No. SO (PM&I) 2-1/2022-23/HPC-CRC/01

GOVERNMENT OF SINDH

HEALTH DEPARTMENT

(PROCUREMENT MONITORING & INSPECTION)

Karachi, Dated, the 26th January 2023

The Managing Director,
Sindh Public Procurement Regulatory Authority,
Karachi.

Sub: MINUTES OF THE MEETING OF COMPLAINT REDRESSAL COMMITTEE (CRC) HELD ON 16.01.2023 FOR TENDER NO. 01(B), 01(C), 01(E), 01(F), 01(G), T-3, T-5 & T-7.

I am directed to enclose here with a copy of minutes of the meetings of Complaint Redressal Committee (CRC) held on 16.01.2023 under the Chairmanship of Special Secretary (Dev.) Health Department, Sindh for further necessary action. The same has already been hoisted on Authorities website dated: 26.01.2023 (copy attached).

26/01/2023

(ZULFIQAR ALI DARS)
SECTION OFFICER (PM&I)

C.C to:

1) The Chairman, Health Procurement Committee (HPC)/ Vice Chancellor, JSMU,Karachi.
2) The Complainants (All) M/s. _____ along-with a copy of minutes of the meeting of CRC for information.
3) The P.S. to Minister Health Sindh.
4) The P.S to Secretary Health, Govt. of Sindh Karachi.

SECTION OFFICER (PM&I)

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31.1.23

GOVERNMENT OF SINDH PM & I CELL HEALTH DEPARTMENT

Put-up for Hoisting SPPRA Website

11/2

AD(CI)

SPPRA INWARD DIARY
NO: 1679
DATED: 30/1/23

Minutes of the meeting of Complaint Redressal Committee (CRC) for Tender No. 01(B), 1(C), 1(E), 1(F), 1(G), 03, 05, 07 and Tender No. 02 : ICT Kits & CLIA Kits. Tender No. 03 Machinery Equipment (CDC-II) Hepatitis held on: 16.01.2023

A meeting of Complaint Redressal Committee was held on: 16.01.2023 under the Chairmanship of Special Secretary (Dev.), Health Department, Govt. of Sindh, in connection with Complaints received from aggrieved bidders against technical / financial evaluation finalized by the Technical Experts Committee/ Health Procurement Committee (HPC) invited by Health Department under Frame Work Contract System for the year 2022-23.

Following members of the committee attended the meeting:

1)	Dr. Badar-ud-Din Shaikh Special Secretary (Dev.), Health Department, Govt. of Sindh, Karachi.	Chairman
2)	Prof. Dr. Badar F. Zubari, Professor of Medicine, DUHS, Karachi. Independent professional from the relevant field (Professor of Medicine/Surgery).	Member
3)	Mr.UsmanKhalid Accounts Officer, Representative of Accountant General Sindh, Karachi.	Member

Complaint Redressal Committee meeting was called in light of Rule-31 of SPP Rules-2010 (Amended up-to-date) which empowers the committee:

Rule-31(4). The Complaint Redressal Committee upon receiving a complaint from an aggrieved bidder may, if satisfied;

(a) Prohibit the procurement committee from acting or deciding in a manner, inconsistent with these rules and regulations;

(b) Annul in whole or in part, any unauthorized act or decision of the procurement committee; and provided while re-issuing tenders, the procuring agency may change the specifications and other contents of bidding documents, as deemed appropriate.

(bb) recommend to the Head of Department that the case be declared a mis-procurement if material violation of Act, Rules, Regulations, Orders, Instructions or any other law relating to public procurement, has been established; and

(c) reverse any decision of the procurement committee or substitute its own decision for such a decision;

Provided that the complaint redressal committee shall not make any decision to award the contract.

Representatives of the aggrieved firms / bidders attended the meeting and explained their complaints/grievances in details before the committee. The committee examined and discussed the complaint thoroughly and decided as under:

Tender No. 01(B), 1(C), 1(E), 1(F), 1(G), 03, 05, & 07.

S.#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
01.	**M/S. HASSAN DISTRIBUTION:** a) **Tender No.01(B) Drugs / Medicines (Plasma Expander & Large Volume Parenteral)** The have informed that they quoted products of M/s. Pacific Pharmaceuticals, which was technically qualified and become lowest in following products but marks were not shown in the Comparative Statement for item No. T1-B-028. They stated that it is a single quoted product but did not one because according to statement, some of documents are missing. They requested to recheck their bid and award these products to them.	Expert Committee Pharma Re-reviewed the documents and it is found that the Item No. T1-B-028 i.e. Hartman's Solution 500ml is essential medicine and Single Quoted and attains passing marks.	Representative of M/s.Hassan Distribution attended the meeting and presented the grievance of the firm informing that in tender 1-B (Plasma expander and large volume parenteral) that the manufacturer secured qualifying marks in single item code as T1-B-028 (Hartman's Solution) and also submitted relevant documents in lieu of compliant. The Committee heard the grievances of M/s. Hassan Distribution at length and also perused justification given by Technical Committee Pharma. The Committee endorsed the grievances of M/s.Hassan Distribution and decided to refer back to Health Procurement Committee (HPC) for review.
	b) **Tender No.07 (X-Ray films / Chemicals etc.)** They state that they have quoted item No. 38 (T7-X-038) Ultrasound Gel of M/s. Stancos Pvt. Ltd. and provided / given all related documents but marks were not given, despite that our rates are very much lower than the successful bidder.	Expert Committee Pharma re-reviewed the documents and found that the List of Technical Staff was overlooked due to the wrong pagination and indexing in Technical Bid. 04 marks may be given to the bidder for having Technical Staff	In tender No 7 for item No (T7-X-038) the bidder claimed that in BER reports 4 marks of Technical Staff was found missing which required to be allocated on the basis of already submitted documents. The CRC observed though the justification given by Technical

			Committee Pharma is clear, the winning bidder (M/s.Shamim & Co.) raised certain observations on the complaint of M/s. Hassan Distribution. Hence, the committee decided to refer back the matter to Health Procurement Committee (HPC) for re-evaluation / confirmation from record taking into the consideration of the points raised by M/s. Shamim & Co. during CRC meeting.
	c) <u>Tender No.05 (Vaccine / Immunoglobulin / Antiviral / Hepatitis Drugs)</u> They state that they have quoted Item No. 07 (T5-V-045) M/s. Ferozsons Laboratories. and provided / given all related documents but marks were not given, despite that our rates are very much lower than the successful bidder.	Expert Committee Pharma re-reviewed the documents and found that the marks were given as per the Technical Bid.	The CRC while reviewing justification of Technical Committee Pharma and hearing the grievance of M/s. Hassan Distribution decided to uphold the decision of Health Procurement Committee (HPC).

