

Meeting of Complaint Redressal Committee (CRC) held on: 28.12.2018, 31-12-2018 and 01-01-2019.

Complaint Redressal Committee (CRC) were held on 28.12.2018, 31.12.2018 and 01.01.2019 under the Chairmanship of Additional Govt. of Sindh, to review complaints received from aggrieved bidders against technical/financial evaluation finalized by the Central (PPC) against Central Rate Contract's Tender 2018-19 invited by Health Department for the Financial Year 2018-19.

Members of the committee attended the meetings:

Dr. Muhammad Usman Chachar Additional Chief Secretary Health, Government of Sindh.	Chairman
Professor Dr. Bikha Ram, Vice Chancellor, Liaquat University of Medical & Health Sciences, Karachi.	Member
Professor Dr. Amjad Siraj Memon Professor of Surgery, Dow University of Health Sciences, Karachi..	Member
Professor Dr. Saba Sohail Professor of Radiology, Dow University of Health Sciences/Civil Hospital Karachi.	Member
Mr. Ishtiaque Ahmed Accounts Officer, A.G. Sindh, Karachi. <u>Note:</u> Ms. Afshan Jameel Assistant Accountant General Sindh. Representative of Accountant General, Sindh, Karachi attended meeting in place of Mr. Ishtiaque Ahmed on 01.01.2019.	Member

— J.S.S. —
Afshan
U.S.S.

Complaint Redressal Committee before starting meeting proceedings, reviewed/studied the Terms and Conditions of bidding documents of the Rate Contract System for the Year 2018-19 prepared by Central Procurement Committee. The main points are narrated as under:

- a. Registered with the Drug Regulatory Authority (DRAP) Government of Pakistan, Valid registration certificates of each quoted drugs / items shall be provided duly attested by the F.I.D concern / senior executive.
- b. In case of imported items, the quoted items should be registered for use in their country of origin, for which the Importers should provide valid Free Sale Certificate & valid cGMP Certificate for their quoted products duly attested by the embassy of the country of origin in Pakistan or the embassy of Pakistan in the country of origin of the quoted item/s.
- c. For cardiac stents provision of the following documents is mandatory a part from those mentioned in clause a & b above.
 - i. Registered with DRAP,
 - ii. Certification of US-FDA, or
 - iii. Valid permission of sale/import of quoted item/s in the US Market.
- d. For disposable syringes, I.V. cannula, certificate of analysis non PVC.

In addition to above, following were also essential conditions of the bidding documents:

a. Manufacturer of General Drugs/Medicines:

- i. Functional Stability Chamber (evaluated at the time of inspection by the CPC expert(s) or provide current / valid certificate of functional stability chamber duly attested by F.I.D concern), non-functioning, shall lead to disqualification of the firm).
- ii. Raw material storage (evaluated at the time of inspection by the CPC expert(s) or provide current / valid certificate duly attested from F.I.D concern). Non adherence to cGMP shall lead to disqualification of the firm. Page 103 of 194.
- iii. Adherence to Good storage practices (GSP) issued by the DRAP authorities or international agency for finished goods storage of the quoted item/s and duly attested by the concern drug regulators. Non adherence to GSP, (evaluated at the time of inspection by the CPC expert(s) or non-provision of valid /current certificate duly attested by concern drug regulator) shall lead to Disqualification of the firm.
- iv. Functional Heating, Ventilation, Air-conditioning Control (HVAC) System (evaluated at the time of inspection by the CPC expert(s) or valid / current certificate of functional HVAC system duly attested by concern F.I.D). Non functionality of the HVAC system shall lead to Disqualification of the relevant section/firm.

b. Importer of General Drugs/Medicines:

- i. Valid cGMP (attested from the embassy of the country of origin in Pakistan or Pakistani embassy in the country of origin). Non provision of the embassy attested certificate will lead to disqualification of firm.

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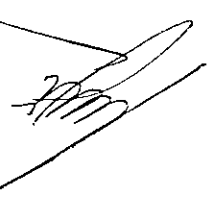
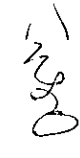
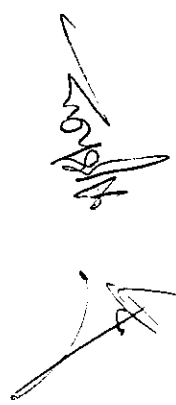
- ii. Availability of minimum 25% inventory of the total import of the quoted item/s during last one year (certificate to the effect duly signed by the senior executive of the firm & can be verified / evaluated by the CPC expert/s). Non availability of the 25% stock at the time of inspection shall lead to disqualification of the quoted item/(s).
- iii. Functional and effective Air-conditioning & Ventilation System and Effective cold chain for thermo labile drugs and adherence to Good Storage Practices (GSP). Non adherence to HVAC, ECC & .OGSP, non-submission of valid / current certificate duly attested by drug regulator shall lead to Disqualification of the firm.
- iv. Valid Free Sale certificate for the quoted item/s duly attested by the Pakistani embassy in the country of origin of quoted item/s or embassy of the country of origin in Pakistan. Non Provision of the certificate shall lead to Disqualification of the quoted item/s.

c. Manufacturer of General Medicine/Drugs (I/V Fluids):

- i. Functional Stability Chamber (valid / current certificate of functional stability Chamber duly attested by drug regulator, as non-functioning, shall lead to disqualification of the firm.
- ii. Raw material storage (valid / current certificate duly attested by drug regulator). Non adherence to cGMP shall lead to disqualification of the firm.
- iii. Adherence to Good Storage Practices (GSP) for finished goods storage of the quoted item/s. Non adherence to GSP, non-production of GSP certificate duly attested by the Drug regulator, shall lead to Disqualification of the firm.
- iv. Functional HVAC (valid / current certificate duly attested by drug regulator). Non functionality of the HVAC system shall lead to Disqualification of the relevant section/firm.

d. Importer of General Medicines/Drugs (I/V Fluids):

- i. Valid cGMP for the Principal Manufacturer (attested from the embassy of the country of origin in Pakistan or Pakistani embassy in the country of origin). Non provision of the embassy attested certificate will lead to disqualification of firm. Page 104 of 194.
- ii. Availability of minimum 25% inventory of the total import of the quoted item/ during last one year (certificate to the effect duly signed by the senior executive of the firm & evaluated by the CPC expert/s). Non availability of the 25% stock at the time of inspection shall lead to disqualification of the quoted item/s).
- iii. Functional and effective Air-conditioning & Ventilation System and effective cold chain for thermolabile drugs and adherence to Good Storage Practices (GSP). Non adherence to GSP, (evaluated at the time of inspection by the CPC expert(s) or provide current / valid certificate of functional and effective Air Conditioning Ventilation System and effective cold chain for thermolabile drugs duly attested by drug regulator concern), shall lead to Disqualification of the firm.



iv. Valid Free Sale certificate for the quoted item/s duly attested by the Pakistani embassy in the country of origin of quoted item/s or embassy of the country of origin in Pakistan. Non Provision of the certificate shall lead to Disqualification of the quoted item/s.

e. Manufacturer of Biological Products:

- i. Functional Stability Chamber (valid / current certificate of functional stability Chamber duly attested by drug regulator, as non-functioning, shall lead to disqualification of the firm).
- ii. Availability of functional effective Cold Chain System & Uninterrupted Power Supply (valid / current certificate of functional cold chain system duly attested by drug regulator, as non-functioning, shall lead to disqualification of the firm and non-adherence to cGMP will lead to disqualification of the firm).
- iii. Functional HVAC (valid / current certificate of functional HVAC duly attested by drug regulator). Non functionality of the HVAC system shall lead to Disqualification of the relevant section/firm.

f. Importer of Biological Products: (WHO prequalified)

- i. Valid cGMP (attested from the embassy of the country of origin in Pakistan or Pakistani embassy in the country of origin). Non provision of the embassy attested certificate will lead to disqualification of firm.
- ii. Availability of minimum 25% inventory of the total import of the quoted item/s during last one year (certificate to the effect duly signed by the senior executive of the firm & evaluated by the CPC expert/s). Non availability of the 25% stock at the time of inspection shall lead to disqualification of the quoted item/s).
- iii. Functional and effective Air-conditioning & Ventilation System and effective cold chain for thermolabile drugs. Non provision of the facility will lead to Disqualification.
- iv. Valid Free Sale certificate for the quoted item/s duly attested by Pakistani embassy in the country of origin of quoted item/s or embassy of the country of origin of quoted item/s in Pakistan. Non Provision of this certificate shall lead to Disqualification of the quoted item/s.

g. Manufacturer of Medical Devices:

- i. Raw material storage (as evaluated at the time of inspection by the CPC expert/s, valid / current certificate duly attested by drug regulator). Non adherence to cGMP shall lead to disqualification of the firm.
- ii. Adherence to Good Storage Practices (GSP) for finished goods storage of the quoted item/s. Non adherence to GSP, as evaluated by the CPC expert/s, valid / current certificate duly attested by drug regulator shall lead to Disqualification of the firm.

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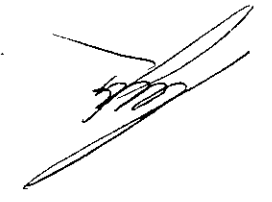
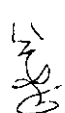
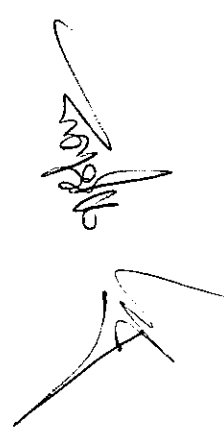
- iii. Functional HVAC (as evaluated by the CPC expert/s at the time of inspection or provide current / valid certificate of functional stability chamber duly attested by F.I.D concern). **Non-functioning of HVAC system at the time of inspection shall lead to disqualification of the relevant section/firm.**
- iv. Samples of devices will be tested and evaluated by the Drugs Testing Laboratory (DTL) as well as by the CPC expert/s and the **quoted item/s shall be disqualified for further competition on their adverse report/s.**

h. Importer of Medical Devices:

- i. Valid cGMP /Quality Control /Quality Assurance Certificate (attested from the embassy of the country of origin of the quoted item/s in Pakistan or Pakistani embassy in the country of origin). Non provision of the embassy attested certificate will lead to disqualification of firm.
- ii. Availability of minimum 25% inventory of the total import of the quoted item/s during last one year (certificate to the effect duly signed by the senior executive of the firm & evaluated by the CPC expert/s). Non availability of the 25% stock at the time of inspection shall lead to disqualification of the quoted item/s.
- iii. Adherence to Good Storage Practices (GSP) for finished goods storage of the quoted item/s. Non adherence to GSP, as evaluated by the CPC expert/s at the time of inspection as evaluated by the CPC expert/s, valid / current certificate duly attested by drug regulator shall lead to Disqualification of the firm.
- iv. Valid Free Sale certificate for the quoted item/s duly attested by the Pakistani embassy in the country of origin of quoted item/s or embassy of the country of origin in Pakistan. Non Provision of the embassy attested certificate shall lead to Disqualification of the quoted item/s.
- v. Samples of devices will be tested and evaluated by the Drugs Testing Laboratory (DTL) as well as by the CPC expert/s and the quoted item/s shall be disqualified for further competition on their adverse report/s.

i. Importer of Medical Devices (Cardiac Stents):

- i. Valid cGMP /Quality Control /Quality Assurance Certificate (attested from the embassy of the country of origin of the quoted item/s in Pakistan or Pakistani embassy in the country of origin). **Non provision of the embassy attested certificate will lead to disqualification of firm.**
- ii. Valid certification of the quoted item/s by the US Food and Drug Administration (US FDA) as well as valid permission for sale/import of the Page 106 of 194 quoted item/s in the US market. **Non Provision of these mandatory documents shall lead to disqualification of the quoted item/s.**



- iii. Availability of minimum 25% inventory of the total import of the quoted item/s during last one year (certificate to the effect duly signed by the senior executive of the firm & evaluated by the CPC expert/s). Non availability of the 25% stock at the time of inspection shall lead to disqualification of the quoted item/s).
 - iv. Adherence to Good Storage Practices (GSP) for finished goods storage of the quoted item/s. Non adherence to GSP, as evaluated by the CPC expert/s at the time of inspection as evaluated by the CPC expert/s, valid / current certificate duly attested by drug regulator shall lead to Disqualification of the firm.
 - v. Valid Free Sale certificate for the quoted item/s duly attested by the Pakistani embassy in the country of origin of quoted item/s or embassy of the country of origin in Pakistan. Non Provision of the embassy attested certificate shall lead to Disqualification of the quoted item/s.
 - vi. Samples of stents shall be inspected by CPC expert/s and the item/s shall be disqualified for further competition on the adverse report of expert/s.
- j. Manufacturer of Cotton & Related Goods & Non Drugs Items (NDIs):**
- i. Functional and effective Air-conditioning & Ventilation System. Non Functionality of the AC & Ventilation system at the time of inspection by the CPC expert/s or non-provision of valid certificate from F.I.D in specified section/s shall lead to disqualification of the section or firm.
 - ii. Appropriate storage of raw material/s as per law. Non provision of good storage condition, as evaluated by the CPC expert/s, or non-provision of valid certificate from F.I.D shall lead to disqualification of the concerned section/s or firm.
 - iii. Adherence to Good Storage Practices (GSP) for finished goods storage of the quoted item/s. Non adherence to GSP, as evaluated by the CPC expert/s, or non-provision of valid certificate from F.I.D shall lead to Disqualification of the firm.
 - iv. Samples of quoted item/s shall be tested and evaluated by the Drugs Testing Laboratory as well as by the CPC expert/s and the quoted item/s shall be disqualified for further competition on the adverse report/s of expert/s.

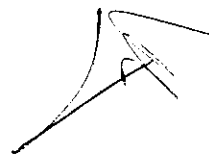

Financial Evaluation and Scoring System for Bids

Total Allocable marks for Technical Proposal = 70

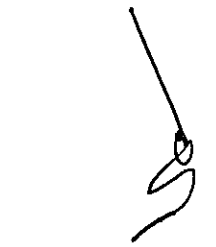
Total Allocable marks in Financial Proposal = 30

Total Combined Allocable Score for individual bids = Marks obtained in Technical Evaluation + Marks obtained in Financial Evaluation = 100

Scoring Methodology:

Subir



Contract will be awarded to the lowest evaluated responsive firm whose product ranks highest in the Combined Evaluation scoring calculated through the Marks awarded to Technical Proposal and Financial Proposal as stated in the Bid Data Sheet of these Standard Bidding Documents.

The Evaluation Methodology is a combination of non-price factors (in Technical Criteria) and price factor (in Financial Criteria); and each having points as elaborated in the evaluation proformas provided in these SBDs.

Procedure for the Marks Scoring:

Marks will be awarded or otherwise for various technical parameters to each quoted product based on the prescribed Technical and Financial criteria. The total combined marks will determine the highest ranking product in each product category for contract award.

The formula to calculate the marks for the price by the bidders other than lowest bidder is given below:

Financial Evaluation Score of individual quoted Product:

$$= [\text{Lowest quoted Price of the item} \div \text{Next higher proposed Price of the competing item}] \times \text{Total allocable financial score}$$


Solved Example of Financial Scoring: -

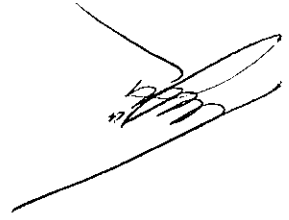
If the lowest quoted price of an item is Rs. 86/-, the same lowest bidder will obtain score as below:

$$= [86 \div 86] \times 30 = 30 \text{ marks, being the lowest bidder for the quoted item. Page 108 of 194}$$

- If the next higher quoted price of the same item is Rs. 105/-, the marks obtained will be: = $[86 \div 105] \times 30 = 24.57$ Marks

- If the next higher quoted price of the same item is Rs. 130/-, the marks obtained will be: = $[86 \div 130] \times 30 = 19.84$ Marks




All representatives of complaints attended the meeting except the representative of M/s. Onco Pharma. The representative of respective firms explained their complaints / grievances in detail before the Committee and produced relevant record in support of their complaints. The Committee examined and discussed the complaints thoroughly and after exhaustive discussion, deliberation of each points and examination of all record, unanimously decided as under:

S.NO. NAME OF COMPLAINANT WITH THEIR GRIEVANCE

1 **A TO ZEE**
 Tender 01= Drugs/Medicines
 Item Nos. 1506, 1520, 1541
Observations:
 - **Item No. 1506:** Drops-Cyclosporin 0.5 % Eye Drops, offered Rate of Rs. 140/- but mentioned in C.S.=1.40
 - **Item No. 1520:** Cream-Clobetasol propionate 0.05 % 10 gm, awarded to GSK having score 86, while they are in high position having score 89.
 - **Item No. 1541:** Cream-Premethrine 5% 30 gm, awarded to Novamed having score 84.77 despite they on high rank at score 87.28.

CRC OBSERVATIONS

Item Nos: 1506, 1520, 1541

Item No.	Bidder	Rates in CPC doc.	Rate in Original Fin. Bid
CPC 1506	M/s. Atco (A to Zee)	1.40	140/-

Item No.	Bidder	Score
CPC 1520	M/s. GSK M/s. Atco (A to Zee)	86.00 89.00
CPC 1541	M/s. Novamed M/s. Atco (A to Zee)	84.77 87.28


DECISIONS OF CRC.

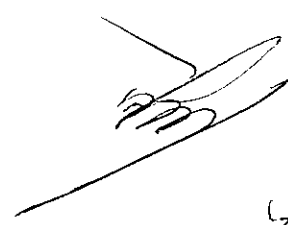
CRC decided to refer back to CPC to give a written feedback and correct price in Item No. 1506 and also rephrase marks calculation in Item No.1506, 1520, 1541 in-accordance with record position and submit report accordingly for further necessary action.


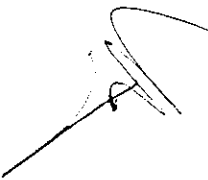
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<p>2</p> <p><u>M/S. ABA ENTERPRISES</u> Tender 01= Drugs/Medicines Item Nos. 0691, 1128 & 1560</p> <p><u>Observations:</u></p> <ul style="list-style-type: none"> - Item No. 0691: They obtained 36 marks but not included in financial. - Item No. 1128: Liq Paraffin 4.5 Ltrs. They quoted the rates 4.5ml (450ml), hence may correct 450ml instead of 4.5 Litres. - Item No. 1560: Liq. Paraffin, they quoted the rates for 1 Litre Rs. 347/-, hence their rates may be read as 1 Litre. 	<p><u>CRC observations:</u></p> <p><u>CPC 0691:</u></p> <p>- 07 Bidders participated against this product but all were declared non-responsive due to non-provision of mandatory documents of offered products including M/s. ABA Enterprises.</p> <p><u>CPC 1128 & CPC 1560:</u></p> <p>In both items firm did not mentioned strength of pack in their financial bid simply quoted. "Prodine Solution 10% M/V", and now informed that they have quoted the rates for 450ml & 1 Litre.</p>	<p>CRC upheld the decision of CPC in Item No. CPC 0691 and for Item No. CPC 1128 & CPC 1560 CRC decided to refer back to CPC for specific comments in the matter.</p>
<p>3</p> <p><u>M/S. AJM PHARMA</u> Tender 01= Drugs/Medicines Item No. 1135 = TENOFOVIR 300MG</p> <p><u>Observations:</u></p> <p>They submitted that they have quoted the above product at item code 1135 but in C.S. the code of Item changed as 1088, which was not communicated to them.</p>	<p><u>CRC observations:</u></p> <p>It was noticed that the Item No 1135 CPC code 1626 (TENOFOVIR 300MG) was evaluated against CPC code No. 1626 and marks (79.56) were also awarded on CPC Code to M/s. AJM Pharma. The Item was awarded to M/s. Macter who secured highest score (83). Simple change of Serial numbers in comparative Statement has not deprived of any firm from its due right. Hence complaint was found merit no consideration.</p>	<p>The CRC after reviewing record, rejected the grievance of M/s. AJM Pharma having no substance.</p>

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Middle right:  *Sub-Comm*

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M/S. AL-HAMD

Tender 02 = SURGICAL

Item No. 0246, 0265, 1951, 1952, 2028, 2029

1928, 1926, 1927 & 1929

Observations:

Tender 02=Surgical/Disposable

Item No. 0264 & 0265 = Surgical Tape.

Item No. 1951 & 1952 = Foly's Catheter:

They objected on acceptance of product of Mehar Enterprises and requested to check Free Sale Certificate of quoted Wellmed brand. Moreover, they objected that their quoted surgical Tape declared non-responsive due to price in 5 yards instead of 10 yards. They requested to calculate the price as per yard.

Item No. 2028 & 2029 = Surgical Gloves:

-They objected that marks of various documents attached by them not incorporated in the evaluation. Moreover, they have objected on acceptance of product of M/s.Searle Pakistan, who is black listed by primary & Secondary Health care department Govt. of Punjab on the basis of forge/fake free sale certificate. They attached the copy of said order.

CRC observations:

Item No. 0264 & 0265 = Surgical Tape. M/s. Al-Hamd quoted Prices of 5 yards against required 10 yards as per specification of Tender. The record of CPC provide that they were declared non-responsive due to non-compliance of tender specification. Moreover, M/s. Mahar Enterprises quoted this item as per required specification and secured highest rank in marking who secured (68) marks. Hence, no justification was found in the grievance of M/s. Al-Hamd.

Item No. 1951 & 1952 = Foly's Catheter:

M/s. Al-Hamd were of the view that they submitted free sale certificate of quoted brand whereas, M/s. Mahar Enterprises submitted free sale certificate of quoted items which is in violation of tender terms and condition. The tender terms and conditions of **Importer of Medical Devices** provide:

“Valid Free Sale certificate for the quoted item/s duly attested by the Pakistani embassy in the country of origin of quoted item/s or embassy of the country of origin in Pakistan. Non Provision of the embassy attested certificate shall lead to Disqualification of the quoted item/s.” Hence, the terms and conditions are clear wherein there is no any bar regarding a free sale certificate should either be quoted item or quoted brand.

CRC upheld the decision of CPC.

CRC upheld the decision of CPC.

CRC rejected the grievance of M/s. Al-Hamd and decided the

Item No. 2028 and 2029 = Surgical Gloves:
In this item, M/s. Al-Hamd submitted that M/s. The Searle Co. stand dis-qualified in Central Rate System of Punjab Govt. and secondly M/s. Al-Hamd has not been awarded 22 marks in following components:

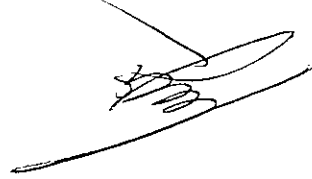
1. Availability of 25% Inventory **(04 marks)**.
2. ISO 14001 is at Page 164 **(02 Marks)**.
3. ISO 9001 is at Page 165 **(03 Marks)**.
4. Valid Mfg. Unit Accreditation with WHO/UNFPA is at Page 168-171 **(05 Marks)**.
5. CE & FDA 510K Certificates are at Page 178-182 **(04 Marks)**.
6. Sample Marks are 06 instead of 10 **(04 Marks)**.

Grand Total : 22 Marks

The order vide No. PSHD-TCO-I (M) 4-149/2017, Dated: 05.05.2018, issued by Secretary, Primary & Secondary Health Care Department, Govt. of Punjab provide:

"M/s. The Searle Company Limited submitted the bid for Item No. 220, sterile surgical gloves Manufactured by TG Medical SDN, BHD, Malaysia Free Sale Certificate legalized/notarized was knock down criteria for qualification. The submitted free sale certificate Ref: 12 KKM-807(BPP) TEK03/017 Jlid10, Dated: 24th June, 2017 bearing a sign and stamp of High Commission of Pakistan Kuala Lumpur. Since, the brand Name was not mentioned in the free sale certificate, hence the offer was declared non-responsive.

decision of this item may be followed as mentioned in the decision column of M/s. Sky Pharma.



