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MINUTES OF MEETING OF THE GRIEVANCE REDRESSAL COMMITTEE HELD ON 10th DECEMBER, 2020 AT 02:00 P.M TO REDRESS THE GRIEVANCE APPLICATIONS OF THE FIRMS AGAINST TECHNICAL EVALUATION REPORT FOR THE PROCUREMENT OF COVID-19 PCR AMPLIFICATION KITS ON FRAMEWORK CONTRACT BASIS FOR CORONAVIRUS (COVID-19) TESTING, CD&EPC PROGRAM, FY 2020-21 ON EMERGENCY BASIS

A meeting of the Grievance Redressal Committee was held on 10th Dec, 2020 at 02:00 P.M in committee room of Directorate General Health Services, Punjab, to address the grievances of the applicants, as per Rule 67 of Punjab Procurement Rules, 2014 (Amended), for Procurement of COVID-19 PCR Amplification Kits on framework contract basis for Coronavirus (COVID-19) Testing, CD&EPC Program, FY 2020-21 on emergency basis as per Rule 59 (c) of PPR-2014 (Amended), Directorate General Health Services, Punjab, FY 2020-21.

Following members of Grievance Redressal Committee attended the meeting:

Sr. No.	Participants	
1.	Director Health Services (EPI), O/o DGHS	Chairman/Convener
2.	Director Health Services (CD&EPC), O/o DGHS	Member
3.	Senior Law Officer (Litigation Cell), O/o DGHS	Member
4.	Additional Director Health Services (Medical), O/o DGHS	Member
5.	Director Health Services (MIS), O/o DGHS	Member

Following member(s) of the Technical Evaluation Committee presented the cases on behalf of the Technical Evaluation Committee:

Sr. No.	Member(s)
1.	Deputy Director Pharmacy, O/o DGHS

The Chair welcomed all the participants and briefed about agenda of meeting i.e. Grievance Redressal of firms against Technical Evaluation Report.

The Chair instructed the representatives of aggrieved firms to come one by one serial wise based on receipt of grievance so that proper hearing/ redressal of grievance may be ensured. The grievances of firms and decisions of grievance redressal committee are as follow:

S. No	Firm Name	Quoted item	Status of the firm declared in Technical Evaluation Report	Reasons of Rejection	Grievance of the firm	Decision of the Committee
1	M/s Ayyan Molecular Products	PCR Amplification Kit Zybio 96 Tests/Kit (China)	Non-responsive	<p>1. Model of quoted item is not mentioned in technical offer.</p> <p>2. The offered quantity mentioned on technical offer is not as per requirements. (Offered Quantity in technical proposal is 1 whereas advertised quantity is 500,000).</p> <p>3. Make & Model of quoted item is not mentioned on submitted affidavit.</p>	<p>The firm has submitted grievance application stating that:</p> <p>1: Make/Model and Origin of the quoted product is mentioned on the Technical Offer. Hence it should be confirmed.</p> <p>2: Quoted Model item Model/Catalogue Number is also mentioned on the affidavit that we have submitted. Please that can be confirmed from the stamp paper attached for undertaking.</p> <p>3: The offered quantity was 500000 tests and this is the main reason that we have attached the CDR of total estimated cost that means that we have quoted for all the quantity. In the previous tenders we have been quoting the per test rate so that it can be multiplied by the total quantity by the tendering authority. CDR amount conforms the</p>	<p>Mr. Wajahat Khan, the representative of M/s Ayyan Molecular Products, attended the meeting and presented its grievance before the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following:</p> <p>1. As the firm had attached a document in technical bid (delivery schedule) issued in the name of procuring agency by the foreign principal which is signed and stamped by the bidder, mentioning the model number and quantity.</p> <p>2. As the firm had attached an affidavit in technical bid mentioning make & model of quoted product which is verifiable from attached brochure/sample hence justification of firm is acceptable.</p>

