

MINUTES OF THE MEETING OF THE GRIEVANCE REDRESSAL COMMITTEE HELD ON 15-05-2019 AT 1400 HOURS TO REDRESS THE GRIEVANCES OF THE BIDDERS, AS PER RULE 67 OF PUNJAB PROCUREMENT RULES, 2014 (AMENDED), FOR PROCUREMENT OF MEDICINES & MEDICAL DEVICES FOR THE FY 2018-19 UNDER IRMNCH AND NUTRITION PROGRAM PUNJAB.

A meeting of the Grievance Redressal Committee was held on 15-05-2019 at 1400 hours in committee room of Director General Health Service Punjab, 24-Cooper Road, Lahore to redress the grievances of the bidders, as per Rule 67 of Punjab Procurement Rules, 2014, for procurement of Medicines & Medical Devices for Financial Year 2018-19. The Director General Health Services, Punjab chaired the meeting.

2. Following members of Grievance Redressal Committee attended the meeting:

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| 1 | The Director General Health Services, Government of the Punjab, Primary & Secondary Healthcare Department | In-Chair |
| 2 | The Program Director, IRMNCH & Nutrition Program, Government of the Punjab, Primary & Secondary Healthcare Department | Member |
| 3 | The Co-opted Member O/o the Director General Health Services, Government of the Punjab, Primary & Secondary Healthcare Department | Member |

3. Following members of the Bid/Technical Evaluation Committee presented the case to the grievance redressal committee:

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| 1 | The Additional Director (Procurement), IRMNCH & Nutrition Program, Government of the Punjab, Primary & Secondary Healthcare Department |
| 2 | The Prequalification Specialist-I, Primary & Secondary Healthcare Department |
| 3 | Logistics Officer IRMNCH & Nutrition Program, Primary & Secondary Healthcare Department |

4. Background of the case is that IRMNCH & Nutrition Program, Punjab invited bids for procurement of Medicines & Medical Devices through advertisement in national press on 11.03.2019 & websites of Department, Primary & Secondary Healthcare Department and Punjab Procurement Regularity Authority. The process was initiated for the recommended list of essential items required for IRMNCH & Nutrition Program, Punjab. In response there to, 21 were received and opened on 29-03-2019.

5. Out of total 08 bids were responsive in full. The finalized technical evaluation report was uploaded on the official websites of the IRMNCH & Nutrition Program Punjab, Primary & Secondary Healthcare Department Punjab on 08-04-2019. Against the Technical Evaluation Report, Grievances were received from aggrieved bidders up to 17-03-2019 which were placed before the Grievance Redressal Committee for decision.

6. The case wise proceedings of the meeting are as follows

| Sr. No | Name & Address of the Firm | Item/Status | Reason of Rejection | Grievance of the Applicant Firm | DECISIONS OF THE GRIEVANCE COMMITTEE |
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| 1 | M/s ALLMED (Private) Limited Plot No. 590, Sundar Industrial Estate Lahore | Inj. Diclofanec 75mg/3ml/Non-Responsive | <ol style="list-style-type: none"> 1. Undertaking of Spurious/Adulterated 2. The firm did not obtain passing marks. | <p>The firm stated that:</p> <p>According to documents Index, all required papers of compulsory parameter and marking criteria have already attached.</p> <p>Compulsory parameter detail as under:</p> <ol style="list-style-type: none"> 1. Undertaking stamp of spurious/adulterated by DTL/NIH last three year on 100@ stamp paper. Page 06 to 07 <p>Ordinary parameter marking criteria detail as under:</p> <ol style="list-style-type: none"> 2. Relevant document attached of waste water treatment flow chart. Page 236 3. Firm own transpiration system and also registered with TCS approved by SECP. Page 286 to 288 4. Supply of private sector local market sales invoice higher than the advertised quantity with summary attached. Page 238 to 285 5. Undertaking attached regarding non declaration of samples by DTL/NIH last three year batch history. Page 06 to 07 & 217 <p>All required documents for quoted items are already attached and will provide again as per demand.</p> <p>We hereby submit these said documents for your kind perusal and same time it is requested to review our case to re-evaluate to declare our company as Technically Qualified.</p> <p>We shall be highly thankful for the act your positive decision and will give us chance to serve your institution.</p> | <p>Mr. Imran from M/s ALLMED (Private) Limited attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. Legalized/Notarized undertaking of spurious/adulterated and market sales summary is attached.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that previously firm obtained 17 marks so firm awarded 20 marks in sales. Now total obtained marks are 37 out of 60 so grievance submitted by the firm is hereby accepted and the status of the firm is declared as “Responsive”.</p> |