As per decision of grievance committee this certificate was sent to Pakistan Embassy in Kuala Lumpur for verification. The reply from High Commission of Pakistan Kuala Lumpur Malaysia is reproduced as.

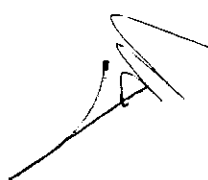
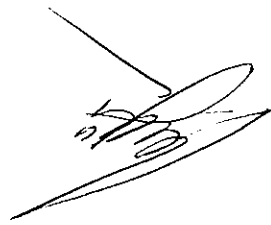
The document and attestation is forged/fake. It does not bear Mission's diary number. Moreover, the stamp and signature of attestation authority seems to be copied from other document as it is on plain paper. The Searle has been long discarded in the mission whereas document was produced on 6th November, 2017.

Now therefore, I Ali Jan Khan, Secretary Primary & Secondary Healthcare Department, Government of Punjab, being competent authority do hereby disqualified M/s. The Searle Company Limited First Floor, NICL Building Abbasi Shaheed Road, Karachi to the extent of sterile surgical gloves for the pre-qualification of year 2018-19"

CRC checked the record of CPC and found the marking status against the certification of M/s. Al-Hamd and other firms as under:

1. Bid Evaluation Certificate provide with the status that following certificates has been marked as "No". Hence, marks were not awarded to M/s. Al-Hamd Enterprises by CPC:

1. ISO 14001 Certificate (02 Marks).
2. ISO 9001 Certificate (03 Marks).
3. Valid Mfg. Unit Accreditation with WHO/UNFPA Certificate (05 Marks).



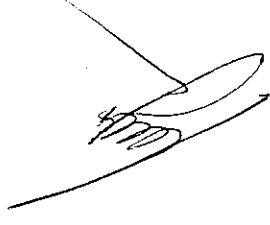
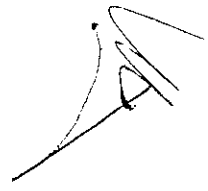
Whereas, Bid Evaluation proforma/Certificate further revealed that following certificates were ticked as "Yes" but marks were not awarded to M/s. Al-Hamd:

1. Availability of 25% Inventory Certificate (04 marks).
2. CE & FDA 510K Certificates (04 Marks).

Awarded marking status:

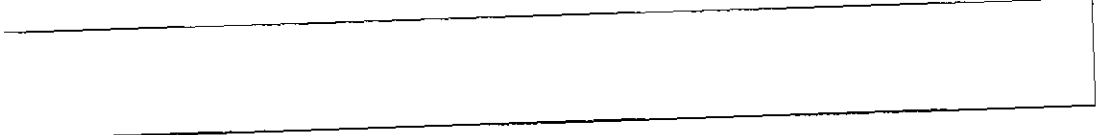
Item No.	Name of Firm	Score
CPC 2028	M/s. The Searle Co.	72.66
	M/s. Sky Pharma	72.39
	M/s. Mahar Enterp.	70.00
	M/s. Al-Hamd	60.32
	M/s. Fresia	56.32
	M/s. S. Ejazuddin	51.80
	M/s. B.Braun	46.67
	M/s. RTJ	46.67
	M/s.R. & Rehman	41.67
CPC 2029	M/s. The Searle Co.	73.00
	M/s. Sky Pharma	70.07
	M/s. Mahar Enterp.	67.07
	M/s. Saad Sales Stores.	64.94
	M/s. Al-Hamd.	57.71
	M/s. S. Ejazuddin.	41.06
	M/s. B.Braun.	39.72

Note: M/s. Al-Hamd obtained (60.32) marks in item No. CPC 2028 and (57.71) in Items No. CPC 2029. In case




leftover (08) marks are assigned / awarded to M/s. Al-Hamd Enterprises, in that situation, the firm, remains out of competitive process.
The CRC has already taken decisions in the case of M/s. Searle Co. in the complaint of M/s. Sky Pharma which is the second highest in ranking after M/s. Searle Co.



Item No. CPC 1926, CPC 1927, CPC 1928
CPC 1929 (I.V. CANNULAS).

Observations:

-They objected that marks of various certificate / documents attached by them not included in evaluation criteria. Moreover, they have objected on accepted brands of Lab Link, as it is not as per required specification. The quoted I.V. Cannula is with wings & inj. port, not have with Heprin lock as required in specification.

In Item Nos. CPC 1926, CPC 1927, CPC 1928, CPC 1929, M/s. Al-Hamd apprised the CRC that following specification was required in Tender document for IV Cannulas

"I.V Cannula with Heparin lock of same origin triple faceted needle tip with back cut bevel long indwelling period Size 18-24 G"

Whereas, M/s. Lab Link Enterprise has quoted the IV Cannula not as per given specification and firm has been given extra marks not as per evaluation criteria proformas of Importers. M/s. Lab Link Enterprises prices has quoted IV Cannula with wings and injection port and M/s. Lab Link Enterprise doesn't have IV Cannula with Heprin Lock. Moreover, The Searle Company is already disqualified on the ground for submission wrong undertaking of not black listed by any organisation.

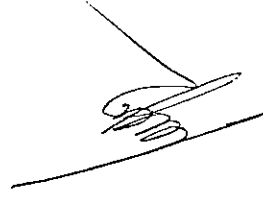
The CRC reviewed Tender Specification and called M/s. Lab Link Enterprises and M/s. The Searle Company. Both representative appeared before the committee. The representative of M/s. Lab Link Enterprises was of view that they have quoted Indonesian IV Cannula as per Tender specification. However, IV Cannula and Heprin Lock of same origin are packed separately. The M/s. Lab Link Enterprise further apprised that this Iv Cannula is supplied by them to M/s. The Aga Khan Hospital, Karachi, Dow University of Health Sciences, Karachi, M/s. Liaquat National Hospital Karachi, M/s. Dr. Ziauddin Hospital Karachi and other major health institutions in Punjab province.

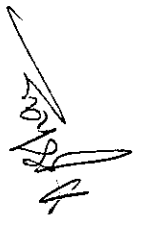
The representative of M/s. The Searle Company was confronted to justify disqualification of their firm in Central Rate Contract System, Govt. of Punjab on account of

CRC rejected the grievance of M/s. Al-Hamd considering merit no consideration.

Moreover, the grievances of M/s. Al-Hamd, M/s. B.Braun & M/s. Usmanco were taken into consideration in respect of violation of specifications of I.V. Cannula. The representative of approved bidder M/s. Lab Link Enterprises who was called for clarification regarding specification, admitted that the firm provides Heprin Lock separately of same origin. Whereas, the specification of I.V. Cannula clearly provided that I.V. Cannula should be with Heprin lock with same origin.

In these circumstances and for the sake of transparency, CRC decided that these items may be retendered.







submission fake and fabricated document i.e. free sale certificate. The representative of M/s. Searle Company acknowledged that the firm was disqualified and the order of Punjab Govt. is infield for 2018-19.

M/s. Al-Hamd was focusing that they quoted IV Cannula with Heprin Lock with the brand name "FARCOCATH" and they were surprise to see that most of the documents were not awarded marks despite attachment of the documents with bidding paper they attached paper with covering letter sowing the page marking of each document as under:


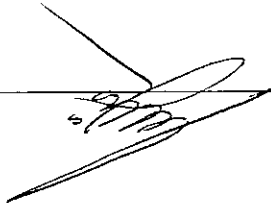
1. Adherence of Goods Storage Practice GSP is at Page 17 (04Marks).
2. Certificate of Analysis of Finished Product at Page 138-141 (05 Marks).
3. Certificate of Analysis of Raw Material at Page 144-149 (05 Marks).
4. Sample Marks are 06 instead of 10 (18 Marks).

Total: 18 Marks

M/s. Al-Hamd is requested to add their 18 marks in their existing 27 Marks to make them total 45 Marks.

Item No. CPC1926 I.V Cannula with Heprin Lock of same origin.

Lab Link Ent. (Indonesia)	= 84.00 Marks
Lab Link Ent. (Japan)	= 79.00 Marks
The Searle Co.	= 67.31 Marks
B. Braun	= 66.43 Marks
Usman & Co.	= 63.10 Marks
Al-Hamd	= 56.74 Marks
Saya Impex	= 42.93 Marks



Item No. CPC1927 I.V Cannula with Heprin Lock of same origin.
 Lab Link Ent. (Indonesia) = 84.00 Marks
 Lab Link Ent. (Japan) = 79.00 Marks
 The Searle Co. = 67.31 Marks
 B. Braun = 66.43 Marks
 Usman Co. = 63.10 Marks
 Al-Hamd = 56.74 Marks
 Saya Impex = 43.93 Marks

Item No. CPC1928 I.V Cannula with Heprin Lock of same origin.
 Lab Link Ent. (Indonesia) = 84.00 Marks
 Lab Link Ent. (Japan) = 79.00 Marks
 The Searle Co. = 67.31 Marks
 B. Braun = 66.43 Marks
 Usmanco = 66.10 Marks
 Al-Hamd = 51.74 Marks

Item No. CPC1929 I.V Cannula with Heprin Lock of same origin.
 Lab Link Ent. (Indonesia) = 84.00 Marks
 Lab Link Ent. (Japan) = 79.00 Marks
 B. Braun = 69.00 Marks
 The Searle Co. = 68.51 Marks
 Usman Co. = 64.30 Marks
 Al-Hamd = 59.27 Marks

On examination of CPC record, it came into the notice of CRC that as per bid evaluation proforma, following two certificates were ticked as "No" hence, marks of these two certificates were not awarded to M/s. Al-Hamd:

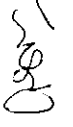
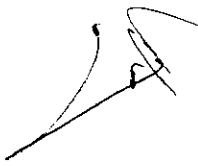
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1. Adherence of Goods Storage Practice GSP Certificate **(04 Marks)**.
2. Certificate of Analysis of Finished Product Certificate **(05 Marks)**.



5

M/S. ALLMED LABORATORIES & ALLMED SOLUTIONS

Tender 02 = SURGICAL/DISPOSABLE
Item No. 02 = 1983, 1984, 1985, 1986
Tender 01 = 1142
Late received = CPC 2348

Observations:

- They stated that they have quoted CVP Lines & ETT Tubes as per specification of Tender and requested to consider their Financial offer against these products, as non-other can provide same specs.

- They also informed that they have quoted Item No. 1142 = Inj. Menofor @ 495.50, which is indeed an un-intentional mistake, as we are quoting this product since last three year " 459.50. They requested to consider their quoted prices as Rs. 459.50 instead of Rs. 495.50.

CPC = 2348 (Light Guide Cable for Storz Telescope)

They requested to correct approved rate as 106000/- instead of 10,600/-, which is a typographical error.

CRC reviewed the record of CPC and observed as under:

M/s. Allmed Solutions during CRC proceedings submitted grievances as under:

They quoted following products in the Tender.

CPC 1983 CVP Double Lumen coated with alloy of Gold, Palladium and silver.

CPC 1984 CVP Triple Lumen coated with alloy of Gold, Palladium and silver for Peads.

CPC 1985 CVP Double Lumen coated with alloy of Gold, Palladium and silver for Peads.

CPC 1986 ETT Tubes coated with alloy of Gold, Palladium and silver.

Moreover, M/s. Allmed submitted that catheters coated with alloy of Gold, Palladium & Silver is unique technology and M/s. Allmed Solutions has exclusive rights to sale and market in Pakistan. They have quoted these products with exactly same specifications as required in tender and so are technically approved also. Therefore, they may be approved in Financial offer considering that no one other can provide with the same specification.

In the above items, CRC reviewed CPC record:

CPC 1983:

CPC awarded Marks as under:

M/s. Ali Gohar & Co. (Shamim & Co.), **75 Marks.**

M/s. Allmed Solutions, **55.07 Marks.**

CPC 1984:

M/s. Ali Gohar & Co. (Shamim & Co.), **75 Marks.**

M/s. Allmed Solutions, **61.86 Marks.**

CPC 1985:

Though CRC noticed that CPC awarded these items to M/s. Ali Gohar & Co. & M/s. RTJ on highest ranking, the version taken by M/s. Allmed Solutions that they have exclusive right to sale and market in Pakistan. Hence, CRC

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M/s. Ali Gohar & Co. (Shamim & Co.), **75 Marks**.
M/s. Allmed Solutions, **65.56 Marks**.

CPC 1986:

M/s. Ali Gohar & Co. (Shamim & Co.), **55.88 Marks**.
M/s. F.M. (RTJ), **70.00 Marks**.
M/s. Allmed Solutions, **47.57 Marks**.

Tender No. 01, Item No. 1142

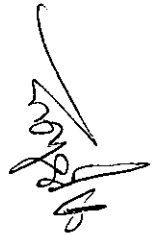
In this Item M/s. Allmed Laboratories apprised the CRC that since last year they are supplying this Patented product with the brand name "MONOFER" manufactured by Pharmacosmos – Denmark by winning Centralised Tenders of Health Department at a Price of PKR. 459.50. This year they have also won the same product as a single bidder however due to a typing mistake the rate is erroneously mentioned as PKR 495.50 which is indeed an un-international mistake. We assure you through this letter that the price of this product is still remain same which is PKR 459.50. They may also refer to the Trade Price in the offered prices which is PKR 467.50. It is worth to mention that despite of huge currency devaluation they would like to extend the same rates as per previous years and we hope that our contribution will be appreciated.

The CRC examined the original financial bid of M/s. Allmed Laboratories where it was found that the firm itself quoted the rates of PKR. 467.50 as unit price. Hence, the mistakes committed by the firm cannot be rectified at the end of the CRC.

CPC = 2348 (Light Guide Cable for Storz Telescope)
Representative of M/s. Allmed Solutions pointed out


decided to refer these items back to CPC for specific comments.

CRC rejected the grievance of M/s. Allmed Laboratories on account of mistake at the end of firm.



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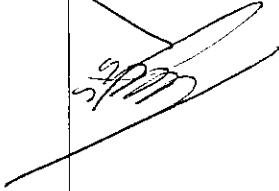

typing error in the Financial Comparative Statement prepared by the CPC wherein, the approved rate was shown as 10600 instead of PKR. 106,000 which may be rectified.

The CRC examined the original financial bid of M/s. Allmed Solutions and found the quoted rate as of PKR. 106000 and inadvertently PKR. 10600 were mentioned in the financial comparative statement of CPC.

The CRC allowed rectification on the basis of available record.



for



<p>6</p> <p><u>M/S. GLAXOSMITHKLINE</u> Tender 01 = MEDICINE/DRUGS Item No. 716, 717, 718, 719</p> <p><u>Observations:</u> - The price of Item No. 718 & 719 were incorporated in Items No. 716 & 717 which have not been quoted by hem. The requested to correct and award item No. 718 & 719 to them.</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p><u>Item No. CPC 718, 719 (Syp. Cephradin)</u> M/s. GlaxoSmithKline submitted that mistakenly Syp. Cephradin has not been awarded to them despite being qualified bidder and obtained 59 Marks in Technical Evaluation but in Financial Comparative Statement the price has been shown as "0" and their prices have been shown in CPC 716, 717 (Syp. Cephaxine) which they did not quote in bidding documents. Therefore, necessary rectification be made and there prices need to reflected in their quoted items. CRC reviewed CPC papers and found the mistakes at the part of Central Procurement Committee and decided on the basis of original Financial Bid of M/s. GlaxoSmithKline and decided that quoted prices be incorporated.</p>	<p>CRC decided that matter may be referred to CPC to incorporate the quoted rate of PKR. 99/- in Item No. CPC 718 which wrongly mentioned in Item No. 716 and PKR. 150/- in Item No. 719 which erroneously mentioned in CPC 717.</p>
<p>7</p> <p><u>M/S. IMPERIAL TRADERS</u> Tender No. 01 Item No. 402,3,4,5,7,15,18, 19, 20, 21, 22, 23, 24, 25, 26, 34, 40, 41, 43, 44, 45, 47, 49, 63, 79, 83, 678, 91, 99, 700, 1, 2, 5, 14, 15, 18, 19, 2021, 24, 25, 30, 32, 39, 40, 72, 78, 82, 83, 85, 87, 88, 870, 71, 77, 78, 83, 81, 94, 96, 98, 901, 20, 94, 1003, 4, 15, 30, 34, 62, 66, 68, 69, 95, 96, 99, 1100, 01, 5, 13, 15, 20, 35, 43, 45, 46, 47, 50, 51, 52, 61, 62, 69, 1196, 97, 98, 1201, 3, 4, 5, 6, 7, 9, 10, 13, 14, 19, 2044, 50, 1552, 53, 56, 1479, 1523, 26, 38, 45, 47, 64, 65, 479, 678, 89,</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u> The Representative of M/s. Imperial Traders submitted that they quoted 147 items but their firm was declared non-responsive and which is discriminated act at the end of Central Procurement Committee. In support to their claim representative of M/s. Imperial Traders relied upon the following grounds. M/s. Imperial Traders enjoy an excellent track record in the business of drug/medicines, surgical disposable etc. to a number of health institutions for last fifteen years. M/s. Imperial Trader the manufacturer's/products by firm as shown not responsive as per Bid evaluation report</p>	<p>CRC in light of SPPRA Rules: "42-1. Evaluation of bids: All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the bidding documents" decided that financial soundness of 1000 million was one of the mandatory conditions which cannot be compromised despite considerable facts highlighted by the aggrieved firms. CRC also</p>

Sub

CRC

91, 705, 32, 87, 871, 78, 901, 94, 1034, 62, 66, 68, 69, 1135, 45, 98, 1203, 9, 13, 9, 50, 56, 39, 45 & 65

Observations:

The products of following manufacturers quote of by them were declared non-responsive on ground of not being financial sound.

- Elite.
- Arros.
- Reign Pharma.

hosted by health department website on ground of not being financially sound. They informed that the products quoted by their firm fulfil all Technical Criteria. All the above mentioned manufacturers have good reputation in the market. The quality of quoted items is comparable to any qualified manufacture.

That various other manufacturer's whose annual turnover is not 1 billion or above have been declared responsive for unknown reasons whereas M/s. Imperial Traders quoted items manufacturer/products have been declared not-responsive. M/s. Imperial Traders raised the point that this is discrimination and clear cut violation of SPPRA Rules. They are also mentioned that the condition of turnover of 1 billion or above is unjustified and has already been declared unlawful by court of Law in Punjab province. They requested that the quoted item of M/s. Imperial Trader are re-consider the decisions of Central Procurement Committee and consider these quoted manufacturers/items as **Responsive**.

The Bid Evaluation criteria is against the major companies and its products. Because of following reasons:

- i. The award of marks based upon "Valid accreditation of manufacturing unit or its relevant section/s by the US-FDA or WHO or official accreditation body in the Case of SRA countries" is discriminatory as it is not a requirement either under the Drug Regulatory Authority of Pakistan (DRAPaCT, 2012, or the Drugs Act, 1976).

decided that all those firms despite not having 1000 financial soundness, were allowed / declared as responsive bidder in a technical / financial comparative statement should be disqualified / declared non-responsive and their approved items may be re-tendered as well as field formation may be intimated not to entertained the items of this firms.

The details of those firms are as under:

1. M/s. Efroze (A to Zee Int), **Rs. 461.00 million.**
2. M/s. AJM Pharma (Importer), **Rs. 555.00 million.**
3. M/s. Hakimsons Impex Pvt. Ltd., **Rs. 859.00 million.**
4. M/s. Bio-Lab (M.Y. Ent.), **Rs. 808.00 million.**
5. M/s. Epla Lab.(Hassan), **Rs. 366.00 million.**
6. M/s. Hoffman Human(Importer), **Rs. 158.00 million.**
7. M/s.Allmed(Pvt) Ltd. (Hosp.Sol), **Rs. 118.00 million.**



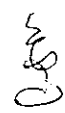




- ii. The allocation of marks for "Adherence to Good Storage Practices (GSP) for finished goods storage of the quoted item/s issued by DRAP". The said requirement covered in Good Manufacturing Practice Certificate (GMP) issued by DRAP, so no separate certificate is required.
- iii. The allocation of marks for "API/s source accredited by WHO, FDA, EMA, MHRA, TGA, PMDA, Swiss Medic or Health Canada or by other SRAa" sets a discriminatory condition as an independent Drug Regulatory Authority of Pakistan already exists for issuing licenses to Pharmaceutical Companies in Pakistan after completing all codal formalities and proper procedures in place for ensuring API quality, in which almost 95% of the API are not WHO, FDA, EMA, MHRA, TGA, PMDA, Swiss Medic or Health Canada licensed.
- iv. The allocation of marks for "Valid WHO prequalification certificate of quoted products" is also sets a discriminatory condition which cannot be a mandatory requirement for awarding tenders in Pakistan. In Pakistan no WHO Lab. Is available for Pre-qualification and mostly companies present the Pre-qualification of products manufactures in Europe but supplying those medicines to institutions which manufactured in Pakistan.
- v. The allocation of marks for "Market share of quoted items in Pakistani market as in the recent most data of IMS Health" is unrelated to determination of the quality, safety, potency

8. M/s.Allmed(Pvt) Ltd. (M.F.Trad), Rs. 118.00 million.
9. M/s.Geofman (Jawaid Traders), Rs. 509.00 million.
10. M/s.Geofman (Paras Ent.), Rs. 509.00 million.
11. M/s. Majeed Sons (Paras Ent.), Still Not verified (Quoted items are also in re-tender).
12. M/s.Geofman (RTJ Ent.), Rs. 509.00 million.
13. M/s.Synchro Pharma (M.I. Ent.), Rs. 112.00 million.
14. M/s.Caylex Pharma (M.I.Ent.), Rs. 31.00 million.
15. M/s.Zam Zam Corp. (M.I. Ent.), Still Not verified.
16. M/s.Mass Pharma (M.I. Ent.), Rs. 455.00 million.
17. M/s.Novamed Pharma (RTJ), Rs. 646.00 million.
18. M/s.Novamed (Sky Pharma), Rs. 646.00 million.
19. M/s.B.F. Bioscience (Saad Sales), Rs. 704.00 million.
20. M/s.B.F. Bioscience (Vikor), Rs. 704.00 million.
21. M/s.Amgomed (The Leader), Rs. 148.00 million.



and efficacy of the drugs and favour certain companies at the disadvantages of others. As sales depends upon the age of the company and financial investment in the market.

22. M/s. Vision Pharmaceuticals,
Rs. 618.00 million.


vi. The financial soundness certificate of 1000 million is also unrelated to determination of the quality, safety, potency and efficacy of the drugs.

The CRC reviewed the Terms and Condition of bidding documents and noticed that in bid document there was a mandatory condition of PKR. 1000 million and firms were declared non-responsive in case non-meeting this condition. The CRC also noticed that Central Procurement Committee vide its meeting dated: 22.10.2018 allowed some companies whose Financial soundness of required 1000 million was not certified by FBR. The name of the firms as mentioned at annexure III of minutes.