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					<p>quantity that we have quoted for 500000 tests and we have quoted per test cost according to the BID FORM that's why per test cost is declared as one unit or one test.</p> <p>4: Far apart from this, according to the note in Knock down clause"</p> <p>"The offer which contains the minor deviations from the specifications and the deviations would not have any kind of effect on the quality, efficiency, reliability and durability of products will be declared as substantially responsive, this need to be determined by the Technical Evaluation" Committee and clause no: 22.3 in Evaluation of bid States that "The Procuring Agency may waive any minor informality, nonconformity, or irregularity in a quotation/proposal keeping in view the emergent situation". So we hereby state that there will be no effect on the quality, efficiency, reliability and durability of the products.</p>	Thus, the overall Grievance of the firm is accepted and status of the firm M/s Ayyan Molecular Products for quoted item is declared as "Responsive" .

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					In the view of the above products please confirm the documents and state us responsive to supply your best quality products to your esteemed organization.	
2	M/s Badar Engineering Works	COVID-19 PCR AMPLIFICATION KITS A&D Genetik , A&D COVID-19 Cat # AD008 100 Tests/Kit (Turkey)	Non-responsive	1. Amount of submitted bid security is less than required amount. 2. Model is not mentioned in technical offer. 3. Details of make, model & country of origin of quoted product along with all accessories to be	It is requested to kindly review technical evaluation remarks and form a redressal committee to furnish our point of view on the following raised points and submissions. 1. 2% Proposal/ Bid Security: We have submitted 2% Bid security amount as per the proposed quoted price and quantity, however remaining Proposal/Bid- Security amount as per the estimated cost mentioned in tender	Mr. Mudassir, the representative of M/s Badar Engineering Works, attended the meeting and presented its grievance before the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following: 1. As the firm did not submit

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				provided with the product has not been mentioned on the submitted affidavit.	<p>document will be submitted through Bank guarantee/Pay Order to the department or before the committee for a fair & healthy competitiveness and as a normal practice in Government Tenders.</p> <p>2. Technical offer with Make, Model & Origin of the product: Technical offer as per above requirement is attached with this letter to fulfil the requirement of tender document</p> <p>3. Declaration of make, model & country of origin of quoted product along with all accessories to be provided with the product on Legalized/Notarized Judicial Stamp Paper of Rs.100: The declaration for above on Judicial Stamp Paper is also attached with this letter for submission.</p> <p>In the light of points furnished above, we request you to kindly hear us in the meeting of Grievance Redressal</p>	<p>required amount of bid security in accordance with knockdown clause of advertised evaluation criteria hence justification of firm is not acceptable.</p> <p>2. As the firm failed to produce any evidence of verifiable model/catalogue/ref. no. of quoted product from attached documents in technical bid hence justification of firm is not acceptable as per Rule 33 (1) of PPR-2014 which states that "No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids".</p> <p>3. As the firm did not mention details of make, model & country of origin of quoted product along with all accessories to be provided with the product in affidavit attached in technical bid in accordance with knockdown clause of advertised evaluation criteria hence justification of firm is not acceptable as per Rule 33 (1) of PPR-2014 which states that "No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids".</p> <p>Thus, the overall Grievance of the</p>

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					Committee to be scheduled as your time and convenience.	firm is rejected and status of the firm M/s Badar Engineering Works for quoted item is declared as "Non-Responsive" .
3	M/s Briogene Pvt. Ltd.	SARS-CoV-2 Test Kit (Real Time PCR) Cat # 801302 48 Tests/Kit (China)	Non-responsive	1. The offered quantity is not mentioned on technical bid/quotation.	<p>The firm has submitted grievance application stating that it is submitted that we participated in tender regarding the above-mentioned procurement dated 30 November, 2020 and that our product namely QIAamp Viral RNA Mini Kit Cat # 52906, 250 Tests/Kit (Germany) has been declared Non-Responsive. We have following grievances against in the decision of Technical Valuation Report.</p> <p>Brand Name along with Catalogue Number). Specification, Manufacturer and Country of Origin have been clearly mentioned in our Technical Bid. All relevant certifications with name of the product have also been provided.</p> <p>Furthermore, our status is "YES" in the Evaluation Criteria namely "Declaration of make, model & country of origin of Quoted product along with all</p>	<p>Mr. Zeeshan Butt, the representative of M/s Briogene Pvt. Ltd., attended the meeting and presented its grievance before the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following:</p> <p>1. As the firm has submitted complete bid security amount which is considered against full advertised quantity hence justification of firm is accepted.</p> <p>Thus, the overall Grievance of the firm is accepted and status of the firm M/s Briogene Pvt. Ltd. for quoted item is declared as "Responsive".</p>

