

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 INFANT WARMERS 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 INFANT WARMERS for Financial Year 2018-19. The Director General Health Services, Punjab chaired the meeting.

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

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:

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 INFANT WARMERS through advertisement in national press on 04.04.2019 & uploaded on websites of Program, Primary & Secondary Healthcare Department and Punjab Procurement Regularity Authority on 05-04-2019. In response there to 08 bids were received and opened on 22-04-2019.

5. Out of total 03 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 03-05-2019. Against the Technical Evaluation Report, Grievances were received from aggrieved bidders up to 13-05-2019 which were placed before the Grievance Redressal Committee for decision.

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

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1	M/s ALAM MEDIX 9/1 Hannan Plaza, Mayo Hospital Road, Lahore.	Infant Warmer/Non Responsive	<ul style="list-style-type: none"> Contradiction between brochure and website. Heating power and Manual heat output not as per tender requirements. 	<p>The firm stated that:</p> <p>Our quoted model of Infant Warmer BLR-2100 does meet with all required specifications. The quoted model has Ceramic Heater power capacity of 500 watts and also has “Manual Heat output range from 0%-100%” fully comply with required tender specification which can be verified from manufacturer website www.medicor.hu and also from attached brochure of quoted model with technical bid.</p> <p>However, a copy of website link and brochure of quoted model BLR-2100 that clearly mentioned the “Ceramic Heating Power of 500 watts and Manual heating output range from 0%-100%” is attached herewith for ready reference.</p> <p>It is therefore requested that our above-mentioned clarifications and reply to objections may kindly be considered positively and our quoted item may be declared as “Responsive” that meet with our grievances.</p>	<p>Mr. Asim from M/s ALAM MEDIX 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. Firm requested that manual heat output range from 0-100% is fully comply with advertised specifications available on manufacturer’s web site.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that Specifications of the quoted model was downloaded by Evaluation Committee from the manufacturer’s website during the Evaluation of Bids in another tender of this department with same observations whereby it was mentioned as manual mode (10-80%) that was admitted by representative of the firm. Now, the claim of the firm at this stage that the quoted model has manual mode 0-100% is unethical and an attempt to hide facts & mislead the committee. Such unethical practice on the part of manufacturer create doubt on its credibility.</p> <p>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>

			<p>both have different business entity share. Since Wipro have 46% business share whereas GE Healthcare has only 51% share only.</p> <p>Their quoted model do have CALROD heating element instead of Ceramic/Quartz as requested in the specifications since CALROD heating elements can be only found in stainless steel, steel alloys and are used in many applications such as kitchen appliances, flange heaters, screw plug heaters and over the side heaters and therefore, it is not recommended for medical use at all.</p> <p>Their quoted model of warmer don't have antistatic castors as requested in the specifications since it is very important part of baby warmer due to electrical safety of the warmer and new born.</p> <p>We have reservation on M/s Medequips quoted model Sunflower (61567) as follows.</p> <p>They don't have mentioned antistatic castors in their catalogues as requested in the specifications.</p> <p>We have reservation on M/s Medi Urge quoted model Baby Guard W-1140 of Dixon, Germany.</p> <p>Their quoted manufacturer is not the original manufacturer. The original manufacturer of their quoted model is Nanjing Pua Medical Co. Ltd China-Address: No. 9, Gaoke 1st Road, National Hi-Tech Zone, Nanjing, Jiangsu, China 210032 and the original Model # is IRW-9300 (Coy is enclosed for your easy reference).</p> <p>We have reservation on M/s Vertex quoted model Babytherm 8004 Germany.</p> <p>Their quoted model of warmer don't have antistatic castors as requested in the</p>	<p>examined and representative of both firms were heard. Mr. Farrukh Basheer attended the meeting on behalf of M/s Shirazi Trading and produced documents from their Foreign Principal M/s GE Healthcare which clearly shows that Wipro GE Healthcare India is operating under GE Healthcare, a division of General Electric, USA. The documents were examined and accepted by the Grievance Redressal Committee. Evaluation Committee confirmed that the observations are baseless and firm comply with the requirements. The contents of the grievance seem baseless; however, the grievance was referred to Evaluation Committee to review and issue detail report. The decision of the grievance is pending.</p> <p>M/s RADIANT MEDICAL (PVT) LTD submitted grievance against the M/s Medequips as they don't have mentioned antistatic castors in their catalogues as requested in the specifications. No representative from M/s Medequips attended the meeting and did not defend the observations in technical evaluation report. The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that the grievance is referred to Evaluation Committee to review and issue detail report. The decision of the grievance is pending.</p> <p>M/s RADIANT MEDICAL (PVT) LTD submitted grievance against the M/s Medi Urge. Mr. Farhan attended the meeting on behalf of M/s Medi Urge. He presented the details of quoted model and manufacturer to the committee and told that Model- 1140 is available on the website of M/s Dixon Germany.</p> <p>The committee after due deliberation</p>
		Responsive		
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		Responsive		