1. M/s. Efroze (A to Zee Int), **Rs. 461.00 million.**
 2. M/s. AJM Pharma (Importer), **Rs. 555.00 million.**
 3. M/s. Hakimsons Impex Pvt. Ltd., **Rs. 859.00 million.**
 4. M/s. Bio-Lab (M.Y. Ent.), **Rs. 808.00 million.**
 5. M/s. Epla Lab.(Hassan), **Rs. 366.00 million.**
 6. M/s. Hoffman Human(Importer), **Rs. 158.00 million.**
 7. M/s.Allimed(Pvt) Ltd. (Hosp.Sol), **Rs. 118.00 million.**
 8. M/s.Allimed(Pvt) Ltd. (M.F.Trad), **Rs. 118.00 million.**
 9. M/s.Geofman (Jawaid Traders), **Rs. 509.00 million.**
 10. M/s.Geofman (Paras Ent.), **Rs. 509.00 million.**
 11. M/s. Majeed Sons (Paras Ent.), **Still Not verified**
- (Quoted items are also in re-tender).




for
ASST



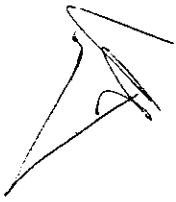
- 12. M/s. Geofman (RTJ Ent.), **Rs. 509.00 million.**
- 13. M/s. Synchro Pharma (M.I. Ent.), **Rs. 112.00 million.**
- 14. M/s. Caylex Pharma (M.I. Ent.), **Rs. 31.00 million.**
- 15. M/s. Zam Zam Corp. (M.I. Ent.), **Still Not verified.**
- 16. M/s. Mass Pharma (M.I. Ent.), **Rs. 455.00 million.**
- 17. M/s. Novamed Pharma (RTJ), **Rs. 646.00 million.**
- 18. M/s. Novamed (Sky Pharma), **Rs. 646.00 million.**
- 19. M/s. B.F. Bioscience (Saad Sales), **Rs. 704.00 million.**
- 20. M/s. B.F. Bioscience (Vikor), **Rs. 704.00 million.**
- 21. M/s. Amgomed (The Leader), **Rs. 148.00 million.**
- 22. M/s. Vision Pharmaceuticals, **Rs. 618.00 million.**

The CRC also noticed that similar complaints were also lodged by M/s. RTJ Enterprises, M/s. Parrays Enterprises and M/s. Shamim and Co. and others.

The Committee also referred Rule-42 (Evaluation of Bids) The Sindh Public Procurement Act, 2009 with The Sindh Public Procurement Rules, 2010 (Amended 2017) which provide:

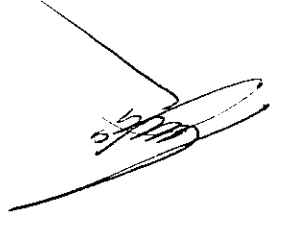
"42-1. Evaluation of bids:

All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the bidding documents"



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OSM



<p>8</p>	<p><u>M/S. RTJ</u> Tender No. 01 = Medicine/Drugs Item No. 444, 45, 46, 47, 56, 57, 58, 65, 67, 720, 21, 27, 32, 37, 38, 41, 48, 56, 57, 61, 73, 78, 82, 83, 85, 871, 75, 77, 89, 94, 98, 903, 95, 97, 98, 1015, 68, 81, 87, 89, 95, 96, 99, 1100, 01, 7, 43, 46, 54, 61, 69, 70, 80, 81, 1256, 1326, 27, 28, 29, 1448, 1624, 727, 32, 37, 48, 61, 871, 88, 995, 1068 & 1256.</p> <p><u>Observations:</u> The products of following manufacturers quote of by them were declared non- responsive on ground of not being financial sound. - Semos. - Zantock. - Bajwa.</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u> CRC noticed same as above in the case of M/s. Imperial Traders.</p>	<p>Same decision mentioned above at Serial No. 07 M/s. Imperial Traders.</p>
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M/S. LAB LINK ENTERPRISES

Tender No. 02 = Surgical/Disposable
Item No. 0382, 0385, 1920, 1922

Observations:

- The objected that their bids for M/s. Grace Pharma in which granted marks for FDA approved, but their quoted brand not FDA approved.
- They also informed that they have produced free sale certificate, DTL samples report & GMP certificate but during evaluation these certificate were not given appropriate marks.

CRC reviewed the record of CPC and observed as under:

Item No. CPC 0382 (Butterfly Needle).

Item No. CPC 0385 (Disposable Insulin Syringe with Needle 100iu).

Item No. CPC 1920 (Disposable Syringe with Needle 30cc).

Item No. CPC 1922 (Disposable Syringe with Needle 50cc).

The representative of M/s. Lab Link Enterprise submitted that the above item have been approved to M/s. Grace Pharmaceuticals, whereas the Grace Pharma is not eligible for granted marks for FDA approved and the brand of M/s. Grace Pharmaceuticals are not FDA approved and that was mandatory requirement for the product.

The CRC reviewed the specification of above items as per bidding document and found as under:

Item No. CPC 0382 (Butterfly Needle)

"Butterfly Needle (assorted sizes) (JMS or equivalent) FDA/CE approved.

Item No. CPC 0385 (Disposable Insulin Syringe with Needle 100iu).

Louver lock mounted needle polypropylene elastomeric gas kit (non-pvc material) FDA/WHO approved will be preferred.

Item No. CPC 1920 (Disposable Syringe with Needle 30cc).

CRC decided the matter may be referred back to CPC for further examination of papers and submit specific comments weather "Chinese" FDA certification is available or otherwise in light of grievance of M/s. Lab Link Enterprises keeping in mind the Tender specifications.

	<p>Luver lock mounted needle polypropylene elastomeric gas kit (non-pvc material) FDA/WHO approved will be preferred.</p> <p>Item No. CPC 1922 (Disposable Syringe with Needle 50cc).</p> <p>No specification mentioned in bidding document. In the above items M/s. Lab Link was of the view that like Grace Pharmaceuticals claims Chinese FDA approved material but infect no such Chinese FDA Certification exists.</p> <p>In-addition, M/s. Lab Link Enterprises apprised the committee that in the above items they had also submitted Free Sale Certificate, DTL Samples report & GMP Certificates. However, during evaluation, these certificates were not given appropriate marks.</p>	
<p>The CRC after due diligence, decided that M/s. M.Y. Enterprises being high rank in marking, already opening of financial bid and qualify Rule 42(1) of SPPRA 2010 (Amended 2017). Hence, the withheld items may be released in-favour of M/s. M.Y. Enterprises (M/s. Searle IV Solutions).</p>	<p>CRC reviewed the record of CPC and observed as under:</p> <p>Representative of M/s. M.Y. Enterprises apprised the Committee that during financial year 2016-17 they had supplied huge quantity of drugs through Central Rate Contract through M/s. Searl IV Solutions. However, in financial year 2017-18 they were not awarded contract of Drugs due to condition of Euro-cap. In current financial year 2018-19 they have participated in Central Rate Contract in the following products on behalf of their principal M/s. Searle IV Solutions:</p>	<p>10</p> <p><u>M/S. M. Y. ENTERPRISES</u> Tender 01 = Medicine/Drugs item = I.V. Infusion</p> <p><u>Observations:</u> - They objected that their bids for above I.V. Infusion were accepted and opened financial bid accordingly. But after opening of financial bid, the quoted items were rejected on the basis of Euro-Cap. despite that it is not a mandatory requirement and having 03 marks in evaluation criteria.</p>

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1. CPC0502 Dextrose+Sodium Chloride 1/2strength 500ml.(0.45%)
2. CPC0504 Dextrose+Sodium Chloride 1/5strength 500ml.(0.18%)
3. CPC0506 Dextrose 5%+Sodium Chloride 0.9% 500 ml-1
4. CPC0510 Dextrose Water 5% 500ml-1
5. CPC0516 Mannitol 20 % 500ml-1
6. CPC0519 Ringer Lactate 1000 ml-1
7. CPC0520 Ringer Lactate 500 ml-1
8. CPC0521 Sodium Chloride 0.9% 1000 ml-1
9. CPC0522 Sodium Chloride 0.9% 100 ml-1
10. CPC0523 Sodium Chloride 0.9% 500 ml-1

Moreover, M/s. M.Y. Enterprises reported that they were found technically qualified as announced in financial opening meeting on 12.09.2018 and their financial bid was opened accordingly and prices quoted by them were incorporated in financial comparative statement and they were found successful bidder. All of sudden their approved items were rejected on a single line statement **“No Euro-cap, Hence Rejected”**. The M/s. M.Y. Enterprises further highlighted that the reason given in financial comparative statement is not valid as the Tender specifications does not have any requirement of Euro-Cap. However, only the requirement of Euro-Cap incorporated in evaluation criteria is off 03 marks and the same are not mentioned as mandatory marks. Whereas, the items can only be rejected on mandatory requirements which also need to be invoked before opening the financial bid.

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The CRC reviewed specification of above items floated in tender documents and found as under:

All solutions with Levocele infusion set with "Y" Injection Port & Euro-Cap.

The CRC also reviewed evaluation criteria for manufacturers of General Medicine/Drugs (IV fluids) for Govt. CPC 2018-19 wherein total 100 marks were allocated. In the evaluation criteria, following requirements were mandatory.

- i. Availability Functional Stability Chamber (evaluated at the time of inspection by the CPC expert/s, as non-availability or non-functioning of Stability Chamber shall lead to **disqualification** of the firm).
- ii. Raw material storage (as evaluated at the time of inspection by the CPC expert/s). Non adherence to cGMP shall lead to **disqualification** of the firm.
- iii. Adherence to Good storage practices (GSP) for finished goods storage of the quoted item/s. Non adherence to GSP, as evaluated by the CPC expert/s, shall lead to **Disqualification** of the firm.
- iv. Adequate availability of qualified & relevant Human Resource (Certified by the senior executive of the firm & evaluated by CPC expert/s at the time of inspection, Non-availability shall lead to **disqualification** of the section/s or firm).
- v. Available and Functional HVAC (as evaluated by the CPC expert/s at the time of inspection). Non-availability or non-functionality of the HVAC system

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	<p>shall lead to Disqualification of the relevant section/firm.</p> <p>After examination the evaluation criteria, the CRC noticed that though 03 marks were also allocated for availability of Euro-Cap but in case of non-availability Euro-Cap this condition was not in mandatory requirement of Evaluation Criteria. Moreover, in specification there was award a Euro-Cap but in Evaluation Criteria this was not assigned as mandatory condition.</p> <p>“Rule 42(1) of Sindh Public Procurement Act, 2009 with Sindh Public Procurement Rules 2010 (Amended 2017) provide that All bids should be evaluated in-accordance with Evaluation Criteria”.</p>	
<p>CRC decided to refer back to CPC to give a written feedback and correct price in Item No. CPC 1404 in-accordance with high ranking criteria to M/s. M.F. Traders (Platinum Pharmaceuticals) and also correct financial comparative statement on record basis.</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p>M/s. M.F. Traders apprised the forum that they are lowest in Item No. 873 (CPC-1404) in Tender-01 Drug/Medicine with lowest price and high score but in financial comparative statement, M/s Novartis Pharma Ltd. has been marked as Lowest. Therefore, necessary correction award letter may be issued to M/s. M.F. Traders [Platinum Pharmaceuticals (Pvt.) Ltd.]</p> <p>The CRC observed that: Item No. CPC 1404 awarded to M/s. Novartis Pharma which secured 88.70 whereas M/s. M.F. Traders (Platinum Pharmaceuticals) secured 91 marks.</p>	<p><u>M/S. M. F. TRADERS</u> Tender = 01 Item = I.V. Infusion</p> <p><u>Observations:</u> They are high ranked in above item but item awarded to M/s. Novartis Pharma. They requested to issue approval letter after correction.</p>

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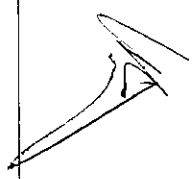
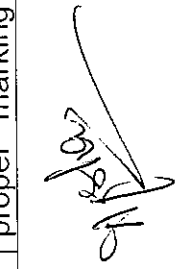
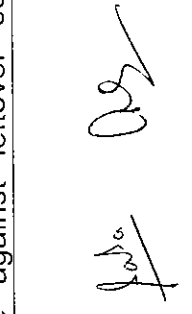
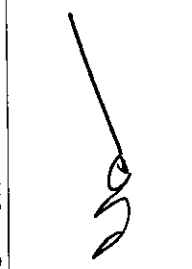
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<p>12</p>	<p><u>M/S. K.M.C.</u> Tender = 01 Item No. 1603 = Inj. HBS Imune Globulin Item No. 1200 = Inj. Vitamin D3 Item No. 1273 = Tab. Beneprost Sod. Item No. 1264 = Tab. Amaldipine Besylate + Val. Item No. 0465 = Inj. Gentamycin 80mg</p> <p><u>Observations:</u> - Item No. 1603 = single quoted item as Orphine Drugs, mentioned in evaluation report, hence put the rate as mentioned and award them. - Item No. 1200 = Marks of Two documents were not included and they are also lowest. - Item No. 0465 = Page of Technical available but financial not available on website.</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p><u>Item No. CPC 1603 (Hepatic I.V. 2ml)</u> M/s. Karachi Medical Company apprised the CRC that injection Hepatic IV 2ml is only intravenous injection available in Pakistan and is single quoted item against the CPC no. 1603. This Item has been declared as responsive bids by CPC. Moreover, CPC itself declared Inj. Hepatic IV 2ml as Orphan Drug with the remarks to put the rate. CRC examined financial comparative statement duly signed by CPC members and found that the pricing offered by M/s. KMC in its financial bid has not been incorporated in financial comparative statement.</p> <p><u>Item No. CPC 1200, 1273, 1264.</u> M/s. KMC during CRC proceedings stated that they submitted all required documents to the committee but their certain documents were not marked. Hence, they have been kept away from highest ranking and in case proper marking is done against leftover submitted</p>	<p>CRC decided that since financial comparative statement is signed document of CPC, this matter may be referred to CPC for incorporation of quoted rates of M/s. KMC in financial comparative statement which have been left while preparing financial comparative statement by the CPC.</p> <p>CRC rejected the grievance of M/s. KMC on the basis of</p>
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documents, their ranking would be comparatively high to the other competitor bidders.

The CRC reviewed Evaluation Certificate duly signed by the Focal person of the bidder which provided that all documents provided by M/s. KMC have been given assigned marks.

Item No. CPC 0465 (Inj. Gentamycin 80mg)

The representative of M/s. KMC submitted that technical comparative of Inj. Gentamycin 80mg has been provided on at SPPRA website whereas, the financial statement has not been hoisted on SPPRA website.

The CRC reviewed the details at found that all pages of financial comparative statement are available at SPPRA Website.

certification duly signed by Focal Person of the firm which did not provided any reference of such certificates.

CRC advised M/s. KMC to download require document from SPPRA website which already available there.

13

M/S. SKY PHARMA.

Tender = 02
Item No. 2028 & 2029 = Surgical Gloves

Observations:

- They have objected on acceptance of above both products quoted by M/s. Searle Company, which is pharmaceutical company, which was disqualified for both products by Govt. of Punjab during 2018-19 due to submission of forged / fake documents.

CRC reviewed the record of CPC and observed as under:

In this item, M/s. Sky Pharma submitted that M/s. The Searle Co. stand dis-qualified in Central Rate System of Punjab Govt.

The order vide No. PSHD-TCO-I (M) 4-149/2017, Dated: 05.05.2018, issued by Secretary, Primary & Secretary Health Care Department, Govt. of Punjab provide:

The CRC perused the order passed by Health Department Govt. of Punjab in the case of M/s. The Searle Company as under:

“M/s. The Searle Company Limited submitted the bid for Item No. 220, sterile surgical gloves Manufactured by TG Medical SDN, BHD, Malaysia Free Sale Certificate legalized/notarized was knock down criteria for qualification. The submitted free sale certificate Ref: 12 KKM-807(BPP) TEK03/017 Jlid10, Dated: 24th June, 2017 bearing a sign and stamp of High Commission of Pakistan Kuala Lumpur. Since, the brand Name was not mentioned in the free sale certificate, hence the offer was declared non-responsive.

As per decision of grievance committee this certificate was sent to Pakistan Embassy in Kuala Lumpur for verification. The reply from High Commission of Pakistan Kuala Lumpur Malaysia is reproduced as.

CRC decided to disqualify M/s. Searle Company from the participation in Item No. CPC 2028 and 2029 (Surgical Gloves) on account of disqualification by Health Department, Govt. of Punjab in current financial year 2018-19 and concealment of facts while submitting documents in Central Rate System in Govt. of Sindh for the year 2018-19. After disqualification, CRC allowed M/s. Sky Pharma being second in ranking at Item No. CPC 2028 with marks (72.39) and Item No. CPC 2029 with marks (70.07) to be successful bidder in these items.

The document and attestation is forged/fake. It does not bear Mission's diary number. Moreover, the stamp and signature of attestation authority seems to be copied from other document as it is on plain paper. The Searle has been long discarded in the mission whereas document was produced on 6th November, 2017.

Now therefore, I Ali Jan Khan, Secretary Primary & Secondary Healthcare Department, Government of Punjab, being competent authority do hereby disqualified M/s. The Searle Company Limited First Floor, NICL Building Abbasi Shaheed Road, Karachi to the extent of sterile surgical gloves for the pre-qualification of year 2018-19"

In-addition to above, the CRC found as under:

M/s. The Searle Company, M/s. Al-Hamd, M/s. Sky Pharma, M/s. B.Braun, M/s. S. Ejazuddin, M/s. Mahar Enterprises, M/s. RTJ, M/s. Rehman & Rehman, Sindh Medical Store, Fresia, participated in Surgical Gloves (CPC 2028, CPC 2029). The CPC awarded marks ranking to each participated firm in these items with marking positions as under:

Item No. CPC 2028:

- | | |
|------------------------|---------------|
| 1. M/s. The Searle Co. | (Marks 72.66) |
| 2. M/s. Sky Pharma | (Marks 72.39) |
| 3. M/s. Mahar Enterp. | (Marks 70) |
| 4. M/s. Al-Hamd | (Marks 60.32) |
| 5. M/s. Fresia | (Marks 56.32) |
| 6. M/s. S. Ejazuddin | (Marks 51.80) |
| 7. M/s. B.Braun | (Marks 46.67) |
| 8. M/s. RTJ | (Marks 46.67) |

Ali Jan Khan

For O/S

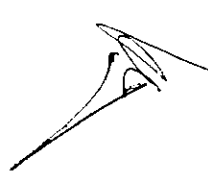
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9. M/s.R. & Rehman (Marks 41.67)

Item No. CPC 2029:

1. M/s. The Searle Co. (Marks 73)
2. M/s. Sky Pharma (Marks 70.07)
3. M/s. Mahar Enterp. (Marks 67.07)
4. M/s. Saad Sales Stores (Marks 64.94)
5. M/s. Al-Hamd (Marks 57.71)
6. M/s. S. Ejazuddin (Marks 41.06)
7. M/s. B.Braun (Marks 39.72)

The CRC also recalled the representative of The Searle Company and placed before him the disqualification order issued by the Health Department, Govt. of Punjab. The representative endorsed the order of Punjab Govt. and acknowledged that this order is issued against the firm which remain valid for 2018-19. The CRC were of the view that M/s. Searle Company has not participated in MSD Sindh Tender with clean hands and submitted fabricated and fake undertaking that the company is not facing any adverse reports against the firm. This is total negation of terms and condition of bidding documents. Hence, the committee were all the considered opinion that M/s. Searle Company may be disqualified from this complicated process and the items in question may be awarded to the second highest in ranking.








<p>14</p> <p><u>M/S. THE LEADERS.</u> Tender = 02 Item No. 2028 & 2029 = Surgical Gloves</p> <p><u>Observations:</u> The representative of The Leaders reported the CRC as under:</p> <p><u>Item No. 0826:</u> The recommended company does not have the required 150mg strength.</p> <p><u>Item No. 0922:</u> The recommended company does not have the required 11.25mg strength.</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p>The CRC checked tender specifications of these items. The required specifications were as under:</p> <p><u>Item No. 0826 (Inj. Oxaliplatin 150mg):</u> The CRC observed that Item No. 826 has been awarded to M/s. Helix Enterprises (Parras Enterprises)</p> <p><u>Item No. 0922 (Inj. Leuprorelin acetate 11.25mg):</u> The CRC found that this Item has not been awarded to anyone. The complainant (M/s. The Leaders) is only participant in this item and the CPC declared it as non-responsive due to non-provision of mandatory documents.</p>	<p>CRC endorsed the decision of CPC which awarded M/s. Helix Enterprises on high ranking ground.</p> <p>CRC rejected the grounds of M/s. Leaders considering that CPC has already declared it as non-responsive due to mandatory documents.</p>
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15

M/S. UDL DISTRIBUTION.

Tender = 02

Item No. 1980, 1981, 1982 = CVP Lines.

Item No. 2340, 2341, 2342 = Ligaclip.

Observations:

M/s. UDL Distribution Pvt. Ltd. placed the following grievances before the committee.

- 1, The firm quoted following products against the Tender:

Item No. CPC1980 (C.V.P. Line Single Lumen Seldinger Technique J-Tip Guide Wire).

Item No. CPC1981 (C.V.P. Line Double Lumen Seldinger Technique J-Tip Guide Wire).

Item No. CPC1982 (C.V.P. Line Triple Lumen Seldinger Technique J-Tip Guide Wire).

Item No. CPC2340 (Ligaclip 200).

Item No. CPC2341 (Ligaclip LT 300)

Item No. CPC2342 (Ligaclip LT 400)

The representative submitted the CRC that in Technical and Financial Evaluation Reports, the technical committee miscalculated score of their three (03) Items No. 436, 437 & 438 on the following grounds:

CRC reviewed the record of CPC and observed as under:

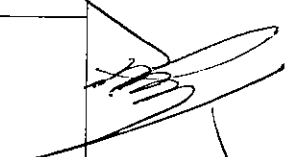
The CRC reviewed Evaluation Certificate duly signed by the Focal person of the bidder which provide that all the submitted documents by M/s. UDL Distribution Pvt. Ltd. have been given assigned marks.

CRC upheld the decision of CPC.

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1. They have submitted FDA, ISO & CE certificate through online and along-with tender documents and also showed original documents to the committee in the meeting held in DUHS (Ojha Campus) but marks are missing against these certificates.
2. As per tender specifications CE/FDA product are required and their products are both CR & FDA certified but committee did not evaluate their quality and the scoring is unjustified.
3. They are sole distributor of **Teleflex Medical** in Pakistan and their quoted Brand **Arrow** is among the top leading, widely accepted and trusted brand for CVP lines in the world and it has strong existence in Pakistan Market for more than 25 years with proven quality.

M/s. UDL Distribution Pvt. Ltd. during the CRC proceedings stated that they submitted all required documents to the committee but their certain documents were not marked. Hence, they have been kept away from highest ranking and in case proper marking is done against leftover submitted documents, their ranking would be comparatively high to the other competitor bidders.



16

M/S. B.BRAUN.

Tender = 02

Item No. 1925, 1926, 1927, 1928, 1929 & 1930

Observations:

M/s. B. Braun placed the following grievances before the committee.

