

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: - 29/09/2023

Minutes of Pre-bid Meeting
For Procurement of Contraceptives for FP (Family Planning)
GeM Bid Reference No: GEM/2023/B/3975465, dated 18/09/2023
Pre-bid Meeting held on 22/09/2023 at 11:00 AM

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

- (i) Dr. Govind Bansal, Director, FP (Family Planning)
- (ii) Mr. D Mohapatra, GM (Finance), CMSS
- (iii) Ms. Anjana, GM (Procurement), CMSS
- (iv) Mr. Latief, Consultant, FP (Family Planning)
- (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. Shirish	M/s Universal Prophylactic Pvt Ltd
2	Mr. Rohit	M/s Phaarmasia Ltd
3	Mr. Sachin Prasad	M/s Cupid Ltd
4	Mr. Himanshu Arora	M/s Anondita Healthcare

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

Sr. No.	Name of the bidders	
1	M/s Universal Prophylactic Pvt Ltd	M/s Phaarmasia Ltd
2	M/s Eskag Pharma Pvt Ltd.	M/s Anondita Healthcare
3	M/s Cupid Ltd	M/s Indus Medicare Pvt Limited
4	M/s MHL Healthcare	

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

TABLE-A**Pre-bid queries raised by the prospective bidders & their Response/Clarification by CMSS**

Sr. No.	Bidder's Representation	Bidder's Name	Response/Clarification
1.	<p>For Sch IV:</p> <p>Tranche 1: 1,00,96,000 Cycles to be delivered between 90 days from the date of issue of LOA</p> <p>Tranche 2: 79,04,000 Cycles to be delivered between 91-180 days from the date of issue of LOA</p> <p>This is to bring to your notice that the printing of packaging materials itself will take 60 to 75 days to deliver the above quantity though we give it to two vendors.</p> <p>1. The reason is printer also to procure the paper and board from their suppliers. No printer keeps paper and board in the stock.</p> <p>2. You should not treat hormonal tab as like other products.</p> <p>3. In view' of the above we request you to: a. Delivery to be extended to 120 days b. For the remaining quantity the delivery date to be extended to 121 to 200 days.</p>	M/s Phaarmasi a Ltd	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
	<p>As per the items supply schedule page no. 41, it is stayed that OCP free supply to be supplied within 90 days 57% of LOA/ PO quantities approx. and balance 43% by next 90 days i. e. by 180 days the supply to be competed. OCP MALA-D and OCP SMO 50% by 90 days and remaining 50% by next 90 days thereby, supply to be completed by 180 days. In-reference to tender clause no 13 where the option remains with CMSS to divide the individual Item quantities by 2/3 parties if the prices are match with L1. We understand in case the quantity divided among 2/3 parties the supply would be made best on your above principal i.e. half of the LOA/ PO placed on a party to be completed on 90 days and balance by subsequent 90 days thereby, the total supply is to be completed within 180 days without liquidated damage as for tender reference clause no 18.</p>	M/s Eskag Pharma Pvt Ltd.	
2.	<p>For Sch V:</p> <p>Tranche 1: 50% quantity to be delivered between 90 days from the date of issue of LOA</p> <p>Tranche 2: 50% quantity to be delivered between 91-180 days from the date of issue of LOA</p> <p>With the same above reason of procuring raw and packaging materials will take 60 to 75 days.</p> <p>view' of the above we request you to:</p> <p>1. Delivery to be extended to 120 days 2. For the remaining quantity the delivery date to be extended to 121 to 200 days.</p>	M/s Phaarmasi a Ltd	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
	<p>As per the items supply schedule page no. 41, it is stayed that OCP free supply to be supplied within 90 days 57% of LOA/ PO quantities approx. and balance 43% by next 90 days i. e. by 180 days the supply to be competed. OCP MALA-D and OCP SMO 50% by 90 days and</p>	M/s Eskag Pharma Pvt Ltd.	