				<p>specifications since it is very important part of baby warmer in terms of electrical safety of the warmer and new born baby.</p> <p>Hope you will find our grievance up to your acceptance.</p>	<p>and discussion decided that representative of M/s Radiant Medical could not provide solid evidence regarding its observation so grievance of the firm M/s Radiant Medical against M/s Medi Urge is here by rejected.</p> <p>M/s RADIANT MEDICAL (PVT) LTD submitted grievance against the M/s Vertex and stated that antistatic castors as requested in the specifications since it is very important part of baby warmer in terms of electrical safety of the warmer and new born baby that are not mentioned on the catalogue of model No. Babytherm 8004.</p> <p>No representative attended the meeting on behalf of M/s Vertex.</p> <p>The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that the grievance is referred to Evaluation Committee to review and issue detail report. The decision of the grievance is pended.</p> <p>The committee decided to issue showcase notice to the firm M/s Radiant Medical for filing undue grievances.</p>
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3	<p>M/s SHIRAZI TRADING CO. (PVT.) LTD. 67/A, Block XX, Phase III (Commercial), Defence Housing Authority, Lahore.</p>	<p>Infant Warmer/Non Responsive</p>	<ul style="list-style-type: none"> • Quoted Product does not have certificate of quality i.e. FDA/CE/JPMHLW. • Invalid Certificate from the Manufacturer regarding after Sales Services and Installation attached. 	<p>The firm stated that:</p> <p>Our product Model: Lullaby Warmer has FDA & CE dual certifications which were already enclosed with our technical offer. We are submitting again for your ready reference and consideration.</p> <p>We have already enclosed letter of authorization from the manufacturer M/s GE Healthcare for specifically this tender regarding Warranty, after sales service and spare parts availability for a period of 10 years. We are submitting again for your ready reference and consideration.</p> <p>Keeping in view of the above mentioned facts you are requested to please consider our offer as responsive.</p>	<p>Mr. Farrukh Basheer from M/s SHIRAZI TRADING CO. (PVT.) LTD 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. Firm provided CE & FDA Certificates letter of authorization from the manufacturer M/s GE Healthcare for specifically this tender regarding Warranty, after sales service and spare parts availability for a period of 10 years that were accepted by the committee extent to both observation of technical evaluation report. However, M/s RADIANT MEDICAL (PVT) LTD submitted grievance against the M/s Shirazi Trading. The contents of the grievance seem baseless; however, the grievance was referred to Evaluation Committee to review and issue detail report. The decision of the grievance is pending.</p>