The firm quoted following products against the Tender:

Item No. CPC1925 I.V Cannula with Heprin Lock of same origin triple faceted needle up with back cut bevel long indwelling period Size 16G;

Item No. CPC1926 I.V Cannula with Heprin Lock of same origin triple faceted needle tip with back cut bevel long indwelling period Size 18G;

Item No. CPC1927 I.V Cannula with Heprin Lock of same origin triple faceted needle tip with back cut bevel long indwelling period Size 20G;

Item No. CPC1928 I.V Cannula with Heprin Lock of same origin triple faceted needle tip with back cut bevel long indwelling period Size 22G;

CRC reviewed the record of CPC and observed as under:

The CRC checked the record of the Central Procurement Committee pertaining to marking awarded to each participated bidder/firm and found as under:

Item No. CPC1925 I.V Cannula with Heprin Lock of same origin triple faceted needle up with back cut bevel long indwelling period Size 16G;

Item No. CPC1926 I.V Cannula with Heprin Lock of same origin.
 Lab Link Ent. (Indonesia) = 84 Marks
 Lab Link Ent. (Japan) = 79 Marks
 The Searle Co. = 67 Marks
 B. Braun = 66 Marks

Item No. CPC1927 I.V Cannula with Heprin Lock of same origin.
 Lab Link Ent. (Indonesia) = 84 Marks
 Lab Link Ent. (Japan) = 79 Marks
 B. Braun = 66 Marks

Item No. CPC1928 I.V Cannula with Heprin Lock of same origin.
 Lab Link Ent. (Indonesia) = 84 Marks
 Lab Link Ent. (Japan) = 79 Marks
 The Searle Co. = 67 Marks
 Usmanco = 66 Marks
 B. Braun = 66 Marks

CRC upheld the grievance of M/s. B. Braun in Item No. CPC1930 and allowed 04 marks of valid accreditation certificate whose marks were not incorporated by CPC despite submission this certificate along-with other papers through online and hard copies. After inclusions 04 marks of valid accreditation certificate, M/s. B. Braun stands at highest ranking with 83 Marks while M/s. Lab Link stands its 2ND Highest ranking with Marks 80. Moreover, for Item Nos. CPC 1925, CPC 1926, CPC 1927, CPC 1928 & CPC1929, CRC has already taken decision in the grievance of M/s. Al-Hamd at Sr. No.04.

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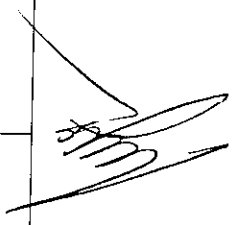



<p>Item No. CPC1929 I.V Cannula with Heprin Lock of same origin triple faceted needle tip with back cut bevel long indwelling period Size 24G;</p> <p>Item No. CPC1930 I.V Cannula with Heprin Lock of same origin triple faceted needle tip with back cut bevel long indwelling period Size 18G, 20G, 22G & 24G;</p> <p>The above item have been illegally passed without proper recourse to the Technical Specification stipulated in the Standard Bidding Documents, the Bid submitted by the Complainants and the evidences provided as well as the past practice of the Procuring Agency and is liable to be set-aside on, amongst others, the following:</p> <p>a. That as Para 3 sub-heading (h)(ii) and (v) given at Page of the Standard Bidding Document, it is mandatory for an importer of Medical Devices to have a minimum of 25% available inventory of the total import of the quoted items(s) during last one year. If an straightway disqualification for the quoted items as it is a "knock-down" criteria. Whilst, it is a matter of record that the Complainant duly fulfilled the minimum required percentage of 25% of total import during last one year,</p>	<p>Item No. CPC1929 I.V Cannula with Heprin Lock of same origin. Lab Link Ent. (Indonesia) = 84 Marks Lab Link Ent. (Japan) = 79 Marks B. Braun = 69 Marks The Searle Co. = 68 Marks</p> <p>Item No. CPC1930 I.V Cannula with Heprin Lock of same origin. Lab Link Ent. = 80 Marks B. Braun = 79 Marks</p>
<p>The CRC notice following main contention of M/s. B. Braun:</p> <p>i. M/s. Lab Link Enterprises has not quoted I.V. Cannula with required tender specification.</p> <p>ii. CPC despite availability of valid accreditation certificate, did not award 04 marks whereas, the same was awarded to M/s. Lab Link Enterprises. If these marks are awarded to them, item no. CPC1930 would be awarded to M/s. B.Braun as M/s. Lab Link Enterprises obtained 80 Marks and M/s. B.Braun obtained 79 Marks.</p> <p>iii. In tender document DTL certificate was one of the mandatory conditions. M/s. B. Braun submitted this document. However, CPC ignored the same and in order to favour selected firm (who did not have DTL certificate) did not award marks on DTL certificate to anyone. Hence, this is clear violation of rules 42(1) of SPPRA Act 2009 (Amended 2017).</p>	<p>The CRC notice following main contention of M/s. B. Braun:</p> <p>i. M/s. Lab Link Enterprises has not quoted I.V. Cannula with required tender specification.</p> <p>ii. CPC despite availability of valid accreditation certificate, did not award 04 marks whereas, the same was awarded to M/s. Lab Link Enterprises. If these marks are awarded to them, item no. CPC1930 would be awarded to M/s. B.Braun as M/s. Lab Link Enterprises obtained 80 Marks and M/s. B.Braun obtained 79 Marks.</p> <p>iii. In tender document DTL certificate was one of the mandatory conditions. M/s. B. Braun submitted this document. However, CPC ignored the same and in order to favour selected firm (who did not have DTL certificate) did not award marks on DTL certificate to anyone. Hence, this is clear violation of rules 42(1) of SPPRA Act 2009 (Amended 2017).</p>

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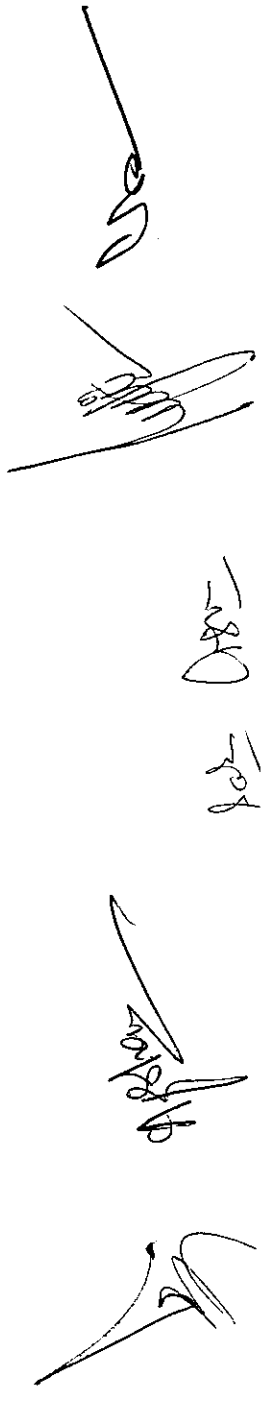
other participants/competitors and particularly M/s. Lab Link Enterprises who seek to provide products imported from M/s. Nipro, Japan Item No. **CPC 1930**, (Safe Touch) have been allowed to participate and may be ultimately awarded a contract despite failing on this essential and knock-down criteria. Such actions show that the primary and pre-requisite requirement of the Standard Bidding Documents was ignored by the Department and Tender is illegally being granted to Companies not fulfilling the essential requirements.

b. For point no (V) Samples of Device will be tested and evaluated by Drug Testing Laboratory (DTL) fails to fulfil criteria will be considered Dis-qualifications of quoted items, and it has score 10 marks in product evaluation criteria.

c. That it was the statutory responsibility of the Procuring Agency to determine the Specifications in a far manner to allow the widest possible competition, which shall not favour any contractor nor put others at a disadvantage, however, the Complainant has been discriminated against whilst determining the requisite marks and is being illegally ousted from the procurement process.

- d. That the Complainant duly provided the requisite documentation in the form of two hard copies with one soft copy as per tender requirements in support of the requirement prescribed in **Column No. 8 (Valid accreditation of manufacturing unit or its relevant sections by international Body) of the Technical Evaluation Matrix.**
- e. That furthermore, the Complainant also duly provided the requisite documentation in support of the requirement prescribed in **Column No. 18 (Samples Evaluation by DTL) of the Technical Evaluation Matrix.**
- f. They also said that they did not find any import of their competitor Safe Touch product which they have quoted at item No. CPC1930 during last three years.
- g. The Complainant seeks the leave of the Honourable Grievance Redressal Committee to raise further grounds at the stage of arguments.



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17

M/S. BSN.

Tender = 02

Item No. 0336, 0337, 0338, 0339 (Post-Operative Dressing)
 Item No. CPC0343, CPC0344 (Opsite Dressing)
 Item No. CPC0243, CPC0244 (P.O.P Bandages)
 Item No. CPC0241

Observations:

M/s. BSN Medical (Private) Limited placed the following grievances before the committee.

Item No. CPC0336, CPC0337, CPC0338, CPC0339.

This documents required for Item No. CPC0336, 0337, 0338, 0339, Post-Operative Tegaderm or similar (LEUKOMED T PLUS) Waterproof & Bacteria Post-Op. Dressing were provided in the tender by the BSN Medical (Pvt.) Ltd. but they were not taken into consideration and columns are left unfilled in published Bid Report.

Details of unfilled columns are as follows:

- In published Bid Report the listed Product OXYMAX does not meet the criteria as this is not a Water Proof & Bacteria Proof product.
- Valid accreditation of manufacturing units or its relevant sections by International body (Certificate from USA-FDA, WHO

CRC reviewed the record of CPC and observed as under:

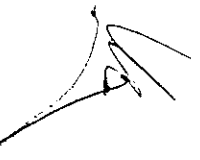
M/s. BSN mostly raised points for not properly evaluation of their quoted items except for Item No. 0241. For this item, the firm quoted Rs. 38.25 (Rs. 382.50 per pack of ten), whereas in technical financial comparative statement, quoted price in Item No. CPC 0241 has been shown as Rs. 7.00. Hence, the firm was of the view that they will not be able to supply the product against amount mentioned in Technical / Financial Comparative Statement.

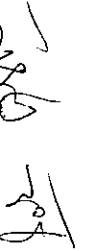
CRC critically examined that the marking score was awarded to M/s. BSN @ Rs. 7.00 and the firm was awarded 30 Marks in Financial Score. On the basis of financial score, M/s. BSN secured 66 Marks (36+30) in overall score in ranking. In case, the quoted rates of Rs. 38.25 as per Financial Bid of M/s. BSN is taken into consideration, the financial score of M/s. BSN will be 16.9 instead of 30 marks and its overall score will be 52.9 instead of 66. Apparently, in this item, M/s. Cotton Craft seems to be winner.

The CRC noticed that the M/s. BSN Medical raised objection on many items of technical nature. Hence, it was decided that the following items may be referred to Central Procurement Committee for review and specific comments for further necessary action.

Item Nos. CPC0336, CPC0337, CPC0338, CPC0339, CPC0343, CPC0344, CPC0243, CPC0244.

Whereas, CRC observed that in Item No. CPC 0241, the actual price quoted by M/s. BSN is of Rs. 38.25, whereas, inadvertently, price of this item has been mentioned as Rs. 7.00 in Technical / Financial Comparative Statement by CPC. Moreover, CPC did not work out properly in Financial Marks as pointed out in observation of CRC. This case was also decided to be referred back to CPC for proper examination and correction with specific comments.






and or/either accrediting body from SRA country/ies duly attested by senior execute of the firm.

- Adherence to Good Shortage Practices for finished goods Storage of the quoted items. Non adherence to GSP, current certificate duly attested by F.I.D. shall lead to disqualification of the firm.
- Leukomed T Plus sheet marking sheet is missing. Only one is available is report. They have serious reservation regarding Leukomed T Plus brand competitors that doesn't have product existence in the market. In published Bid evaluation that product is considered in marketing and given more marks which doesn't have any market existence in comparison with Leukomed T Plus. This product doesn't have any selling history in Public & Private Health Sector of Pakistan as well as it doesn't have any import history. Also these products are not tried & tested by any KOL of Pakistan (Government & Private Sector).

Item No. CPC0343, CPC0344.

The documents required for Item No. **CPC0343, 0344** Dressing were provided in the tender but they were not taken into consideration and columns are left unfilled in the published Bid Report. Opsite Incise Drape is the registered product of BSN Medical (Pvt.) Ltd.











Details of unfilled columns are as follows:

- Valid accreditation of manufacturing units or its relevant sections by international body (Certificate from US-FDA, WHO and/or other accrediting body from SRA country is duly attested by senior executive of the firm).
- Adherence to Good Storage Practices for finished goods Storage of the quoted items. Non adherence to GSP, current certificate duly attested by F.I.D. Shall lead to disqualification of the firm.
- Goods Declaration certificate of imported API and incase of finished quoted items from Pakistan Customs coupled with valid airway bill of lading for the quoted items. Not older than 01 year on the cut-off date for submission of bid.
- Certificate of Analysis of finished quoted items from the Principal Manufacturing duly attested by the senior executive of the firm.

Item No. CPC 0243, CPC0244.

The Item Nos. CPC0243, CPC0244 that is Plaster of Paris Bandage GYSONA were provided in the tender but they were not taken into consideration and columns are left unfilled in the published Bid Report and the relevant marks has been deducted.

Details of unfilled columns are as follows:

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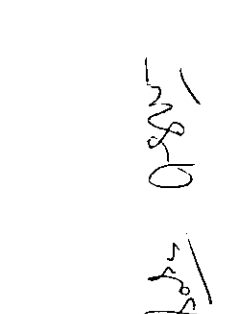


- Adherence to Good Storage Practice for finished goods storage of the quoted items. Non adherence to GSP, current certificate duly attested by F.I.D. shall lead to disqualification of the firm.
- Valid ISO 13485 certificate issued by authorised body of the country of origin duly accredited with International Accreditation Forum (IAF), (duly attested by the Senior executive of the firm).
- APIs source accredited WHO, US-FDA, EMA, MHRA, TGA, PMDA, Swiss medic or Health Canada or by other SRAs countries. In case of Pakistani source of API, valid cGMP Certificate from DRAP & incase of China/India cGMP certificate from country of origin.
- Certificate of analysis of API of the quoted items from the Principal manufacturer duly attested by the senior executive of the firm.
- Certificate of Analysis of finished quoted items from the Principal Manufacturer duly attested by the senior executive of the firm.

Item No. CPC0241 CUTICELL C – Chlorohexidine acetate tulle grass dressing 15cm x 20cm

They informed that the Item No. CPC 0241 is approved in tender at low price which was not quoted by BSN Medical (Pvt) Ltd. in Tender. They quoted Rs. 38.25 and in

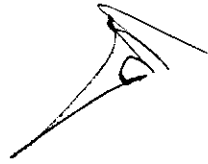
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	<p>published tender list rate contract price printed as Rs. 7.00. They said at the mentioned rate they would not be able to supply the product.</p>	<p>18</p> <p><u>M/S. M.I. ENTERPRISES.</u> Tender = 01 Item No. 0747 = Syp. Montilukast</p> <p><u>Observations:</u> Item No. CPC 0747 Syp. Montilukast The bidder submitted that the item No. CPC0747, Syp. Montilukast, manufactured by Synchro Pharmaceuticals in MSD Sindh Tender 2018-19, but aforementioned product is not awarded to them due to computer mistakes.</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p>CRC while reviewing the document of CPC noticed that the name of the M/s. Synchro Pharmaceutical was mentioned at Sr. No. 215 CPC No. 0747 in Technical Comparative statement whereas, in the column of Financial Comparative Statement "Lowest as evaluated responsive firm whose product rank highest in the combined evaluation", the name of M/s. Synchro Pharmaceutical was inadvertently not written there by CPC.</p>	<p>CRC after observing this anomaly, allowed circulation of this item in favour of M/s. Synchro Pharmaceutical who obtained highest ranking Marks i.e. 71.5.</p>
	<p>19</p> <p><u>M/S. FRESINUS.</u> Tender = 02 Item No. 2035 = Dialyzer with Tubing.</p> <p><u>Observations:</u> Item No. CPC 2035 (Dialyzer with Tubing). The representative of M/s. Fresinus Medical Care submitted following reservations:</p> <ol style="list-style-type: none"> No Marks given against valid certificate of accreditation of quoted item/s from European Community (CE). 	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p>CRC reviewed Financial, Comparative Statement duly signed by CPC and certification duly signed by Focal Person of M/s. Fresinus and found as under:</p> <ul style="list-style-type: none"> ➤ Certificate duly signed by Focal Person of M/s. Fresinus in presence of CPC experts provide that certificates. ➤ Good declaration of quoted products. ➤ Raw Material source WHO, US-FDA. ➤ CE JIS/US-FDA certificate 	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p>CRC reviewed Financial, Comparative Statement duly signed by CPC and certification duly signed by Focal Person of M/s. Fresinus and found as under:</p> <ul style="list-style-type: none"> ➤ Certificate duly signed by Focal Person of M/s. Fresinus in presence of CPC experts provide that certificates. ➤ Good declaration of quoted products. ➤ Raw Material source WHO, US-FDA. ➤ CE JIS/US-FDA certificate 	<p>CRC decided to refer this case to CPC for reviewing document and submit specific comments.</p>

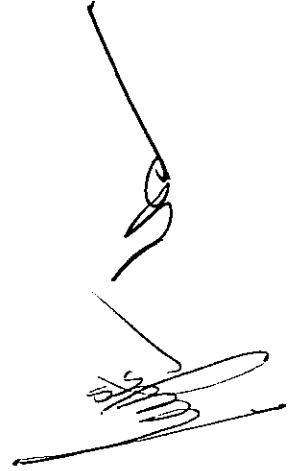
2. **No Marks given** against valid accreditation of manufacturing unit or its relevant section/s by International Body.
3. **No Marks given** against valid calibration certificate for equipment in the factory.
4. Raw material storage (current certificate dully attested by F.I.D.). Non adherence to cGMP shall lead to disqualification of the firm (**Not applicable on Medical Devices**).
5. API/s source accredited by WHO, USFDA, EMA, MHRA, TGA, PMDA, Swiss Medic or Health Canada or by other SRAs countries. In case of Pakistani source of API, valid cGMP certificate from DRAP and in case of China/India cGMP certificate from country of origin duly attested by embassy (**Not applicable on Medical Devices**).
6. **No Marks given** against valid ISO 10993 certificate issued by authorized body of the country of origin duly accredited with International Accreditation Forum.
7. **No Marks given** against CE/JIS/US FDA certification of the quoted products, 2 marks for each certification, up to a maximum of 06 marks.

- ISO 10993, valid cGMP certificate, performance certificate, Sales certificate (not applicable in Punjab base) were not found attached.
- Moreover, CRC noticed that:
- CPC awarded Marks to M/s. Uniplan against the certificate of Raw Material Storage whereas, for M/s. Fresinus, it was mentioned in Technical Comparative Statement of CPC as non-applicable.
 - CPC awarded Marks to M/s. Uniplan and M/s. Universal Enterprises, 5 Marks each. Whereas, these marks were not awarded to M/s. Fresinus and according to this firm that this condition is not applicable on Medical Devices.
 - CPC awarded 3 Marks to M/s. Universal Enterprises whereas, these marks have not been awarded to M/s. Fresinus.



Dr. Faraz

Dr. Arshad



M/S. GENIX.

Tender = 01
Item No. 1449 = Tab. Escitalopran
Item No. 1480 = Moxifloxacin Eye drop.
Item No. 0473 = Inj. Imipenem 500mg
Item No. 1505 = Nefafenac 0.1% Drops.

Observations:

Item No. CPC 1449, CPC 1480, CPC 0473 & 1505.

The representative of M/s. Genix submitted as under during CRC:

M/s. Genix Pharma technically qualified for the **Item No. 1449 (Tab. Escitalopram 20mg)**, where the said product of M/s. Genix Pharma declared/obtain highest combined evaluated score as well as lowest in rates, in aid product competition, but another firm mentioned typographically in column.

M/s. Genix Pharma technically qualified for the **Item Nos. CPC 1480 (Moxifloxacin 0.5% Eye Drop) & CPC 0473 (Inj. Imipenem 500mg IV)**, where the said product quoted at lowest rates and provide all required documents, but no numbers given against "Current Export Certificate", thus results lower their factory score.

CRC reviewed CPC documents and found that:

i. Item No. 1449 (Tab. Escitalopram 20mg).
Technical/Financial Statement of CPC provided that following firms participated in this item and CPC awarded score to them as under:

- 1. M/s. Wilshire Lab = Non-responsive
- 2. M/s. Safe Pharma = Non-responsive
- 3. M/s. Genix Pharma = Non-responsive
- 4. M/s. Genix Pharma = 87 Marks (Non-responsive)
- 5. M/s. S.J. & G Fazal Illahi, Non-responsive.
- 6. M/s. Amarant Pharma, Non-responsive.
- 7. M/s. The Searle Company (Z.I.) 74.86 Marks.
- 8. M/s. Wimits Pharma (Zeal) Non-responsive.
- 9. M/s. Pharm Evo. (KMC) 75.11 Marks.

ii. Item No. CPC 1480 (Moxifloxacin 0.5% Eye Drop)

CRC noticed that in certification duly signed by Focal Person of M/s. Genix Pharam wherein certificate has been ticked as "Yes" but CPC did not award 5 Marks to M/s. Genix Pharma.

iii. Item No. CPC 0473 (Inj. Imipenem 500mg IV).
CRC noticed that M/s. Genix Pharma did not submit Valid accreditation of manufacturing unit. The Focal Person of the firm also signed a certificate wherein also no reference of availability of the certificate is available. Moreover, evaluation criteria proforma provide that there is no any condition of availability of effective cold chain system. Hence, the claim of

CRC noticed that in fact M/s. Genix Pharma secured highest rank with marking status of 87 whereas, M/s. Pharm Evo. Secure 75.11. in principal award should be given to M/s. Genix Pharma being highest in marking rank. However, CPC mentioned comments against this firm as non-responsive. Hence, the committee decided to refer this case to CPC for specific comments.

CRC decided to refer this item to CPC to incorporate 5 Marks in the point score of M/s. Genix Pharma and after necessary rectification, case may be forwarded for further necessary action.

CRC upheld the decision of CPC.

<p>M/s. Genix Pharma technically qualified for the Item No. CPC 1505 (Nepafenac 0.1% Eye Drop), where the product of M/s. Genix Pharma declared/obtain 2nd highest combined evaluated score, in said product competition, where 1st highest scorer firm offered lowest rates Rs. 1.55 per unit, which can be clearly understands that this rates have typographical error.</p>	<p>M/s. Genix Pharma found to be merit no consideration.</p> <p>iv. Item No. CPC 1505 (Nepafenac 0.1% Drops). CRC noticed that M/s. Genix Pharma requested to correct the prices of M/s. Atco Laboratories whereas, no such formal request received from M/s. Atco Laboratories whether this firm quoted prices wrongly or otherwise. Hence, CRC was of the view that without any reference of any firm CRC cannot alter prices at their end until unless aggrieve party submit written request for the remedial measures.</p>	<p>CRC decided to refer this case to CPC for clarification on the basis of available record.</p>
<p>21</p> <p><u>M/S. GENUS.</u> Tender = 02 Item No. 1980, 1981, 1982.</p> <p><u>Observations:</u> They have objected that despite of provision of documents physically examined by Committee, they have declared non-responsive of above items.</p>	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p><u>Item No. CPC 1980, CPC 1981, CPC 1982.</u> The representative of M/s. Genus submitted as under during CRC:</p> <p>M/s. Genus despite providing following certificates, the firm has been declared as non-responsive by CPC.</p> <ul style="list-style-type: none"> • Valid Free Sale Certificate (Attested by Embassy of Pakistan). • Assurance Certificate (Attested by notary public US). 	<p>The CRC noticed no such document were seen on record to have been deposited.</p>

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Item No. CPC 1980, CPC 1981, CPC 1982.

CRC perused the record of CPC and found scoring position as under:

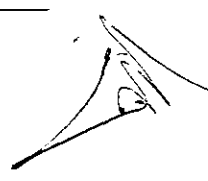
Item No. CPC 1980.