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| 2 | M/s Bajwa Pharmaceuticals (Private) Limited 13 Muslim Street, House No. 03, Mayo Hospital Road, Lahore. | Inj. Diclofanec 75mg/3ml/Non-Responsive | <ol style="list-style-type: none"> 1. Item does not comply with advertised specifications. 2. Undertaking of Black Listing 3. The did not obtain passing marks. 36/60 | <p>The firm stated that:</p> <ol style="list-style-type: none"> 1. We have already attached undertaking regarding blacklisting and debarred by any procuring agency. Our bid is overlooked, kindly check. 2. Our company is able to provide the pack size of 5 ampoules. 3. We have already attached the documents in the technical bid but numbers were not allotted, you are requested to check the documents and grant the numbers. <p>Kindly accept our grievance and grant us deficient numbers.</p> | <p>Mr. Yasir Idrees from M/s Bajwa Pharmaceuticals (Private) Limited attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. He itself admitted that Pack size of Bajfenac injection is 100's and we are able to provide pack size of 5's Ampoules and undertaking regarding black listing is attached.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that grievance is accepted extent to undertaking of black listing only however in specifications Pack size of 10 or less was demanded as Pack size change cannot be possible as pack size is mentioned on DRC and cannot be changed without approval from DRAP so grievance submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as "Non-Responsive".</p> |

| Sr. No | Name & Address of the Firm | Item | Reason of Rejection | Grievance of the Applicant Firm | DECISIONS OF THE GRIEVANCE COMMITTEE |
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| 3 | M/s Searle Company Limited First floor N.I.C.L. Building, Abbasi Shaheed Road, Karachi. | Latex Examination Gloves, All Sizes/Non-Responsive | <ol style="list-style-type: none"> 1. No establishment License. 2. No GMP Certificate. 3. Debarred by P&SHD. | <p>The firm stated that:</p> <p>Our Bid is declared non responsive due to some misunderstanding that our company is debarred by the Primary & Secondary Healthcare Department Punjab.</p> <p>We explain and undertake herewith that our company had never been declared debarred or black listed by any Government/Semi Government or Private institution. In the reference letter by the Primary & Secondary Healthcare Department, we were only declared disqualified in the pre-qualification of Primary & Secondary Healthcare Department of Punjab (disqualification letter of Technical Evaluation (ORDER) by the Primary & Secondary Healthcare Department Punjab).</p> <p>Moreover, we have awarded Purchase Orders by the Directorate General Health Services of Punjab after the issuance of above said letter (copies attached).</p> <p>We already submitted the GMP certificate and Establishment License and re-attach herewith same copies.</p> <p>You are requested to please re-evaluate our Technical Offer and declare RESPONSIVE in the better interest of patients, saving Public Money by Broad Financial Competition.</p> | <p>Mr. Rizwan Saeed, Sales Manager from M/s Searle Company Limited attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. He itself admitted that we have disqualified on the basis of providing forged documents only for Financial year 2018-19 prequalification for surgical gloves. Manufacturer of Examination and Surgical Gloves is same. He provided GMP certificate and Establishment license FORM-4.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that grievance is accepted extent to GMP certificate and Establishment license however firm provided forged document to P&SHD and disqualified in Gloves for year 2018-19 so grievance submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as "Non-Responsive".</p> |

