



No. SO (PM&I) 2-1/2020-21/CRC(Health-Inst.)

**GOVERNMENT OF SINDH
HEALTH DEPARTMENT**

(PROCUREMENT MONITORING & INSPECTION)

Karachi, Dated, the 17th June, 2021

To,

01. The Medical Superintendent, Peoples Medical College Hospital Nawabshah (BIUT).
02. The Medical Superintendent, Sindh Govt. Lyari General Hospital Karachi.
03. The Medical Superintendent, Service Hospital Karachi.
04. The Medical Superintendent, Sindh Govt. Hospital Saudabad Karachi.
05. The District Health Officer, Khairpur.
06. The District Health Officer, Naushero Feroze.
07. The District Health Officer, Dadu.
08. The District Health Officer, Kamber Shahdadt.

Sub: MINUTES OF THE MEETING OF COMPLAINT REDRESSAL COMMITTEE (CRC) HELD ON 08-06-2021 UNDER THE CHAIRMANSHIP OF SECRETARY HEALTH DEPT, GOVT OF SINDH.

I am directed to inform that a meeting of Complaint Redressal Committee was held under the chairmanship of Secretary, Health Department, Government of Sindh, Karachi on 08.06.2021 to examine & address the complaints received against the tenders for procurement of Machinery Equipment for the year 2020-21. A copy of the minutes of meeting of CRC duly approved and signed containing the decision taken by the CRC is enclosed herewith for further necessary action in the matter.

SECTION OFFICER (PM&I)

C.C to:

- ✓ The Managing Director, Sindh Public Procurement Regulatory Authority, Karachi.
- All Members of the Committee for information.
- The complainant _____.
- The P.S. to Minister Health, Sindh.
- The P.S to Secretary Health Sindh.

SECTION OFFICER (PM&I)

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MINUTES OF THE MEETING OF
COMPLAINT REDRESSAL COMMITTEE (CRC)
HELD ON: 08.06.2021

The meeting of Complaint Redressal Committee (CRC) was held on 08.06.2021 under the Chairmanship of Secretary Health, Govt. of Sindh to review complaints received from aggrieved bidder against technical / financial evaluation finalised by the Procurement Committee against Tender invited by the various Health Institutions, during the financial year 2020-21.

The following members of the committee attended the meetings:

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| 1) | Dr. Kazim Hussain Jatoi Secretary Health, Government of Sindh. | Chairman |
| 2) | Professor Dr. Azra Saleem, Professor of Pharma SMBBMC Lyari, Karachi. | Member |
| 3) | Dr. Sikander Qureshi Head and Dean Medicine & Allied, SMBBMC Lyari, Karachi. | Member |
| 4) | Dr. Ali Sheer Khaskheli Asstt. Professor of Surgery, SMBBMC Lyari, Karachi. | Member |
| 5) | Mr. Naem Liaquat, Assistant Accounts Officer. Representative of Accountant General Sindh, Karachi. | Member |

All representatives of procuring agencies and the complainants were attended the meeting. The representative of respective firms explained their complaints / grievances in detail before the Committee and produced relevant record in support of their complaints. The representatives of concerned procuring agencies justified briefly for each complaint which have also provided in working paper.

The Committee examined and discussed the complaints and justification of Procuring Agencies thoroughly and after exhaustive discussion, deliberation on each point and examination of all related record, unanimously decided as under:

