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,
Chanakyapuri, New Delhi-110021 PHONE -:011-21410905/6, Fax -:011-21410849

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.	As per tender	Tender clause no.	Bidder's Representation	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 manufacturer of the quoted product and having valid own manufacturing license in the indicate pharmacopeia (in technical specification at Annexure IA) and Certificate of Pharmaceutical Product (COPP) as recommended by WHO in any of the pharmacopeia IP/BP/USP. The manufacturing license & COPP should be valid on the date of tender opening packet 1. In case of failure to submit the same, the bid shall not be considered any further. The Tenderer should furnish the domestic Manufacturing License in Form of 25 / 28 issued from State Licensing Authority along with the approval of DCGI in Form of 46/ CT-23 as new drug approved by DCGI. 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.**	4 (c) & 6.2 (c)	The product will complete 4 years from the time of first issuance of license by the CDSCO at the time of closing of the tender. Kindly clarify if submission of domestic Manufacturing License in Form of 25 / 28 issued from State Licensing Authority would be fine.	M/s. Lupin Ltd.	**Amended as: -** Tenderer shall be a manufacturer of the quoted product and having valid own manufacturing license in the indicate pharmacopeia (in technical specification at Annexure IA) and Certificate of Pharmaceutical Product (COPP) as recommended by WHO in any of the pharmacopeia IP/BP/USP/IHS (In House Standard). The manufacturing license & COPP should be valid on the date of tender opening packet 1. In case of failure to submit the same, the bid shall not be considered any further. The Tenderer should furnish the domestic Manufacturing License in Form of 25 / 28 issued from State Licensing Authority along with the approval of DCGI in Form of 46/ CT-23 as new drug approved by DCGI. 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.** For Manufacturing License issued by State Licensing Authority before 08.07.2023, the requirement of CT-23 is mandatory. For Manufacturing License issued after 08.07.2023, only the license issued by State Licensing Authority shall suffice.
			Tenderer shall be a manufacturer of the quoted product and having valid own manufacturing license in the indicate pharmacopeia (in technical specification at Annexure IA) and Certificate of Pharmaceutical Product (COPP) as recommended by WHO in any of the pharmacopeia IP/BP/USP/**IHS (In House Standard).** The manufacturing license & COPP should be valid on the date of tender opening packet 1. In case of failure to submit the same, the bid shall not be considered any further. The Tenderer should furnish the **own** domestic Manufacturing License in Form of 25 / 28 issued from State Licensing Authority along with the approval of DCGI in Form of 46/ CT-23 as new drug approved by DCGI and **IPC (Indian Pharmacopeia Commission) Test report. Reasons- Drugs newly introduced in India and Programme Division NTEP procured first time in India. To establish the quality of the product above mentioned requirement are should be mandatory.** **The Tenderer should furnish the API Manufacturing License along with the approval of DCGI as new drug approved by DCGI and IPC (Indian Pharmacopeia Commission) Test report. To establish the quality source of API.** For drugs that are not available in IP, other official	M/s. J. Duncan Healthcare Pvt. Ltd.	

			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 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 quoted/any TB Drug Supply/Sale/Service order under loan license arrangement shall not be considered.	4 (i) & 6.2 (e)	Tenderer should have supplied 40% of the quoted quantity of same or similar items during the **last three 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 quoted/any TB Drug Supply/Sale/Service order under loan license 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	M/s. J. Duncan Healthcare Pvt. Ltd.	No changes.

			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 etc** Supply/Sale/Service order under loan license arrangement shall not be considered. **OR** 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.**		

			Stipulated tender conditions not required by Any other Govt. Procurement entities.		
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)	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 available in any pharmacopeia.**	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-GMP.
5.	Duly notarized general power of 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.	6.2 (d)	Duly notarized general power 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.	M/s. J. Duncan Healthcare Pvt. Ltd.	Accepted.
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. Duncan Healthcare 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.