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| 4 | M/s Searle Company Limited First floor N.I.C.L. Building, Abbasi Shaheed Road, Karachi. | Sterile Surgical Gloves, All Sizes/Non-Responsive | 1. No establishment License. 2. No GMP Certificate. 3. Debarred by P&SHD. | <p>The firm stated that:</p> <p>Our Bid is declared non responsive due to some misunderstanding that our company is debarred by the Primary & Secondary Healthcare Department Punjab.</p> <p>We explain and undertake herewith that our company had never been declared debarred or black listed by any Government/Semi Government or Private institution. In the reference letter by the Primary & Secondary Healthcare Department, we were only declared disqualified in the pre-qualification of Primary & Secondary Healthcare Department of Punjab (disqualification letter of Technical Evaluation (ORDER) by the Primary & Secondary Healthcare Department Punjab).</p> <p>Moreover, we have awarded Purchase Orders by the Directorate General Health Services of Punjab after the issuance of above said letter (copies attached).</p> <p>We already submitted the GMP certificate and Establishment License and re-attach herewith same copies.</p> <p>You are requested to please re-evaluate our Technical Offer and declare RESPONSIVE in the better interest of patients, saving Public Money by Broad Financial Competition.</p> | <p>Mr. Rizwan Saeed, Sales Manager from M/s Searle Company Limited attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. He itself admitted that we have disqualified on the basis of providing forged documents only for Financial year 2018-19 prequalification for surgical gloves. Manufacturer of Examination and Surgical Gloves is same. He provided GMP certificate and Establishment license FORM-4.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that grievance is accepted extent to GMP certificate and Establishment license however firm provided forged document to P&SHD and disqualified in Gloves for year 2018-19 so grievance submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as "Non-Responsive".</p> |

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| 5 | M/s Nabi Qasim Industries (Private) Limited 5 th Floor, Commerce Centre, Hasrat Mohani Road, Karachi. | Zinc Sulphate 20mg Dispersible Tablets, Pack of 20 or less/ | 1. The did not obtain passing marks. 36/60 | <p>The firm stated that:</p> <p>It has come to our notice through Technical Evaluation report displayed on IRMNCH Punjab website on 08.04.2019 that our item was not qualified in this tender due to less grading/short numbering. Total marks given by the Technical Evaluation Committee were 33 out of 60 but the marks required for qualification are 36 (60%).</p> <ol style="list-style-type: none"> 1. Sir, this product has not been purchased by any Government/Semi Government and no frequently use in retail market. It is requested to please waive off the marks of experience. (Please Revalidate). 2. Our Waste Water Treatment Plant is in installation process at our manufacturing site and will be start very soon. SOP's and other relevant documents attached. (Please Revalidate). <p>In the light of above mentioned provided documents. It is requested to please waive off the marks of experience of product and qualify us for healthy competition and in the best interest of needy peoples.</p> | <p>Mr. Asim, Institution Manager from M/s Nabi Qasim Industries (Private) Limited attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. He requested that this product has not been purchased by any Government/Semi Government and no frequently use in retail market so It is requested to waive off the marks of experience. He itself admitted that our Waste Water Treatment Plant is in installation process at our manufacturing site and will be start very soon.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that Evaluation Criteria cannot be relaxed at this stage and 03 Marks for Waste Water Plant cannot be given because it is not completed and is in installation process. It was a request rather than grievance so the request submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as "Non-Responsive".</p> |

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| 6 | M/s Bajwa Pharmaceuticals (Private) Limited 13 Muslim Street, House No. 03, Mayo Hospital Road, Lahore. | Cat Gut No. 01/Non-Responsive | <ol style="list-style-type: none"> 1. The firm undertakes that currently it is not Blacklisted/Debarred by any procuring agency. 2. The did not obtain passing marks. 36/60 | <p>The firm stated that:</p> <ol style="list-style-type: none"> 1. We have already attached undertaking regarding blacklisting and debarred by any procuring agency. Our bid is overlooked, kindly check. 2. Experience of quoted product since July 2017 to June 2018, supply of quoted products in Government and Private Sectors, we already supplied equal quantity or more in private sector which is confirmed from our import documents and invoices of supplied orders of institutions. <p>Kindly accept our grievance and grant us deficient numbers.</p> | <p>Mr. Yasir Idrees from M/s Bajwa Pharmaceuticals (Private) Limited attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. Undertaking regarding black listing is attached and firm requested to re-evaluate the technical bid in order to obtain qualifying Marks.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that grievance is accepted extent to undertaking of black listing only however Firm obtained 22 Marks in technical evaluation, Technical Bid evaluated again and found that no Purchase order or invoices was attached for the sale of quoted product in any Govt. or private institute or in Market. So obtained marks are still remained same. It was a request rather than grievance so the request submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as "Non-Responsive".</p> |