| S.NO. | NAME OF COMPLAINANT WITH THEIR GRIEVANCE | JUSTIFICATION OF PROCURING AGENCY | DECISION OF CRC | | | | | | | | | | | | | | | | | | | | | | | | |
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| 01. Services Hospital Karachi. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 01. | <p><u>M/s. Links Communication System, Karachi.</u></p> <p><u>Item No. 08</u></p> <p>Representative of M/s. Links Communication has submitted as under:</p> <p>Grievance:</p> <p>They requested that to check the quoted model by all the three firms.</p> <p>As per tender specifications Item No. 8. Auto referectometer along with karetemeter clearly mention in the specifications "Auto Tracking Auto Shot".</p> <p>They quoted 100% Match</p> | <p>The representative of Services Hosp. Karachi (Procuring Agency) submitted working paper before CRC which provided:</p> <p><u>Sr. No. 08</u></p> <p><u>Item Name: Auto referectometer along with karetemeter:</u></p> <table><tr><th>S. N O</th><th>Specific ation As Per Tender</th><th>1 M/s Radlan t Medic al (Pvt) Ltd</th><th>2 M/S Jasn i Eclentl fics</th><th>3 M/s Links Comm unicati on</th><th>3 M/s Amaet Dir Instru ments</th></tr><tr><td>8</td><td>- Auto Trackin g and Auto Shot</td><td>Not Menti oned</td><td>Yes</td><td>Yes</td><td>Not menti oned</td></tr><tr><td colspan="2">REMARKS</td><td>Accept ed</td><td>Accept ed</td><td>Accept ed</td><td>Accept ed</td></tr><tr><td colspan="2">QUALIFIED/ DISQUALIFIED</td><td>Qualifie d</td><td>Qualifie d</td><td>Qualifie d</td><td>Qualifie d</td></tr></table> | S. N O | Specific ation As Per Tender | 1 M/s Radlan t Medic al (Pvt) Ltd | 2 M/S Jasn i Eclentl fics | 3 M/s Links Comm unicati on | 3 M/s Amaet Dir Instru ments | 8 | - Auto Trackin g and Auto Shot | Not Menti oned | Yes | Yes | Not menti oned | REMARKS | | Accept ed | Accept ed | Accept ed | Accept ed | QUALIFIED/ DISQUALIFIED | | Qualifie d | Qualifie d | Qualifie d | Qualifie d | <p>After due deliberation, CRC unanimously decided that the observation of complainant's justified and the specifications of Auto Tracking Auto Short mentioned in the tender, however, the technical committee considered it minor deviation. The complainant have right to give its offer without said spec. Medical Superintendent, Services Hospital Karachi (Procuring Agency) shall take action accordingly.</p> |
| S. N O | Specific ation As Per Tender | 1 M/s Radlan t Medic al (Pvt) Ltd | 2 M/S Jasn i Eclentl fics | 3 M/s Links Comm unicati on | 3 M/s Amaet Dir Instru ments | | | | | | | | | | | | | | | | | | | | | | |
| 8 | - Auto Trackin g and Auto Shot | Not Menti oned | Yes | Yes | Not menti oned | | | | | | | | | | | | | | | | | | | | | | |
| REMARKS | | Accept ed | Accept ed | Accept ed | Accept ed | | | | | | | | | | | | | | | | | | | | | | |
| QUALIFIED/ DISQUALIFIED | | Qualifie d | Qualifie d | Qualifie d | Qualifie d | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>with required specification but the others companies quoted low grade specification mode & technical committee technically graded all it is the completely violation of Rule-46(2)(g) of SPPRA Rules 2010.</p> <p>They also inform that the tender was submitting on 28th April 2021 & financial opened on 11th May 2021. In between they have tried to contact with tender authorities to ask about comparative technical evaluation report but they didn't reply. After that opened and uploaded tender on SPPRA website on 23rd May 2021 which is violation of Rule-46(2)(g) of SPPRA Rules 2010.</p> | <p>M/s. Radiant Medical (Pvt) Ltd. M/s. Ameer Din Instruments M/s. Links Communication & M/s. Jasani Scientifics, technically qualified & accepted on the basis of minor deviation, hence the CPC decided & opened the financial bids of qualified bidders. Intimation for opening of financial bids were provided through telephonically to all bidders including complainant & also generate & letter No. MS.SHK/-3252/- dated: 06.05.2021 which attached on the Notice Board of the Hospital till financial opening. Hence, Office of the M.S. Services Hospital Karachi has not received any communication/ correspondence in regard with comparative technical evaluation report from M/s. Links Communication System. Hence, the grievance of the complainant is not sustainable.</p> <p><u>CRC OBSERVATIONS:</u> CRC while reviewing the record, it is noticed that two bides not provided Auto Tracking and Auto Shot, required in the technical specification but both were approved by the technical / procurement committee on minor deviations, but on taking technical views of experts, CRC noticed that said features is essential if required in the specification.</p> | |