S.#	NAME OF COMPLAINANT & LIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
02.	**M/S. SAMI PHARMACEUTICALS:** **They have submitted their grievances against Item No.77 (T3-M-002) of Tender No. 03 Oncology Drugs).** They stated that the requisite APQR documents for quoted products were submitted at the time of Tender submission of Tender documents vide their covering letter mentioned at Sr. No. 10(ii) in the Technical proposal so quoted product acquire complete 10 marks (They have attached fresh copies of APQR). They requested to find the documents compliant to the requirements and award the product to them.	Expert Committee Pharma re-reviewed the documents and found that the marks are given as per the available record and technical criteria. **The marks given in APQR criteria is correct.** The firm submitted Product Quality Review instead of Annual Product Quality Review for review period 03 years from May 2019- March 2022. 03 years review period they manufactured 24 batches as per record. According to their record/ technical bid the average batch manufactured per year is 08, which is below the required criteria. The clause 2 for individual product marking criteria stated as below; Annual Product Quality Review (APQR) A) APQR for 25 batches 10 marks B) APQR for 15 batches 07 marks C) APQR for 10 batches 04 marks	The CRC while reviewing justification of Technical Committee Pharma and hearing the grievance of M/s.Sami Pharmaceuticals decided to uphold the decision of Health Procurement Committee (HPC).

#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
03.	**M/S. ROCHE PAKISTAN PVT. LTD:** **Tender No. 03 (Oncology Drugs)** **ITEM: T3-M-017, T3-M-016** M/s. Roche Pakistan has submitted their grievances against above items as under: - According to evaluate criteria for importer point No. 2, APQR for quoted products required. They have submitted the APQR documents of Avastin 100mg in soft & hard copy but marks were not given to them. - According to point 04 bidder submit biosimilar studies for biological or biotech products. They informed the Avastin is a innovators products. They provided copies of DRAP approval for innovation. As per FDA biosimilar studies are valid for biological products which are not innovators or reference product and they will conduct bio similarity studies with head to head trial with innovator product. In this case Avastin M/s. Roche Pakistan has not been given 04 points. They requested to re-check and allocate above marks to their products.	Expert Committee Pharma re-reviewed the documents and found that the marks were given as per available record. - The APQR for Item No. T3-M-017 and T3-M-16 not found in technical bid. That's why marks were not allocated in this criteria. - The DRAP's approval/registration of drugs is not the marking criteria rather is mandatory criteria for all pharmaceuticals including the biologicals in tendering documents. The bidder didn't attach the requisite document in this category. Therefore the marks for biosimilar study/ Clinical trials were not given to the complainant.	The CRC while reviewing justification of Technical Committee Pharma and hearing the grievance of M/s. Roche Pakistan Pvt. Ltd. decided to uphold the decision of Health Procurement Committee (HPC).

#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
04.	**M/S. AGFA PAKISTAN:** **Tender No. 07 (X-RAYS/CHEMICALS/CONTRAST MEDIA & ALLIED ITEMS)** **ITEM: T7-X-012, T7-X-013, T7-X-014, T7-X-015, & T7P-X-016.** They submitted grievances against above items and stated that M/s. Fuji Films is the Importer of Laser films and it been included wrongly in thermal categories, and marks were given to them for experience in public and private sector but these are not justified as well as sample evaluate in the category of thermal films. They also informed that same matter was taken by them in SPPRA last year and same was declared "Mis-procurement" by SPPRA (Copy of decision attached).	Expert Committee Pharma re-reviewed the documents and found that the M/s. Fuji Japan is manufacturer of both thermal/dry film & laser films. (GD attached in technical bid). Further, in the experience criteria of Public & Private Sector the alleged firm i.e. M/s. Fuji submitted the related experience in Technical bid. In Public hospital Experience performance Certificate of Civil Hospital Karachi & GMMCH Sukkur are attached whereas in private sector performance experience of ISRA University Hyderabad& PATEL Hospital are attached. That's why marks were given in this category as per available record.	Representative of M/s.Agfa Pakistan Pvt Ltd and M/s Fuji Film (Winning Firm) attended the meeting. M/s Agfa Pakistan presented the grievance against the M/s Fuji Film (Winning Firm) and their view points as under: • M/s Fuji Film is not a manufacturer of Thermal X-ray Film • M/s Fuji film has no experience of private and public sector Hospital in thermal film/ product relevant experience needs to be checked. M/s Fuji film representative (A winning firm) in thermal films showed documents to the committee informing that since 1983 Fuji film Japan has been manufacturing both thermal as well as laser film and also informed that relevant required experience already submitted in Bid documents. The CRC committee while hearing the views of both parties (M/s. Agfa & M/s. Fuji) decided that the matter may be referred to Prof.Dr.Tariq Mehmood, Head of Department of Radiology, JPMC Karachi who is also member of relevant therapeutic group of Health Procurement Committee (HPC) for his expert opinion.

	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
05.	**M/S. ESSITY PAKISTAN:** **Tender No. 01(E) (COTTON RELATED ITEMS)** **ITEM: T1-E-029 (PLASTER OF PARIS 10cm x 2.7m)** They have submitted that grievances as under: They have quoted flawless cost-effective products but in comparative statement they have not got 10 marks of APQR for above items, which is already attached in the Technical file of Tender having page No. 46 to 48. They requested to re-examine and rectify the same.	Matter may kindly be referred back to the technical committee pharma for re-examination.	The CRC while reviewing justification of Technical Committee Pharma and hearing the grievance of M/s. Essity Pakistan decided to refer the matter to Health Procurement Committee (HPC) for further review / examination.

