

**CENTRAL MEDICAL SERVICES SOCIETY**  
Ministry of Health & Family Welfare  
(Autonomous Body under MoHFW, Govt. of India)  
2<sup>nd</sup> Floor, Vishwa Yuvak Kendra, Pandit Uma Shankar Dikshit Road,  
Chanakypuri, New Delhi-110021 PHONE -:011-21410905/6, Fax -:011-21410849

**Date: - 31/08/2023**

**Minutes of Pre-bid Meeting  
For Procurement of Contraceptives for FP**

**GeM Bid Reference No: GEM/2023/B/3813073, dated 10/08/2023**

**Pre-bid Meeting held on 17/08/2023 at 11:00 AM**

1. Following officials were present during the Pre-bid meeting:-

- (i) Mr. D Mohapatra, GM (Finance), CMSS
- (ii) Ms. Anjana, GM (Procurement), CMSS
- (iii) Dr. Govind Bansal, Director, FP
- (iv) Mr. Latief, Consultant, FP
- (v) Mr. Lava Mishra, AGM (Procurement), CMSS
- (vi) Ms. Akanksha Jain, AGM (QA), CMSS

2. Following representatives from prospective bidders were present during the Pre-bid meeting via Zoom meeting:-

Sr. No.	Name of Representative	Name of firm
1	Mr. Vikash Kumar Singh	M/s Recombigen Laboratories
2	Mr. Rohit, Mr. Arpit Jain	M/s Meril Diagnostics
3	Mr. Pravesh Dixit	M/s Oscar Medicare Pvt Ltd
4	Ms. Anju, Mr. Manmohan Tapania	M/s Pregna International Ltd
5	Mr. Hamendra, Mr. Ramnik, Ms. Namita Singh	M/s Corporate Channel

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

Sr. No.	Name of the bidders	
1	M/s Corporate Channels Pvt Ltd	M/s Meril Diagnostics
2	M/s Pregna International Ltd	

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

### Annexure-1

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

Sr. No.	As per tender	Tender clause no. & Pg no.	Bidder's Representation	Bidder's Name	Response/ Clarification
1	Payments for supply will be made only after completion of supply of Items ordered in the individual Purchase Order PROVIDED quality reports are acceptable. The CMSS shall endeavour to make payment within 75 days in respect of items requiring sterility tests and within 60 days in respect of items requiring non-sterility test from the date of submission of invoice or from the date of receipt of material, whichever is later along with all the relevant documents of tender.	17.4 & Pg no. 33	<b>The MSMED Act stipulates that 'in no case the period agreed upon between the supplier and the buyer in writing shall exceed forty-five days from the day of acceptance or the day of deemed acceptance.'</b> Copy of notification is attached (Refer Page no.9). <b>The terms must be amended accordingly, for MSMED Suppliers.</b>	M/s Corporate Channels Pvt Ltd	<b>Clarified as: -</b>  Payments for supply will be made as per the tender terms & conditions. However, best efforts would be made for making early payments to MSE bidders.
2	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.	18.2 & Pg no. 35	The liquidated damages @ 2.5% per week on daily rata basis, for delays in delivery are exorbitant and inflict a crippling blow to the suppliers. It All the Government departments, defence ministry and PSU undertakings typically provision a more reasonable LD of 0.5% per week. The nature of the products, the manufacturing process and the multiple steps in the production process, dependence on external agencies for raw materials, gamma radiation and transportation could always result in some unforeseen delays. The MOHFW also when it was procuring directly maintained an LD of 0.5% per week.  <b>This condition as introduced by CMSS is highly detrimental to the suppliers and gives an impression that CMSS considers it a source of revenue. Hence, LD should be reverted to 0.5% per week.</b>	M/s Corporate Channels Pvt Ltd	No changes.
			2.5% LD per week is very high. Typically, it is 0.1% per day in international tenders, and we request that you to consider the same.	M/s Pregna International Ltd	
3	The applicable EMD amount has been indicated in Annexure-III and is for 100% and 50% quantity of the	9.1 (c), 9.3 (i) & Pg No. 22-23	<b>For Sch II:</b> We are willing to participate for 100% Qty. With EMD of Rs. 11,98,800. The aggregate total amount of EMD is applicable is Rs. 1,991,790. But On GeM portal Payable amount of EMD is reflecting: Rs. 995,895.00 (which is Amount of EMD Payable	M/s Meril Endo Surgery Pvt Ltd	<b>Clarified as:</b>  Kindly submit the EMD as per Annexure-III of tender document.