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					<p>accessories to be provided with the product on legalized/notarized judicial stamp paper of Rs. 100 which is also and evidence that the above-mentioned information was already provided with the bid.</p> <p>It is submitted that the offered quantities were not mentioned/requested in the BID FORM (Annexure A). Moreover, as we have accepted in BID FORM (Annexure A) that "We Undertake, we have no reservation, if our bid is accepted, to deliver the goods in accordance with the delivery schedule specified in the schedule of requirements". This undertaking itself construed that we accept to supply whole advertised quantities as per the delivery schedule in the advertised bidding documents.</p> <p>The Bid Form (Annexure-A) and Price Schedule (Annexure-B) has been filled as such as was mentioned in bidding document and is attached</p>	

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					<p>along with our bid. The offered quantities by the bidder, as per the advertised bidding documents have been mentioned only in the Price Schedule (Annexure-B), which is already attached along with our bid.</p> <p>Now, as already undertook in the Bid Form (Annexure-A) and mentioned in our Price Schedule (Annexure B), we intended to bid for the entire advertised quantities.</p> <p>Please accept our grievance and keeping in view the above facts construed our offer against the whole advertised quantities.</p>	
4	M/s Chemical House	Real Time PCR Kit for Novel Corona Virus 2019-nCoV ORF1ab 50 Tests/Kit (China)	Non-responsive	<p>1. Amount is hidden on copy of bid security attached with technical offer is hidden so not verifiable.</p> <p>2. Bid Form on letterhead of firm as per requirement of knockdown clause is not provided.</p> <p>3. The offered</p>	<p>The firm has submitted grievance application stating that we have already mentioned in our technical offer the draft number and the date, it means we prepared 2% bid security of estimated cost given in the tender from Bank Al-Habib amounting Rs.15Million, for your further clarification copy of the said CDR is attached.</p> <p>Sir, we prepared bid form on our letter head as per knock</p>	<p>Mr. Nadeem Butt, the representative of M/s Chemical House, attended the meeting and presented its grievance before the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following:</p> <p>1. Amount of submitted bid</p>

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				<p>quantity mentioned on technical offer is not as per requirements. (Offered Quantity in technical proposal is 10,000 whereas advertised quantity is 500,000)</p> <p>4. Model of quoted item is not mentioned in technical offer.</p> <p>5. Model of quoted item is not mentioned on submitted affidavit.</p>	<p>down clause as per our offered price, so we attached the same with our financial bid, now we hereby are again submitting the same with estimated cost as given in the tender with this grievance letter instead of according to our quoted price. (Copy attached)</p> <p>Sir your technical committee did not understand that we have clearly mentioned the quantity of kit 10000 kits/ 50 test of each kit which is equivalent to the quantity of 500,000 tests as per requirement of your tender.</p> <p>Sir our kit description (Real Time PCR Kit for Novel Corona Virus 2019-n CoV (ORF1ab, N) 50 T/Kit) Manufactured by Shenzhen Uni-Medica Technology Co, Ltd. China, Cat # R030-02, for ready reference print out of website is attached herewith.</p> <p>Sir we have already mentioned all details of name & made on our attached</p>	<p>security has been verified from copy of bid security with unhidden amount and found as per requirement.</p> <p>2. As the firm did not attach Bid Form on letterhead of firm as per requirement of knockdown clause in technical bid hence justification of firm is not acceptable.</p> <p>3. Since each kit of quoted product contains 50 tests and 1,000 kits would contain 500,000 tests which fulfils the requirements hence justification of firm is acceptable.</p> <p>4. As the firm failed to produce any evidence of verifiable model/catalogue/ref. no. of quoted product from attached documents in technical bid hence justification of firm is not acceptable as per Rule 33 (1) of PPR-2014 which states that "No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids".</p> <p>5. As the firm did not mention verifiable make & model of quoted product in affidavit attached in technical bid in accordance with knockdown clause of advertised evaluation criteria hence justification of firm is not acceptable.</p>