	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
06.	**M/S. GENESIS INTERNATIONAL:** **Tender No. 01(C) (SYRINGES / I.V. CANNULA / CVP LINES ETC.)** **ITEM: T1-C-018 & T1-C-20.** They stated that they have quoted product of M/s. Teleflex USA and submitted their grievances as under: - In Comparative Statement found mis-calculation in marks given in evaluate criteria C-8. They were given 04 marks whereas, they are qualifying for the max marks as financial capacity is more than 02 billion in last three years. - According to evaluate criteria for Importer at No. 11 • Valid Letter of Authorization of the manufacture abroad (duly attested from Embassy of Pakistan in country of origin or embassy of country of origin in Pakistan not older than one year) Original / True copy attached. Non provision shall lead to disqualification of firm or item. - But M/s. Allmed, does not process valid authorization letter (expired) from Ameco (Amicath). The required to check the same in accordance with above parameter of criteria.	Expert Committee Pharma re-reviewed the documents and found that the marks are given as per available record and technical criteria. • The Financial worth of M/s. UDL (importer of M/s. Teleflex USA is 768 Million, therefore 4 marks were given as per criteria. Marking criteria is attached in the bid document for reference. • Expert Committee Pharma re-reviewed the documents and found that M/s. Allmed has attached the valid letter of authorization dated March 27, 2022 duly embassy attested dated Jun 07, 2022 as per required criteria.	Representative of M/s.Genesis International attended the meeting and presented the grievance of the firm and requested the committee to consider grievance on merit. On other hand, the committee also perused justification provided by Technical Committee Pharma. The Committee was of the view that since M/s. Genesis International has raised certain major issues relating to financial worth and other documents which need to be reviewed meticulously. Hence, the Committee decided to refer back this grievance to Health Procurement Committee (HPC) to re-evaluate / re-assess the bids.
	ITEM: T3-M-106. They stated that they have quoted the product of M/s. Hetero Bio Pharma and submitted all the requisite documents in the Tender but proper marking was not awarded. They requested to re-check it as they are single bidder in the above mentioned products.	Expert Committee Pharma Re-reviewed the documents and it is revealed that the product is not registered with DRAP.	The Committee heard the Representative who informed that the item in question is most essential item of Anticancer and there is no any firm which manufacturing this product. They submitted all documents as required. The Committee decided that matter may be referred back to Technical Expert Committee Pharma for review.

	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
07.	**M/S. SKY PHARMA:** They have submitted grievances on following items of Tenders mentioned below: **TENDER NO. 01(F) (ENDOVASCULAR EQUIPMENT)** **ITEM: T1-F-191 (High pressure three way stop cork)** They stated that High pressure three way stopper is not the same specification rather than in Tender-01 Group (D). T1-D-109 i.e. Plain 3 ways stopcock. In this Tender this is with pressure line sample are provided to verify. They requested to consider their product in Tender No. 01(F), separately.	Expert Committee Pharma re-reviewed that the said item was qualified in Bid Evaluation Report (BER) but dropped with remarks "item repeated in tender 1d in item code T1-D-109. The item T1-F-191 (High pressure three way stop cork) having different specification. The item may be awarded to the successful bidder.	Representative of M/s Sky Pharma attended the meeting and presented the grievance of the firm. The CRC committee decided the matter may be referred to Therapeutic Expert Porf. Dr. Shahriyar Ghazanfar Chairman Committee, for expert views on sample specification and pressure tolerance of quoted item.

S.#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
08.	**M/S. USMANCO INTERNATIONAL:** **Tender No. 01(C) (SYRINGES / I.V. CANNULA / CVP LINES ETC.)** **ITEM: T1-C-012, T1-C-013, T1-C-014 & T1-C-015 (I.V. CANNULA),** They submitted grievances on above items as under: - In certain list for the clause "TURN OVER" each year average for continuous last 03 years, they got less marks. They informed that their average Turnover for three years are 500.79 million but not given accurate marks. - Further, 0 marks given in the Clause "Financial within each year average for continuous last three years (FBR), they clarify that average turnover of 03 years are 633 million, so allocate their marks.	The Complainant has withdrawn his complaint vide letter no. nil dated 12.01.2023.	The Committee did not entertain this Complaint as the Complainant already withdrew his grievances.

	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
09.	**M/S. HAKIMSONS (IMPEX) (PRIVATE) LTD:** They submitted tender-wise grievances as under: **Tender No. 01(B), ITEM: T1-B-001** a) In last three years experiences of 02 private sector hospital (04 marks for each), they submitted experience letter of 03 Tertiary Care Hospitals for above products but they got Zero marks out of 08. b) In the criteria, Pharmaceutical equivalence for large volume parenteral, Human Albumin is a plasma derived biological product, not a Pharmaceutical product and therefore Pharmaceutical equivalence is not applicable here. As per USFDA guidelines, bioavailability and bioequivalence studies are only intended for oral administration and certain non-oral dosage forms like transdermal / rectal and nasal. However, they have submitted clinical data of their product. Being plasma expanders, Human Albumin does not fall in that criteria, but awarded product has got a marks and we received Zero marks. In view of above, 08 marks for experience in private Hospital may be awarded to them and in Pharmaceutical equivalence "0" marks may be awarded to M/s. Popular International "or" they may also be awarded 04 marks. **Tender No. 05, ITEM: T5-V-004 (Anti Rabies Vaccine)** They stated that product "Abhayrab" was awarded to M/s.Huzaifa by CPC on the same ground which were found irregular / false by the SPPRA in the Tender of 2021-22 and declared "Mis-procurement" vide letter dated: 20th April 2022. They further informed that on the decision of SPPRA, M/s. Huzaifa filed a C.P. bearing No. D-2998 of 2022 in which complainant was also made a party, which is still in pending with the reason that M/s. Huzaifa have not filed their reply to counter Affidavit by M/s. Hakimsons showing deliberately delaying the legal process. The product Abhayrab has been given under points, which had been struck down by SPPRA vide above mentioned decision. Moreover, the product can be considered as the Importer M/s. Sindh Medical Stores, has been black listed by the Director General Health	i. Expert Committee Pharma Re-reviewed the documents and it is revealed that no purchase order of private sector was attached. The marks are given as per the available record and Technical Criteria. ii. The available record shown that the complainant did not submit the requisite information in the technical bid whereas successful bidder submit the same that's why the marks are given to successful bidder. We evaluated the bid as per the given criteria not according US/FDA, EMA, MHRA or any other regulatory body. No ISO-17025 was attached with the Manufacturer profile. Moreover, here we didn't require 0.1ml instead 0.5ml/or 1ml dose. Neither we mentioned in bidding document or technical criteria that dose will be calculated on 0.1ml basis. The Item T5-V-004 (Anti Rabies Vaccine) is tendered in current financial year 2022-23 as per SPPRA Rule and evaluated by the Expert Committee Pharma as per the available record and Technical Criteria.	Representative of M/s.Hakimsons (Impex) Private Ltd. attended the meeting informing that the firm has not be given due marks and on other side the winning firm (M/s. Popular International Pvt. Ltd.) had also raised dissatisfaction over the allocated marks. Hence, the committee decided to review the matter, accordingly by Health Procurement Committee (HPC). The Complainant stated that due justice has not been made with the firm. The representative of the firm also made reliance that SPPRA declared mis-procurement of this item and against this M/s.Huzaifa filed CP in last year. The Committee though reviewed the justification of Technical Committee Pharma and decided that the matter need further re-assessment / re-evaluation at the end of Health Procurement Committee (HPC).