	<p>schedule. If quoted quantity is anywhere between 50% to 100% of the quantity of schedule, the applicable EMD may be calculated by the tenderer by proportionately reducing the amount applicable to 100% quantity.</p> <p>Offers of the firms submitted without EMD / for a shorter period/lesser amount as demanded will summarily rejected. (if applicable)</p>		<p>(in INR) for 50% quantity.</p> <p>Request you to please correct and amend the amount reflecting on GeM portal and Format for EMD Bank Guarantee.</p> <p><b>For Sch III:</b> We are willing to participate for 100% Qty. With EMD of Rs. 7,92,990. The aggregate total amount of EMD is applicable is Rs. 1,991,790. But On GeM portal Payable amount of EMD is reflecting: Rs. 995,895.00 (which is Amount of EMD Payable (in INR) for 50% quantity.</p> <p>Request you to please correct and amend the amount reflecting on GeM portal and Format for EMD Bank Guarantee.</p>		
4		4 (i) & Pg no. 12	<p>Whether 40% quoted quantity be in each of the last two financial years or in both of the financial years? If both models of IUDs are being quoted for, then whether total supply needs to be consolidated or experience meeting one is okay to be used for the other also?</p>	M/s Pregna International Ltd	<p><b>Clarified as:</b></p> <p>Tenderer should have supplied 40% of the quoted quantity of same or similar items during the last two financial years.</p> <p>The cumulative quantity supplied by the bidder in last two financial years shall be taken for evaluation of each schedule separately.</p>
5	NEAR RELATIVE CERTIFICATE:	5 (XIII) & Pg No. 15	Need this certificate from all directors or authorized signatory can sign?		<p><b>Clarified as:</b></p> <p>Yes, it will be from all Partners/Director etc.</p>
6	12. SECURITY DEPOSIT AND AGREEMENT	12.2 & Pg No. 26	What will be the duration of Bank Guarantees?		Kindly refer tender clause no. 12.2 of tender document.
7		13.5 (iv) & Pg No. 27	– In case the L1 bidder quotes only for 50% quantity, then would the bidder still get 70% and L2 30% or would it be distributed 50:30:20? In case the L1 bidder quotes 60%, then how will the distribution take place?		For clarification, kindly refer tender clause no. 13.5 (iv).
8		14.8	request to include “pandemic”		No changes.
9	16. QUALITY CONTROL	16 & Pg No. 31	In case there is a failure in the testing of the batch, there should be a possibility of re-testing the batch at another approved laboratory and joint testing of the lab and supplier prior to it being declared non-standard.		Adhere to the tender terms & conditions.
10			Increase in supply time for tendered item Sch. No.		Adhere to the

			IV, Sch. No. V and Sch. No. VIII (IUDs and Tubal Ring) to 120 days and request to split the supplies into two lots.		tender terms & conditions.
11			Sch. II IUCD 380A Clause 5 – A batch size of 10,000 units is very small and uneconomical. For our international tenders, we are able to supply a batch size of 100,000 units, we request you to consider the same.		Adhere to the tender terms & conditions.
12			Sch. IV Tubal Rings Annex 12 Clause 5.4.2 – A batch size of 10,000 units is very small and uneconomical. For our international tenders, we are able to supply a batch size of 100,000 units, we request you to consider the same.		Adhere to the tender terms & conditions.
13			Request to allow the usage of label stickers, which would make the devices more compliant to the ISO 7439 standard.		Adhere to the tender terms & conditions.
14			Majority of previous payments against supplied orders are still outstanding. Request you to look into the matter to ensure the payments are cleared in time.		<b>Clarified as: -</b>  Payments for supply will be made as per the tender terms & conditions.

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

-sd/-  
**GM (Procurement)**

## Annexure-2

**In addition to above, following changes are made in the published tender document: -**

Sr. No.	Tender Clause No. & Pg No.	As per tender	After Amendment
1.	4 (f, g) and & Pg No. 11	<p>Tender should not be submitted by the firm/company for the Product(s) for which the firm/ Company has been blacklisted/ banned/ debarred by CMSS/ State Governments/ Central Government/MOH&amp;FW or any of the procurement agencies/Autonomous Bodies under the organisations stated above or if the Firm/Company is debarred as a whole by these organisations or any of its procurement agencies/Autonomous Bodies.</p> <p>Department of Expenditure, Ministry of Finance, GOI vide OM No: F.1/20/2018/PPD dtd. 02.11.2021 has issued guidelines on debarment of firms from bidding. The bidders blacklisted by any firm/company/ CMSS /State Govt. /Central Govt./its drug procuring agencies prior to issuance of DOE OM No: F.1/20/2018/PPD dtd. 02.11.2021 are eligible to bid if:- The blacklisting order has been revised post facto with clearly mentioning of category (i) of OM No: F.1/20/2018/PPD dtd. 02.11.2021 and that the debarment is limited to the issuing ministry/department/ organization only. Such vendors should clearly mention the status of blacklisting in the undertaking to be submitted in compliance with clause 6.1 (t) of tender documents and also attach revised blacklisting order.</p> <p>For blacklisting orders issued after 02.11.2021, the following shall be applicable: -</p> <ul style="list-style-type: none"> <li>• If the blacklisting order is issued by DoE, the bid of blacklisted bidder shall be out rightly rejected.</li> <li>• If the blacklisting order is issued by CPSUs, attached offices/autonomous bodies etc of MoHFW/ Other Ministries/ department and MoHFW/ Other Ministries/ department by written approval has delegated powers under Sr. no. (8) of OM dated 02.11.2021 to such organizations /bodies that the blacklisting is applicable only for the Procurement made by such organization /bodies, the bid of such blacklisted bidders shall be accepted for further evaluation.</li> <li>• In absence of such delegation extended by MoHFW/ Other Ministries/ department, the bid of the blacklisted bidder shall be rejected.</li> </ul>	<p>The bidder should not be blacklisted/ banned/ debarred (as whole) or for the tendered goods by CMSS, MoHFW and Department of Expenditure on the date of tender opening. Aforesaid debarred/banned/blacklisted bidder are not eligible to bid in the tender.</p>
2.	6.2 (x) & Pg	<p>Tenderer should submit an undertaking that <b><i>"I/ We do hereby declare that our firm has not been</i></b></p>	<p>Tenderer should submit an undertaking that <b><i>"I/ We do hereby declare that our firm has not been</i></b></p>

