CENTRAL MEDICAL SERVICES SOCIETY

Ministry of Health & Family Welfare
(Autonomous Body under MoHFW, Govt. of India)

2nd Floor, Vishwa Yuvak Kendra, Pandit Uma Shankar Dikshit Road,
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Date: - 11.07.2023

Minutes of Pre-bid Meeting For Procurement of TABLET RIFAPENTINE 150MG for NTEP CPP Tender ID: 2023_CMSS_759902_1, dated 30.06.2023 Pre-bid Meeting held on 05.07.2023 at 11:30 AM

- 1. Following officials were present during the Pre-bid meeting: -
 - (i) Dr. Alok Mathur, Addl. DDG (NTEP)
 - (ii) Mr. D Mohapatra, GM (Finance), CMSS
 - (iii) Ms. Anjana, GM (Procurement), CMSS
 - (iv) Mr. Lava Mishra, AGM (Procurement), CMSS
 - (v) Ms. Akanksha Jain, AGM (QA), CMSS
- 2. Following representatives from prospective bidders were present during the Pre-bid meeting: -

Sr. No.	Name of Representative	Name of firm
1	Mr. Alok Kumar	M/s J Duncan Healthcare Pvt. Ltd.

3. Queries from following prospective firms were received via email: -

Sr. No.	Name of the bidders				
1	M/s Lupin Ltd.	M/s J Duncan Healthcare Pvt. Ltd.			

4. Points raised by representatives of prospective bidders were discussed. After due consideration of the queries, the remarks are enclosed.

TABLE-A
Pre-bid queries raised by the prospective bidders & remarks by CMSS

Sr. No.	T I I I I I I I I I I I I I I I I I I I		Bidder's Name	Response		
1.	All the tenderers are required to supply the products with printed Text " NACO SUPPLIES - NOT FOR SALE" in red colour on the strips, blisters, vials, ampoules & bottles and also on the external packings.	14.7: Supply /Delivery Conditions	In the technical specifications (Annexure 1 A), it is mentioned as NTEP Central Government Supply NOT FOR SALE. Also, the logo of NTEP is mentioned. Kindly clarify if we should additionally include the printed text "NACO supplies - NOT For SALE in red colour on the strips, and also on the external packings.	M/s. Lupin Ltd.	Amended as: - All the tenderers are required to supply the products with printed Text " NTEP Central Government Supply NOT FOR SALE " in red colour on the strips, blisters, vials, ampoules & bottles and also on the external packings.	

2.	Tenderer shall be a	4(c)&	The product will complete 4	M/s. Lupin	Amended as: -
	manufacturer of the quoted	6.2 (c)	years from the time of first	Ltd.	
	product and having valid own		issuance of license by the		Tenderer shall be a
	manufacturing license in the		CDSCO at the time of		manufacturer of the quoted
	indicate pharmacopeia (in		closing of the tender.		product and having valid own
	technical specification at				manufacturing license in the
	Annexure IA) and Certificate		Kindly clarify if submission		indicate pharmacopeia (in
	of Pharmaceutical Product		of domestic Manufacturing		technical specification at
	(COPP) as recommended by		License in Form of 25 / 28		Annexure IA) and Certificate
	WHO in any of the		issued from State Licensing		of Pharmaceutical Product
	pharmacopeia IP/BP/USP. The		Authority would be fine.		(COPP) as recommended by
	manufacturing license &		Tenderer shall be a	M/s. J.	WHO in any of the
	COPP should be valid on the		manufacturer of the quoted	Duncan	pharmacopeia IP/BP/USP/IHS
	date of tender opening packet		product and having valid	Healthcare	(In House Standard). The
	1. In case of failure to submit		own manufacturing license in	Pvt. Ltd.	manufacturing license &
	the same, the bid shall not be		the indicate pharmacopeia (in		COPP should be valid on the
	considered any further.		technical specification at		date of tender opening packet
			Annexure IA) and Certificate		1. In case of failure to submit
	The Tenderer should furnish		of Pharmaceutical Product		the same, the bid shall not be
	the domestic Manufacturing		(COPP) as recommended by		considered any further.
	License in Form of 25 / 28		WHO in any of the		
	issued from State Licensing		pharmacopeia		The Tenderer should furnish
	Authority along with the		IP/BP/USP/IHS (In House		the domestic Manufacturing
	approval of DCGI in Form of		Standard). The		License in Form of 25 / 28
	46/ CT-23 as new drug		manufacturing license &		issued from State Licensing
	approved by DCGI.		COPP should be valid on the		Authority along with the
	E 4 414		date of tender opening packet		approval of DCGI in Form of 46/ CT-23 as new drug
	For drugs that are not available in IP, other official		1. In case of failure to submit		
	Pharmacopeia (s) are		the same, the bid shall not be considered any further.		approved by DCGI.
	applicable. If a drug is not		The Tenderer should furnish		For drugs that are not available
	available in any of the official		the own domestic		in IP, other official
	pharmacopeias, 'In House'		Manufacturing License in		Pharmacopeia (s) are
	standards are applicable as per		Form of 25 / 28 issued from		applicable. If a drug is not
	the Drugs and Cosmetics Act		State Licensing Authority		available in any of the official
	1940 and the Rules therein.		along with the approval of		pharmacopeias, 'In House'
			DCGI in Form of 46/ CT-23		standards are applicable as per
	Bidder is requested to		as new drug approved by		the Drugs and Cosmetics Act
	submit an undertaking that		DCGI and IPC (Indian		1940 and the Rules therein.
	the drug is not available in		Pharmacopeia `		
	IP or any other approved		Commission) Test report.		Bidder is requested to
	pharmacopeia.		Reasons- Drugs newly		submit an undertaking that
			introduced in India and		the drug is not available in
			Programme Division NTEP		IP or any other approved
			procured first time in		pharmacopeia.
			India. To establish the		
			quality of the product		For Manufacturing License
			above mentioned		issued by State Licensing
			requirement are should be		Authority before 08.07.2023, the requirement of CT-23 is
			mandatory. The Tenderer should		mandatory.
			furnish the API		mandatory.
			Manufacturing License		For Manufacturing License
			along with the approval of		issued after 08.07.2023, only
			DCGI as new drug		the license issued by State
			approved by DCGI and		Licensing Authority shall
			IPC (Indian Pharmacopeia		suffice.
			Commission) Test report.		
			To establish the quality		
			source of API.		
1		İ	For drugs that are not		