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| 7 | M/s Meher Traders A21, 1 st Floor, Zeenat Market, North Napier Road, Karachi. | Cord Clamp/Non-Responsive | <ol style="list-style-type: none"> 1. CDR value is hidden. 2. GMP & CE Expired. 3. Undertaking regarding Spurious is not legalized/notarized. | <p>The firm stated that:</p> <ol style="list-style-type: none"> 1. Regarding 2% Bid Security we usually submit CDR value hidden. So if you want CDR shown we are sending you value shown as value is written in tender as estimated amount so amount hidden or shown will make little difference. 2. We have just received new CE and ISO certificates from the manufacturer so we are attaching them too. 3. We are attaching undertaking regarding spurious and undertaking regarding blacklisting notarized. | <p>No Representative from M/s Meher Traders attended the meeting to defend the result of technical evaluation report. The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that it is request rather than grievance as submitted undertaking regarding spurious item legalized/notarized is issued on 15-04-2019 after the opening of the technical bid that was due on 29-03-2019. CDR is as per tender however certificates are expired that are attached in bid. It was a request rather than grievance so the request submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as “Non-Responsive”.</p> |

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| 8 | M/s Meher Traders A21, 1 st Floor, Zeenat Market, North Napier Road, Karachi. | Examination Gloves/Non-Responsive | <ol style="list-style-type: none"> 1. Samples does not match with technical offer 2. 2 % bid security of estimated cost of the quoted item. 3. Valid GMP/ ISO-13485 Certificate issued by regulatory authority of country of manufacturer/DRAP. 4. Quality certification of WHO/FDA/JPMHLW/ MDD/EMA/ISO of the quoted product. | <p>The firm stated that:</p> <ol style="list-style-type: none"> 1. Regarding 2% Bid Security we usually submit CDR value hidden. So if you want CDR shown we are sending you value shown as value is written in tender as estimated amount so amount hidden or shown will make little difference. 2. We are attaching latest ISO certificates. 3. Samples were sent by mistake and we are sending correct samples now. 4. We are attaching undertaking regarding spurious and undertaking regarding blacklisting notarized. | <p>No Representative from M/s Meher Traders attended the meeting to defend the result of technical evaluation report. The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that it is request rather than grievance as submitted undertaking regarding spurious item legalized/notarized is issued on 15-04-2019 after the opening of the technical bid that was due on 29-03-2019. Secondly sample did not match with specifications as firm provided sample of Nitrile Gloves that is not required and as per firm's written statement "Samples were sent by mistake and we are sending correct samples now".</p> <p>CDR is as per tender however certificates not attached in bid so the request submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as "Non-Responsive".</p> |

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| 9 | M/s Coral Pharmaceuticals A-85, S.M.C.H.S, Karachi. | Cat Gut No. 01/Non-Responsive | 1. Valid GMP/ISO-13485 Certificate issued by regulatory authority of country of manufacturer/DRAP. | <p>The firm stated that:</p> <p>It has come to our notice through Technical Evaluation report displayed on IRMNCH Punjab website on 08.04.2019 that our item was not qualified in this tender due to the expiry of ISO 13485, <u>But as per marking criteria of Medical Devices as Sole Agent we are qualified as our marks are 40 out of 50. The required marks for qualification are 30 out of 50 (60%).</u></p> <p><u>Sir, our ISO 13485 was valid up to 01.03.2019.</u></p> <p>The DQS Certification AUSNZ Pty Ltd Australia as the notified body for issuing ISO 13485, inspected and Audited our premises on 5th and 6th February 2019 for the scope and recommended the issuance of certificate ISO 13485. (Copy of both letters attached).</p> <p><u>We are also enclosing TGA/Conformity Assessment Certificate and Full Quality Assurance Procedures valid up to 13.08.2023 (Copy enclosed).</u></p> <p>In the light of above mentioned provided documents you are requested to please qualify us for healthy competition and in the best interest of needy peoples.</p> | <p>Mr. Hameed Bhatti from M/s Coral Pharmaceuticals attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. He himself admitted that our ISO 13485 was valid upto 01-03-2019 and expired before the technical bid opening date that was 29-03-2019. He provided DQS Certification ISO 13485.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that it is a request rather than grievance as DQS ISO 13485 is issued on 20-04-2019 after the date of bid opening so the request submitted by the firm is hereby rejected and upheld the decision of technical evaluation committee and the status of the firm is still declared as “Non-Responsive”.</p> |