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					affidavit, for your further satisfaction we are submitting again affidavit with cat number also. (Print Attached)	Thus, the overall Grievance of the firm is rejected and status of the firm M/s Chemical House is declared as "Non-Responsive" .
5	The Biotech Scientific International	PCR Amplification Kit PCR-Covid 19 RNA Amplification Kits PCR Fluorescence Probe Singuway 48 Tests/Kit (China)	Non-responsive	<p>1. Model of quoted item is not mentioned in technical offer.</p> <p>2. Model of quoted item is not mentioned on submitted affidavit.</p> <p>3. Sample of quoted item does not conform to advertised specifications.</p>	<p>The firm has submitted grievance application stating that our kit was disqualified during the technical evaluation and we would like to tell you some points that will clarify our grievance against the decision.</p> <p>1: First of all the criteria of the evaluation was not fulfilled according to the merit. Always companies are given the known samples with known results so that they can be verified after the batch analysis.</p> <p>2: Secondly our kit was presented for evaluation and we were given the manual kit extracted samples and they were surprisingly the unknown kit samples. How does the evaluation can be verified with such an extraction kit. Our kit should be evaluated with the auto extracted samples. We don't know who extracted the</p>	<p>Mr. Hammad Khan, the representative of M/s Biotech Scientific International, attended the meeting and presented its grievance before the grievance redressal committee.</p> <p>The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following:</p> <p>1. As the firm failed to produce any evidence of verifiable model/catalogue/ref. no. of quoted product from attached documents in technical bid hence justification of firm is not acceptable as per Rule 33 (1) of PPR-2014 which states that "No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids".</p> <p>2. As the firm did not mention verifiable make & model of quoted product in affidavit attached in</p>

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					<p>samples and then II of sudden we were given samples to evaluate.</p> <p>3: Lab was not properly equipped that we have to make master mix in amplification room without the laminar flow hood. All companies were having problems in the results and surprisingly they were stated responsive even their results as we have seen by ourselves were also mismatched and disturbed graphs of amplification.</p> <p>4: Over all criteria of the evaluation was not adopted according to the SOPs. We have been supplying these kits to DG Health Services Peshawar who have evaluated our kits and they have ordered us 450000 Tests for whole KPK province for Covid 19 amplification. I am also attaching you the P.O copy from DG Health KPK. If our kit was so poor then it means thot whole purchase of DG Health KPK is wrong? This evaluation is questionable and we do not accept it. Give us</p>	<p>technical bid in accordance with knockdown clause of advertised evaluation criteria hence justification of firm is not acceptable as per Rule 33 (1) of PPR-2014 which states that "No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids".</p> <p>3. Since end user has thoroughly evaluated the sample of quoted product which has been found to be not acceptable due to end-user remarks "Invalid PCR controls & Ambiguous results on defined target channels" hence request of the firm for retest is not entertain able due to emergency mode of procurement.</p> <p>Thus, the overall Grievance of the firm is rejected and status of the firm M/s Biotech Scientific International for quoted item is declared as "Non-Responsive".</p>