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4	<p>M/s SHIRAZI TRADING CO. (PVT.) LTD. 67/A, Block XX, Phase III (Commercial), Defence Housing Authority, Lahore.</p>	<p>Infant Warmer/Non Responsive</p>	<ul style="list-style-type: none"> • The firm submitted a grievance against the other evaluated firm i.e. M/s Medi Urge. • Quoted Model: Baby Guard W-1140. • Mfg by: Dixion Germany. • Status: Responsive <p>As per Specification/ Bidding Documents:</p> <ul style="list-style-type: none"> • Manual heat output control: 0% to 100% • Digital display range of temperature: LCD/LED • LED heating power/source: 500W Quartz/Ceramic • Pivot arm technology for heating. Head should be moved in both directions allowing X-Ray procedure without moving the baby. • The quoted model of the product shall be available on the current official website of the manufacturer (except local manufactured items): otherwise the quoted product shall be considered obsolete/redundant and will straight away be rejected. • Certificate from the manufacturer that the after sales service/back up services shall be provided jointly with the local sole agent and in case of change of local agent, they will provide the after sales services themselves or through newly appointed agent for the period mentioned from the date of commissioning in case of Bio-Medical Equipment. 	<p>The firm stated that:</p> <p>Manual heat output control: 0% to 100% is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>Manual heat output control: 0% to 100% is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>LED heating power source is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>This feature is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>The quoted model: Baby Guard W-1140 is not available on official website on Dixion Germany.</p> <p>The OEM of this product is Nanjing Pao Medical China instead of Dixion Germany (copy attached) for your ready reference.</p> <p>Keeping in view the above mentioned facts you are requested to please reevaluate the offer of M/s Medi Urge for transparent process.</p>	<p>M/s SHIRAZI TRADING CO. (PVT.) LTD. submitted grievance against the M/s Medi Urge and stated that Manual heat output control: 0% to 100% is not mentioned in quoted model data sheet and Manual heat output control: 0% to 100% is not mentioned in quoted model data sheet, heating power source is not mentioned in quoted model data sheet The quoted model: Baby Guard W-1140 is not available on official website on Dixion Germany. The OEM of this product is Nanjing Pao Medical China instead of Dixion Germany. Mr. Farhan attended the meeting on behalf of M/s Medi Urge and presented the details of quoted model and manufacturer to the committee and told that Model- 1140 is available on the website of M/s Dixion Germany.</p> <p>The committee after due deliberation and discussion decided that picture of Model W-1140 is different as posted on web site of M/s Dixion after comparison with the picture in brochure provided by the representative of the firm during meeting and requisite parameters are also missing in catalogue of quoted model. So grievance of the firm M/s Sherazi Trading against M/s Medi Urge is here by accepted and status of the firm (M/s Medi Urge) is declared as Non-Responsive.</p>

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5	M/s SHIRAZI TRADING CO. (PVT.) LTD. 67/A, Block XX, Phase III (Commercial), Defence Housing Authority, Lahore.	Infant Warmer/Non Responsive	<ul style="list-style-type: none"> • The firm submitted a grievance against the other evaluated firm i.e. M/s Radiant Medical. • Quoted Model: Infant Warmer SM-401. • Status: Non-Responsive <p>As per Specification/ Bidding Documents:</p> <ul style="list-style-type: none"> • Pivot arm technology for heating. Head should be moved in both directions allowing S-Ray procedure without moving the baby. • Certificate from the manufacturer that the after sales services/backup services shall be provided jointly with the local sole agent, they will provide the after sales services themselves or through newly appointed from the date of commissioning in case of Bio-medical equipment. 	<p>The firm stated that: This feature is not available in quoted model. Please verify from Technical offer. The Natus Medical has sold its Medix Division (For Incubators, Warmers and others) on 2nd April 2019 while tender for 200 warmers was due on 13th April, 2019) therefore M/s Radiant Medical cannot quote Natus Medical Infant Warmer as they have already signed an agreement that they will not look after this portfolio. "PLEASANTON, Calif., April 02, 2019 (GLOBE NEWSWIRE) --Natus Medical Incorporated (NASDAQ:BABY) (the "company" or "Natus") , a leading provider of medical devices and services, today announced that it has signed a definitive agreement to sell its wholly-owned subsidiary, Medix Medical Devices, SRL ("Medix"), in an employee led buyout. As part of this divestiture, Natus will sell the Medix line of products, including incubators, warmers and other Medix products. Under its new ownership, Medix will continue to distribute Medix products as well as the previously distributed line of Natus products and other third party products in Argentina and Venezuela. Medix will also provide ongoing customer service, sales and customer support, and warranty and repair services for the Medix line of products." (Copy Enclosed) for your ready reference. https://www.globenewswire.com/newsrelease/2019/04/02/1795764/0/en/Natus-Announces-Sale-of-Medix-Business.html. Furthermore, according to the information available on Website of Natus Medical Incorporated, the quoted model is not available in USA, Europe & Canada. Keeping in view the above mentioned facts, it is therefore requested you kindly reevaluate the offer of M/s Radiant Medical.</p>	M/s SHIRAZI TRADING CO. (PVT.) LTD. submitted grievance against the M/s Radiant Medical. The details of observations have already been addressed in grievance submitted by M/s Radiant Medical on Page No.3.