	Punjab (copy attached). Moreover, for ISO 17025, they have submitted explanation letter issued by their Principal Company along-with good laboratory practice certificate which fulfils the requirement of ISO 17025. They have also objected on calculation criteria awarded 20 marks to M/s. Huzaifa being lowest bidder but there were two presentation 0.5ml and 1ml. CPC was told in last year that calculation will be done on 0.1 ml criteria. They requested to review the same.		

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10.	**M/S. SAAD SALES & SERVICES:** **Tender No. 01(E) (COTTON RELATED ITEMS)** **ITEM: T1-E-029, T1-E-030** They have submitted grievances for above items and regarding mis-understanding / human error by the department for award of 05 marks instead of 10. They have pointed out that on Table of Contents they were provided copies of Import documents mentioned at Page No. 131 to 140. They requested to award 10 marks instead of 05 marks awarded.	The Source Knauf Plaster Co. Limited Thailand is neither FDA accredited nor fall in RRA countries i.e., USA, Canada, Australia, Japan, UK, France Germany, Netherlands, Switzerland, Austria, Denmark, Sweden, Norway, Europe, Belgium, Finland, Italy, Iceland Spain & WHO. That's why 05 Marks given in this category.	The Committee heard M/s. Saad Sales & Services at length and could not provide any plausible reasons of grievances. On the other hand, the Committee also perused justification of Technical Committee Pharma and found the grievance of M/s. Saad Sales & Services merit less and decided to uphold the decision of Health Procurement Committee (HPC).

S.#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFIACTION BY PHARMA COMMITTEE	CRC PROCEEDINGS
11.	**M/S. B. BRAUN PAKISTAN:** **Tender No. 01(C) (SYRINGES / I.V. CANNULA / CVP LINES ETC.)** **ITEMS: NOT MENTIONED.** They have pointed out that in Comparative Statement, they got "0" marks on column regarding Assets – Liabilities. They have submitted Financial Statement of M/s.B. Braun for the Ten months period ended October 31, 2022 reviewed by their Auditors A.F. Fargauson & Co. Chartered Accountant. On the basis of above information, the position stands at PKR 557 Million, hence, the same may be considered for evaluation.	Expert Committee Pharma Re-reviewed the documents and it is revealed that no financial worth was reflected in FBR Returns/ Audit Report, the marks are given as per available record and technical criteria.	The Committee heard the grievance of M/s.B.Braun Pakistan in detail. The justification provided by Technical Committee Pharma was also taken into consideration. On cross questioning, the representative of M/s.B.Braun also admitted that the firm did not have requisite financial worth in FBR returns. Hence, the Committee decided to uphold the decision of Health Procurement Committee (HPC).

S.#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
12.	**M/S. ONCO PHARMA:** **Tender No. 03 (ONCOLOGY DRUGS)** **ITEMS: T3-M-085, T3-M-020, T3-M-027, T3-M-034, T3-M-075, T3-M-107, T3-M-108, T3-M-109,T3-M-115.** They stated that their offers bonus offers bonus offers was not incorporated in financial. They pointed out bonus offer for following items as under: 1. Ibrance 125mg: The evaluation didn't consider our proposal of 1+5 bonus offer. The average cost per tablet of Pfizer Ibrance is PKR 3230, whereas, the winning bidder price is PKR 7800. 2. Sutent 12.5, 25 and 50mg: The evaluation didn't consider their proposal of 1+3 bonus offer. The average cost per tablet of Pfizer Sutent 12.5mg is PKR 717.5, 25mg is PKR 1465 and 50mg is PKR 2781. 3. Tofacitinib 5mg: The evaluation didn't consider our proposal of 1+2 bonus offer. The average cost per tablet of Pfizer Xeljanz is PKR 589, whereas, the winning bidder price is PKR 1769. They also state that they provided ISO equivalent documentation but they were not consider for Pfizer products. They also stated that Pfizer manufacturing plants are US / FDA, MHRA, EMA & TGA approved and Cova for superiors SOPs compare to ISO. They requested to consider giving ISO point for all Pfizer products as under: **T3-M-085, T3-M-020, T3-M-027, T3-M-034, T3-M-075, T3-M-107, T3-M-108, T3-M-109, T3-M-115.**	Expert Committee Pharma Re-reviewed the documents and it is revealed that the conditional bid is not allowed in SPPRA Rule, the marks are given as per available record and technical criteria. Furthermore, ISOs 9001, 17025 certificates not attached the reliance on ISO equivalent documents not acceptable as per tender criteria.	The Committee patiently heard M/s. Onco Pharma. The representative of the firm made reliance that the firm had quoted bonus offer and submitted ISO equivalent documents against ISOs 9001 and 17025. The Committee also perused justification provided by Technical Committee Pharma and observed that there is no any provision of SPPRA Rules for conditional offer as well as the firm did not have requisite ISO certifications as per tender terms and conditions. Hence, the Committee decided to uphold the decision of Health Procurement Committee (HPC).