For drugs that are not available in IP, other official

			Pharmacopeia (s) are applicable. If a drug is not		
			available in any of the official pharmacopeias, 'In House' standards are		
			applicable as per the Drugs and Cosmetics Act 1940 and the Rules therein.		
			Bidder is requested to submit an undertaking that the drug		
			is not available in IP or any other approved		
			pharmacopeia. Loan License should not be		
			eligible to bid.		
3.	Tenderer should have supplied 40% of the quoted quantity of	4 (i) & 6.2 (e)	Tenderer should have supplied 40% of the quoted	M/s. J. Duncan	No changes.
	same or similar items during the last two financial years.		quantity of same or similar items during the last three	Healthcare Pvt. Ltd.	
	Bidder should submit Purchase order copies and		financial years. Bidder should submit Purchase		
	certificate duly issued by statutory auditor of the		order copies and certificate duly issued by statutory		
	company on his letter head by		auditor of the company on		
	certifying the quantities		his letter head by certifying		
	manufactured and marketed in trade, export, open market,		the quantities manufactured and marketed in trade,		
	sold to government		export, open market, sold to		
	institutions, private bodies etc.		government institutions,		
	and the marketed quantities		private bodies etc. and the		
	are not less than at least 40% of the quoted/ similar items.		marketed quantities are not less than at least 40% of the		
	Similar Items here relate to		quoted/ similar items.		
	the following: -		Similar Items here relate to		
	Similar item means		the following: -		
	quoted/any TB Drug		Similar item means quoted/any TB Drug		
	Supply/Sale/Service order		Supply/Sale/Service order		
	under loan license		under loan license		
	arrangement shall not be considered.		arrangement shall not be considered.		
			OR Tenderer should have		
			submit any three Purchase order copies of any Govt.		
			entities/ Autonomous		
			body for any quantity of		
			Anti TB Drugs during the last two financial		
			years. Bidder should		
			submit Purchase order		
			copies and certificate duly		
			issued by statutory auditor of the company on his letter		
			head by certifying the		
			quantities manufactured and		
			marketed to government		
			institutions. OR		
			Tenderer should have		
			supplied 40% of the quoted		

quantity of same or similar items during the last two financial years. Bidder should submit Purchase order copies and certificate duly issued by statutory auditor of the company on his letter head by certifying the quantities manufactured and marketed in trade, export, open market, sold to government institutions, private bodies etc. and the marketed quantities are not less than at least 40% of the quoted/ similar items. Similar Items here relate to the following: -Similar item means any Tablet (we have Manufacturing Lic, CoPP, MMC-Manufacturing and Marketing standing certificate, Capacity Certificate which is issued by Licensing Authority). We had supplied various tablets in CMSS, BPPI, Punjab Health Corp., RMSCL, UPMSCL, MPPHSC, Maharashtra Govt,, OMSCL, BMSCL Supply/Sale/Service order under loan license arrangement shall not be

OR

considered.