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6	<p>M/s SHIRAZI TRADING CO. (PVT.) LTD. 67/A, Block XX, Phase III (Commercial), Defence Housing Authority, Lahore.</p>	<p>Infant Warmer/Non Responsive</p>	<ul style="list-style-type: none"> • The firm submitted a grievance against the other evaluated firm i.e. M/s Delta Plus. • Quoted Model: Infant Warmer A4051. • Mfg by: Advance Instrumentation, USA. • Status: Non-Responsive <p>As per Specification/ Bidding Documents:</p> <ul style="list-style-type: none"> • Manual heat output control: 0% to 100% • Digital display range of temperature: LCD/LED • Heating power/source: 500W Quartz/Ceramic • Pivot arm technology for heating. Head should be moved in both directions allowing X-Ray procedure without moving the baby. • The bidder will attach the list of relevant Test & Tool Equipment required for repair, maintenance and calibration of the quoted product. 	<p>The firm stated that:</p> <p>Manual heat output control: 0% to 100% is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>Manual heat output control: 0% to 100% is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>Heating power is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>This feature is not mentioned in quoted model data sheet (copy attached) for your ready reference.</p> <p>We bring to your kind knowledge that M/s Delta Plus doesn't have relevant Test & Tool Equipment required for repair, maintenance and calibration of the quoted product as it was observed during the prequalification of Infant Warmer by Primary & Secondary Healthcare Department Lahore (copy attached) for your ready reference, and they were rejected in Infant Warmer prequalification.</p> <p>Keeping in view of the above mentioned facts and bidding documents knock out clause # 02 - <u>The bid must comply with the advertised technical specifications of the quoted item. Incomplete offer will straightaway.</u> You are requested to please reevaluate the offer of M/s Delta Plus for transparent process and best public interest.</p>	<p>M/s SHIRAZI TRADING CO. (PVT.) LTD. submitted grievance against the M/s Delta Plus and stated that Manual heat output control: 0% to 100% is not mentioned in quoted model data sheet, heating power is not mentioned in quoted model data sheet and repair maintenance lab is not available as per P&SHD Prequalification.</p> <p>Mr. Abdul Waheed from M/s Delta Plus attended the meeting and presented the details and briefed that our work shop address is G-117 Johar Town, Lahore.</p> <p>The committee after due deliberation and discussion decided that heat output control is available but not in manual mode and Heating power source is not confirmed for quoted model A4051.so grievance of the firm M/s Sherazi Trading against M/s Delta Plus is here by accepted and status of the firm (M/s Delta Plus) is still declared as Non-Responsive.</p>

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7	M/s DELTA PLUS (PVT) LTD h # 220, St # 13, Khayaban-e-Kashmir, G-15/4, Islamabad.	Infant Warmer/Non Responsive	<ul style="list-style-type: none"> As per USFDA Establishment Registration & Device Listing, the company which purports to be the manufacturer of the quoted product is enlisted as Re-packager/Re-labeler. 	<p>The firm stated that:</p> <p>We quoted our Infant Warmer with CE Certificate rather than USFDA. CE Certificate has been attached with our technical proposal which was probably overlooked by the technical evaluation committee who evaluated our product for USFDA Certification. However, a copy of the same CE Certificate is attached for your ready reference.</p> <p>It is pertinent to mention that we have delivered and installed a number of quoted Infant Warmer to various Government Hospitals under Health Department of Punjab after successful technical evaluation by their technical authorities. Copies of the work orders are attached once again for your perusal.</p> <p>Furthermore, it is also mentioned on the product brochure that the quoted product is CE Certified. Brochure is attached for your reference.</p> <p>It is further submitted that on the grounds mentioned above our technical proposal may please be re-evaluated and we request you to declare our technical offer as RESPONSIVE.</p>	<p>Mr. Abdul Waheed from M/s DELTA PLUS (PVT) LTD 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. Firm requested that CE Certificate is attached for your ready reference. The committee probed that it is product of USA then why you have not USFDA certification and it means that you quoted product is not permitted to sale in USA. The representative of the firm did not provide any evidence regarding the probe of the committee. The committee after due deliberation and discussion, keeping in view the required parameters in detail decided that the 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>

Meeting ended with the vote of thanks by the chair.