S.#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
13.	**M/S. SHAMIM & CO.:** **a) Tender No. 05** They stated that they have quoted procurement of M/s.Getz Pharma which were declared technically "NR" on a wrong pretext and scoring. The grievance are as under: i. Tab. Sofosubavir 400mg Observation / Remarks • PICS – 0 Marks given, deserve 02 Marks. • Technical Staff – 08 Marks given, deserve 10 Marks • Undertaking drugs declare substandard are less than 1% – 0 Marks given, deserve 10 Marks. NR due to not provided SVR data & bio-equivalence study mandatory between 04 M... ii. Tab. Daclatsavir 60mg • PICS – 0 Marks given, deserve 02 Marks. • Technical Staff – 08 Marks given, deserve 10 Marks. • APQR – 04 Marks given, deserve 10 Marks • Primary Ref. Stand – 0 Marks given, deserve 02 Marks. • (CDP) for Oral dosage – 0 Marks given, deserve 04 Marks. They also pointed out that in comparison of current award products v/s. Getz Pharma products, Sindh Govt. paying PKR 51.58 Million extra by unlawfully by not giving above quoted marks.	Expert Committee Pharma Re-reviewed the documents and it is revealed that the Sofosbuvir 400mg was disqualified on the basis of not having FDA accredited source, SVR data and bio-equivalence study. The company was not awarded the marks in technical criteria for not having PICS, 2 Pharmacists having PhD in the field of Pharmacy, less than 15 batches in APQR for Daclatasvir 600mg, bio-equivalence study/ common dissolution profile and evidence of primary reference standard.	M/s Shamim & Co along-with representative of M/s.Getz Pharma attended the meeting and briefed the Committee that the firm has not be given due marks despite having all requisite papers in the bid document. The Committee had also gone through the justification placed by Technical Committee Pharma which was also shared with the firm during meeting discussion. However, M/s. Shamim & Co. was of the view that they have all documentary evidence against quoted Tab. Sofosubvir 400mg and Tab Daclatsvir 60mg. The Chair asked the Technical Committee Pharma to place original bid document before the committee as well as the representative of M/s.Shamim & Co. The CRC observed that due to following grounds M/s. Shamim & Co. were not awarded marks: **Tab Sofosubavir 400mg** ➢ M/s. Getz Pharma (M/s. Shamim & Co. did not have FDA accredited source, SVR data and Bio-equivalence study required under Tender Terms & Condition. Hence, the firm was declared non-responsive.

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
		Tab Daclatsvir 60mg ➢ Two marks required for Technical Staff (Ph.D in Pharmacy, whereas. M/s.Getz Pharma (M/s.Shamim & Co. had only one Ph.D in field of Pharmacy while the second was Ph.D in Environmental Sciences (irrelevant field). ➢ Two marks in PICS were not awarded as the PICS Certification was expired. ➢ Less than 15 batches in Annual Product Quality Review (APQR) against 25 batches per annum, hence, 04 marks due were awarded out of 10 marks. ➢ No / incomplete common dissolution profile and evidence of primary reference standard. The committee also called winning participants who were also of the view that though the firm stands qualified but due marks were not awarded. Keeping in view the above reasons, the Committee decided that the matter may be re-evaluated meticulously and minutely by Health Procurement Committee (HPC).

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
Tender No. 01(E) (COTTON RELATED ITEMS) ITEM: T1-E-049, T1-E-050, T1-E-051, T1-E-052. They pointed out that approved paper Tape size is not 10 yards, as per Tender requirement.	Matter may kindly be referred back to the technical committee pharma for re-examination.	The Committee decided to refer back for re-evaluation / scrutiny of record by Health Procurement Committee (HPC).

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
14. **M/S. HAMZA ENTERPRISES:** **Tender No. 03 (ONCOLOGY DRUGS)** **ITEMS: T3-M-002,** They submitted grievances as under: - 06 marks given in "Source of Active Pharmaceutical Ingredient whereas, source of API is from GEMABIOTECH SAU, Argentina which is enlist in SRA / RRA countries. - "0" marks given in "Primary Reference Standard" whereas they have attached. - In Anti-Cancer Tender M/s. Amgomed, quoted by M/s.Shadani Enterprises, having Financial Soundness 200-399(M), whereas, "8" marks it mean financial soundness is "More than 2 Billion M/s. Amgomed having financial soundness 200-300(M) since year 2006-2021, how it is possible to jump more than 6 Billion in a year. - M/s. Amgomed not having any ISO-9001 & ISO-17025 but marks were given. They requested to verify the documents of M/s. Amgomed.	Expert Committee Pharma re-reviewed the documents and found that the marks are given as per the available record and technical criteria. Furthermore, Argentina does not fall in SRA/RRA Countries i.e., USA, Canada, Australia, Japan UK France Germany Netherlands Switzerland Austria Denmark Sweden Norway Europe Belgium Finland Italy Iceland Spain WHO. Therefore 6 marks were awarded accordingly. In primary reference standard the bidder has failed to attach GD for import.	The CRC while reviewing justification of Technical Committee Pharma and hearing the grievance of M/s. Hamza Enterprises decided to refer matter to Expert Committee for review.

	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
15.	**M/S. M.I. ENTERPRISES:** They stated that as per BER, M/s. Bio Lab Pvt. Ltd. have been allocated 52 score in Tender No. 03, while in Tender No. 05, M/s. Bio Lab allocated Financial Score 43. They requested to correct the score in Tender No. 05.	Matter may kindly be referred back to the technical committee pharma for re-examination at length required detailed rectification.	Representative of M/s. M.I. Enterprises was found absent in the meeting. The Committee observed the non-seriousness of M/s. M.I. Enterprises / Complainant to pursue the grievance by placing documentary position before the Committee if any unjust is committed with the firm. The committee upheld the decision of Health Procurement Committee (HPC) due to non-appearance of Complainant.

