide.

(b) Proposals that include internal condoms that do not meet relevant standards for contraceptives, as set out by Medsafe.

(c) Proposals that include products that are not registered on the Web Assisted Notification of Devices (WAND) database.

(d) Proposals that include cost-offsets on other products or devices.

(e) Proposals that seek part-funding or subsidy.

(f) Proposals that include supply of the product(s) to Health NZ hospitals.

(g) Proposals that involve foreign currency exchange rate clauses or prices linked to any index.

(h) Proposals that include rebates, or expenditure caps.

(i) Proposals that include an end-date for supply or price.

(j) Two-part pricing arrangements, whereby Pharmac may make an up-front payment (in addition to any ongoing subsidy) in return for the listing of a Pharmaceutical on specific terms.

Subject to the above, Pharmac is open to considering any other types of proposals you may wish to put forward.

Labelling, images and samples

Physical samples of all products included in the proposal **MUST** be provided within a specified timeframe communicated to a supplier from Pharmac. If the samples are different in any way to the products you propose to supply to the New Zealand market, you must provide details about these differences.

Samples delivered to Pharmac are at the supplier's cost.

Supplier Code of Conduct

The New Zealand Government is committed to sustainable and inclusive government procurement and the Supplier Code of Conduct outlines the Government's expectations of suppliers in this respect. Pharmac expects suppliers to meet or exceed the minimum standards set out in the Supplier Code of Conduct.

Schedule 2: RFP process

Pharmac expects to follow the process set out below in the sequence indicated.

1. **Submission**

   (a) You may submit more than one proposal. Each proposal will be considered as a separate proposal.

   (b) Proposals must be submitted to Pharmac via the Government Electronic Tenders Service (GETS) no later than **12.00 p.m**. (New Zealand time) on **31 January 2025**. Late proposals will only be considered at Pharmac's discretion, considering the need for fairness to other suppliers and integrity of the RFP process.

   (c) You cannot withdraw your proposal, once submitted, while the RFP process is continuing.

   (d) If you have any enquiries about this RFP you should submit them on GETS, responses to all enquires will be published on GETS. If you do need to get in touch via email, please contact us at procurement@pharmac.govt.nz

2. **Evaluation**

   (a) Following the deadline for submitting proposals an Evaluation Committee comprising Pharmac staff will evaluate each proposal to select its preferred proposal(s). Pharmac may engage relevant external advisors at the evaluation stage, who would be required to enter into a confidentiality agreement with Pharmac prior to any review of proposals.

   (b) The Evaluation Committee will evaluate proposals in light of Pharmac's statutory objective which is "to secure for eligible people in need of pharmaceuticals, the best health outcomes that are reasonably achievable from pharmaceutical treatment and from within the amount of funding provided". In doing so the Evaluation Committee will be guided by Te Pātaka Whaioranga Te Tiriti policy and the Factors for Consideration (**Factors**) that form part of Pharmac's then current OPPs, as published on Pharmac's website (www.pharmac.govt.nz), to the extent applicable. More information on the Factors can be found at www.pharmac.health.nz/factors-for-consideration.

   (c) The requirement for Pharmac to pursue its statutory objective means that particular emphasis will be given to those aspects of proposals which demonstrate "health outcomes", and those aspects of proposals which demonstrate the impact on the "funding provided" for pharmaceuticals. Those Factors which relate directly to these aspects will be given the greatest weight by the Evaluation Committee, but all Factors are important.

   (d) The information to be taken into account in applying the Factors by the Evaluation Committee will be at its discretion, however it will include:

      (i) information provided by you in accordance with Schedule 4 of this RFP, including information provided under clause 3 below;

(ii) pack size, labelling, product inserts and related information;

(iii) for water-based lubricant – product specifications including, but not limited to ingredients, pH, osmolarity, “dry time*”, expiry after opening and any other factors which may impact user experience;

**“dry time” refers to how long a lubricant is likely to last, remain slippery, once applied before it dries out.*

(iv) lead time;

(v) any advice from PTAC, or relevant Specialist Advisory Committee, any relevant professional organisation, healthcare professionals and any other relevant stakeholders. This may include specific clinical advice regarding relative risks and benefits of the proposed products following the closing of this RFP;

(vi) previous supply performance and relevant expertise;

(vii) information regarding the support that would be provided to support implementation of a proposal that would contribute to equitable access and outcomes for any people experiencing health inequities; for example Māori, Pacific peoples, disabled people, LGBTQI+; and

(viii) any other information that the Evaluation Committee considers to be relevant having regard to probity principles.