	No. 18	<i>blacklisted/ banned/debarred by CMSS/ State Governments/ Central Government/ MOH&amp;FW or any of the procurement agencies/ Autonomous Bodies under the organizations stated above or the Firm/ Company (as whole) has not been debarred as a whole by these organizations or any of its procurement agencies/ Autonomous Bodies”</i>	<i>blacklisted/ banned/debarred by CMSS, MoHFW and Department of Expenditure or the Firm/ Company (as whole) has not been debarred as a whole by these organizations”</i>																																				
3.	4 (i) and 6.2 (e) & Pg No. 12 and 16	<p>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/practicing chartered accountant of the company on his letter head by certifying the quantities manufactured and marketed in trade, <i>export</i>, 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.</p> <p><b>Similar Items here relate to the following: -</b></p> <table><tr><th>Sch. No.</th><th>Tendered Item</th><th>Similar Item</th></tr><tr><td>I</td><td>Emergency Contraceptive Pills (ECP)</td><td>Any type of OCP or ECP</td></tr><tr><td>II</td><td>IUCD 380 A</td><td>Any type of IUCDs</td></tr><tr><td>III</td><td>IUCD 375</td><td>Any type of IUCDs</td></tr><tr><td>IV</td><td>Tubal Rings</td><td>Tubal Rings</td></tr><tr><td>V</td><td>Pregnancy Test Kits</td><td>Pregnancy Test Kits</td></tr></table> <p><b>Supply/Sale/Service order under loan license arrangement shall not be considered.</b></p>	Sch. No.	Tendered Item	Similar Item	I	Emergency Contraceptive Pills (ECP)	Any type of OCP or ECP	II	IUCD 380 A	Any type of IUCDs	III	IUCD 375	Any type of IUCDs	IV	Tubal Rings	Tubal Rings	V	Pregnancy Test Kits	Pregnancy Test Kits	<p>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/practicing chartered accountant of the company on his letter head by certifying the quantities manufactured and marketed in trade, <i>export</i>, 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.</p> <p><b>Similar Items here relate to the following: -</b></p> <table><tr><th>Sch. No.</th><th>Tendered Item</th><th>Similar Item</th></tr><tr><td>I</td><td>Emergency Contraceptive Pills (ECP)</td><td>Any type of OCP or ECP</td></tr><tr><td>II</td><td>IUCD 380 A</td><td>Any type of IUCDs</td></tr><tr><td>III</td><td>IUCD 375</td><td>Any type of IUCDs</td></tr><tr><td>IV</td><td>Tubal Rings</td><td>Tubal Rings</td></tr><tr><td>V</td><td>Pregnancy Test Kits</td><td>Pregnancy Test Kits</td></tr></table> <p><b>Supply/Sale/Service order under loan license arrangement shall not be considered.</b></p> <p><b>Note:</b> Bidder should submit Purchase order copies along with the copy of GST invoice and E-way bill against the proof of execution of order for every submitted Purchase Order. If GST invoice is not applicable for any Purchase Order, the affidavit to that effect on stamp paper of Rs. 100/- should be submitted.</p> <p>For the supply of export, bidder should submit the copy of invoice, bill of lading/airway bill/any other document issued by custom authority against the proof of execution of order for every submitted Purchase Order.</p>	Sch. No.	Tendered Item	Similar Item	I	Emergency Contraceptive Pills (ECP)	Any type of OCP or ECP	II	IUCD 380 A	Any type of IUCDs	III	IUCD 375	Any type of IUCDs	IV	Tubal Rings	Tubal Rings	V	Pregnancy Test Kits	Pregnancy Test Kits
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**Note: - Apart from above, all other terms & conditions of tender document will remain unchanged.**

-sd/-  
**GM (Procurement)**

**Annexure-3**

**In addition to above, following changes are made in the published tender document: -**

**REVISED CRITICAL DATE SHEET ARE AS UNDER:**

<b>Description</b>	<b>Scheduled date</b>
Bid Submission End Date and Time	11/09/2023 till 03:00 PM
Last date of submission of original documents	11/09/2023 till 03:00 PM
Bid Opening Date and Time	11/09/2023 at 03:30 PM

**Note: - Apart from above, all other terms & conditions of tender document will remain unchanged.**

**-sd/-  
GM (Procurement)**