UDL	=	68.00
B. Braun	=	68.91
Genus	=	Non-responsive.
Allmed	=	61.83
Verizon	=	36.59

Item No. CPC 1981.

UDL	=	68.00
Ali Goher	=	58.24
Ali Goher	=	61.55
Ali Goher	=	69.48
Medisurge	=	55.37
B. Braun	=	69.85
Genus	=	Non-responsive.
Allmed	=	Non-responsive.
Ali Goher	=	Non-responsive.
Ali Goher	=	Non-responsive.
Ali Goher	=	Non-responsive.
Genus	=	Non-responsive.
Allmed	=	Non-responsive.

	<p>Item No. CPC 1982. UDL = 67.02 Ali Goher = 60.55 Ali Goher = 63.42 Ali Goher = 71.00 Medisurge = 58.62 B.Braun = 71.58 Genus = Non-responsive. Allmed = Non-responsive. Ali Goher = Non-responsive. Ali Goher = Non-responsive. Ali Goher = Non-responsive. Genus = Non-responsive. Allmed = Non-responsive.</p>		
<p>22</p>	<p><u>M/S. GRACE PHARMA.</u> Tender = 02 (SURGICAL/DISPOSABLE) Item No. 0384, 0386, 1921, & 1923 (Disposable Syringes 3ml, 20ml, 5ml, 10ml). Item No. 1966 = I.V. Chamber (Tender-02). Item No. 0677 = I.V. Set (Tender-01) Item No. 1581 = Anti Rabies Vaccine (Tender-01)</p> <p><u>Observations:</u> <u>Item No. CPC 0384 (3ml Disposable Syringe), CPC 1921 (5ml Disposable Syringe) & CPC 1923 (10ml Disposable Syringe):</u></p>	<p><u>CRC reviewed the record of CPC and observed as under:</u></p> <p><u>Item No. CPC 0384 (3ml Disposable Syringe), CPC 1921 (5ml Disposable Syringe) & CPC 1923 (10ml Disposable Syringe):</u> The main objection of M/s. Grace Pharma was that P.T. Nipro Indonesia JAYA is neither US FDA approved nor WHO pre-qualified quoted by M/s. Lab Link whereas, as per CPC documents the Focal Person of M/s. Lab Link signed Evaluation Criteria for Importers of Medical Devices, Govt. CPC 2018-19 at column No. 17 which provide that they have "ISO 10993 certificate issued by authorised body of the country of origin duly accredited with international Accreditation Forum</p>	<p>CRC decided in Item No. CPC 0384, CPC 0386, CPC 1921, CPC 1923, CPC 1966, CPC 0677 and CPC 1581 for review in light of Technical objections raised by M/s. Grace Pharma that M/s. Lab Link Enterprises and M/s. Sindh Medical Store do not have FDA Certificate / WHO prequalification and in the case of M/s. Lab Link does not have 25% inventory as well as DRAP licencing for I.V. Chamber. Moreover, CPC may</p>






Representative of M/s. Grace has raised following points against the successful bidder i.e. M/s. Lab Link Enterprise:

- i. As per the Terms & Condition of tender, all 3 required items needed to US FDA approved / WHO Prequalified should have been technically qualified and accordingly to be considered for financial evaluation. However, all 3 above said items were awarded to M/s. Lab Link Enterprises who quoted NIPRO manufactured by "P. T. Nipro Indonesia Jaya", which is neither US FDA approved nor WHO Prequalified as only NIPRO Japan is US FDA approved/WHO Prequalified and there is a misconception that all NIPRO manufacturers are US FDA approved & WHO Prequalified.
- ii. It is requested to review the decision of awarding of contract to all 3 items of M/s. Lab Link Enterprises who does not meet the technical evaluation criteria. Moreover, the 2nd and 3rd highest scorers also do not have US FDA approved/WHO Prequalified disposable syringes, whereas Grace Pharmaceutical has US FDA disposable syringes which is evident from the already submitted documents in the tender/bid.
- iii. They are not satisfied with the criteria of Technical Evaluation on what basis the marks were given if one company has attached the same required documents so

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(IAF) for the country of origin (duly attested by senior executive of the firm)".
M/s. Grace Pharma was of the view that procuring agency awarded contract on combined weighted Technical & Financial score which is provided in rule 72(3) of consulting services. However for Procurement of Goods/Drugs the award of contract shall be given to lowest evaluated cost as provided in Rule 49 read with Rule 46(2). SPPRA's observations are also hoisted on PPMS (SPPRA).

Item No. CPC 0386 (20ml Disposable Syringe).
M/s. Grace Pharma has raised the same points against M/s. Sindh Medical Store like wise in the case of M/s. Lab Link Enterprises i.e. FDA approval / WHO prequalification.

As per CPC record the Focal Person of M/s. Sindh Medical Store signed Evaluation Criteria for Importers of Medical Devices, Govt. CPC 2018-19 at column No. 17 which provide that they have "ISO 10993 certificate issued by authorised body of the country of origin duly accredited with international Accreditation Forum (IAF) for the country of origin (duly attested by senior executive of the firm)".

Item No. CPC 1966 (IV Chamber).
In this case M/s. Grace Pharma raised that:
i. M/s. Lab Link Enterprise does not have availability of minimum 25% inventory of the total of the quoted items during last one year.

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also offer specific comments on the objection that Tender working is based on Rule 72(3) of consulting services. However, for Procurement of Goods/Drugs the award of contract shall be given to lowest evaluated cost as provided in Rule 49 read with "Rule 46(2). SPPRA's observations are also hoisted on PPMS (SPPRA)".

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as the other company but one company i.e. Grace Pharmaceuticals got less marks that of another company (BER attached). Whereas Procuring Agency has awarded contract on combined weighted Technical & Financial score which is provided in rule 72(3) of consulting services. However for Procurement of Goods/Drugs the award of contract shall be given to lowest evaluated cost as provided in Rule 49 read with Rule 46(2). SPPRA's observations are also hoisted on PPMS (SPPRA).

Item No. CPC 0386 (20ml Disposable Syringe).

As per terms and condition of tender, the required item needed to be US FDA approved/WHO Prequalified should have been declared technically qualified and subsequently be considered for financial opening/evaluation. However, M/s. Sindh Medical Store's 20ml Disposable Syringes is not US FDA approved/WHO Prequalified. The decision may kindly be reviewed in the light of above fact.

Item No. CPC 1966 (IV Chamber).

The said item is awarded to M/s. Lab Link Enterprises whereas the terms and condition & technical evaluation criteria of tender clearly state that the product should have

ii. I.V. Chamber quoted by M/s. Lab Link Enterprises is neither registered with the Drug Regulatory Authority Pakistan nor has any commercial sale.
iii. As per their information, I.V. Chamber was never been imported Pakistan.

Item No. CPC 0677 (I.V. Set) & CPC 1581 (Inj. Anti Rabies Vaccine).

The CRC noticed the main objections of M/s. Pharmaceuticals that:

- i. They were disqualified on financial soundness despite having financial soundness.
 - ii. The reason for disqualification of Alpha I.V. Set given by CPC as doubts over the efficacy of the products.
 - iii. No free sale certificate of Anti Rabies Vaccine despite having the same.
- CPC record provided that:
- i. The tax returns (NTN numbers) submitted in bid documents were sent to FBR as required under evaluation criteria. FBR communicated that M/s. Graton & M/s. Grace having NTN = 1322114-7 in the name of Shahdave, doesn't submitted Tax returns since 2014. Further the copies of 03 years tax returns attached in bids, shows total receipt value Rs.167,476 million.

ii. The following short comes of mandatory documents were noticed and informed the focal person at the time of examination, who were signed a certificate in this regard:

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prior market experience and there should be availability of minimum 25% inventory of the total import of the quoted items during the last one year. The matter of fact is IV Chamber quoted by M/s. Lab Link Enterprises is neither registered with Drug Regulatory Authority of Pakistan nor has any commercial sale. In fact it has never been imported to Pakistan.

Item No. CPC 0677 (I.V. Set).

M/s. Grace Pharmaceuticals informed that the Item No. CPC 0677 disqualification reason Alpha I.V. Set is given as doubts over the efficacy of the product. The Alpha I.V. Set is manufactured by the US FDA approved firm Jiangxi Hongda Medical Equipment Group Ltd. and is being used all over Pakistan for the last 10 years in numerous Instituted. There is no bigger accreditation of a product's efficacy than to have US FDA approval.

CPC 1581 (Inj. Anti Rabies Vaccine)

The reason for disqualification of Anti Rabies Vaccine is given as not having Free Sales Certificate. The Embassy Attested Free Sales Certificate was attached in tender documents and was also verified to the technical committee when called upon for scrutiny of the document at OJHA Campus.

- a) Authority letters of manufacturers / importers, GMP & Free Sale Certificate of the manufacturer country, should be attested from the embassy of either countries (**Non-provision of the embassy attested certificates will lead to disqualification of firm**), as required under Section-V (Technical Evaluation Criteria for Drugs / Medicines). Provided authority letter of Liaoning ChangDa China not attested with embassy, copies of GMP and free sale certificate were also not attested by the embassy of either countries.
- b) Functional and effective Air-conditioning & Ventilation System and effective cold chain for thermo labile drugs and adherence to Good Storage Practice (GSP), (**Non-submission of valid / current certificate duly attested by drug regulator shall lead to disqualification of the firm**).
Not submitted FID/Drug Regulator attested certificate of GSP.

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23

M/S. GRATON PHARMA.

Tender = 01 (MEDICINE/DRUG)
 Item No. CPC 0798, CPC 0833, CPC 1260,
 CPC 1606, CPC 1632, CPC 1633, CPC
 1634.

Tender = 03 (X-RAY FILMS / CHEMICALS)
 Item No. 0231, 232 (Inj. Gadopentetate 10ml
 & 20ml)

Observations:

Item Nos. CPC 0789, CPC 1632, CPC 1633,
 CPC 1634 declared technically Non
 Responsive and their financial bid was not
 opened. They requested that the firm will
 reconsider on technical grounds.

**Item Nos. CPC 0231 (Gadopentetate
 Dimeglumine 460.01mg/ml (10ml), and
 Item No. CPC 0232 (Gadopentetate
 Dimeglumine 460.01mg/ml (20ml)).**

The quoted Item Nos. CPC 0231
 (Gadopentetate Dimeglumine 460.01mg/ml
 (10ml), and Item No. CPC 0232
 (Gadopentetate Dimeglumine 460.01mg/ml
 (20ml) of their brand "Omnivist manufactured
 by Beijing Beilu Pharmaceutical Co. Ltd.
 China.

However, despite showing documents to the
 technical committee at the time of pre-
 evaluation of the documents and submission
 necessary document on tender

**CRC reviewed the record of CPC and observed as
 under:**

The CRC noticed the main objections of M/s. Graton
 Pharmaceuticals that they were disqualified on financial
 soundness despite having financial soundness.

CPC record provided that:

i. The tax returns (NTN numbers) submitted in bid
 documents were sent to FBR as required under
 evaluation criteria. FBR communicated that M/s.
 Graton & M/s. Grace having NTN = 1322114-7 in the
 name of Shahdave, doesn't submitted Tax returns since
 2014. Further the copies of 03 years tax returns
 attached in bids, shows total receipt value Rs.167.476
 million.

ii. The following short comes of mandatory documents
 were noticed and informed the focal person at the time of
 examination, who were signed a certificate in this regard:

- a) Authority letters of manufacturers / importers, GMP
 & Free Sale Certificate of the manufacturer country,
 should be attested from the embassy of either
 countries **(Non-provision of the embassy
 attested certificates will lead to disqualification
 of firm)**, as required under Section-V (Technical
 Evaluation Criteria for Drugs / Medicines).
 Provided authority letter of Beijing Shunglu China,
 whose GMP submitted found expired on 21.4.2018
 and also free sale certificate were expired, also not
 attested by the embassy of either countries.
 Calibration Certification written in chines language,

CRC noticed grievances relating
 to financial soundness have
 already been decided in the case
 of M/s. Imperial Traders and
 others at Sr. No. 07 of the minutes
 hence, CRC upheld the decision
 of CPC.

specifications, they were disqualified on non-availability of following documents:

1. GMP (duly attested by Embassy).
2. Free Sale Certificate (duly attested by Embassy)
3. Analysis Certificate.

After perused the grievances of M/s. Graton Pharma, CRC reviewed the documents of CPC including certificate signed by Mr. Muhammad Kamran of Sales Associate Officer, M/s. Graton Pharma which provide following shortcoming of M/s. Graton Pharma:

- i. Required financial soundness was 1000 million whereas, M/s. Graton Pharma submitted 1 million.
- ii. Agreement of the authority letter was not attested from embassy of either country.
- iii. ISO certification was not available (9001, 1400 & 18001).
- iv. Accreditation by US FDA / WHO not provided.
- v. Availability of quoted items in USA were not provided.
- vi. WHO prequalification certificate not attached.
- vii. IMS certificate not attached.

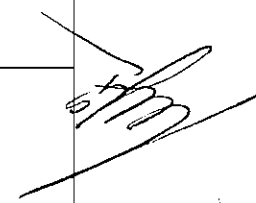
not readable and stability studies were also found old.

- b) Functional and effective Air-conditioning & Ventilation System and effective cold chain for thermo labile drugs and adherence to Good Storage Practice (GSP), **(Non-submission of valid / current certificate duly attested by drug regulator shall lead to disqualification of the firm).**

Not submitted FID/Drug Regulator attested certificate of GSP.








24

M/S. HAMZA ENTERPRISES.

Tender = 02 (SURGICAL/DISPOSABLE)
Item No. 0237 = Cotton Wool.
Item No. 0249 = Surgical Bandages.

Observations:

The representative of M/s. Hamza Enterprises submitted following reservations:

Item No. 0237 (Cotton Wool).

The Item No. CPC 0237 Cotton Wool Absorbent Carded BPC/BP pack of ½ kg (500g), in the column (Physical examination of the quoted items/s by the CPC experts. Accept or Rejected will decide after expert opinion) obtained Eight (08) marks against the bidder M/s. Asian Fiber obtained Ten (10) marks after this M/s. Asian Fiber is also not submit the Valid ISO 14001 and ISO 9001. In this connection they also said the quoted item is manufactured by M/s.

Kohinoor Industries which were not examined by CPC expert. If they physically test the sample then they got the more 10 marks and they obtained highest marking and win this item. M/s. Hamza Enterprises requested to re-examine submitted samples by CPC expert.

Item No. 0249 (Surgical Bandages).

M/s. Hamza Enterprises informed that the M/s. Kohinoor Industries (Manufacturer) had

Observation of CRC:

CPC awarded 08 marks to M/s. Hamza Enterprises whereas, M/s. Asian Fiber were awarded 10 marks despite non-availability of valid ISO 14001 and ISO 9001. The certificates ensure the scope of quality. M/s. Hamza Enterprises quoted Cotton Wool Absorbent Carded BPC/BP Pack of ½ Kg (500g) whereas, the same was quoted by M/s. Asian Fiber. The CPC awarded 08 marks to M/s. Hamza Enterprises and 10 Marks to M/s. Asian Fiber. M/s. Kohinoor Industries (Manufacturer) authorised another bidder M/s. ABA Enterprises for other products. M/s. ABA Enterprises submitted same documents of M/s. Kohinoor Industries as narrated by M/s. Hamza. The CPC awarded 35 marks in factory score to M/s. ABA whereas 28 marks were awarded to M/s. Hamza Enterprises.

As per grievance of M/s. Hamza Enterprises for re-scrutiny of factory related documents and awarding the marks against adequate availability of equipment's / instruments in QC labs performing relevant official tests & Functional and effective Air-conditioning & Ventilation System.

M/s. Hamza Enterprises in Item NO. CPC 0249 (Surgical bandage 10cm x 5mtrs BP type-II pack of twelve bandages also stands 2nd lowest.

CRC was of the considered opinion that valid ISO 14001 and ISO 9001 are necessary for quality assurance. M/s. Asian Fiber did not submit the certificates whereas M/s. Hamza Enterprises submitted the same and during physical examination by CPC expert, due weightage should have been given to M/s. Hamza Enterprises. Moreover, M/s. ABA Enterprises and M/s. Hamza Enterprises submitted same documents of manufacturer (M/s. Kohinoor Industries). So, there should have not been marking difference in factory related score (35 to M/s. ABA Enterprise and 28 to M/s. Hamza Enterprises). Hence, CRC decided that CPC should award same factory score to M/s. Hamza Enterprises on the basis of same documents submitted by M/s. ABA for factory score. Hence there should not be variation that one firm has been awarded 35 marks and the other 28 despite having same documents of same manufacturers.

also authorised to another bidder M/s. ABA Enterprises for other few products, when they have same documents provided by M/s. Kohinoor Industries for document based of factory score related then how one bidder has obtained Thirty five (35) marks and the M/s. Hamza Enterprises obtained twenty Eight (28) marks. They requested that the re-scrutinise their Factory related documents and give the same marks on the basis of (Adequate availability of equipment's / instruments in QC labs performing relevant official tests) & (Functional and effective Air-conditioning & Ventilation System). Moreover, they informed that Item No. CPC 0249 Surgical bandage (10cm x 5 mtrs.) BP type-II Pack of Twelve Bandages in also on ranking of 2nd Lowest and they requested to give them same marking on given item.

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M/S. HASSAN DISTRIBUTION.

Tender = 01 (MEDICINES)
 Item No. 1171, 1187, 1078, 1079, 1534, 1475, 1448
 Tender = 02 (SURGICAL)
 Item No. 1931, 1957, 1962, 1968, 2213, 2236, 2241

Observations:

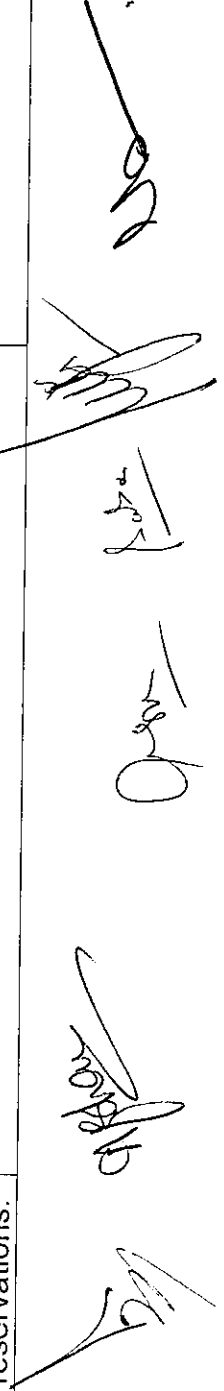
The representative of M/s. Hassan Distribution submitted following reservations:

Observation of CRC:

Item No. CPC 1171 (Tab. Flurbiprofen 10mg).

1. M/s. Sante Pvt. Ltd. secure 82 Marks with offered rate price of Rs. 3.46 whereas M/s. Pfizer Pvt. Ltd. secure 79.56 score with offer rate Rs. 4.60.
 2. The above anomaly was made in Technical / Financial Comparative Statement of CPC.

On the record basis, CRC allowed the grievance of M/s. Sante Pvt. Ltd. and referred matter to CPC for further necessary action.



<p><u>Item No. CPC 1171 (Tab. Flurbiprofen 10mg).</u> M/s. Hassan Distribution submitted that their Principal (Manufacturer), M/s. Sante (Pvt) Ltd technically qualified and obtain highest combined evaluated score 82 as well as lowest in rate, in said product competition, but another firm mentioned due to typographically mistake in column (Lowest evaluated responsive firm), whose Score is 79.56.</p>	<p>CRC upheld decisions of CPC.</p>
<p><u>Item No. CPC 1187 (Gel Naproxen).</u> Only Two bidders compete the said item, where other bidder M/s. Mediceena Pharma also declared Non-Responsive due to financial soundness. Whereas, M/s. Pacifica Pharmaceuticals provide all mandatory and required documents, on which basis firm has qualified and status is responsive in other items.</p>	<p>CRC upheld decisions of CPC.</p>
<p><u>Item No. CPC 1078 (Tab. Fexofenadine 120mg) & CPC 1079 (Tab. Fexofenadine 120mg).</u> The M/s. Pacific Pharmaceuticals declared "Non-Responsive" due to Old GD provided against following items. While they have provided the valid said document with technical proposal.</p>	<p>CRC decided to refer this item to CPC for necessary correction on the basis of available record / original financial bid submitted by M/s.Hassan Distribution.</p>

Item No. CPC 1187 (Gel Naproxen).

Focal Person of M/s. Sante (Mr. Hassan) signed evaluation criteria report which provide following documents were not available for this item:

- I. Goods declaration Certificate of imported API of the quoted items from Pakistan.... (Column No. 17)
- II. Certificate of analysis of API.....(Column No.19)
- III. Stability studies of quoted items ...(Column No. 22)

Item No. CPC 1078 (Tab. Fexofenadine 120mg) & CPC 1079 (Tab. Fexofenadine 120mg).


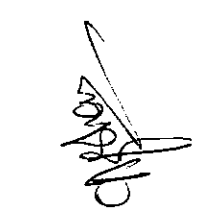


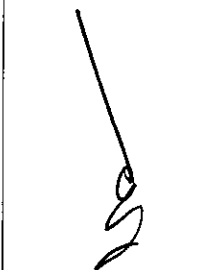
Criteria Evaluation Form duly signed by Focal Person of M/s. Sante at the time of Technical Evaluation provide that old GD Certificate is attached with the documents of this item. The claim of M/s. Sante that they had provided valid GD Certificate is not sustainable.

Item No. CPC 1534 (Cream: Isotretinoin Erythromycin 10gm).

GD Certificate was one of the mandatory conditions of bidding document for quoted products. Whereas, criteria evaluation form duly signed by Focal Person of M/s. Sante at the time of Technical Evaluation no such certificate is found attached.

Item No. CPC 1475 (Tab. Clozapine 25mg).

Original Financial Bid of M/s. Hassan Distribution provided that the firm quoted Rs. 8.00 against quoted

Item No. CPC 1534 (Cream: Isotretinoin Erythromycin 10gm).
 M/s. Sante (Pvt.) Ltd. provided all mandatory and required documents, on which basis firm has qualified and status in responsive in other items but their status declared "NON-Responsive" with remarks that "Mandatory documents not provided".

Item No. CPC 1475 (Tab. Clozapine 25mg).
 M/s. Usawa Pharma declared Lowest evaluated responsive firm, but quoted rate have a typographic error as they quoted the rates Rs. 5.00 but in Financial Comparative Statement reflected as Rs. 8.00.

Item No. CPC 1448 (Tab. Escitalopram 10mg).
 M/s. S&G quoted with all required documents submitted along-with Technical Proposal, but their status declared "Non-Responsive" due to "GD not attached". They inform that 14 points not given against their already submitted following documents regarding said product. M/s. S.J.&G. Fazul Ellahie (Pvt) Ltd. provided all mandatory and requested documents on which basis firm has qualified and status is responsive in other items:
 Raw material storage (current certificate duly attested by FID (4 points)).

Item No. CPC 1475 (Tab. Clozapine 25mg). Whereas, in Technical / Financial Statement the rate was shown as Rs. 5.00. Hence, this was inadvertent mistake on the part of CPC.

Item No. CPC 1448 (Tab. Escitalopram 10mg).
 Certificate signed by focal person of M/s. Hassan Distribution during the time Technical Evaluation provided that:

- i. No GD Certificate was found attached (Mandatory).
- ii. No Certificate of analysis API was found attached.
- iii. Raw Material storage Certificate was found attached but 4 Marks were not awarded as reflected in Technical / Financial Statement of CPC.