(e) Each proposal will be evaluated on the basis that the price offered, the expenditure entailed, and any other terms included in the proposal, are the best that the supplier is able to offer. If you do not put forward your best terms you risk having your proposal excluded at the evaluation stage.

(f) For the purpose of fiscal evaluation for this RFP, Pharmac will assess any pricing offered as commencing from no earlier than 1 June 2025. Suppliers may offer proposals that include a listing or price change prior to this date; however, any fiscal impact from this earlier listing/price change will not be included in Pharmac’s primary fiscal evaluation of proposals.

(g) If two or more proposals were determined by Pharmac to be similar, having considered all the Factors for Consideration, Pharmac may undertake a secondary fiscal evaluation where we may consider the impact of earlier list date/price changes.

(h) Pharmac is not bound to select the lowest priced proposal or any proposal.

3. **Pharmac may request further information**

(a) Pharmac may request such further information as it considers necessary from or about you for the purposes of clarifying or evaluating your proposal, including (but not limited to):

(i) detailed information about your company structure, credit status and any other relevant company information;

(ii) any other additional information about your proposed products; and

(iii) any other information regarding the implementation support requested and described above.

(b) If Pharmac requests further information from or about you, it is not obliged to request the same or any other information from or about any other party, provided that in Pharmac's judgment this would not be unfair to any other party.

4. **Clinical advice and prioritisation**

(a) Following evaluation of proposals Pharmac may seek clinical advice from PTAC, a Specialist Advisory Committee or other advisors if required.

(b) Pharmac may rank preferred proposal(s) on our Options for Investment list if required. If proposal(s) that include listing internal condoms or listing water-based lubricant do not rank high enough to be progressed from within the budget available, Pharmac reserves the right not to accept these proposals.

5. **Negotiation**

(a) Pharmac may negotiate with the submitter(s) of one or more preferred proposals, in the latter case whether or not the acceptance of either supplier's proposal would exclude acceptance of the other proposal.

(b) Negotiations will proceed on the basis that Pharmac's standard terms and conditions for supply of pharmaceuticals are applied. These terms and conditions are available as an attachment to this RFP on GETS.

(c) Given that Pharmac expects your proposal to be the best you can offer, Pharmac does not intend to initiate negotiation with you on price. However, Pharmac does not exclude the possibility that the final price agreed will be different from the price put forward in your proposal, as a result of the impact that other negotiated terms may have on price.

(d) Pharmac may negotiate and enter into a provisional agreement with a preferred supplier(s) on whatever special terms, in addition to Pharmac standard terms and conditions, Pharmac considers appropriate.

(e) If Pharmac and the supplier(s) are unable to reach a provisional agreement within what Pharmac considers to be a reasonable time, Pharmac may terminate those negotiations and negotiate with a different supplier(s).

6. **Consultation and approval**

(a) Any provisional agreement will be conditional on consultation with suppliers and other interested parties, to the extent Pharmac considers consultation to be necessary or appropriate, and on Board approval (or approval by the Board's delegate acting under delegated authority).

(b) Pharmac will not consider any counter-offers received during consultation.

(c) The provisional agreement and responses to consultation will be considered by Pharmac's Board (or by the Board's delegate acting under delegated authority) in accordance with Pharmac's decision-making framework as outlined in its OPPs with reference to the Factors for Consideration and in line with Te Pātaka Whaioranga Te Tiriti policy.

(d) If the Board or its delegate does not approve the provisional agreement, then Pharmac may initiate negotiations for a provisional agreement with any other supplier(s).