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
M/S. KARACHI MEDICAL COMPANY: **TENDER NO. 05 (VACCINE / IMMUNOGLOBULIN)** **ITEM NOs. T5-V-039 & T5-V-040.** They pointed out that anomalies in above mentioned items and informed that they have indexed all required documents with technical bids but may be overlooked. They requested to review the documents and product shall be awarded on merit.	Matter may kindly be referred back to the technical committee pharma for re-examination at length required detailed rectification.	The Complaint Redressal Committee (CRC) observed that M/s. Karachi Medical Co. in its complaint did not mention any particular point of grievance and Committee found the Complaint in general nature. On this point, representative of M/s.Karachi Medical Co. was asked to point out any particular anomalies / points to be addressed at this forum. The Representative did not explain any particular grievance / reservation against which these items are required to be further re-evaluated / re-assessed. Hence, the committee decided to uphold the decision of Health Procurement Committee (HPC).

S.#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
17.	**M/S. MEDIPAK LTD.:** **TENDER NO. 01(B) (PLASMA EXPANDER & LARGE VOLUME PARENTRALS)** **ITEM NOs. T1-B-008, T1-B-036, T1-B-039.** They stated that they are technically qualified with a responsive bid but not selected for three items mentioned above, while another participating bidder named "M/S. Otsuka Pakistan Ltd." through its distributors was qualified by the procuring agency after initially having been marked as 'Dis-qualified/Non-responsive' by Technical Experts Committee Pharma Bid Qualification Report (BQR). They requested to provide an opportunity of in person hearing, as mandate by the principles of natural justice.	The batch manufacturing record for terminal sterilization at 121^0 C was not found in technical bid of M/s. Otsuka Pakistan as per clause 14 of Technical Criteria. The ITEM NOs. T1-B-008, T1-B-036, T1-B-039 need to be awarded accordingly.	Representative of M/s Medipak Ltd attended the meeting and presented the grievance of the firm. The firm claimed that the 121 degree centigrade terminal sterilization is mandatory criteria for the manufacturer qualification whereas, the winning firm (M/s. Otsuka Pak) who had quoted items T1-B-008, T1-B-036 and T1-B-039 has no terminal sterilization at 121 degree Celsius. Hence, M/s. Medipak Ltd. requested for re-examination, accordingly. The Committee also perused justification of Technical Committee Pharma. Moreover, the CRC committee heard the complainant in detail and decided to refer back the same to Technical Expert Committee to Re-review and re-evaluate the same.

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
M/S. ABA ENTERPRISES: **TENDER NO. 01(E) (COTTON RELATED ITEMS)** **ITEM NOs. T1-E-014, T1-E-046,** They stated that the Procurement Committee has awarded various items to M/s. Faisal Pharmaceutical Industries while they are Not Qualified / Not Eligible as per their knowledge, raised following observation: a. That, M/s. Faisal Pharma claimed their Financial Turnover is Rs. 500 million to 1 Billion, but actually has Turnover of Rs. 97.194 Million in financial year 2019-20. That's why they are not eligible for tender (NTN Return and Audit Report are attached as evidence). They were also declared disqualified in financial year 2020-21 Tender due to not securing 70% marks in Matrix-I. b. That, M/s. Faisal Pharma has claimed that the Raw Material (Cotton Wool) of their following Products is accredited with WHO/FDA/RRA Countries, which is not true. No manufacture of Cotton products in Pakistan has used WHO approved raw material. c. That, 2nd Higher Scorer quoted price is lesser than Faisal Pharma and save at-least Rs. 24.47 Million to Govt. Public Exchequer. They have requested that for sake of Public exchequer, merit and transparency, M/s. Faisal Pharma may please be declared as Not Eligible / Disqualified on above mentioned grounds / facts.	M/s. ABA has not pointed out any particular point / grievance for which the firm has been out of race whereas, M/s. Faisal Pharma as per record possess. i. The M/s. Faisal Pharma having turnover more than one billion as per available record. ii. The Faisal Pharma is the Pakistan's first and only USA / FDA and CE certified Medical Device Unit that's why 10 marks given to them. As per criteria iii. The item is awarded on merit followed by QCBS / most advantageous bid not on the basis of lowest bid.	The Committee did not entertain this Complaint as the Complainant has already withdrawn his grievance.

Item Code	Item Name	Quoted Rate Faisal Pharma	Quoted Rate 2nd Higher Scorer
T1-E-014	Gauze Surgical BPC width 5meter	27.50	20.50
T1-E-046	Surgical Bandage 15cms 5Meter	41.00	32.00
	TOTAL SAVING AMOUNT		

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
M/S. RECH INTERNATIONAL: **TENDER NO. 01(G) (IMPLANTS ITEMS)** **ITEM NOs. T1-G-0004, T1-G-005, T1-G-006, T1-G-014, T1-G-016, T1-G-020, T1-G-022, T1-G-028, T1-G-032, T1-G-052, T1-G-073, T1-G-074, T1-G-075, T1-G-076, T1-G-077 & T1-G-084.** They stated that above mentioned products shown responsive as per Bid Evaluation Report (BER) hoisted on SPPRA web site but due to unjustified scoring these products are not declared as successful. They further stated they have submitted all the required documents along-with Tender document sand also physically verified the original documents and fulfilled all technical criteria but due to unknown reason and unjustified technical marking the above products have not been successful. They requested to reconsider the technical scoring of these products.	The marks of end user/expert was wrongly incorporated in item codes ITEM NOs. T1-G-0004, T1-G-005, T1-G-006, T1-G-014, T1-G-016, T1-G-020, T1-G-022, T1-G-028, T1-G-032, T1-G-052, T1-G-073, T1-G-074, T1-G-075, T1-G-076, T1-G-077 & T1-G-084. . The said code may be awarded to M/s. Rech International.	The Complaint Redressal Committee (CRC) heared the grievance of M/s.Rech International at length. The Representative informed the Committee that in Orthopaedic Implants, the plates and screw should be of same bidder for compatibility and avoid any undesirable event during the transplant surgery. Hence, proper examination / re-evaluation of bid document be made. Hence the Committee also heard the winning firm for the sake of transparency and clarity who did not defend the grievance against the winning firm. In view of this the CRC committee decided that matter may be referred back to the Health Procurement Committee for re-examination and re-evaluation.