2. DHO, Nausher Feroze.

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| 01. | <p><u>M/s. Mushtaq & Sons Hyderabad.</u> Representative of M/s. Mushtaq & Sons Hyderabad has submitted as under:</p> <p>As per technical evaluation of tender all the documents which were mandatory attached with the technical proposal. At the time of evaluation they received call from DHO, Naushero Feroze</p> | <p>The District Health Officer, Naushero Feroze / Procuring Agency submitted working paper before CRC which provided:</p> <p>The firm was disqualified due to non providing of mandatory documents i.e. 1. DRAP License. 2. Bank Account maintenance Certificate, 3. Workshop for after sales services, 4. Product Technical Data Sheet & ISO13485 of manufacturer.</p> | <p>Inview of the justification provided by the Procuring agency, CRC decided that the complainant's complaint is baseless, hence rejected.</p> |
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| | <p>office and they asked for PEC Certificated and told them that PEC Certificate is not applicable in this tender other than that they verified regarding all other documents and the person who is evaluating technical files told us that all documents are attached. If they qualify in technical evaluation the rates are quoted in all items very low compare to other companies and that will be in favour of Government as in public interest.</p> <p>Most importantly many companies which are qualified in this technical evaluation haven't got mandatory documents, they had provided challans which are not acceptable in tender because it is not mentioned anywhere in tender documents and how come a challan acceptable in any tender as challan can be submitted by anyone.</p> | <p>Bidder was contacted for clarification of the address of workshop and backup service because the address was not mentioned in the technical bid documents.</p> <p>It is already clarified in the reply of Para No. 1, it is further added that it is not only about quoting the lowest prices, we need quality equipment with warranty and backup services. The bidder has not provided mandatory documents.</p> <p>All bids were evaluated as per requirement of Rule-42(1) of SPP Rules.</p> <p>CRC OBSERVATIONS:</p> <p>While examination of complaint and reviewing relevant record produced by the procuring agency, CRC noticed that the complainant not provided requisite mandatory documents e.g. DRAP License, Details of Workshop and address, Bank certificate and ISOs required, hence P.C. not approved their offer accordingly.</p> | |
| 3. DHO, Dadu. | | | |
| 01. | <p><u>M/s. Musthaq & Sons Hyd. Grievances:</u></p> <p>Representative of M/s. Mushtaq & Sons Hyderabad has submitted as under:</p> <p>They firm participated in following items:</p> <p>27. Biochemistry Analyzer.</p> <p>29. Ultrasound Machine Portable.</p> <p>41. Sucker Machine.</p> <p>42. Diathermy.</p> <p>53. Baby incubator.</p> <p>67. Emergency OT Light.</p> <p>71. Suction Heavy Duty.</p> <p>92. Electric Suction.</p> <p>As per the Technical and financial evaluation all the</p> | <p>The Mushtaq & Sons / Procuring Agency submitted signed working paper before CRC which provided:</p> <p>Item No.27: Biochemistry Analyzer) The Bidder did not submit Authorization letter of BioSystem, mfr. of quoted items according to Point 8 of Terms & condition of tender documents which is lead to disqualification of bidder.</p> <p>Item No.29 (Ultrasound Machine)</p> <p>Item No. 41 (Suction Machine)</p> <p>Item No. 71 (Suction Machine)</p> <p>Item No. 92: Electric Suction The Bidder did not submit Authorization letter of Chison & CAMI. mfr of quoted items according to Point number 8 of Terms & Conditions of tender documents, which leads to disqualification of bidder.</p> <p>Item No. 42 (Diathermy Machine)</p> | <p>Inview of the justification provided by the Procuring agency, CRC noticed that the complainant not provided mandatory documents as per requirement of tender, hence CRC decided that the complainant's complaint is baseless, and rejected.</p> |