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| 10 | M/s Hakimsons (Pvt.) Limited Hakimsons House, A/56, S.I.T.E., Manghopir Road, Karachi. | Cord Clamp/Non- Responsive | <ol style="list-style-type: none"> 1. CDR Value is hidden. 2. No Valid establishment Certificate. 3. Undertakings provided not legalized/Notarized. 4. Sample proved by the firm are different as quoted in technical offer manufacturer of provided samples is Jiansu Suyun Medical materials Co.Ltd.China while in technical offer Foyomed Medical China is mentioned. Ambiguous offer so it rejected. | <p>The firm stated that:</p> <ol style="list-style-type: none"> 1. <u>2% Bid Security of estimated cost of the quoted item (value hidden)</u> We are submitting here with copy of DCR No. 00512513 dated 28.03.2019 for Rs. 57,600/-. 2. <u>Undertaking regarding "Non-declaration of any spurious batch (Not Legalized Notarized)"</u> We are submitting herewith Undertaking regarding above mentioned attested by Notary Public. 3. <u>The firm undertakes that currently it is not Blacklisted/ Debarred (Not Legalized Notarized)"</u> We are submitting herewith Undertaking regarding above mentioned attested by Notary Public. 4. <u>Valid _____ DRC/Drug _____ enlistment certificate/Establishment _____ registration certificate whichever applicable as per medical devices rules 2018 of the quoted product issued by DRAP Pakistan.</u> <ol style="list-style-type: none"> i) Letter from DRAP-13.04.18-Form 20. ii) Application form for grant of an establishment license to import of medical devices (Addressed to Ministry of Health- DRAP dt. 27.08.18. iii) Letter from DRAP-05.12.18-Inspection Report. iv) Letter from DRAP-26.02.19-Inspection Report. <p>Sir, please note that samples were submitted you which are for another tender and wrongly submitted with your tender. However, we are</p> | <p>Mr. Saeed from M/s Hakimsons (Pvt.) Limited attended the meeting and presented their grievance to the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. He briefed that CDR copy is attached with grievance application and submitted undertaking regarding spurious & blacklisting legalized/notarized. Valid DRC and establishment license are also provided.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that grievance is accepted extent to CDR Value that is as per tender and Valid establishment license however as submitted undertaking regarding spurious and blacklisting legalized/notarized is issued on 13-04-2019 after the opening of the technical bid that was due on 29-03-2019. Secondly sample did not match with quoted brand in bid cover sheet. As per firm's written statement" <i>Sir, please note that samples were submitted you which are for another tender and wrongly submitted with your tender. However, we are submitting samples of quoted item (Sterile Cord Clamps Plastic, Individually packed)/Foyomed Medical/ China for Technical Evaluation.</i>".</p> <p>So, the grievance submitted by the firm is hereby rejected and upheld</p> |

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| | | | submitting samples of quoted item (Sterile Cord Clamps Plastic, Individually packed)/Foyomed Medical/ China for Technical Evaluation. | the decision of technical evaluation committee and the status of the firm is still declared as “Non-Responsive” . |
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Meeting ended with the vote of thanks by the chair.

Co-opted Member
O/O the DGHS Punjab,
Lahore
(Member)

PROGRAM DIRECTOR
IRMNCH & Nutrition Program
Punjab Lahore
(Member)

DIRECTOR GENERAL HEALTH SERVICES
Punjab, Lahore
(Chairman)