(e) The RFP process will be complete once Pharmac has notified suppliers of either:

(i) the Board's, or its delegate's, decision to accept a negotiated agreement; or

(ii) the termination of the RFP process.

7. **Miscellaneous**

(a) Pharmac reserves the right, having regard to probity principles:

(i) to make such adjustments to the above RFP process as it considers appropriate, at any time during the process, provided that it notifies suppliers affected by those changes;

(ii) not to accept any proposal;

(iii) to seek clarification of any proposal;

(iv) to meet with any supplier in relation to its proposal;

(v) to enter into an agreement or arrangement that differs in material respects from that envisaged in this RFP letter;

(vi) to suspend this RFP process. For example, if during the RFP process (and before a provisional agreement is entered into) it becomes apparent to Pharmac that further consultation is appropriate or required we may suspend the RFP process in order to consult. In this situation we may ask you to adapt and resubmit your proposal in light of consultation, or alternatively we may request that new proposals be submitted;

(vii) to terminate this RFP process at any time, by notifying suppliers who submitted proposals, and, following termination, to negotiate with any supplier(s) on whatever terms Pharmac thinks fit;

(viii) to readvertise for proposals.

(b) Pharmac may consult or seek clinical advice from PTAC or its Specialist Advisory Committees at any stage of the RFP process. Pharmac will notify you if the clinical advice results in any changes to the terms of the RFP.

(c) You must not initiate or engage in any communication with other suppliers in relation to the RFP, whether before or after submitting your proposal(s), until such time as a provisional agreement is accepted by Pharmac's Board or the Board's delegate.

(d) You must not initiate or engage in any communication with Pharmac, Ministry of Health | Manatū Hauora (including its operating unit Medsafe), the Minister of Health (or any Associate Ministers), Health NZ | Te Whatu Ora, Ministry of Disabled People | Whaikaha, or any of their officers or directors, or advisors to Pharmac with a view to influencing the outcome of this RFP process. Failure to comply with this clause will entitle Pharmac, in its sole discretion, to disqualify you from this RFP process.

(e) You must pay your own costs for preparing and submitting your proposal.

(f) Proposals are submitted in reliance on your own knowledge, skill, and independent advice, and not in reliance on any representations made by Pharmac.

(g) Your submission of a proposal will be taken as acceptance of the terms contained in this RFP document. Pharmac may exclude your proposal if you do not comply with any of the terms contained in this RFP document.

(h) This is an RFP and not a tender. Your proposal is not an offer capable of being converted into a contract for the supply of internal condoms and/or water-based lubricant by Pharmac's apparent acceptance and instead a separate agreement needs to be negotiated.

(i) Pharmac is not liable in any way whatsoever for any direct or indirect loss (including loss of profit), damage or cost of any kind incurred by you or any other person in relation to this RFP.

(j) Pharmac will consider your proposal and information exchanged between us in any negotiations relating to your proposal, excluding information already in the public domain, to be confidential to us and our employees, legal advisors and other consultants, external advisors, Ministry of Health | Manatū Hauora, Health NZ, and Ministry of Disabled People | Whaikaha (**Confidential Information**). However, you acknowledge that it may be necessary or appropriate for Pharmac to release Confidential Information:

(i) pursuant to the Official Information Act 1982; or

(ii) in the course of consultation on a provisional agreement entered into with a supplier; or

(iii) in publicly notifying any approval by the Pharmac Board of that agreement; or

(iv) otherwise pursuant to Pharmac's public law or any other legal obligations.

Pharmac may consult with you before deciding whether to disclose Confidential Information for the purposes described in sub-clauses (i) to (iv) above. You acknowledge, however, that it is for Pharmac to decide, in its absolute discretion, whether it is necessary or appropriate to disclose information for any of the above purposes, provided that Pharmac shall act in good faith in disclosing any Confidential Information.

8. Anticipated timetable

(a) Following receipt of proposals, Pharmac anticipates:

(i) the Evaluation Committee evaluating proposals in February 2025;

(ii) negotiating with submitter(s) of one or more preferred proposals in March 2025;

(iii) consulting on a provisional agreement in March or April 2025;

(iv) Pharmac's Board, or the Board's delegate, considering this provisional agreement in or after May 2025,

provided that the above time frames are only approximate and may be extended, without notice being required from Pharmac, if any stages of the RFP process take longer than anticipated.