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| | <p>mandatory documents were attached with Technical proposal which is why all the manufacturer companies they had quoted was approved i.e. item No. 74 (manf: MDX USA), 94 (manf: Paramed AG) and 106 (manf: CA-MI Sri) that clearly shows that in technical evaluation mistakenly the above mentioned items were not approved which are having same manufacturers also in Item No. 27 Bio Chemistry analyzer all the mandatory documents were attached in technical proposal and the rates are also low compare to the winning company. They further requested to the matter under the SPP Rules 2010 to make fair evaluation.</p> | <p><u>Item No. 67: Emergency O.T Light)</u> The Bidder did not submit Authorization letter of MDX USA, manufacturer of quoted items according to Point number 8 of Terms & Conditions of tender documents, which leads to disqualification of bidder.</p> <p><u>Item No. 53 (Baby Incubator quoted of paramed AG)</u> The Bidder did not submit Authorization letter of Paramed AG, manufacturer of items according to Point number B of Terms & Conditions of tender documents, leads to disqualification of bidder.</p> <p>Submission of PEC Registration, DRAP License to import medical devices and Authority letter are mentioned in the bid documents as mandatory documents in the in the Document Checklist point numbers 12,13 and 20.</p> <p><u>CRC OBSERVATIONS:</u> While examination of complaint and reviewing relevant record produced by the procuring agency, CRC noticed that the complainant not provided requisite mandatory documents e.g. DRAP License, Details of Workshop and address, Bank certificate and ISOs required, hence P.C. not approved their offer accordingly.</p> | |
| 4. DHO, Khairpur. | | | |
| 01. | <p><u>M/s. Musthaq & Sons Hyd.</u> Representative of M/s. Mushtaq & Sons has not attended the meeting of CRC for DHO Khairpur tender. Moreover, while reviewing their complaint it is observed that as per tender document it requires DRAP certificate of importer Company and they have attached the DRAP certificate of all the importer companies they had quoted. They also pointed out in the complaint that they are</p> | <p>The Mushtaq & Sons / Procuring Agency submitted working paper before CRC which provided: As per Tender document it requires DRAP Certificate but M/s. Mushtaq & Sons has not attached / provided their DRAP Certificate, only provided Paid Challan of another company. M/s. Mushtaque Sons disqualified in Tender of Machinery / Equipment by the Technical Committee due to not provided DRAP Certificate & PEC Registration Certificate but they are Qualified in Tender of Furniture / Fixture in which they were second lowest.</p> | <p>In view of the justification provided by the Procuring agency, CRC decided that the complainant's complaint is baseless, hence rejected.</p> |

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| 02. | <p>qualified in Furniture items. Furniture and Machinery is in the same Tender but in Technical & Financial Evaluation Mushtaque & Son's is not there although they had quoted this item and their rates are very low compare to the winning company.</p> <p><u>M/s. Biotech Services Karachi.</u></p> <p>Representative of M/s. Biotech Services Karachi has submitted as under:</p> <p>In Tender Specification asking for B/Z Mode. B mode & Zoom Mode simultaneously display which is helpful for comparison. It is not available in E2 Expert Sonoscape.</p> <p>In Tender Specification asking for A Mode indicate the intensity of echo signals by easy operation. A Mode is very useful to check and to differentiate among the densities of different tissues / Organs. It also help in eye scanning for biometry. This feature is not available in EZ Expert Sonoscape.</p> <p>The Japan Origin fulfils the higher standards of durability and quality having well-repute and time tested, while Chinese brands is not well-reputed and time tested.</p> | <p><u>CRC OBSERVATIONS:</u></p> <p>CRC noticed that the complainant not attended the meeting of CRC for this tender. Moreover they have not provided requisite mandatory documents hence their offer for Machinery / Equipments was not approved but they were considered in Furniture tender.</p> <p><u>M/s. Biotech Services Karachi.</u></p> <p>It is to bring into your information that the quoted model E2 Expert Sonoscape Ultrasound Machine by M/s Bios is meeting the required specifications of B/Z mode which is the basic mode in all the sonoscape models. Which can simultaneously zoom up to 10x.</p> <p>Since the advancement of BIZ mode and color flow mode in the quoted model the absence of A mode not considered by the Technical Committee.</p> <p>The quoted model of Ultrasound Machine E2 Expert Sonoscape has certifications of United States Food and Drug Administration (FDA) approval, conformity with the European Health, Safety and environmental protection standards (CE) as well as valid certification of ISO 13485. These certifications can be verified online.</p> <p><u>CRC Observations:</u></p> <p>CRC noticed that the this complaint was already discussed in the CRC for tender of Director General Health Services Sindh, Hyderabad held on: 03.6.2021, hence the status and decision of the complaint will be the same.</p> | <p>CRC after examination of complaint & justification of Procuring Agency and discussion in the meeting of CRC held on 03.6.2021 upheld the decision that the complainant's reservation are seems correct, hence, accepted. Procuring Agency shall take action, accordingly.</p> |