	remaining 50% by next 90 days thereby, supply to be completed by 180 days. In-reference to tender clause no 13 where the option remains with CMSS to divide the individual Item quantities by 2/3 parties if the prices are match with L1. We understand in case the quantity divided among 2/3 parties the supply would be made best on your above principal i.e. half of the LOA/ PO placed on a party to be completed on 90 days and balance by subsequent 90 days thereby, the total supply is to be completed within 180 days without liquidated damage as for tender reference clause no 18.		
3.	As you are aware of we are regular supplier to you prime institution for various OCP brand, we have an experience though mention on your tender clause no. 17, that payment to be made within 60 days from the submission of the bills but we never received our payment beyond 120 days. We request and ensure that the payments are made positively within 60 days from the submission of bills.	M/s Eskag Pharma Pvt Ltd.	Clarified as: - Payments for the supply will be made as per the tender terms & conditions.
4.	We propose and this is our sincere you appeal to your organisation that a tenderer who qualified and their rates are open/declared no further request are to be made for negotiating the prices/ rates thereafter. This clause may be incorporated on the tender document on the amendment.	M/s Eskag Pharma Pvt Ltd.	Clarified as: Kindly adhere to tender terms & conditions.
5.	<p>We would like to inform you that we are participating in the current Tender No. CMSS/PROC/2023-24/FP/045, floated by CMSS on 18.09.2023. Unfortunately, Last time we have been disqualified for very small reason:</p> <p>In the year of 2022, we have not applied for Non-conviction and Market Standing Certificated by CDSCO and it is not possible to get back dated certificate from CDSCO for the last year but we have valid certificate which was issued by CDSCO on 17.07.2021 and validity of this certificate is for 2021-22 and we have current dated certificates issued by CDSCO on 27.03.2023, 29.05.2023 and 31.08.2023.</p> <p>In spite of being we were disqualified by you but we still are getting regular Purchase Order from CMSS of P.O. No. 10282200083, dated: 30.05.2022 and PO No.10282300044, dated – 12.05.2023 which shows our market standing and Non-conviction with you.</p> <p>We have supported you to supply condoms to complete your family planning programme with old rates.</p> <p>We have also given undertakings on Rs.100/- stamp paper for Marketing standing and Non-conviction validity assurance.</p> <p>We are regularly supplying to CMSS at a very reasonable and competitive price with quality of material.</p> <p>Hence we kindly request to you that please give us the relief for this current tender and support.</p>	M/s Universal Prophylactic Pvt Ltd	Clarified as: Kindly adhere to tender terms & conditions.
6.	<p>Technical Specification of Sch II & III:</p> <p>Condoms (Deluxe Nirodh) and Condoms (SMO)</p> <p>Page no 51 Clause no 3 mention Each Deluxe Nirodh (condom) is to be strip packed individually and 5 such strip packed Deluxe Nirodh after keeping in a polythene pouch are to be packed in a 20 wallet in a carton. 40 cartons in a card board box.</p> <p>Page no 52 Clause no 3b mention in second paragraph Each box should contain 40 carton of 30 wallet X 5 nos of Delux Nirodh (i.e 4000 pcs) But it should be 40X30X5 = 6000</p> <p>Page no 52 Clause no 4 mention the wallet should bear a price RS. 3.00 for five condoms (in provided artwork Price printed 5.00 for five</p>	M/s Anondita Healthcare	<p>Clarified as: Kindly adhere to tender terms & conditions.</p> <p>Clarified as: Kindly adhere to tender terms & conditions.</p> <p>Clarified as:</p>