Relaxation of Prior experience criteria for MSME and Startup entities as per Deptt. of Expenditure order no F.20/2/2014- PPD (pt.) dt. 20/09/2016. **Copy** enclosed. Stipulated tender conditions also amended in CMSS previous tender also. (ARV Tender No-013 for 2023-24 for NACO, NACO HIV Kit **Tender for 2022-23,** NACO CD 4 Tender, **DEC Tablet Tender for NVBDCP**, First Line Anti TB Drugs etc. Stipulated tender conditions restrictive to participate the bidder and eliminate the wider participation.

4.	A valid Certificate of Pharmaceutical Product (COPP) as recommended by WHO in any pharmacopeia IP/BP/USP and a valid WHO-GMP.	6.2 (i)	Stipulated tender conditions not required by Any other Govt. Procurement entities. A valid Certificate of Pharmaceutical Product (COPP) as recommended by WHO in any pharmacopeia IP/BP/USP/ IHS (In House Standard and a valid WHO-GMP. Reasons- Drugs not	M/s. J. Duncan Healthcare Pvt. Ltd.	Amended as: - A valid Certificate of Pharmaceutical Product (COPP) as recommended by WHO in any pharmacopeia IP/BP/USP/IHS (In House Standard) and a valid WHO-
5.	Duly notarized general power of	6.2 (d)	available in any pharmacopeia. Duly notarized general power	M/s. J.	GMP. Accepted.
	Attorney (on non-judicial stamp paper of worth Rs. 50/-) in favour of authorized signatory in case of partnership firm (to be signed by all partners) / proprietorship firm or board resolution in case of a company to sign the bid and bind the bidder. The signature of authorized signatory should be duly attested. In case of proprietorship on its letter head of firm declares himself as proprietor with specimen signature.		of Attorney (on non-judicial stamp paper of worth Rs. 50/- or More) in favour of authorized signatory in case of partnership firm (to be signed by all partners) / proprietorship firm or board resolution in case of a company to sign the bid and bind the bidder. The signature of authorized signatory should be duly attested. In case of proprietorship on its letter head of firm declares himself as proprietor with specimen signature.	Duncan Healthcare Pvt. Ltd.	
6.	NOTARISED UNDERTAKING BY MSE COMPANIES (In 20- Rupees stamp paper)	Annexure- VIII	NOTARISED UNDERTAKING BY MSE COMPANIES (In 20- Rupees or more rupees stamp paper) M/s. J. Duncar Healthd Pvt. Ltd		Accepted.
7.	EMD For Sch. I-Rs. 3,60,95,140 for 100 & qty.	Annexure III-EMD	Bid security declaration also allowed in compliance of GFR 2017 Rule no 170(iii). In place of a Bid security, the Ministries/ Departments may require Bidders to sign a Bid securing declaration accepting that if they withdraw or modify their Bids during the period of validity, or if they are awarded the contract and they fail to sign the contract, or to submit a performance security before the deadline defined in the request for bids document, they will be suspended for the period of time specified in the request for bids document from being eligible to submit Bids for contracts with the entity that invited the Bids.	M/s. J. Duncan Healthcare Pvt. Ltd.	No changes.

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			Reasons: - Wider		
			participation for small		
			entities.		
8.	For SCH. I	Annexure	For SCH. I	M/s. J.	Amended as:
		I- Delivery	TRANCHE I- 20% of the	Duncan	
	TRANCHE I- 50% of the total	Schedule	total quantity to be	Healthcare	TRANCHE I- 35% of the
	quantity to be delivered within		delivered within 60 days	Pvt. Ltd.	total quantity to be delivered
	90 days from the date of issue		from the date of issue of		within 90 days from the date
	of LOA.		LOA.		of issue of LOA.
	TRANCHE II- 25% of the		TRANCHE II- 30% of the		
	total quantity to be delivered		total quantity to be		TRANCHE II- 35% of the
	within 180-210 days from the		delivered within 61-120		total quantity to be delivered
	date of issue of LOA.		days from the date of issue		within 180-210 days from the
	TRANCHE III- 25 % of the		of LOA.		date of issue of LOA.
	total quantity to be delivered		TRANCHE III- 25% of the		
	within 270-300 days from the		total quantity to be		TRANCHE III- 30% of the
	date of issue of LOA.		delivered within 180-210		total quantity to be delivered
			days from the date of issue		within 270-300 days from the
			of LOA.		date of issue of LOA.
			TRANCHE IV- 25% of the		date of issue of Lort.
			total quantity to be		
			delivered within 270-300		
			days from the date of issue		
			of LOA.		
			OR		
			TRANCHE I- 25% of the		
			total quantity to be		
			delivered within 90 days		
			from the date of issue of		
			LOA.		
			TRANCHE II- 25% of the		
			total quantity to be		
			delivered within 91-180		
			days from the date of issue		
			of LOA.		
			TRANCHE III- 25 % of the		
			total quantity to be		
			delivered within 181-270		
			days from the date of issue		
			of LOA.		
			TRANCHE IV- 25 % of the		
			total quantity to be		
			delivered within 271-360		
			days from the date of issue		
			of LOA.		
			Reasons:- Huge Qty. and		
			new drug in India time &		
			supply of API.		
L	1	<u> </u>	suppry or Arri.		