Item No. CPC 1931 (Tru Cut/Fine Cut Biopsy), Item No. CPC 1957 (PCNL Catheter 8, 10 FR self locking), Item No. CPC 1962 (Prem Catheter 24cm (CU 7-19cm)).

Item No. CPC 1968 (Single step drainage set locking 12x25cm (Angiotech/similar)).

- i. M/s. Hassan Distribution was of the view that DRAP registration is necessary for these items. This firm submitted provisional establishment certificate to import medical devices vide No. 0058 dated: 18.04.2018 along-with grievance application. Such reference was also available in Certificate duly signed by the Focal Person of the firm.
- ii. The Terms and Conditions for Medical Devices mentioned in bidding document, there is no any reference for DRAP certification. However, M/s.

Though 4 Marks of Raw Material Storage Certificate was not awarded to M/s. Hassan Distributor, CRC upheld the decision of CPC considering non-provision of GD Certificate being one of the mandatory conditions of bidding document of quoted items.

CRC decided clarification may be obtained from CPC whether, DRAP certification is necessary for these items or there is general exemption under Medical Device Rule 2017.

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Goods Declaration (GD) certificate of imported API (5 points).
Certificate of Analysis of API (5 points).

Item No. CPC 1931 (Tru Cut/Fine Cut Biopsy). Item No. CPC 1957 (PCNL Catheter 8, 10 FR self locking).
Item No. CPC 1962 (Prem Catheter 24cm (CU 7-19cm)).

Item No. CPC 1968 (Single step drainage set locking 12x25cm (Angiotech/similar). M/s. Hassan Distribution, Principal (Importer) of M/s. Medisurge Innovatives technically qualified firm, Medisurge Innovatives (with its Principals Names) is registered with DRAP having License No. ELI-0042, while, all competitive firms against Medisurge in above items are not registered with DRAP. Hence, the non-registered company/product is not allowed to import by DRAP, where their imports of un-registered firms stands illegal.

Item No. CPC 2213 (3% Glutaraldehyde reusable sterilizing and high level disinfecting solution for endoscopes).
Item No. CPC 2236 (Hand disinfectant based on Ethanol 0.5 Lit.).
Item No. CPC 2241 Descocid-N Solution 200ml or Similar).

Hassan Distribution submitted that Non-DRAP registered company / product illegal.
Other firms against whom complaint is lodged by M/s. Hassan have reported in their certification that **“Medical Devices still not under registration by DRAP/applied for registration”**.

Item No. CPC 2213 (3% Glutaraldehyde reusable sterilizing and high level disinfecting solution for endoscopes).
Item No. CPC 2236 (Hand disinfectant based on Ethanol 0.5 Lit.).
Item No. CPC 2241 Descocid-N Solution 200ml or Similar).

M/s. Hassan Distribution / M/s. Stancos (Manufacturer) is a Pakistani Manufacturer whereas, Importer of Medical Devices were required in tender documents. M/s. Hassan Distribution / M/s. Stancos (Manufacturer) being local company could not obtain required score and compete the process. The conditions of tender are narrated as under:

h. Importer of Medical Devices:

i. Valid cGMP /Quality Control /Quality Assurance Certificate (attested from the embassy of the country of origin of the quoted item/s in Pakistan or Pakistani embassy in the country of origin). Non provision of the embassy attested certificate will lead to disqualification of firm.

Since importer of Medical Devices was the requirement of bidding document, M/s. Hassan Distribution / M/s. Stancos being local firm could not obtain required score. Hence, CPC upheld the decision of CPC considering it as per bidding document.

M/s. Stancos (Pvt. Ltd. a well-known reputable and registered manufacturer of cosmetics and disinfectant solutions. M/s. Stancos technically qualified firm, where provide all mandatory and required documents.

M/s. Stancos as Pakistani manufacturer they cannot obtain those point which belongs to imported products like other bidders, that's why their factory/product score lower than other bidders. But at the same they have offered same quality with lowest rates among bidders.

- ii. Availability of minimum 25% inventory of the total import of the quoted item/s during last one year (certificate to the effect duly signed by the senior executive of the firm & evaluated by the CPC expert/s). Non availability of the 25% stock at the time of inspection shall lead to disqualification of the quoted item/s.
- iii. Adherence to Good Storage Practices (GSP) for finished goods storage of the quoted item/s. Non adherence to GSP, as evaluated by the CPC expert/s at the time of inspection as evaluated by the CPC expert/s, valid / current certificate duly attested by drug regulator shall lead to Disqualification of the firm.
- iv. Valid Free Sale certificate for the quoted item/s duly attested by the Pakistani embassy in the country of origin of quoted item/s or embassy of the country of origin in Pakistan. Non Provision of the embassy attested certificate shall lead to Disqualification of the quoted item/s.
- v. Samples of devices will be tested and evaluated by the Drugs Testing Laboratory (DTL) as well as by the CPC expert/s and the quoted item/s shall be disqualified for further competition on their adverse report/s.






Jobs



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M/S HOFFMAN HUMAN HEALTH

Item No. 1586 & 1587 = Hepatitis - B Vaccine.

Observations :

The representative of M/s. Hoffman Human Health submitted following reservations:

Item No. CPC 1586 & CPC 1587,

They inform that the quoted product (Hepatitis B vaccine 0.5ml and 1ml) has declared "Responsive" and the competitor's brand declared "Not Responsive" but a usual there is no other choice except to accept WHO Prequalified Products another hurdle has created by mentioning "to be retender as per CPC" in remarks.

Despite Honourable Sindh High Court's decision vide Suit No. 1304/2018 the purchase of WHO Prequalified Hepatitis B vaccine is already pending under last financial year 2017-18. Now delay in purchase of WHO Prequalified Hepatitis-B vaccine for current year 2018-19 will badly affect the immunization campaign of Health Department, Sindh. They said to feel that the smell that unusual steps being taken to throw-out there WHO prequalified products from the competition and to accommodate the favourite bidder which is not a healthy sign.

CRC Observations:

Item No. CPC 1586 & CPC 1587,

CPC had already decided in its meeting dated: 23.07.2018 that specification of Hepatitis B vaccine should be corrected as per WHO guidelines and Committee also decided to stop these Items from this tender and to be retendered with revised/corrected specifications to be finalised by the CPC. Hence, these items were stopped for retender.

CRC upheld the decision of CPC.

10/11/18

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M/S HOSPITAL SOLUTION.

Tender – 01, Item No. CPC 1342, CPC 1088, CPC 1118, CPC 1526, CPC 1527 & Shaigan Product.

Tender – 02, Item No. CPC 1993, CPC 2231.

Observations :

The representative of M/s. Hospital Solution submitted following reservations:

Item No. CPC 1342 (Tab. Disprin CV)

Item No. CPC 1088 (Syp. Gaviscone 60ml) 60ml”.

M/s. Reckitt Benckiser is technically approved manufacturer in the CPC Tender and for the reference, their product has been considered by the department in CPC Item No. 2231 & CPC 1165, which means all the documents have been submitted and considered by the evaluation Team, however, in the above mentioned product, their product have not been considered.

In Comparative Statement, against the above mentioned product, the reason for no considering their team is mentioned as “**NON AVAILABILITY OF STABILITY STUDIES**”. There must have been some confusion regarding the documents and they believe that this issue will be resolved by the committee on good faith basis.

CRC Observations:

Item No. CPC 1342 (Tab. Disprin CV)

Item No. CPC 1088 (Syp. Gaviscone 60ml)

Item No. CPC 1118 (Inj. Ondansetron 8mg)

- i. Five Marks were kept for availability of stability studies evaluation criteria (Column 22) duly signed by Focal Person of M/s. Hospital Solutions provide no such certificate was provided by the firm.
- ii. M/s. Hospital Solutions was single quoted firm.
- iii. Stability studies certificate was not mandatory in evaluation criteria.
- iv. In each item, M/s. Hospital Solutions (M/s. Reckit Benckiser) secured 41 marks in Technical Evaluation and in case 30 marks of financial bid are incorporated, total score will be 71.

CRC was of the view that since stability studies certificate was not one of the mandatory conditions of evaluation criteria, hence, Items may be referred to CPC for specific comments and significance of stability studies certificate.

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Item No. CPC 1118 (Inj. Ondansetron 8mg)

They inform that they won this item but two documents were over looked and given remarks as "API source and Stability Data was Not Provided to check the quality of the product" in Comparative Statement.

Item No. CPC 1526 (Cream-Fusidic Acid 2 % 15 gm) & 1527 (Cream-Fusidic Acid 2 % 20 mg + Hydrocortisone Acetate 1% 15 gm).

The Item Nos. CPC 1526 & CPC 1527, M/s. Shaigan Pharmaceuticals has not been considered in the comparative statement of the CPC tender 2018-19, reason being that they are not financially sound company. The product list of Shaigan has well renowned brands including ESSA and FUSIDIC ACID, ESSO ranks second highest in IMS ranking and FUSIDIC ACID ranks No. 01 in IMS product ranking. Holding such a great reputation in the market, Shaigan has strong financial position.

Item No. CPC 1526 (Cream-Fusidic Acid 2 % 15 gm) & 1527 (Cream-Fusidic Acid 2 % 20 mg + Hydrocortisone Acetate 1% 15 gm).

CRC observed that CPC declared M/s. Hospital Solutions on the following grounds:

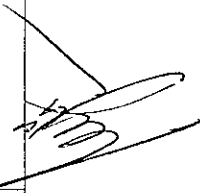
"mandatory information of products not provided to confirm the source API's certificate of analysis to check the efficacy of product and financial soundness"

CRC also noticed that this firm was not made non-responsive on account of non-availability of financial soundness however, following certificates were not provided by M/s. Hospital Solutions as reflected in criteria evaluation duly signed by its focal person.

1. API/s source accredited by WHO, US-FDA, EMA, MHRA, TGA, PMDA, Swiss Medic or Health Canada or by other SRAs countries = 5 marks . In case of Pakistani source of API, valid cGMP certificate from DRAP shall be required= 3 marks China /India =2 marks.
2. Certificate of Analysis of API of the quoted item/s from the Principal Manufacturer as in column 17 , duly attested by the senior executive of the firm.

CRC observed that M/s. Hospital Solution obtained score 44 each in Item No. CPC 1526 and CPC 1527. Whereas, record of CPC clearly provided that the firm did not submit required documents which were not brought under marking and M/s. Nabiqasim obtain (Marks 83.84) and M/s. Tabros obtain (Marks 85.00) were found correct on the basis of available record. Hence, CRC upheld the decision of the CPC.




3. Valid WHO prequalification certificate of quoted item/s.
4. Valid Certificate of the Type of material used for the immediate container of the quoted item/s, as issued by the manufacturer of immediate container: For immediate container as per official monograph = 02 marks; For immediate container better than official monograph = 04 marks (duly attested by the senior executive of the firm)

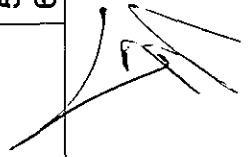


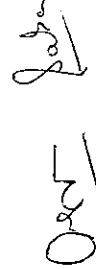

The Score position:

Item No. 1526:

- | | |
|------------------------------------|---------------|
| 1. M/s. Nabiqasim | = 83.84 Marks |
| 2. M/s. Sante | = 83.00 Marks |
| 3. M/s. Biolab | = 82.25 Marks |
| 4. M/s. Platinum | = 81.26 Marks |
| 5. M/s. Tabros | = 80.89 Marks |
| 6. M/s. Mass Pharma | = 79.33 Marks |
| 7. M/s. Hoover (Non-responsive) | = 54.00 Marks |
| 8. M/s. Fynk (Non-Responsive) | = 53.00 Marks |
| 9. M/s. Amros (Non-Responsive) | = 51.00 Marks |
| 10. M/s. Arson (Non-Responsive) | = 49.00 Marks |
| 11. M/s. Shaigan (Non-Responsive) | = 44.00 Marks |
| 12. M/s. Kohinoor (Non-Responsive) | = 37.00 Marks |

Item No. 1527:

- | | |
|----------------------------------|---------------|
| 1. M/s. Tabros | = 85.00 Marks |
| 2. M/s. Biolab | = 82.99 Marks |
| 3. M/s. Mass Pharma | = 82.42 Marks |
| 4. M/s. Sante | = 79.54 Marks |
| 5. M/s. Fynk (Non-Responsive) | = 53.00 Marks |
| 6. M/s. Shaigan (Non-Responsive) | = 44.00 Marks |

Item No. CPC 1993 (Disposable Laryngeal Mask).

The Item No. CPC 1993 is awarded to M/s. Shamim & Co., but M/s. Hospital Solutions (M/s. 4a International) have the Lowest Rates and the item is also approved in the Evaluation Report Documentary evidence for the consideration.

Item No. CPC 2231 (Chloroxylenol Solution 4.5 litters).

It is brought to your knowledge that in the list of approved Items CPC Item No. CPC 2231 "DETTOL ANTISEPTIC" Brand Name is mistakenly typed as Dettol Antiseptic it was quoted as Dettol Antiseptic 1000ml as it is also mentioned in the Comparative Statement uploaded on Health Department official website against the Tender No. 02 of Surgical / Disposable Items / Suture / Dental Items due on 28.07.2019.

Item No. CPC 1993 (Disposable Laryngeal Mask).

CRC noticed that in Comparative / Financial Statement at Sr. No. 449, this item was awarded to M/s. Hospital Solution (M/s. 4a International), whereas, inadvertently while circulating this item has been incorporated in the circulation list of M/s. Shamim & Co. This error was found to be on the part of office.

Item No. CPC 2231 (Chloroxylenol Solution 4.5 litters).

Tender requirement was Chloroxylenol Solution 4.5 litters, whereas, M/s. Hospital Solution quoted as Dettol Antiseptic 1000ml. This firm was single quoted in this item.

SPPRA Rules are very clear regarding Terms & Conditions as well as specifications of Bidding document as under:

"Rule 42(1) of Sindh Public Procurement Act, 2009 with Sindh Public Procurement Rules 2010 (Amended 2017) provide that All bids should be evaluated in-accordance with Evaluation Criteria".

M/s. Hospital Solutions participated in this tender against tender specifications.

CRC allowed the grievance of M/s. Hospital Solutions (M/s. 4a International) and directed to re-circulate correct list.

CRC regretted the grievance of M/s. Hospital Solutions in this item and advised CPC for re-tender.

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M/S. MACTER INTERNATIONAL.

Tender - 01

Observations:

The representative of M/s. Macter International submitted following reservations:

- Item No. CPC 0433, CPC 0434, CPC 0714, CP 1100, CPC 1101, CPC 0425, CPC 0426, CPC 0418, CPC 0419, CPC 0420, CPC 0424, CPC 0402, CPC 0403, CPC 0398, CPC 0408, CPC 0409 & CPC 0410.

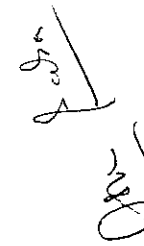
The above mentioned items having good safety and efficacy and all over the country and doctors who are patronizing the mentioned products are transferring the benefits of our product to their patients thus satisfied, because their products are of international standards and also cost effective and the product are also freely available in commercial market across Pakistan since launch and also freely available in all chain pharmacies across Pakistan.

They requested to reconsider all our mentioned products with describe benefits for CRC.

CRC Observations:

M/s. Macter did not point out any specific grievance in its complaint. Merely, self-praising for their products is not sustainable until unless, any specific deficiency / error if committed by CPC is pointed out pertaining to awarding of score, non-entertaining / scrutinizing submitted papers or any violation of terms and conditions of bidding documents.

CRC upheld the decision of CPC.



M/S. MEHRAN DENTAL.

Tender No. 02

Observations :

The representative of M/s. Mehran Dental Supplier submitted following reservations:

Item No. CPC 1690, CPC 1699, CPC 1704, CPC 1720, CPC 1723, CPC 1731.

M/s. Mehran Dental Supplier informed that there are some price mistakes in quoted items and requested for Correction in the prices of said items.

Item Code	Quoted Price	Website Price (Wrong)
CPC 1690	550	500
CPC 1699	275	400
CPC1704	400	0
CPC 1720	3800	38
CPC 1723	3200	32
CPC 1731	450	0

CRC Observations:

Original Technical / Financial Comparative Statement duly signed by CPC as well as original Financial Bid of M/s. Mehran Dental Supplier was checked by CRC and found that:

Status of Technical / Financial Comparative Statement of CPC.

Item Code	Quoted Price	Website Price
CPC 1690	550	500
CPC 1699	275	275
CPC1704	400	400
CPC 1720	3800	38
CPC 1723	3200	32
CPC 1731	450	450

Status of the Financial Bid of the Firm.

Item Code	Name of Quoted Item	Quoted Price
CPC 1690 (1159)	Disposable Needles LA Infiltration Size 27x21mm Pkt of 1x100	550
CPC 1699 (1168)	Gutta Parcha Points 45-80	275
CPC1704 (1173)	H-Files Sizes ,8,10 Length 21mm and 25mm Pack of 1x6	400
CPC 1720 (1189)	Root Canal Sealer Calcium Hydroxide based	3800

CRC allowed the grievance of M/s. Mehran Dental Supplier in three items and referred the case to CPC for necessary correction on the basis of record position.

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CPC 1723 (1192)	Silver Amalgam Alloy Pack of 30 Gm with 30 Gm Mercury	3200
CPC 1731 (1200)	Zinc Oxide Eugenol with cement	450

After perusing the above record position, it was noticed by CRC that out of 6 items, only in the following 3 items, rates were erroneously entered in Comparative / Financial Statement by CPC.

Item Code	Prices mentioned by CPC	Actual Prices
CPC 1690 (1159)	500	550
CPC 1720 (1189)	38	3800
CPC 1723 (1192)	32	3200

30 M/S. MULLER & PHIPPS.

Tender = 01

Observations :

The representative of M/s. Muller & Phipps Pakistan (Pvt.) Ltd. submitted following reservations:

Item No. CPC 0945, CPC 0946, CPC 0947.

The quoted items manufactured by M/s. Novo Nordisk Pharmaceuticals is not evaluated properly in technical evaluation,

CRC Observations:

Item No. CPC 0945, CPC 0946, CPC 0947.

Item Code	Getz Pharma	Muller & Phipps
CPC 0945	93.00	75.95
CPC 0946	93.00	88.95
CPC 0947	93.00	78.37

CRC observed that this firm should have been declared non-responsive on account of non-attestation of authority letter of embassy of either country due to mandatory condition. However, this condition might have been overlooked by CPC experts. Moreover, in case 8 marks are awarded to M/s. Muller & Phipps against their claimed certificates, the firm is non-responsive due to

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due to less numbers in technical evaluation it is rejected by the procurement committee. The Technical documents were strong as required and some of the documents are not given marks. They requested to reconsider and reanalyse their Technical Marks for quoted brands which is fulfilling the criteria of formulary demand.

Item No. CPC 0191.

The quoted item manufactured by Medipharm (Bayer Pharma) is technically rejected by the procurement committee not providing any specific reason of rejection. They requested that the competitor is not fulfilling required criteria of formulary demand and strength of awarded items is not mentioned anywhere in the evaluation report.

Further, it came into notice of CRC that M/s. Muller & Phipps were awarded marks of all papers except marks of following certificates:

- Valid WHO Prequalification Certificate (Marks 5).
- Studies of product/Bio similarity studies on Pakistani Population (Marks 3).

Besides, CRC noticed that while submitting certificate by Focal Person M/s. Muller & Phipps during the time of Technical Evaluation which provides:

“M/s. Muller & Phipps is authorised Distributor of firm in Pakistan and submitted Authority Letter which is not attested by Embassy of either county”.

This certificate duly embassy attested is mandatory as per following tender condition and, non-compliance lead to disqualification.

non-production of attested authority letter of embassy. Hence, CRC endorsed the decision of CPC regarding declaration of M/s. Getz Pharma being successful bidder.

PRE EVALUATION CRITERIA DOCUMENTS CHECK LIST FOR ELIGIBILITY REPORT

Sr. No.	Document Description	Name of manufacturer
8.	Valid Agreement / Authority letter from manufacturer (duly attested from embassy of Pakistan in country of origin or embassy of	Original / true copy attached. Non provision shall lead to disqualification of firm or item

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	country of origin in Pakistan)
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**CRC Observations:
Item No. CPC 0191.**

Two objections were raised by M/s. Muller & Phipps against their rejection in this item:

i. Required specifications in tender was "Non Ionic Contrast injection CT scanner 370 100 ml". They quoted ultravist 370 100ml whereas, CPC declared qualified to M/s. Primer Agencies who quoted Omnipaque 350 100ml. Which is violation of tender document.

ii. No rejection reason was given to the firm.

iii. CRC noticed following deficiencies in the matter of M/s. Muller & Phipps in light of certification duly signed by Focal Person of the firm during technical evaluation process.

i. Export License not attached.

ii. Bill of Landing GDC not attached.

iii. Free sale certificate of country of origin not attached.

iv. GMP certificate of country of origin was not attached.

Note:

In the given certificate, Focal Person reported:

"The quoted items are imported by M/s. Bayer Pakistan Ltd. and submitted cGMP certificate submitted by DRAP however, the required cGMP certificate from country of origin".

CRC considering that M/s. Muller & Phipps failed to submit mandatory requirements as pointed out in observation of CRC, upheld the decision of CPC as such CPC while preparing Technical / Financial statement highlighted these deficiencies by not awarding score against non-production of missing certificate.

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M/S. NOVARTIS.

Tender - 01

Item No. 1224 = Tab. Deferasirox 400mg.

Observations:

The representative of M/s. Novartis Pharma submitted following reservation:

Item No. CPC 1224 (Tab. Deferasirox 400mg):

In item No. CPC 1224 of the Evaluation Report, Global Pharmaceuticals (Private) Limited (Global Pharma) has been awarded tender for supply of this item.

M/s. Novartis informed that the instituted legal proceedings against Global Pharma for infringement of Novartis' patent in Pakistan relating to Deferasirox dispersible tablet product with following details:

Patent No: 138606 (897/2003)

Registered: 15.10.2002

Title : "Dispersible tablet comprising 4-[3, 5-bis(2-hydroxyphenyl)-[1,2,4] triazol-1-yl] benzoic".

CRC Observation:

District & Session Judge/Presiding Officer Intellectual Property Tribunal, Lahore dated 17-09-2016 passed stay order in the case filed by M/s. Novartis AJ versus Pharmaceutical Pvt. Ltd and others. The crux of order is narrated here as under:-

"Viewed in that perspective, the respondents/defendants are hereby restrained from manufacturing, importing, formulating, offering for sale, marketing and selling its disputed/infringing DEFERASIROX products under the trade mark "XEFRA" alone or in combination with any other product under the trade mark "XEFRA" as per relevant with the plaint by infringing Pakistani patent No.138606 till the next date of hearing, which order would of course be subject to all legal and factual objections":-

Order dated 08-12-2018 provides :-

Contentions of learned petitioner's counsel have been verified from the record. As per available record ad-interim injunction was granted on 17-09-2016 and the same was lastly extended on 20-03-2018. There is nothing otherwise available on this subject in the record. Petition be placed on file.

CRC observed that since matter is sub-judice and order dated 08-12-2018 on Honourable Court provide that last time stay order was extended on 20-03-2018.

The current update of stay order/outcome of the case is in question is not in the notice of CRC. Hence it was decided that current update position of the case may be obtained from Honourable Court till the time, item may be stopped.

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M/S. ONCO PHARMA.

Tender - 01

Item No. 0799, 0801, 0809, 0810, 0811, 0812, 0821, 0822.

Observations :

The representative of M/s. Onco Pharma submitted following reservation:

Item No. CPC 0799, CPC 0801, CPC 0809, CPC 0810, CPC 0811, CPC 0812, CPC 0821, CPC 0822.