	<p>condoms) Wallet and carton should bear the following printing matter Superior quality, conforming to international standard, electronically tested, lubricated pink coloured condom, subsidized price</p> <p>Note- Kindly clear colour of condom it will be violet or pink in colour</p>		<p>Kindly adhere to tender terms & conditions.</p>
	<p>Page no 51 Clause no 3a mention Size of each strip A Type : Strip size for squeeze pack , 70+ 2mm length X minimum 30 mm width B Type : Strip size for non-squeeze type pack , minimum 54 mm length X minimum 54 mm width</p> <p>Note – in artwork mention type A but as per given specification it comes under B- type packing. Kindly provide details clear.</p> <p>Attached herewith below technical specification (All point is marked)</p>		<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
7.	Marketing Standing Certificate and Non-Conviction Certificate issued by the CDSCO are valid for one year only whereas you have asked for 2 years. Our Manufacturing License shifted from FDA to CDSCO in December 2021 only. Earlier, the Local FDA used to issue us the same. We have the current certificates which are valid on the tender opening dates. Please confirm whether we can enclose the current certificates or the previous ones issued by the local FDA are also required.	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
8.	Is the Artwork gives in the tender is complete or the CMSS will provide some other artwork for approval?	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
9.	Kindly mention the exact validity period for the Performance Bank Guarantees.	M/s Cupid Ltd.	<p>Clarified as:</p> <p>The Performance security will be submitted by the supplier as per tender clause no. 12.2. The validity of the performance security will be 530 days + duration of shelf life of the item in number of days.</p>
10.	What in case the Laboratories takes longer period in testing and sending the test results in case of Pre-Dispatch Inspection (PDI) and resulting in late deliveries of material?	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
11.	Please re-examine the Payment clause at Sl 17.5 and remove the 50% minimum supply clause for initiating the payments.	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
12.	Please confirm that the Delivery Period for SMO brand condoms will commence only after receipt of complete Packaging material (except laminates/foil) in totality, at our factory. Page 41.	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly refer Annexure-I of tender document.</p>
13.	In the packing of Deluxe Nirodh Condoms, the strips are required to be kept in a polybag before putting in the box, page 51, sl(3) but there is no such requirement of polybag in case of Free Supply Condoms. Pl confirm.	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
14.	For Deluxe Condoms packing specifications, we observe some kind of discrepancy as on page 51 specn 3, it is mentioned 5×20 wallets, and on page 52 specn 4, it is mentioned 5×30 wallets whereas on artwork of Deluxe Nirodh Condoms pack, it is mentioned as 5×48 wallets. Pl clarify	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
15.	Please specify the final length and width dimensions of both FS and Deluxe Nirodh Condoms.	M/s Cupid Ltd.	<p>Clarified as:</p> <p>Kindly adhere to tender terms & conditions.</p>
16.	Please specify whether the foiling is squeezed type or Square type.	M/s Cupid Ltd.	<p>Clarified as:</p>