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| 5. Sindh Govt. Lyari General Hosp. Kar. | | | |
| 01. | M/s. Platinum Corporation Representative of M/s. Platinum Corporation attended the meeting and informed that they have withdrawn their complaint. | The Procurement Officer, Sind Govt. Lyari General Hospital Karachi submitted letter No. PF (/ LGHK/ 3005 / 09 dated: 07.06.2021 in which the Medical Superintendent, S.G. Lyari General Hospital Karachi informed that the all three complainants has withdrawn their complaints, hence, need no action. | Due to withdrawal of grievances by all three complainants, the CRC decided no action in the matter. |
| 02. | M/s. Biotech Services Karachi. a. Trauma Centre. b. Tender for various department of Lyari General Hospital Karachi. Representative of M/s. Biotech Services attended meeting and informed that they have withdrawn their complaint on all items. | | |
| 03. | M/s. Popular Int. Karachi. Representative of M/s. Popular International not attended the meeting of CRC. | | |
| 6. PMCH Nawabshah (BIUT). | | | |
| 1. | M/s. Mediquips SMC Kar. | M/s. Mediquips SMC Karachi. The representative of M/s. Medequips found absent, hence not considered before CRC. | CRC after reviewing of record and justification of Procuring Agency decided that the evaluation for Item No.05 was not properly done as per tender specifications/ requirements. For item No.08: CRC upheld the earlier decision of procurement committee as the complaint found baseless. Procuring Agency shall take action, accordingly. |
| 2. | M/s. Hoora Pharma Kar. The representative of M/s. Hoora Pharma provided their grievances as below:- Item 05: Fully Automatic Chemistry Analyzer -Lab Link not a sole Distributor of Elitech in Pakistan as current authorized distributor in Pakistan is Martin Dow. - Elitech mach 5 is not CE/FDA approved. -Quoted System not available in manufacturer website. -Quoted equipment is not installed in Pakistan and M/s. Lab Link don't have Services experience which is mandatory requirements. Item 08: Immune Analyzer -Requirement of based on the Enzyme linked Fluorescent Assay (ELFA) technology but major / biggest centres of | M/s. Hoora Pharma Karachi. The representative of PMC Hospital Nawabshah provided signed copy of justification by the procuring agency, which provides: Item No.05: -M/s. Lab Link is an authorized distributor of Elitech in Pakistan. -Elitech mach 5 is CE/FDA approved. -Website of manufacturer not updated but available in technical proposal. -Quoted equipment is a recent model of Selectra ProM Series. Item 08: Immune Analyzer - As per tender spec, M/s. Global Marketing Services and others have also been accepted based on equivalent technology in all respects. CRC Observation: While reviewing the record and clarification submitted by procuring agency, CRC noticed that: | |


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| | <p>Pakistan are using Chemiluminescent immunoassay CLIA/CMIA. – Specific software linkable with LIS which should be generalized enable easy test launch, data management, result storage and bidirectional interface.</p> <p>-System not easy to use, gives batch or singles test which showing specific manufacturer.</p> | <p>For Item No. 05: M/s. Lab Link was authorized by the manufacturer i.e. Elitech but not Sole Agent. Moreover, quoted model is also not available on manufacturer website and recent model of Slectra ProM Series, which was not installed.</p> <p>For Item No. 08: The procurement Committee accepted the offer of Global Marketing Services and others based on equivalent technology.</p> | |

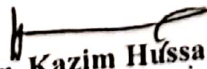
7. Sindh Govt. Hospital Saudabad Karachi.