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
M/S OTSUKA PAKISTAN LTD., TENDER NO. 01(B) ITEM NOs. T1-B-019, T1-B-021 & T1-B-026. They submitted their grievances against the items quoted by M/s. Medipak Ltd. considering the mandatory clause-12 of Technical Criteria for manufacturer requiring the "Undertaken" regarding Non-declaration of any spurious / adulterated batch manufactured by firm by DTL of the same or any competent lab established under Drug Act 1976, DRAP Act. 2012 and Rules frame their under, as bidder attached fast declaration considering the Annexed report containing Form IV-A dated 04.28/05 declaring various batches spurious. They requested to review the matter as per Rules framed, and ruling all the items manufactured by Medipak Ltd. in Tender 01(B).	The Complainant withdrawn his complaint vide letter no. nil dated 09.01.2023.	The Committee did not entertain this Complaint as the Complainant has already withdrawn his grievances.

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
M/S. LAB LINK ENTERPRISES, TENDER NO. 01(C) ITEM NOs. T1-C-007, (10 C.C Disposable Syringe) They submitted their grievances against the item quoted by M/s. Lab Link Enterprises for un-justified marks in respective code.	Expert Committee Pharma re-reviewed the documents and found that 10 marks for APQR were added to M/s. Parras, and SMS erroneously. ITEM NOs. T1-C-007 (10 C.C Disposable Syringe) may be awarded to the Lab Link enterprises.	Representative of M/s. Lab Link Enterprises apprised the committee that the firm was not given due marks against submitted bid documents and requested matter may be re-examined in pursuance to submitted bid documents. The committee had also Taken consideration of justification submitted by Technical Committee Pharma. Hence, the Committee decided for re-examination and re-evaluation.
Tender No 05 ITEM NO. T5-B-032 Tab Declastavir 60mg The Firm submitted that the firm not getting the actual score as per submitted technical Bid need Re- Evaluation of Marks on said item Code	Matter may kindly be referred back to the technical committee pharma for re-examination at length required detailed rectification	The Committee observed this complaint is linked with the grievance of M/s. Shamim & Co. and where it has been decided for review / re-examination.

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
2. **M/S Z.I. Enterprises:** The Firm submitted that the firm not getting the actual score on • Tab Sofosubavir 400mg • Tab Declastavir 60mg as per submitted technical Bid need Re-Evaluation of Marks on said item Code	Matter may kindly be referred back to the technical committee pharma for re-examination at length required detailed rectification.	The Committee observed this complaint is linked with the grievance of M/s. Shamim & Co. and where it has been decided torefer the matter to Technical Committee Pharma for re-examination / review.

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
M/s HUZAIFA ENTERPRISES: Clause 18 of mandatory criteria for importer were discussed and observed that M/s Hakim Son Impex quoted product Vaxirab-N did not have same solvent for injection/ water for injection (WFI) within DRAP registered packing of the same manufacturer. The firm submitted grievances against Item No **T5-V-004** namely Anti Rabies Vaccine. The Firm Claim that in Bidding criteria point No 18. All powdered injectable should be accompanied with solvent for injection (WFI) with in the DRAP registered packing of the same manufacturer while in contrary the competitor of same Item M/s Hakim Son Impex quote the product Vaxirab-N manufactured by Cadila Healthcare Ltd India does not same manufacturer for WFI. The clear violation of mandatory criteria should be checked again and declare NR (Non responsive) in mandatory clause.	Technical Expert Committee Pharma re-reviewed the documents and found that M/s Hakim Son Impex did not full fill the requirement as enriched in clause 18 of mandatory criteria for importer "All powdered injectable should be accompanied with solvent for injection (WFI) with in the DRAP registered packing of the same manufacturer"	Representative of M/s.Huzaifa Enterprises attended the meeting and presented the grievance of the firm. Clause 18 of mandatory criteria for importer were discussed and observed that M/s Hakim Son Impex quoted product Vaxirab-N did not have same solvent for injection/ water for injection (WFI) within DRAP registered packing of the same manufacturer. The CRC committee decided that matter may be referred back to the Technical Expert Committee Pharma for re-examination and re-evaluation

Tender No. 03 : Machinery Equipment (Invited by CDC-II).

S#	NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
01.	**M/S. T.K. MEDICAL INSTRUMENT CO.** The have expressed concerns regarding the Technical Evaluation conducted in the Tender for Machinery Equipment as under: As per Technical Evaluation Committee Meeting their Firm M/s. T.K. Medical Instrument Co. is disqualified due to non-submission of required documents. Disqualified due to non-submission of product ISO Quality Certificates, Financial Statement Income Return and ISO Certificate of the Bidder. Furthermore, Principle/ Manufacturer's contact details were mentioned in the Technical Proposal in order to cross-confirm with the principle itself regarding the product quoted.	Not complied mandatory clauses i.e. 10, 11 and 13. **Clause-10:** FBR Income Tax Return las three years. **Clause-11:** Audit Financial Statement last three years. **Clause-13:** ISO-9001 of bidders / manufacturer (if applicable) (website line must be provided for verification).	Representative of M/s T.K Medical Instrument & Co attended the meeting and briefed the Complaint Redressal Committee regarding grievance. The Committee heard Complaint at length as well as perused the report of Technical Committee Pharma and observed that the firm did not complied with mandatory Clause of Bid Document (Clause-10. 11 & 13) i.e. i. The firm submitted One year FBR report, Audit Financial Statement of One year instead of required 3 years reports. ii. The firm did not have ISO-9001 certificate, mandatory requirement of Bidding Document. Keeping in view, the CRC decided to refer back the matter to Health Procurement Committee for review.