			Reasons: - Wider participation for small entities.		
8.	For SCH. I TRANCHE I- 50% 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 180-210 days from the date of issue of LOA. TRANCHE III- 25 % of the total quantity to be delivered within 270-300 days from the date of issue of LOA.	Annexure I- Delivery Schedule	For SCH. I TRANCHE I- 20% of the total quantity to be delivered within 60 days from the date of issue of LOA. TRANCHE II- 30% of the total quantity to be delivered within 61-120 days from the date of issue of LOA. TRANCHE III- 25% of the total quantity to be delivered within 180-210 days from the date of issue of LOA. TRANCHE IV- 25% of the 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.**	M/s. J. Duncan Healthcare Pvt. Ltd.	**Amended as:** TRANCHE I- 35% of the total quantity to be delivered within 90 days from the date of issue of LOA. TRANCHE II- 35% of the total quantity to be delivered within 180-210 days from the date of issue of LOA. TRANCHE III- 30% of the total quantity to be delivered within 270-300 days from the date of issue of LOA.

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

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

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GM (Procurement)

TABLE-B

Pursuant to the Pre-bid meeting discussion held on 05.07.2023, following amendment in the subject tender enquiry is hereby authorized:

<table>
<tr><th>Sr. No.</th><th>Tender Clause No. & Page No.</th><th>As per Tender</th><th>After Amendment</th></tr>
<tr><td>1.</td><td>4 (e) & Pg No. 10</td><td>(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: -
<table>
<tr><th>Schedule</th><th>Amount (in Rs.) for 100% quantity quoted</th><th>Amount (in Rs.) for 50% Quantity quoted</th></tr>
<tr><td>I</td><td>3,60,95,140</td><td>1,80,47,570</td></tr>
</table></td><td>(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: -
<table>
<tr><th>Schedule</th><th>Amount (in Rs.) for 100% quantity quoted</th><th>Amount (in Rs.) for 50% Quantity quoted</th></tr>
<tr><td>I</td><td>72,19,02,797</td><td>36,09,51,400</td></tr>
</table></td></tr>
<tr><td>2.</td><td>Annexure -I & Pg No. 39</td><td>Inspection Methodology (PDI/Non PDI): -

Non-PDI (Inspection at Delivery Stages)</td><td>Inspection Methodology (PDI/Non PDI): -

Tranche I: - PDI (Pre-delivery Inspection)

Rest Tranche 2 & 3: -
Non-PDI (Inspection at Delivery Stages)</td></tr>
<tr><td>3.</td><td>Annexure-IV & Pg No. 55</td><td>Annexure-IV of FY 2020-21 and 2021-22 should be signed by Statutory Auditor</td><td>Annexure-IV of FY 2021-22 and 2022-23 should be signed by Statutory Auditor/ Practicing Chartered Accountant</td></tr>
<tr><td>4.</td><td>4 (d) and 6.2 (f) & Pg No. 10</td><td>For all regulated products, the bidder should have at least two years i.e. 2020- 21and 2021-22 OR 2021-22 and 2022-23 of manufacturing and marketing experience of the particular items as a manufacturer for each regulated product quoted in the tender. However, this would not apply to regulated products which have been licensed by DCG (I) in less than two years ago. A permission from DCG (I) shall be required for all new regulated products to this effect.

Only for the drugs introduced in Indian Pharmacopoeia in the recent past last 2yrs), 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.</td><td>Amended as: -

For all regulated products, the bidder should have at least two years i.e. 2020- 21and 2021-22 OR 2021-22 and 2022-23 of manufacturing and marketing experience (For Export/Domestic) of the particular items as a manufacturer for each regulated product quoted in the tender. However, this would not apply to regulated products which have been licensed by DCG (I) in less than two years ago. A permission from DCG (I) shall be required for all new regulated products to this effect.

Only for the drugs introduced in Indian Pharmacopoeia in the recent past last 2yrs), Market standing certificate for previously approved Pharmacopoeia or In house Standards (Export/ Domestic) shall be accepted, as the case may be.

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</table>

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GM (Procurement)