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| 1. | <p>M/s. Biotech Services Karachi.</p> <p>1) Multi Parameter Monitor. -Approved model OMNI-III of M/s. Bios, FDA, arrhythmia is not approved by FDA where tender required upto 20 arrhythmias, which is very critical feature. Low quality and uncertified arrhythmia detection / analysis could be life saving threatening.</p> <p>2) Defibrillator -Approved model Zoll M2 having max. Energy 200 J whereas in specification required 270 J. -Approved model having Rectilinear Biphasic waveform whereas Biphasic Truncated Exponential required. -Charging time is less than 6 seconds V/s. 05 seconds required. Country of Origin required USA, EUROPE, JAPAN but Zoll M2 is being manufactured in China.</p> | <p>The Medical Superintendent, Sind Govt. Hospital Saudabad, Karachi provided copy of justification provided by the Chairman Central Procurement Committee, which provides:</p> <p>1) Multi Parameter Monitor. -Approved model OMNI-III of M/s. Bios, is meeting the required specification of Arrhythmias Detection. It is already installed at various Teaching Hospitals in Sindh which is certified by the European health, safety and environmental protection standards (CE).</p> <p>2) Defibrillator -Lowest Approved model Zoll M2 was qualified as per American Heart Association Guidelines 2005, circulation (suppl IV) that "the defibrillators which delivers with low energy and high current biphasic shocks have better efficacy at 200J". These guidelines were established after several clinical trials. The said model is approved by the United States Food and Drug Administration (FDA) for safety and efficacy and the certification can be verified online. Therefore, the difference in the specification were not considered as major deviations. Regarding country of origin, it is clearly mentioned in the bid documents that <i>"Manufacturers from other countries (other than USA, Europe or Japan) will be accepted if equivalent has FDA 510K, CE, JIS or JQAO certificates".</i></p> | <p>CRC after examination of complaint and reviewing of record and justification of Procuring Agency, unanimously decided to set aside the complaint and uphold the earlier decision of Central Procurement Committee in both items.</p> |
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| 3. | DHO, Kamber, Shahdadt. | | |
| 1. | <p>M/s. Biotech Services Karachi. Item No. 84 Ultrasound Machine They quoted below two options:</p> <ol style="list-style-type: none"> 1. Model HS2200 Honda – Japan. 2. DUS 60 Edan – China. <p>They stated that their option 2 is not mentioned in both technical and financial evaluation report and Lowest qualified is awarded to Mindray – China without considering their option 2 quoted model. They requested for considering their option 2 model “DUS 60” which is financially lower than Mindray.</p> | <p>The representative of District Health Officer, Kamber. Shahdadt (Procuring Agency) submitted the copy of justification provided by the Chairman Central Procurement Committee, which provides:</p> <p>The bidder M/s. Biotech Services has quoted two options of Ultrasound Machine HS-2200 Honda Japan and DUS 60 Edan China. Quoted rate of HS-2200 Honda Japan is Rs. 1,340,000 and for DUS 60 Edan China Rs.650,000 were mentioned in the financial bid. It is observed that the name of DUS 60 Edan China was missed.</p> <p>Ultrasound Machine is awarded to the lowest qualified brand Mindray China by M/s. Plaitnum at rate of 3,500 US Dollars equivalent to 535,500 Pakistani Rupees at conversion of Rs. 153, on Cost and freight basis. After considering of the quoted rates of DUS 60 Edan China quoted by M/s. Biotech Services there will be no impact on the final results.</p> | <p>Inview of the justification provided by the procuring agency, CRC noticed that after inclusion of option 2 of complainant, there will be no impact on the final results, hence CRC uphold the decision of Procurement Committee accordingly.</p> |


Professor Dr. Azra Saleem
Professor of Pharma SMBBMC
Lyari, Karachi.


Dr. Ali Sheer Khaskheli
Asstt. Professor of Surgery,
SMBBMC Lyari, Karachi


Dr. Kazim Hussain Jatoti
Secretary,
Health Department,
Govt. of Sindh.


Dr. Sikander Qureshi
Head and Dean Medicine & Allied,
SMBBMC Lyari, Karachi.


Mr. Naeem Liaquat
Assistant Accounts Officer.
Representative of Accountant
General Sindh, Karachi