9.	Liquidated damages	18.2	Liquidated damages	M/s. J.	No changes.
	If the supply reaches the		If the supply reaches the	Duncan	
	designated consignee places or		designated consignee places	Healthcare	
	CMSS Warehouse after		or CMSS Warehouse after	Pvt. Ltd.	
	scheduled delivery date		scheduled delivery date		
	mentioned in LOA/P.O,		mentioned in LOA/P.O,		
	liquidated damages will be		liquidated damages will be		
	levied @ 2.5% per week to be		levied @ 0.5% per week to		
	applied proportionately on per		be applied proportionately		
	day basis up to a maximum of		on per day basis up to a		
	10% of P.O. Cost, irrespective		maximum of 10% of un-		
	of the fact that whether the		supplied		
	CMSS has suffered any		goods, irrespective of the		
	damage/ loss or not, on		fact that whether the CMSS		
	account of delay in effecting		has suffered any damage/		
	supply. If the last scheduled		loss or not, on account of		
	delivery day happens to be a		delay in effecting supply. If		
	holiday the supply will be		the last scheduled delivery		
	accepted on the next working		day happens to be a holiday		
	day without any penalty.		the supply will be accepted		
			on the next working day		
			without any penalty.		
			Reasons: - As per		
			provision of GFR and		
			Manual of Procurement		
			and Guidelines of MoF		
			(DoE).		

Note: - Above changes will be part of the tender document.

-sd-GM (Procurement)

<u>TABLE-B</u>
Pursuant to the Pre-bid meeting discussion held on 05.07.2023, following amendment in the subject tender enquiry is hereby authorized:

Sr. No.	Tender Clause No.	As per Tender				After Amendment				
1.	& Page No. 4 (e) & Pg No. 10	(i) Average Annual turnover for Tenderers in the last three years i.e. 2019-20, 2020-21 and 2021-22 OR 2020-21, 2021-22 and 2022-23 shall not be less than the following:				(i) Average Annual turnover for Tenderers in the last three years i.e. 2019-20, 2020-21 and 2021-22 OR 2020-21, 2021-22 and 2022-23 shall not be less than the following:				
		Schedule	Amount (in Rs.) for 100% quantity quoted	Amount (in Rs.) for 50% Quantity quoted	- - -	Schedule I	Amount (in Rs.) for 100% quantity quoted 72,19,02,797	Amount (in Rs.) for 50% Quantity quoted 36,09,51,400		
		1	3,00,93,140	1,80,47,570						
2.	Annexure -I & Pg No. 39		thodology (PDI/	•		-	thodology (PDI/Non	,		
		Non-PDI (Insp	ection at Delivery	y Stages)	1	ranche I: - PD	I (Pre-delivery Inspec	tion)		
						Rest Tranche 2 & 3: - Non-PDI (Inspection at Delivery Stages)				
3.	Annexure-IV	Annexure-IV of FY 2020-21 and 2021-22				Annexure-IV of FY 2021-22 and 2022-23 should be signed				
	& Pg No. 55		ed by Statutory A		by Statutory Auditor/ Practicing Chartered Accountant					
4.	4 (d) and 6.2 (f) & Pg No. 10	have at least to 22 OR 2021-22 and marketing as a manufact quoted in the tapply to regul licensed by DC A permission frall new regulat Only for the Pharmacopoeia	ted products, the wo years i.e. 2020 and 2022-23 of experience of the urer for each regrender. However, ated products who are products to this drugs introduct in the recent pring certificate	0- 21 and 2021- manufacturing particular items gulated product this would not nich have been two years ago. I be required for s effect.	F tv 2 E for the lii p ro	wo years i.e. 20 3 of manufa export/Domest or each regula nis would not a censed by D ermission from egulated produ Only for the dr	od products, the bidder 020-21 and 2021-22 Of acturing and marketicic) of the particular ite ted product quoted in apply to regulated product G (I) in less than m DCG (I) shall be acts to this effect.	R 2021-22 and 2022- ng experience (For ms as a manufacturer the tender. However, ucts which have been two years ago. A required for all new		
	Market standing certificate for previously approved Pharmacopoeia or In house Standards (Export/ Domestic) shall be accepted, as the case may be. For the recently introduced drugs in the county (introduced in the last two years), the requirement for Market standing certificate shall be waived off.				ds previously approved Pharmacopoeia or In house Standar (Export/ Domestic) shall be accepted, as the case may be For the recently introduced drugs in the county (introduct in the last two years), the requirement for Market standing certificate shall be waived off.					

Note: - Above changes will be part of the tender document.

-sd-GM (Procurement)