M/s. Onco Pharma informed that the quoted items technical score is unfair and they said the provided documents and proof for HVAC, effective cold chain system, functional & effective air-conditioning & ventilation system but paradoxically the CPC experts were not given any points on these factors. Also these Pfizer Oncology products are **research molecules** which use **originator approved API**.

They requested that the reconsidering their documentation and revise Pfizer technical marks for HVAC oncology products on the basis of effective cold chain system, functional & effective air-conditioning & ventilation system.

CRC Observation.

i. No any representative of M/s. ONCO Pharma attended CRC meeting.
 ii. CRC for the sake of transparency reviewed the submitted the written request and CPC documents and found as under:-

- ISO18001 certificate not found attached.
- ISO 14001 certificate not found attached
- ISO 9001 certificate not found attached.
- Valid Certificate of the Type/class of material used for the immediate container of quoted items, as issued by manufacturer of this material was not found attached.

iii. 11 marks on above certificates were not awarded to M/s ONCO Pharma due to non availability of certificates. Moreover the awarded score to the firm is as under:-

M/s. Atco	94
M/s. Helix	83.32
M/s. Pfizer	71.87
(M/s. ONCO Pharma)	

CRC did not find any discrepancy and upheld the decision of the CPC.

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M/S. PARRAS ENTERPRISES.

Tender No. 01 (Drug/Medicine Items):

CPC 1378,
 CPC 0416, CPC 0417, CPC 0418, CPC 0419, CPC 0420, CPC 0424, CPC 0425, CPC 0426, CPC 0429, CPC 0430, CPC 0434, CPC 0444, CPC 0445, CPC 0446, CPC 0447, CPC 0449, CPC 0452, CPC 0455, CPC 0456, CPC 0457, CPC 0458, CPC 0465, CPC 0470, CPC 0475, CPC 0476, CPC 0486, CPC 0487, CPC 0491, CPC 0681, CPC 0714, CPC 0715, CPC 0716, CPC 0717, CPC 0722, CPC 0723, CPC 0724, CPC 0725, CPC 0739, CPC 0743, CPC 0759, CPC 0762, CPC 0766, CPC 0773, CPC 0774, CPC 0775, CPC 0788, CPC 0854, CPC 0870, CPC 0890, CPC 0891, CPC 0891, CPC 0892, CPC 0932, CPC 0934, CPC 0972, CPC 0974, CPC 1003, CPC 1014, CPC 1015, CPC 1019, CPC 1026, CPC 1027, CPC 1060, CPC 1061, CPC 1078, CPC 1081, CPC 1091, CPC 1092, CPC 1093, CPC 1094, CPC 1095, CPC 1096, CPC 1099, CPC 1100, CPC 1101, CPC 1102, CPC 1105, CPC 1108, CPC 1113, CPC 1113, CPC 1114, CPC 1115, CPC 1121, CPC 1123, CPC 1124, CPC 1150, CPC 1158, CPC 1161, CPC 1162, CPC 1166, CPC 1167, CPC 1169, CPC 1171, 1175, 1176, 1177, 1180, 1181, 1184, 1188, 1189, 1194, 1200, 1202, 1212, 1220, 1244, 1245, 1246, 1252,

The representative of M/s. Parras Enterprises raised similar objections likewise M/s. Imperial Traders, Ms/ RTJ and others for rejection on account of non-availability of financial soundness.

CRC Observation.

The detailed deliberation of CRC has already been made in the case of M/s. Imperial Traders, Ms/ RTJ and others.

Item No. CPC 1378:

M/s. Parras Enterprises informed that they are qualified in this item. They quoted rate Rs.9.28 whereas, mistakenly in Technical/ Financial comparative statement rate has been shown as Rs.1.28 that need to be corrected.

CRC Observation.

CRC checked Technical/ Financial comparative statement of CPC as well as original financial bid of M/s. Parras Enterprises and found that inadvertent mistake is on the part of CPC.

As decided in the case of M/s. Imperial Traders and others

CRC allowed necessary rectification and referred the case to CPC to correct technical/financial statement accordingly on the basis of available record.

1253, 1271, 1272, 1278, 1279, 1280, 1296, 1301, 1321, 1322, 1323, 1327, 1328, 1360, 1361, 1376, 1371, 1410, 1411, 1412, 1413, 1414, 1416, 1448, 1451, 1453, 1466, 1467, 1170, 1171, 1172, 1518, 1525, 1526, 1643, 1644.

Tender No. 02 = All Items.

Observations :

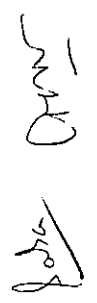
- They informed that their quoted products of following manufacturers in Tender No. 01 not approved on the basis of Financial soundness.

- Fynk Pharma.
- Inventer Pharma.
- Noa Hamis.
- Caraway Pharma.
- Ipram International.
- Adamjee Pharma.
- Next Pharma.
- Prisim Health.

- Their quoted Product for Surgical Tender were not approved.
- he product of Geofman not evaluated properly despite the manufacturer declared responsive.

CPC 1378.

Requested to correct rates as Rs. 9.28 instead of Rs. 1.28, which is typographical error.



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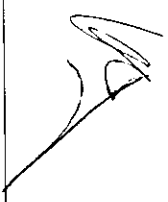
M/S. SAAD SALES SERVICES.

Tender - 01
 Item No. 0486 & 0487. (Inj. Vancomycin 1gm & 500mg)
 Item No. 1605 = Acyclovir Injection.

Observations:

Representative of M/s. Abbot Laboratories submitted that in technical evaluation process, M/s. Abbott Laboratories, M/s. Bosh, M/s. Nabi Qasim and M/s. SJ&G were approved. M/s. Abbot Laboratories is manufacturing Vancomycin 1gm & 500mg Injection under lyophilisation process. Vancomycin basic raw material is chromatographically purified and also certified by US FDA & European authority. Moreover, they have offered very special price per vial ie. Less then 50% of their trade price. Hence, they may be made successful bidder and item in question may be awarded to them.

The representative further stated that Injection ACYCLOVIR is used in highly life threatening conditions. Hence, efficacy and safety should be prime importance. They use lypholization process during manufacturing of this injection. This benefit makes ACYCLOVIR Abbot a unique product in its class. Moreover both these generic don't have minimum one year clinical experience in Pakistan market as per IMS.



CRC Observation.

CRC for the sake of transparency reviewed the CPC documents and found as under:-

- ISO18001 certificate not found attached.
- ISO 14001 certificate not found attached
- ISO 9001 certificate not found attached.
- Valid Certificate of the Type/class of material used for the immediate container of quoted items, as issued by manufacturer of this material was not found attached.

Total marks 11 on above certificates.

The score status of each participating firms of all 03 items awarded by CPC is as under:-

Item No.0486	85
M/s. SJG& Fazal Illahi	78.52
M/s. Biolab	77.45
M/s. Bosh	74.57
M/s. Nabiqasim	64.33
M/s. Abbott	

Item No.0487

M/s. SJG& Fazal Illahi	85
M/s. Bosh	76.42
M/s. Biolab	75.83
M/s. Nabiqasim	75.12
M/s. Abbott	64.42

The score status shows that M/s. Abbott is at last lowest number in competitive process and the firm was not awarded 11 marks of different certificates due to non-submission as confirmed from the signature of focal person on the certificate.



CRC found merit no consideration of the grievance of M/s. Saad Sales Services and upheld the decision of CPC.



M/S. SAMI.

Tender - 01

Item No. CPC 0417, CPC 0453, CPC 0458, CPC 0489, CPC 0490, CP 0491, CPC 0712, CPC 0713, CPC 0714, CPC 0715, CPC 0725, CPC 0788, CPC 0883, CPC 0891.

Observations :

They quoted item **CPC No.0417**

Injection Cefoperazone Sodium 500mg + Sulbactam 500mg (1gm) and submitted the relevant documents accordingly. Despite of our submission of technical and financial proposals for the applied product, it did not appear in the Technical and Financial comparative list. Moreover, marks were not awarded against following documents :-

- i. Complete marks not awarded for functional stability chamber duly attested by F.I.D DRAP
- ii. Marks not awarded for Functional effective cold chain system.

Item CPC No.0453 Inj. Azithromycin 500mg.

- i. Complete marks not awarded for Raw Material Storage duly attested by F.I.D
- ii. Complete marks not awarded for Stability Studies of the quoted Product.

Item No.CPC 0458 Tab. Clarithromycin 500mg.

CRC Observations.

Online Evaluation Criteria Proforma duly signed by the Focal Person of M/s. Sami provide that this company participated in 61 items of different categories except item No. CPC 0417. Apparently, due to non-participation of the firm in this item, the details of this item are not available in Technical / Financial Comparative Statement. The CPC record provide that this item have been awarded to M/s. Mass Pharma with highest ranking of 82 Marks.

CRC Observation:

During scrutiny of record, it was noticed that each firm was awarded marks by the CPC experts according to documentary position. It was also noticed that there was general marking fluctuation while awarding the same to the participated Bidders in accordance with the nature of document/originator source. In addition, it was also noticed that there were other marking components required for seeking highest rank. In the instant case, M/s. Sami secured highest 2nd highest position in the overall ranking.

For the sake of transparency, CRC decided to refer this case to CPC to re-verify online record and Technical / Financial Bid of concern firm.

CRC upheld the decision of CPC.

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i. Marks not awarded for Current Export Certificate from DRAP not older than 01 year.

ii. Re-consideration of API Source accreditation marking.

Item No.CPC 0489 Inj. Linezolid I.V Infusion 200mg/100ml & No.CPC 0490 Inj. Linezolid I.V Infusion 600mg/300ml.

i. Re-consideration of API Source of API Source accreditation marking.

Item No.CPC 0491 Tab. Linezolid 600mg. Item No.CPC 0712 Syp. Cefaclor 125mg Powder.

Item No.CPC 0713 Syp. Cefaclor 250mg Power

i. Valid accreditation of manufacturing unit or its relevant section by International Body (Certificate from US-FDA, WHO and /or other accrediting body from SRA countries.

ii. Re-consideration of API Source of API Source accreditation marking.

Item No.CPC 0714 Syp. Cefixime 100mg/5ml-60ml.

Item No.CPC 0715 Syp. Cefixime 200mg/5ml-60ml.

i. Marks not awarded for Current Export Certificate from DRAP not older than 01 year.

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**Item No.CPC 0725 Syp. Clarithromycin
125mg-60ml**

- i. Marks not awarded for Current Export Certificate from DRAP not older than 01 year.
- ii. Re-consideration of API Source of API Source accreditation marking.

**Item No.CPC 0788 Syp. Zinc Sulphate
Elemental 60ml**

- i. Market share of quoted item in Pakistan market.
- ii. Valid certificate of the type of material used for the immediate container off the quoted item.

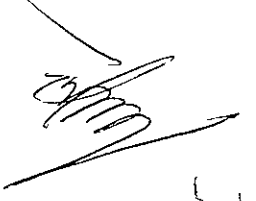
**Item No.CPC 0883 Inj. Nalbuphine 10mg
Item No.CPC 0891 Cap. Tramadol 50mg**

- i Marks not awarded for Current Export Certificate from DRAP not older than 01 year.

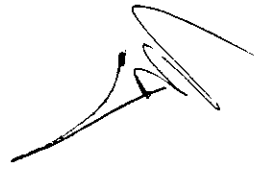


Suba

Qasim



<p>36</p> <p><u>M/S. SANOFI-AVENTIS.</u> Tender - 01 Item No. 0418, 0419, 0420, 0424, 0425, 0426 = INJ. CALFORAM AMARYL. Item No. 0826, 0827 = ELOXATIN SOLUTION. Item No. 0994, 0998 = FLAGYL SUSPENSION. Item No. 0959, 0960, 0961, 0962, 0963, 0964 = CEFTRIXONE.</p> <p><u>Observations:</u> M/s. Sanofi-aventis informed that above mentioned items were awarded in last year but not awarded in this year and requested to re-consider these brands to include award letter of current year.</p>	<p><u>CRC Observation:</u> CRC observed that M/s. Sanofi-aventis has not lodged any specific complaint against anyone except stating that M/s. Sanofi-aventis is research based company and decision be made in best interest of the Patients.</p>	<p>CRC rejected grievances of M/s. Sanofi-aventis having no merit contestation.</p>
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Subs




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M/S. SHAMIM & CO.

Tender = 01

Item No. CPC 1085, CPC 1086, CPC 0411 & CPC 0413.

Item No. CPC 0950 = Blood Sugar Strip.
Against approved products of M/s. Vision, M/s. Pharma, M/s. Hoffman, M/s. Geofman & Man Pharma.

Item No. CPC 0881, CPC 1484 & CPC 1627.

Tender No. 02.

Item No. CPC 0246, CPC 0247, CPC 0255, CPC 0357, CPC 0358, CPC 0359, CPC 0255, CPC 0256, CPC 0257, CPC 0258, CPC 0259, CPC 0260, CPC 0261, CPC 0262, CPC 0263, CPC 0264, CPC 0265, CPC 0267, CPC 0268, CPC 0269.

Observations.

Item No. CPC 1623, CPC 1624.

Products of Getz Pharma are known brand and were also procured in last year but not approved in this year.

CRC Observations:

It was noticed that M/s. Shamim & Co. did not highlight any specific grievance in this matter. CRC reviewed score ranking of the participating firm and found that M/s. Lab Link was awarded 10 marks in addition to other marks for bioequivalence studies whereas, ZERO marks were awarded to M/s. Shamim & Co. (Getz Pharma). Overall scoring position in Item No. CPC 1623 was as under:

CRC upheld the decision of CPC.

Item No. CPC 0411, CPC 0413 = Approved
 brand of M/s. Zafa is not well known, No
 IMS Ranking and not freely available.

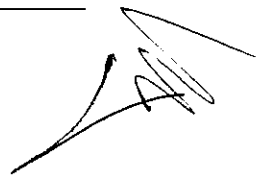
Item .No.	Name of Firm	Score
CPC 1623	Getz Pharma Lab Link	61.92 70.00
CPC 1624	Shamim (Abbott) Popular	54.00 72.00

CRC Observation:

The grievance of M/s. Shamim & Co. is not sustainable.
 Both the firms participated in competitive process and
 CPC accordingly awarded marks on given criteria.

CRC upheld the decision of CPC.

Item .No.	Name of Firm	Score
CPC 0411	Zafa Shamim (Barrett)	87.00 78.50
CPC 0413	Zafa Shamim (Barrett)	81.00 79.03






Item No. 950.

At the time of evaluation, committee did not evaluate their principal documents and informed that this item will be Re-Tender in Surgical Tenders as it is mistakenly included in Medicines Tender.

They objected that following manufacturers are also not fulfilling the criteria of financial soundness but their items were approved:

1. M/s. Vision Pharma.
2. M/s. Hoffman Human Health.
3. M/s. Geofman Pharma.
4. M/s. Mass Pharma.

CRC Observation:

CPC evaluated the firms and accordingly awarded marks to the firms:

Item .No.	Name of Firm	Score
CPC 0950	Shamim (Abbott) Popular	54.00 72.00

For the point of financial soundness of certain companies raised by M/s. Shamim & Co., this issue has been discussed in the case of M/s. Imperial, M/s. RTJ and others.

Though CPC evaluated bids of this item, it has been mentioned in the grievance of M/s. Shamim & Co. that CPC had informed that this item would be re-tendered on account of mistakenly inclusion in Medicine Tender. Hence, CRC decided to get comments from CPC whether this item has been properly evaluated or included in re-tendering list.

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CPC 0881.

M/s. Shamim & Co. (Getz Pharma) has requested for withdrawal of Forane (Isoflurane) from Central Rate Contract 2018-19 on following grounds:
 "This is to inform you that we are importing our product Forane (Isoflurane) from M/s. AbbVie UK, in accordance with national legislation AbbVie informed o DRAP Pakistan for a shortage of inventor of product Forane (Isoflurane). This interruption is due to an unexpected suspension of manufacture of the active pharmaceutical ingredient (API) by the AbbVie's thirdly party manufacturing facility. At this time it is unknown when or if production will resume. M/s. AbbVie letter is attached for your ready reference".

"Keeping in mind all of the above facts, we regret to supply Forane (Isoflurane) from Central Rate Contract as the event stated above is out of control Getz Pharma and classify as force majeure".

CPC 1484.

- They stated item No. CPC 1484 was awarded to M/s. Atco, who secured 81.80, whereas they got 83 marks.

CRC observations:

CRC found documentary based grounds taken by M/s. Shamim & Co. and allowed the view point taken by the firm.

CRC referred matter to CPC with the advice to delete award recommendation from Technical / Financial Comparative Statement List and re-tender the item.

CRC Observation:

Technical / Financial Comparative Statement of CPC were reviewed by CRC in found the following status:

Item .No.	Name of Firm	Score
CPC 1484	Shamim (Sante) Atco	83.00 81.80

CRC referred the case to CPC for further necessary correction as per record position.

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Item No. 0246, 0247, 0355, 0357, 0358, 0359 of Tender No. 02.

The approved products against these items could not meet the tender's specifications. Details are as under:

1. Not perforated do not match with specs useless product without Scissors.
2. Headache for end-users.
3. Size and length not mentioned Pharma Plast.
3. No market existence (New products / Company) in Pakistan.
4. As per tender requirement only those products can be approved which are available in the market for atleast (02 years).
5. 3m serving since more than 20 years.
6. Marks given in Column 2 & 3 but not in Column where distributor put price. Error in marks count.
7. Egyptian product compared with Germany/USA made product.

Item No. 0255, 0256, 0257, 0258, 0259, 0260, 0261, 0262, 0263, 0264, 0265, 0267, 0268 & 0269 (Tender = 02).

M/s. Shamim & Co. submitted that there has been repetition in these items at different places of Technical / Financial Comparative Statement and to avoid confusion. These items may be deleted from tender.

CRC Observation:

The nature of complaint is of general nature. The documents particularly technical / financial statement of the CPC provides that items have properly evaluated and score has been awarded against available record and the grievance of M/s. Shamim & Co. is not sustainable. The scoring chart of CPC is reproduced as under:

Item .No.	Name of Firm	Score
CPC 0246	3M (Shamim) RTJ (Medilution)	50.00 58.75
CPC 0247	3M (Shamim) RTJ (Medilution)	46.77 75.00
CPC 0355	RTJ (Medilution)	73.00
CPC 0357	3M (Shamim) RTJ (Medilution)	42.71 73.00
CPC 0358	3M (Shamim) RTJ (Medilution)	47.25 73.00
CPC 0359	3M (Shamim) RTJ (Medilution)	73.00 46.64

CRC Observation:

Tender document was prepared by renowned professional committee and addition/deletion is the prerogative of CPC. M/s. Shamim & Co. is the only firm who has raised finger on this issue. CRC did not find any discrepancy in particular item. Items are same as CPC 0245, 0246, 0247, Hence may be deleted from tender

CRC upheld the decision of CPC.

CRC upheld the decision of CPC and further advised CPC to apprise CRC in case there is duplication, if, any.

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Dear Sirs

Jobs

M/S. UNIVERSAL ENTERPRISES:

Tender No. 01 (All Items):

Observations:

M/s. Universal Enterprises participated in this tender and submitted all requisite documents to fulfil the tender participation but unfortunately they have been rejected on misunderstanding basis.

They further, inform that there turnover comprises on sale directly indirectly to institutions on their behalf. In case, direct import, the delivery is made through their staff and in second type, the delivery is directly made to institutions. As per FBR Rules, what they import or purchase in their name, is reflected in their FBR account. They have already provided all bank certificates and statements which officially prove that their turnover (Direct + indirect = Total Sales) is more than 100 million. The Bank details with account no. is as under:

Schedule for the Financial Year 2017-18	
1	<p><u>MCB Bank Limited</u>, Tariq Road Branch, Karachi. <u>A/c. No.</u> 0020152001005491 <u>Annual Turnover:</u> Rs. 542.6 Millions</p>
2	<p><u>MCB Bank Limited</u>, Tariq Road Branch, Karachi. <u>A/c. No.</u> 0001401010047372 <u>Annual Turnover:</u> Rs. 4.4 Millions</p>

CRC Observations:

There was a mandatory condition in bidding document that Pharmaceutical manufacturer must be having financial soundness of Rs. 1000 million and documentary evidence need to be verified from tax return. The Tender condition is reproduced here as under:

7. "Financial Soundness (1000 Million) for Pharmaceuticals manufacturer & Importers and (10 millions) for Non-Pharmaceuticals/ Non Drugs Items (NDI) [Orphan drugs manufacturer / importers and Miscellaneous supplier are excluded] documentary evidence. (Non-availability leads to disqualify).

Documentary evidence verified from Tax returns".



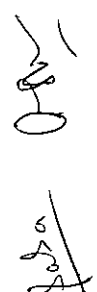


CPC rejected this firm on account of non-having financial soundness. No such data has been provided by CPC to CRC.

M/s. Universal Enterprises in its representation has raised certain technical points claiming that the company holds financial soundness of **Rs. 1.184 Billion**. This turnout is based on direct/indirect sale. M/s. Universal Enterprises further of the view that their turnout may be got verified from respective banks and FBR will be unable to verify tax return of direct indirect sale through tax return.

Contention of M/s. Universal Enterprises carries weight. Hence, CRC decided to refer this case to CPC for consideration accordingly.

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3	<u>MCB Bank Limited</u> , Azizabad Branch, Karachi. <u>A/c. No.</u> 0004801010011526 <u>Annual Turnover:</u> Rs. 5.6 Millions
4	<u>UBL</u> , Chandichowk Branch, Karachi. <u>A/c. No.</u> 209104099 <u>Annual Turnover:</u> Rs. 164.2 Millions
5	<u>BAHL</u> , Shaheed Millat Road Branch, Karachi. <u>A/c. No.</u> 1137-0981-001667-01-4 <u>Annual Turnover:</u> Rs. 446.2 Millions
6	<u>BAHL</u> , Shaheed Millat Road Branch, Karachi. <u>A/c. No.</u> 1137-0981-000114-01-4 <u>Annual Turnover:</u> Rs. 19.9 Millions
<u>Grand Total: Rs. 1.184 Billion</u>	

M/S. USMANCO INTERNATIONAL:

Tender No. 02,

Item No. 1943, 1946, 1948, 1949, 1963, 1926, 1927, 1928, 1929.

Observations,

(Item No. CPC 1943, CPC 1946, CPC 1948, CPC 1949, CPC 1963):

M/s. Usmanco International offered products namely chest drainage (thoracic catheter), dial a flow (flow regulator), feeding tubes 16-20, feeding tubes 4-14 and suction catheter size 14, 16, 18.

They objected that, marks were not awarded against Items despite submission of required papers / certificates like:

Item No. CPC 1943:

- i. Valid cGMP/Quality assurance attested from the Embassy of the country of origin in Pakistan or Pakistani Embassy in the country of origin.
- ii. Valid ISO 10993 Certificate issued by authorised body of the country of origin duly accredited with International accreditation in forum (IAF), (duly attested by senior executive of firm).
- iii. C.E. Certification of the quoted product.

CRC Observations:

(Item No. CPC 1943, CPC 1946, CPC 1948, CPC 1949, CPC 1963):

The main contention of M/s. Usmanco International that despite submission of required documents, they were not awarded due marks.