(b) Under this indicative timetable, the earliest that changes to the Pharmaceutical Schedule could be implemented is 1 June 2025.

9. **Governing Law**

This RFP is governed by New Zealand law, and the New Zealand courts have exclusive jurisdiction in all matters relating to this RFP.

Schedule 3: Market information

The following information relates to the estimated subsidised market size of internal condoms and water-based lubricant.

The information is approximate and indicative only. Pharmac makes no representation as to the accuracy of this information or as to the level of sales or likely sales of internal condoms and water-based lubricant and, while Pharmac has taken all reasonable care in preparing the information set out below, it accepts no liability for any errors or omissions in the information. Pharmac is not obliged to notify you in the event of any change to the figures below.

All figures below are for community use.

Table 3: Forecast units

Row Labels	Year 1	Year 2	Year 3	Year 4	Year 5
Internal condoms	199,000	203,000	206,000	209,000	212,000
Water-based lubricant – single-use sachets	7,186,000	7,318,000	7,396,000	7,500,000	7,501,000

Units = number of condoms or sachets.

The above units assume that one single-use sachet is given with every funded condom (current funded external condoms and proposed funded internal condoms). These figures therefore represent the absolute maximum potential uptake.

Pharmac has not forecast potential use of multi-use containers of water-based lubricant should these be funded; however, any use of these products would offset the number of single-use sachets used. If multi-use containers were funded, restrictions would apply allowing only certain volumes of multi-use lubricant to be funded with condoms. This volume restriction would be at Pharmac's discretion.

Currently approximately 50% of funded external condoms are dispensed via community pharmacy and 50% via bulk distribution to community health organisations. Distribution pack sizes, or multi-use containers would likely be distributed via bulk distribution only. Dispensing packs would likely also be available via bulk distribution.

Pharmac makes no representations as to market share for any products, which may be awarded PSS as a consequence of this RFP. Please note that either one or multiple products i.e. pack sizes, may be awarded PSS for water-based lubricant. A supplier needs to rely on its own knowledge, skill and independent advice or assessment of the market size for any product and Pharmac is to have no liability in that regard.

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TE PĀTAKA WHAIORANGA

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Schedule 4: Proposal form

An editable version of this form is available on the GETS listing for this RFP

<Respondent to Insert Date>

Director, Pharmaceuticals
C/- Michael Chung, Procurement
Te Pātaka Whaioranga | Pharmac

By electronic transfer using GETS (https://www.gets.govt.nz)

Tēnā koe

Proposal for the supply of internal condoms and/or water-based lubricant

In response to your request for proposals (**RFP**) dated 9 December 2024, we put forward the following proposal in respect of **internal condoms and/or water-based lubricant**.

Set out below is information in support of our proposal.

1. **Contact details:**

Name of supplier	
Contact person	
Address	
Phone	

Email address	

2. **Product sample details:**

   a. Provide details if the samples provided differ from the products proposed to be supplied in Attachment One

3. **Details of product presentation:**

Please complete Attachment 1 for product presentation and pricing information.

4. **Capability and Capacity**:

   a. Provide background information about your organisation

b. Provide details of your organisation's proposed role in the supply of the products discussed in this RFP. For example, are you a manufacturer or distributor? (if you are a distributor please provide details of the terms of any agreements such as duration and exclusivity).

c. Provide details of your organisation's other major markets, including existing and previous customers, both within New Zealand and overseas

d. Provide information about your organisation's current supply and distribution arrangements for the products discussed in this RFP including:

- track record,
- supply volumes
- lead times to supply (in a stable demand scenario, in the event of supply disruptions and when there is an unexpected surge in demand)
- capability and capacity to ensure continuity of supply

e. Provide information about your organisation's ability to ensure consistent quality including processes to ensure production consistency, current complaints management processes and your ability to recall stock, refund or credit for damaged or faulty goods:

f. Does your organisation identify as being a Māori business?
Pharmac is committed to the Government's progressive procurement approach to increase the diversity of government suppliers and achieve broader economic and social outcomes, with a specific focus on Māori businesses. As part of this approach, Pharmac is committed to gaining a better understanding of how our agency can support the economic and social outcomes for Māori through our procurement. Pharmac is therefore gathering information from organisations as to whether they identify as a Māori business.