2. **Tender No. 02 : ICT Kits & CLIA Kits.**

NAME OF COMPLAINANT & GIST OF COMPLAINT	JUSTIFICATION BY PHARMA COMMITTEE	CRC PROCEEDINGS
M/S. SINDH MEDICAL STORE. ***Item – CLIA (S.NO. 1,2 and 3)*** The have referred Financial Bid opening meeting on 28.12.2022 in which M/s. Sindh Medical Store was verbally declared as Technically disqualified due to mandatory criteria does not fulfilled as per Section-IV of the tender document of CLIA Kits. They highlighted that their offered product CLIA Kits is the only items which fulfill the tender requirement in true spirit. Disqualification of this product is highly unjustified and against the spirit of SPPRA rules, They have submitted grievances against the disqualification as well as qualification of other firm (Bio Med) as follows: 1. **Grievance against the disqualification of product quoted by SMS:** Following three items were required to quote as per Section-IV Technical Specification: Description | Technical Specification as per Section IV | Evidence of Compliance Anti-HCV | FDA Approved or CE IVD marked | Embassy attested documents HBsAg | FDA Approved or CE IVD marked | Embassy attested documents Anti-HDV | FDA Approved or CE IVD marked | Embassy attested documents As per Section-IV above requirements are completely fulfilled for quoted products. Apart from the above qualification criteria meeting; following documents were included in response to Technical proposal for importer (Mandatory): 1 to 7 - Various Company's licenses and certificates: all enclosed with the bid. 8. Valid Registration / Enlistment from DRAP for Quoted Medical Devices Mentioned in "Schedule D" and "Schedule E" in Medical Device Rules 2017: Copies of Schedule D and Schedule E of Medical Device Rules 2017, herewith, which are self-explanatory. Quoted Medical Devices neither fall in Schedule D nor in Schedule E. (Both schedule deals in life saving / cardiac medical devices, and disposables etc). Status of DRAP Registration of our Quoted Products: Quoted products are applied for registration under Medical Device Rules 2017 and applications are pending with DRAP since almost a year. As a matter of fact, there is long list of pendency of many companies under Medical Device Rules	1. No registration with DRAP. 2.Samples rejected by Dr. Ghulam Fatima Chief Pathologist, Dr. Ruth K.M.Pfau,Civil Hospital Karachi.	The Complaint Redressal Committee (CRC) heard the Complainant and asked the representative to brief about the Complaint. The firm was of the view that they fulfilled all criteria of Bid Document and despite the firm has been declared non-responsive which required to be revisited. The Committee had also gone through the report/ justification given by Technical Committee Pharma. The original record / file was also placed before the Committee as well as Complainant. The committee observed that: i. No DRAP Registration Certificate Clause-D of Medical Devices Rules-2017 and as per SRO-526(I)/2021 dated: 30.04.2021. The time line for Clause-D & C of medical devices. As per SRO The exemption period is expired on 31st day of March 2022. ii. Neither the ICT Kits WHO prequalified. iii. Samples of HBsAg CLIA Kits, Anti-HCV CLIA & HDV CLIA Kits were not approved by Dr.Ghulam Fatima , Therapeutic Expert /Chief pathologist Dr.Ruth K.M. Pfau Civil Hospital Karachi. In view of above, the CRC decided to refer back the matter to Health Procurement Committee for review.

2017. Due to this situation, we have taken up this matter to the court and Honorable Lahore High Court has ordered DRAP to decide our pending applications as per law and till then, No Adverse Action should be taken against the petitioner(our firm) - Copies of applications submissions along with the copy of Lahore High Court Order is enclosed herewith:

9. Undertaking of firm.
10. Undertaking of firm.
11. Valid Letter of Authorization from Manufacturer Abroad.
12 & 14. Valid and Notarized ISO-13485.
13. Notarized Declaration of Conformity.
15. Availability of Minimum 10% Inventory of the total Imports of Quoted Items: Yes, enclosed.

2. Grievance against the Technical Qualification of M/S Bio Med:

In the subjected tender, a company namely Bio Med (who has quoted the products of Roche Diagnostics) has been declared as technically qualified ignoring the mandatory requirements mentioned in the tender, which is against the merit and sprit of SPPRA rules. Details are as under:

i. Incomplete Offer:

First and foremost is that **Section IV - Technical Specifications and Section VI - Schedule of Requirements** of the Tender documents clearly states that following parameters are essentially required on CLIA:

1. Anti - HCV
2. HBsAg
3. Anti – HDV

The firm Bio Med has quoted only Anti HCV and HBsAg, item s.no 3 in CLIA Kits Anti-HDV has not been quoted. The original manufacturer M/S Roche does not offer Anti HDV. Since, this is the essential requirement, and without HD testing, the complete testing profile cannot be performed and objectives of the program will be affected, therefore, the technical offer of M/S Bio Med should be technically disqualified due to non-provision of complete solution as required by the project in tender.

In addition to the above reason (which is a sufficient rationale for the disqualification of the said firm), They also highlight the below additional points for kind consideration:

ii. SECTION III. Special Conditions of Contract: Definition of the Supplier clearly indicates that either it should be "manufacturer and/or Importer", whereas the quoting firm M/S Bio Med is neither a manufacturer nor an importer for the quoted products, therefore, it cannot be qualified as supplier under this Bidding Document.

iii. Service Obligation for Reagent Rental Agreement: M/S Bio Med does not possess the complete technical back up service set up of the quoted products and the required analyzers (chemiluminescence system), which includes but not limited to:

factory Trained Engineers for the quoted instruments (to provide installation, commissioning and after sales service) on their own pay-roll. Application Specialist (trained by manufacturer) to provide operators training at all the sentinel sites of the project for the quoted products. Availability of Spare Parts: The company do not possess the spare parts inventory and back up instruments in their own warehouse for the immediate remedy of complaints. All the above requirements are well defined in General Conditions of Contract Clause 1.1.d. Services, Clause 13.1 Incidental Services. **iv.DRAP Registration / Application in the name of quoting firm:** Last but not the least, M/S Bio Med do not possess product registration and license in their own name for the item they have quoted, while tender documents clearly required the product registration in the name of QUOTING FIRM for the imported products. All the necessary documents are enclosed herewith for your ready reference and review. In pursuance of the above mentioned facts and rationales along with the documents enclosed in support of the rationales, we hereby request you to please: i. Qualify our quoted products on merit on the basis criteria prescribed in the bidding documents and technical specification sheets of the tender; ii. Please disqualify the company namely M/S Bio Med on the basis above mentioned rationales. They requested to intervene in the process on priority, which help to conduct fair procurement process as per SPPRA guidelines and rules to ensure the best utilization of the government resources for the greater interest of the population of Sindh province.		

Professor Dr. Badar F. Zubari
Professor of Medicine, DUHS, Karachi.
(Independent Technical Members)

Usman ~~Umer~~ **Khalid**
Representative of Accountant General Sindh, Karachi/
Member

Dr. Badar-Uddin-Shaikh
Special Secretary (Development)
Health Department, Govt. of Sindh, Karachi/
Chairman