			Kindly adhere to tender terms & conditions.
17.	Please confirm that the Authorized Signatory of Bid can sign the Near Relative Certificate on behalf of the Directors of the company. Page 14(5 xiii).	M/s Cupid Ltd.	Clarified as: As per tender clause no. 5 (xiii), Authorised signatory of bid may also sign this bid on behalf of the entire directors/ partners/proprietor.
18.	For fulfilling the eligibility clause of 5% manufacturing and marketing in own brand, page 4(j), we can provide Certificate from Chartered Accountant. Sharing of confidential documents like Purchase Orders is not feasible. We can provide them later in person for confirmation. Please confirm.	M/s Cupid Ltd.	Clarified as: Kindly adhere to tender terms & conditions.
19.	Eligibility Criteria para (H) and para (J) require purchase orders/invoices for quantity of condoms. The Purchase orders/Invoices have confidential information like Rates, prices, buyers' information etc. If these are somehow leaked to competitors, we will suffer significant commercial damage. Most buyers have confidentiality agreement that prevent us from giving this information to third parties. We can provide certificate from Chartered Accountant as required.	M/s Indus Medicare Pvt Limited	Clarified as: Kindly adhere to tender terms & conditions.
20.	The requirement of delivery (Para 143, Page 28) within 60 days is unreasonable, given the large quantity of the tender. Since the requirement is for multi -year quantity, the delivery date should be extended to 180 days to ensure smooth receipt and distribution of the product.	M/s Indus Medicare Pvt Limited	Clarified as: Kindly adhere to tender terms & conditions.
21.	The payment terms (Page 33 para 174). of 60 days after completion of all orders is unreasonable given the large quantity of procurement. Payment should be made as per supply within 30 days to ensure smooth cash flow and supply.	M/s Indus Medicare Pvt Limited	Clarified as: - Payments for the supply will be made as per the tender terms & conditions.
22.	The supply period of all the schedule should increase by 60 days overall versus the last tender published for the condoms as the quantities have been increased by more than 20-40% (deluxe and SMO). It is unfair to merge and increase quantities for this tender and keep the same supply period. It contraindicates the clauses of installed capacity and makes it difficult for MSME units to manufacture products in such a short supply period.	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.
23.	In the tender document, it is mentioned that the least 50% of supplies is to be completed before invoices can be submitted for the payments and then only the payment will be released that too after 60 days of submission of all the invoices, GR, receipt of goods from warehouse, etc. First, the MSME ministry has instructions as per the latest circular to all government procurement agencies to settle the invoice payment within 45 days. Secondly, bidder/manufactures should not be responsible for delay in getting signed receipt of goods received at various warehouses as they are spread out pan-India. The manufacturer doesn't have resources to collect these receipts from every warehouse across India. The manufacturer should be allowed to submit invoice, GR, other supporting documents which are in their capacity at the time of dispatch to the CMSS office in New Delhi. Any delays from local warehouse should not make manufacturer liable and delay in their payments.	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.
24.	Manufacturers should be allowed to submit invoices after every dispatch or monthly so that the payment realization period can decrease. As per the current payment period, almost whole supplies must be completed (considering 50% supplies to be done in first 90 days and then wait another 60-90 days for payment processing) before any payment will be released. This makes it extremely difficult financially for manufacturers, especially the MSME units	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.
25.	In the tender document, the LD clause is for 2.5% per week. Any foreseen delay can lead up to significant LD charges which can be more than overall gross profit of the supplying of tender products. In the past,	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms &

	the LD charges were limited to 0.5% which still makes manufacturer accountable for delay and keep the charges reasonable. Also, the LD charges should be based on the pending order value and not on the total PO value. The clause 18.2 (page 35) needs to be revised.		conditions.
26.	CMSS should not ask for any Purchase order or invoices copies as it contains confidential information of the business, and any misuse can cause affect to bidders. CA certified letter/document should be enough to address any item.	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.
27.	Non-Conviction certificate: Criteria and explanation around non-conviction certificate is not clear. Previously issued non-conviction certificates by State Drug Authorities covers past 3 years of period from date of issue and was not only applicable for the same FY. This point contraindicates the content of the letter issued by Drug Authorities in the past.	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.
28.	Clause 16- Quality Control- Wherever the Pre-Dispatch Inspection is applicable, the timelines for this should be additional to supply period timelines. The pre-dispatch timelines and any activities related to it should be additional and manufacturers shouldn't be liable for any delayed caused by it.	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.
29.	On Page 51- TYPE A pack denotes squeeze pack and TYPE B pack denotes square pack. Whereas on the Deluxe carton artwork as mentioned on page 73 and Free supply artwork as mentioned on page 68, it is mentioned as TYPE ASQUARE PACK which is contradictory to the text. We feel artwork image attached should be reviewed again by program division.	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.
30.	On Page 43 (Annex 3)- Condom Specification mentioned as Schedule R, whereas on Page 52 carton marking details under 3c CONFIRMING TO INTERNATIONAL QUALITY where condom specification is as per ISO 4074. Either the condom specification to be change to ISO 1074 or marking point identified to be removed as Schedule R is not a valid standard as on date.	M/s MHL Healthcare Limited	Clarified as: Kindly adhere to tender terms & conditions.

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

**Sd/-
GM (Procurement)**

TABLE-B

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

Revised CRITICAL DATE SHEET

Bid Document Download End Date & time	10/10/2023 till 03:00 PM
Bid Submission End Date and Time	10/10/2023 till 03:00 PM
Last date of submission of original documents	10/10/2023 till 03:00 PM
Bid Opening Date and Time	10/10/2023 at 03:30 PM

**Sd/-
GM (Procurement)**