The awarded score position was perused by CRC and found the following status:

Item No.	Name of Firm	Score
CPC 1943	Ali Goher	50.23
	A.M. Distributor	40.22
	Usmanco (Shamim)	46.23
	F.M. Health (RTJ)	47.51
	Foyomed (Hakimsons)	53.00
CPC 1946	Intra Health	70.65
	Usmanco (Shamim)	60.21
	Mehar (RTJ)	72.00
CPC 1948	Foyomed (Hakimsons)	52.57
	Ali Goher	49.00
	Ali Goher	54.67
	Ali Goher	60.00

CRC decided to refer this case to CPC to review necessary documents and if any discrepancy is noticed, the same may be communicated otherwise items may be released.

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Item No. CPC 1948:

- i. Valid cGMP/Quality assurance attested from the Embassy of the country of origin in Pakistan or Pakistani Embassy in the country of origin.
- ii. C.E. Certification of the quoted product.
- iii. Absent quoting price resulting in blank score of item No. CPC 1948, CPC 1949 & CPC 1963

Item No. CPC 1949:

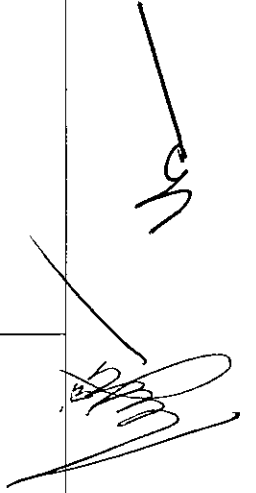
- i. Valid cGMP/Quality assurance attested from the Embassy of the country of origin in Pakistan or Pakistani Embassy in the country of origin.
- ii. C.E. Certification of the quoted product.
- iii. Absent quoting price resulting in blank score.

Item No. CPC 1963:

- i. Valid cGMP/Quality assurance attested from the Embassy of the country of origin in Pakistan or Pakistani Embassy in the country of origin.
- ii. C.E. Certification of the quoted product.
- iii. Absent quoting price resulting in blank score.

	IBL	75.00
	Usmanco (Shamim)	00.00
	F.M. Health (RTJ)	60.50
	Mehar (RTJ)	70.19
	Foyomed (Hakimsons)	53.00
CPC 1949	Ali Goher	48.43
	Ali Goher	53.28
	Ali Goher	50.52
	Ali Goher	50.09
	Usmanco (Shamim)	00.00
	F.M. Health (RTJ)	56.60
	Mehar (RTJ)	72.00
	Foyomed (Hakimsons)	49.49
CPC 1963	IBL	71.16
	Usmanco	00.00
	F.M. Health (RTJ)	73.59
	Mehar (RTJ)	72.00
	Usmanco	18.15



Observations.

(Item No. CPC 1926, CPC 1927, CPC1928, CPC 1929):

They offered I.V. Cannula with injection port and with stopper 18G, 20G, 22G and 24G. M/s. Usmanco International is Qualified party with registration No. 074515. The successful bidder in IV Cannula does not qualified tender specification as they have failed to provide heprin lock of same origin. This party sold heprin lock separately. M/s. Usmanco have not been awarded marks in following two categories:

- i. Valid ISO 10993 Certificate issued by authorised body of the country of origin duly accredited with international accreditation in forum (IAF), (Duly attested by Senior Executive of Firm).
- ii. Valid cGMP/Quality Assurance attested from the Embassy of the country of origin in Pakistan or Pakistani Embassy in the country of origin.

CRC Observations:

Technical / Financial Statement duly signed by CPC provided that CPC did not award in this comparative statement to any firm on the certification of valid ISO 10993 and valid cGMP/Quality Assurance Certificate. As far as violation of specification in the case of IV Cannula, the observations of CRC have already been pointed out in the grievance of M/s. B. Braun and others.

As decided in the case of M/s. Al-Hamd at Sr. No. 4 of the Minutes.

M/S. VIKOR ENTERPRISES.

Tender No. 01.

Item No. CPC 1595, CPC 1596, CPC 0437, 0438, 0717, 0742, 0757, 1010, 1071, 1106, 1191, 1192, 1204, 1451, 1541

Observations

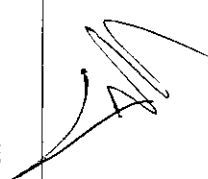
Item No. CPC 1595:

The BF Bio-Scientist is a pioneer in the biotechnology sector in Pakistan their manufacturing facility I designed and instal by leading European Pharmaceutical designers "Telstar projects" to comply fully with EMEA and US -FDA standard. The report of DRAP certificate of Cgmp No. 241/2017-DRAP(AD/559619-391) dated: 27-09-2017 confirmed "A" rating of the Unit, including the HVAC system was also attached with their technical bid.

It is quite surprising that they have been given "ZERO" marks in this parameter whereas, their both competitors, whose manufacturing facilities are abroad, have been given "5" marks each. The parameter of availability of functional HVAC system is not the criteria for evaluation of importer.

Whereas both their competitors have been awarded "5" marks against this criterion which is unjustifiable and un-reasonable. Therefore, it is requested that :

- Award them "5" marks on availability of functional HVAC system criteria.



CRC Observations:

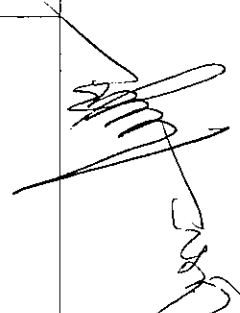
Item No. CPC 1595.

M/s. Vikor Enterprise has been awarded "ZERO" marks whereas, M/s. Macter and M/s. Lab Link (AGP) were awarded 5 marks. The main objection of M/s. Vikor Enterprises was not awarding marks on HVAC system.

The CRC considering that all Technical examination has been made by technical expert of CPC and the claim of M/s. Vikor is of Technical nature. This item should be referred to CPC for further examination and clarification. If any discrepancy is on record, this may be referred to CPC with specific comments.



Jobs




- Deduct "5" marks from both the competing firms awarded to them on HVAC system availability since they are importers and this criteria parameter is not applicable to them.

WHO pre-qualified criteria No. 9 & 19.

The manufacturer Pooyesh Darou of Iran, represented by Pacific Lab. in the tender, (declared the winner at Rs. 5500 per unit, against Rs. 1630 per unit quoted by BF Biosciences Limited), has been granted 10 marks (5 each in criteria 9 & 19) additional marks for being WHO-prequalified. They pointed out that there is no mention of the company on the WHO website of pre-qualified vendors, nor does the manufacturer itself make any such claim on its own website for WHO, FDA and SRA countries as per Pooyesh Darou web page they are "GMP and approval inspections by the Iranian Food AND Drug Organisation" the most authentic source is webpage of WHO and manufacturer, the links below may be checked to verify the same:
WHO links:
<https://extranet.who.int/prequal/search>

Market Share:

M/s. Specific Research Laboratories (Pvt) Ltd. 3 marks in market share column, while as per criteria on 01-20% market share total marks is 1 marks only, and share of



Pegaferon in last IMS September, 2018 was zero as well as IMS of June, 2018 as tender submitted in July 2018 was only 0.23%, deduct 3 marks from Pacific.

Observations

Item No. CPC 1596:

- i. Qualification of Ropegra will cost the Government an extra amount of Rs. 96.7 million.
- ii. The product under item code no. CPC 1596 for Inj. Pegylated Interferons with different chemical characteristic, different pharmacokinetic properties.
- iii. The product produced and offered by M/s. Vikor and M/s. Roche Pakistan are both similar in chemical nature, formulation & specifications. Both the products are Pegylated Interferons, 40 KD, 180 mcg., Alfa 2A and are always categorised in all tenders under the same specifications. In case the quoted product in the tender corresponds to and comply with the specification mentioned against item code CPC 1596, i.e. Inj. Pegylated Interferon 12KD, Alfa 2b 50/80/100/120/180 mcg.
- iv. Surprisingly, the product offered by M/s. Lab Link Enterprises on behalf of M/s. Roche Pakistan Ltd. has been approved and awarded against CPC 1596 which in no way match the tender specification of this item code as stated above at point No. iii.

CRC Observation:

The main objection was awarding this item against tender specification. The CRC reviewed Tender Specification and found:

“Inj. Pegylated Interferon 12KD, Alfa 2b 50/80/100/120/180 mcg”.

This item has been awarded to M/s. Lab Link Enterprises (M/s. Roche Pakistan). This firm has also submitted the representation stating that:

“We have coated Pegylated interferon Alfa 2a 40KDa 180 mcg of M/s. Roche Pakistan, award letter is issued, there is some typographical mistake that is 12KDa Alfa 2b, instant of Alfa 2a 40KDa 180 mcg”.

CRC decided since the successful bidder has also requested for correction whereas, M/s. Vikor Enterprises has raised the point that the item in question has been awarded against specification. Matter may be referred to CPC to review specification in light of representation submitted by successful bidder and aggrieved bidder.

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Request:

The matter may please be investigated and even a clarification of product specification may be directly obtained from M/s. Roche Pakistan Limited, as to whether their product is 12KD , Alfa 2b OR 40 KD Alfa 2A.

In case a mis-representation of the product has been made by the bidder, a strict action may be taken against the bidder who deceived the department leading to a wrong decision for his own vested interests.

Since M/s. Vikor offered product and the product offered by M/s. Roche Pak. Ltd., both qualify for the specification under item code CPC 1595, a fair and level playing field may be provided to both the companies to compete on best offered price for the sake of justice, in the best interest of public and of utilization of public money.

Observations

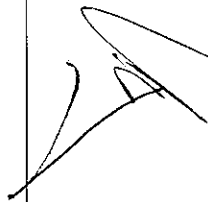
Item Nos. CPC 0437, CPC 0438, CPC 0717, CPC 0742, CPC 0757, CPC 1010, CPC 1071, CPC 1106, CPC 1191, CPC 1192, CPC 1204, CPC 1451, CPC 1541

They submitted Bid against tender for drugs and medicines of their principals M/s. GlaxoSmithKline but quoted rates of following products have not been mentioned in Technical and Financial Comparative statement.

CRC Observations:

More than 5 firms participated in each item and except M/s. Vikor Enterprises, other firms were declared non-responsive, whereas, the rates quoted by M/s. Vikor (GSK) were not incorporated in technical / financial comparative statement prepared by CPC.

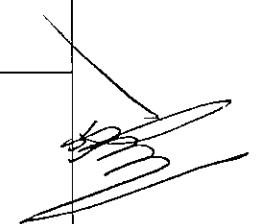
CRC decided to refer this case to CPC to review the record as well as original Financial Bid of M/s. Vikor Enterprises and in case there is any discrepancy in CPC record, specific recommendation be sent to CRC.



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Sr.No.	Item Code	Product Name
51	CPC 0437	Cap-Cephalexin 250
52	CPC 0438	Cap-Cephalexin 500
186	CPC 0717	Susp-Cephalexin 250 mg.
211	CPC 0742	Syp-Albendazole 100 mg 10 ml
226	CPC 0757	Syp- Chlorpheniramine Maleate 60/120 ml Bottle
479	CPC 1010	Tab-Albendazole 200mg
540	CPC 1071	Tab- Chlorpheniramine Maleate 2 mg
575	CPC 1106	Tab.-Cimetidine 400 mg.
660	CPC1 191	Tab-Alopurinol 100 mg
661	CPC1 192	Tab-Alopurinol 300 mg
673	CPC1 204	Tab-B-Complex
920	CPC1 451	Tab-Paroxetine 20 mg
1003	CPC1 541	Cream-Premethrine 5% 30 gm

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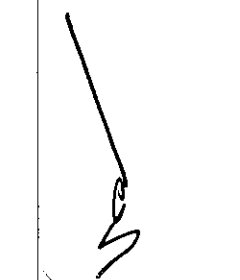
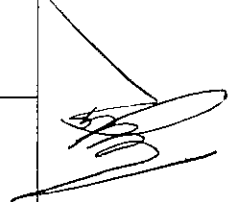


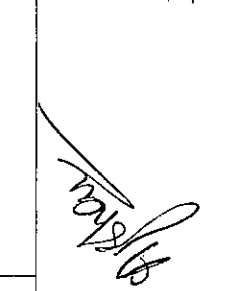
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<p>41</p> <p><u>M/S. WYETH PAKISTAN.</u> Tender No. 01, Item No. 488 (Inj. Tigecycline 50mg)</p> <p><u>Observations:</u> <u>Item No. 488</u> They quoted Inj. Tigecycline 50mg with pricing of Rs. 2,967 per vial against Item No. 102 CPC No. 0488 (Inj. Tigecycline 50mg) is best for critical care patients which may be considered by CRC for best interest of Patients.</p> <p><u>Item No. CPC 1227.</u> M/s. Wyeth Pakistan is a sole marketer of Enbrel injection (Etanercept 50mg/ml), which I manufactured by Pfizer Ireland Pharmaceuticals (Wyeth is a part of Pfizer globally). There are no other companies who are manufacturing Etanercept, and it is only available in strength of 50mg/ml. Etanercept is included in formulary of MSD Tender in the segment of biologicals (TNF inhibitor) in the strength of 25mg/ml. As mentioned Etanercept 50mg/ml is the only registered molecule and freely available in Pakistan.</p> <p><u>Item No. CPC 1590.</u> Prevenar13 is an innovative pneumococcal conjugate vaccine approved by FDA for the prevention of pneumonia from streptococcus pneumonia. Your evaluation report mentions</p>	<p><u>CRC Observation:</u> CRC observed that M/s. Wyeth has not lodged any specific complaint against anyone except stating that M/s. Wyeth is research based company and decision be made in best interest of the Patients.</p> <p><u>CRC Observations:</u> CRC noticed that in this item M/s. Wyeth Pakistan was single quoted firm. Moreover, on perusal grievance of CPC record, it was found that M/s. Wyeth Pakistan was not awarded marks in following documents: Valid ISO Certification 14001 (2 Marks) Availability of functional stability chamber (5 Marks) CPC regretted this item on account of non-production of bio similarity studies. The firm further clarified that Enbrel injection (Etanercept) is only manufactured in 50mg/ml whereas, in tender, the strength inadvertently mentioned as 25mg/ml which need to be rectified.</p> <p><u>CRC Observations:</u> CRC noticed that in this item M/s. Wyeth Pakistan was single quoted firm. Moreover, on perusal grievance of CPC record, it was found that M/s. Wyeth Pakistan was not awarded marks in following documents:</p>	<p>CRC rejected grievances of M/s. Wyeth Pakistan having no merit for consideration.</p> <p>CRC taking these facts into consideration, refer the case to CPC for comments / further examination.</p> <p>CRC taking these facts into consideration, refer the case to CPC for comments / further examination.</p>
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	<p>Valid ISO Certification 14001 (2 Marks). Availability of functional stability chamber (5 Marks) CPC regretted this item on account of non-production of bio similarity studies. The firm further clarified that Plevnar injection (PFSP 5ml/13V) is research Molecule of Wyeth Pakistan which is the only vaccine that protects individuals of all ages from pneumococcal disease.</p>	<p>the requirement of having biosimilarity data which is not applicable in innovative biological or vaccines. Our would also appreciate that it is an innovative product and biosimilarity data are only required for generic forms of biological to prove their efficacy in comparison of innovative products, hence this requirements not pertinent to innovative vaccines and biological. We would like to bring into your kind knowledge that prevarnar is Break-Through Research Molecule of Wyeth Pakistan which is the only vaccine that protects individuals of all ages from pneumococcal disease.</p>	
<p>42</p>	<p><u>M/S. FUJI FILMS.</u> Tender No. 03, Item No. 0221, 0222, 0223, 0224 & 0225 (A: Laser Films)</p> <p><u>Observations:</u> <u>Item No. 0221, 0222, 0223, 0224 & 0225.</u> They have observed that scoring criteria and declaration of maximum score is not appearing correctly on account of M/s. Fuji Film Pakistan Pvt. Ltd. Moreover, CPC has missed adding up "Max. Allocable Unit Price Score" in total F & P Score on Fuji's account:</p>	<p><u>CRC Observations:</u> CRC while reviewing Technical / Financial comparative statement found that the Financial Score was not awarded to M/s. Fuji Film in the Comparative Statement. As per claim a Fuji Film that 30 Marks in each item should have been awarded to them by CPC due to non-inclusion of quoted rates of firm.</p>	<p>CRC decided to refer this case to CPC to review the record as well as original Financial Bid of Fuji Film and in case there is any discrepancy in CPC record, specific recommendation be sent to CRC.</p>

CPC Code	Product	Total (F+P) Score:	Max. Allocatable unit Price Scores	Total Score
CPC 0221	A Thermal/Laser Film Size: 10"x12" Factory Score:28 Product Score:16	44	30	74
CPC 0222	A Thermal/Laser Film Size: 10"x14" Factory Score:28 Product Score:16	44	30	74
CPC 0223	A Thermal/Laser Film Size: 14"x17" Factory Score:28 Product Score:16	44	30	74
CPC 0224	A Thermal/Laser Film Size: 14"x17" Factory Score:28 Product Score:16	44	30	74
CPC 0225	A Thermal/Laser Film Size: 8"x10" Factory Score:28 Product Score:16	44	30	74

With above scoring criteria, M/s. Fuji Film earned 74 points of CRC films as against 44 points appearing in CPC documents.

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M/S. AGFA.

Tender No. 03

Item No. 0183, 0229, 0230, 0231.

It has been noticed that some of their competitors have given conditional offer which is not allowed in Govt. Tenders and moreover, they are not satisfied with corrections in evaluation of scores (forms) given by CPC. Hence, conditional offer should be rejected and kindly review and make some necessary correction as mentioned below.

Item No.	Description	CPC No.	Agfa	Fuji	Lowest Firm
03	Fixer (Liquid)	0183	1675	1780	Should be Agfa Not Fuji
022	10"x12" CP-BU	0229	3745	4100	Should be Agfa Not Fuji
023	10"x15" CP-BU	0230	5694	6360	Should be Agfa Not Fuji
024	8"x10" CP-BU	0231	2575	2828	Should be Agfa Not Fuji

CRC Observations:

M/s. Agfa Pakistan was of the view that there is no concept of conditional offers in Govt. Tenders and prayed that conditional offers should be rejected.

CRC decided to refer this to CPC to review documents in details and to check whether there was any conditional offer in bid documents or otherwise and submit specific comments.

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M/S. SAGAR MEDICOS.

Tender No. 01

Item No. CPC 0744, CPC 1040, CPC 1108
CPC 1296, CPC 0387 & CPC 0426**Observations:****Item No. CPC 0744, CPC 1040, CPC 1108
CPC 1296.**- They have pointed out mistakes of
acceptance in Item No. 744, 1040, 1108 &
1296 as under:-0744 = M/s. Zafa obtained 82 marks
whereas, item was awarded to M/s. GSK
despite securing 2nd highest score (79.44).1040 = M/s. Zafa obtained 91 marks
whereas, item was awarded to M/s. GSK
despite securing 2nd highest score (79.46).1108 = M/s. Zafa obtained 91 marks
whereas, item was awarded to M/s. GSK
despite securing 2nd highest score (89.96).1296 = M/s. Zafa obtained 85 marks
whereas, item was awarded to M/s. GSK
despite securing 2nd highest score M/s.
Ferozsons (83.00).**CRC Observations:**





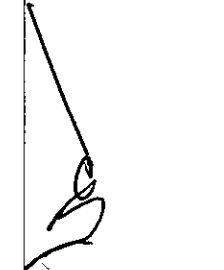
The main contention of M/s. Sagar Medicos was to award these items claiming they have secured 1st highest ranking as per technical / financial comparative statement of CPC. The CRC checked Technical / Financial documents and found that CPC inadvertently declared 2nd highest ranking bidder as successful bidder whereas record position provide as under:

Item No.	Bidder	Score	Awarded to:
0744	Zafa GSK	82.00 79.44	GSK
1040	Zafa GSK	82.00 79.46	GSK
1108	Zafa GSK	91.00 89.96	GSK
1296	Zafa Ferozsons	85.16 83.00	Ferozsons

CRC decided to refer this case to CPC for necessary correction on the basis of available records.

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<p>Item No. CPC 0387 & CPC 0426. Inj. Amoxicillin 1G and Inj. Ceftriaxon 500mg were awarded to M/s. Bosch which secured 89.07 marks and 87.68 respectively, 3 marks of valid accreditation manufacturing unit were awarded in these items and why these marks of the certificate were not awarded to M/s. Sagar Medicos in other items.</p>	<p>CRC Observation: Item No. CPC 0387 & CPC 0426. CRC observed that CPC accordingly awarded marks against the valid accreditation unit.</p>	<p>CRC upheld the decision of CPC.</p>
<p>45 M/S. UNIFEROZ. Tender No. 02. 1. Item No. CPC 0251. The product approved by Committee is not approved by DRAP. The approved product does not have DRAP certificate. 2. Their Product price is missing despite all the documents submitted. 3. The approved product is not a well-known product.</p>	<p>CRC Observations: Technical / Financial comparative Statement duly signed by CPC members provide that M/s. Uniferoz was awarded 0 marks in physical examination on samples by the CPC experts. Certification duly signed by Focal Person of M/s. RTJ during the time of Technical Evaluation provide fr valid registration certificate with following comments: “Medical Devices still not under registration by DRAP/applied for registration”.</p>	<p>CRC decided clarification may be obtained from CPC whether, DRAP certification is necessary for these items or there is general exemption under Medical Device Rule 2017.</p>
<p>46 M/S. FERROZSONS. Tender No. 02. Item No. CPC 1881, 1880, 1856, 1857, 1856, 1853, 1852, 1851, 1849, 1848, 1844, 1843, 1841, 1840, 1839, 1835, 1834, 1833, 1832, 1831, 1830, 1829, 1828, 1827, 1826, 1825, 1824, 1823, 1822, 1821, 1820, 1819, 1818, 1817, 1816, 1815, 1814, 1813, 1812, 1811,</p>	<p>CRC Observations: M/s. Ferozsons participated in 56 Items and as per written grievances of the firm provide that mistake was made by representative of the firm during online submission for quoting prices against different items. CRC noticed that M/s. Ferozsons quoted Prices on highest side then Rate of Trade Price. In principle, quoting prices should be less than that of Trade Price. The mistake was on the part of M/s. Ferozsons. The SPPRA Rules provide as under:</p>	<p>CRC rejected the grievance of M/s. Ferozsons accordingly.</p>

1810, 1809, 1808, 1807, 1806, 1805, 1804, 1803, 1802, 1801, 1800, 1799, 1798, 1795, 1794, 1793.

It has been observed that at the time of online tender bidding, one of their head office representative, filled Trade price column mistakenly. They have attached correct T.P. against quoted product with the request to consider their quality product as single bid for the benefit of the patient and hospital as well as.

Acceptance of Bids:


Rule 48 of SPPRA Rule 2010.

“Even when only one bid is submitted, the bidding process may be considered valid, if the bid was advertised in accordance with rules, and prices are comparable to the prices or rates of the last awarded contract or the market price”.


Mr. Ishtiaque Ahmed

Accounts Officer

Representative of Accountant General, Sindh, Karachi



Ms. Afshan Jameel

Assistant Accountant Genral Sindh.

Note:- Ms. Afshan Jameel attended the meeting on 01.01.2019 in place of

Mr. Ishtiaque Ahmed, Accounts Officer.


Member


Professor Dr. Anjad Siraj Memon

Professor of Surgery,

Dow University of Health Sciences, Karachi.

Member


Dr. Muhammad Usman Chachar

Additional Chief Secretary Health,

Government of Sindh.

Chairman


Professor Dr. Saba Sohail

Professor of Radiology,

Dow University of Health

Sciences/Civil Hospital Karachi.

Member


Professor Dr. Bikha Ram,

Vice Chancellor,

Liaquat University of Medical & Health Sciences, Karachi.

Member