A Māori business for Government procurement purposes is:

- One that has at least 50% Māori ownership, or
- A Māori Authority as defined by Inland Revenue.

Within these definitions, does your organisation identify as a Māori business? This information will inform Pharmac's supplier's database and will be reported to NZ Government Procurement, subject to any concerns you identify.

5. **Key features of your proposal:**

   a. Reasons why Pharmac should accept your proposal:

   b. Please outline how your organisation would support improving access and responsible use of these product (e.g. services and resources that would be offered).

c. Having considered the Pharmac standard terms and conditions for the supply of products and the Pharmac Principal Supply Status template terms are there any special terms you would like to note up front? Please refer to the Out of Scope and Negotiation sections of the RFP for areas Pharmac will not negotiate on.

d. Additional information that Pharmac should consider when evaluating your proposal:

6. **Labour and human rights**

Visibility over our supply chain? Please select one of the below options and explain why you have selected this option: High: we have mapped the full supply chain for key products and services used by our organisation and have identified key suppliers at all levels of our supply chain.	

Moderate: we have identified major suppliers and have partially or fully mapped the supply chains for key products and services of our supply chain. Developing: we have identified major suppliers. We have very limited or no visibility of our supply chains for key products and services of our supply chain. Other: summary of the current status of our supply chain visibility				
Our organisation has a policy or policies in place to deal with modern slavery and worker exploitation	Yes		No	
Our organisation has systems to monitor compliance with these policies?	Yes		No	
If you said yes to either of the two above questions, please attach or link. If the answer is no, please provide information on what your organisation is doing, or plans to do, to manage modern slavery and worker exploitation risk.				
Our organisation performs due diligence screening of all prospective suppliers to assess the risk of modern slavery or other human rights harms that may occur in its operations and supply chains	Yes		No	
If yes, please describe how your organisation performs its due diligence for modern slavery and worker exploitation concerns. If no, does your organisation plan to introduce measures to screen prospective suppliers from modern slavery and worker exploitation in future?				
Our organisation complies with recognised standards	Yes		No	
If yes, please identify the standard and outline the degree to which your organisation complies.				

7. **Environmental sustainability**

Our Organisation has an environmental/sustainability policy?	Yes/No
Our Organisation has a sustainability report?	Yes/No

If yes to either of the two above questions, please attach or link:		
How does your Organisation contribute to environmental sustainability?	*Please describe the measures you take to contribute to environmental sustainability – in general and specifically in relation to this RFP*	
Our Organisation has received environmental/sustainability award(s)	Yes/No	
If yes, provide details:		
Our Organisation has received environmental fine/prosecution(s)	Yes/No	
If yes, provide details:		
Our Organisation has received environmental audit(s), or complies with a recognised standard?	Yes/No	
If yes, provide details:		

8. **Evidence of compliance with standards and legislation:**

   a. In addition to information provided in Attachment 1, please upload to GETS as clearly named file(s) separate to the response form certificates providing evidence that the product(s) meet relevant standards, as well as any other relevant certifications.

Does your manufacturing site meet the New Zealand Code of Good Manufacturing Practice for Manufacture and Distribution of Therapeutic Good? **If Yes, <u>attach</u> evidence**	[Yes/No]		
Quality Management System(s) certification for your company **If Yes, <u>attach</u> evidence** Include relevant section(s) of standard where certification is not for full standard.	ISO 9001 [Yes/No]	ISO 13485 [Yes/No]	Other [specify]
Quality Management Systems(s) certification for manufacturer(s) **If Yes, <u>attach</u> evidence** Include: • manufacturer's name • relevant section(s) of standard where certification is not for full standard	ISO 9001	ISO 13485	Other