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					<p>chance to evaluate all the results of the other companies and we will prove that most of the company's results were not according to the standard.</p> <p>5: Our criteria of evaluation was not up to standard. We request you to re-evaluate our kit with Auto Extraction kits and you will note that definitely the kits evaluation criteria was adopted wrong.</p> <p>6: Model of the quoted item is also mentioned in the Affidavit and also the technical offer and you can confirm from our technical offer. We request to look over the matter of evolution and we can prove that our kit produces better results than any other kits or equivalent at least.</p>	
6	M/s Global Marketing Services	COVID-19 PCR Amplification Kit "SARS-COV2-R-GENE IVD" Cat # 423720 120 Tests/Kit (France)	Responsive		<p>The firm has submitted grievance application against M/s Pakistan Microbiological Associates stating that:</p> <p>1) The firm has submitted the sample of kit having catalogue # 910502 (96 tests) Systaaq 2019-Novel Coronavirus Covid-19) Real Time PCR Kit but quoted is</p>	<p>Mr. Zafar Sardar, the representative of M/s Global Marketing Services, attended the meeting and presented its grievance before the grievance redressal committee.</p> <p>The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report</p>

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					<p>having different catalogue # 910506 500 Tests/Kit, PCR AMPLIFICATION KITS SYSTAAG 2019-COVID-19 Multigene Real Time PCR Kit (USA). Annexure-I</p> <p>2) The firm M/s Pakistan Microbiology Associates has been black listed. see below PPRA URL: https://eproc.punicab.gov.ok/BlacklistRemovedfirm.aspx?ct100Content1PlaceholderSRISRadGrid1ChangePage=6</p> <p>Annexure-II</p>	<p>and unanimously agreed upon following: 1) Upon investigation it has been found that M/s Pakistan Microbiological Associates had quoted the product "COVID-19 PCR AMPLIFICATION KITS SYSTAAG 2019-COVID-19 Multigene Real Time PCR Kit" with Catalog No. 910506 (Pack Size: 500 Tests/Kit) whereas the firm has submitted sample of "COVID-19 PCR AMPLIFICATION KITS SYSTAAG 2019-COVID-19 Multigene Real Time PCR Kit" with Catalog No. 910502 (Pack Size: 96 Tests/Kit) for which has passed the evaluation. Since brochure of quoted item attached in technical bid indicates Catalog No. 910506 as well as Catalog No. 910502 hence, the justification of M/s Global Marketing Services is rejected in this context. 2) Upon investigation, it has been found that currently M/s Pakistan Microbiological Associates is not backlisted/debarred by PPRA or other procuring agency hence, the justification of M/s Global Marketing Services is not acceptable in this context as well.</p>

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						Thus, the overall Grievance of the firm Global Marketing Services is rejected and status of the firm M/s Pakistan Microbiological Associates for quoted product "COVID-19 PCR AMPLIFICATION KITS SYSTAAQ 2019-COVID-19 Multigene Real Time PCR Kit Catalog No. 910506 500 Tests/Kit (USA) as declared by Technical Evaluation Committee is up-held.
7	M/s Pakistan Microbiological Associates	COVID-19 PCR AMPLIFICATION KITS SYSTAAQ 2019-COVID-19 Multigene Real Time PCR Kit Catalog No. 910506 500 Tests/Kit (USA)	Responsive		<p>The firm has submitted grievance application stating that we would like to submit the following points for your consideration:</p> <p><u>M/s Chemical House</u> Any document (Bid Form, Affidavit) as per Knockout Criteria if not available cannot be added in the technical bid as per PPRA Rules "33 (1) No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids". Furthermore, the real time PCR kit quoted by M/s Chemical House of Manufacturer M/s Shenzhen Uni-medica Technology Co. Ltd. requires preparation of the reagents from buffer i.e.</p>	<p>Mr. Yasir Aziz, the representative of M/s Pakistan Microbiological Associates, attended the meeting and presented its grievance before the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report and unanimously agreed upon following:</p> <p>1) The firm has misinterpreted the said Rule 33 which actually prohibits any alteration/modification in submitted bid.</p> <p>2) The firm M/s Pakistan Microbiological Associates has been unable to produce any documentary evidence in support of its claim regarding quoted item of M/s Chemical House.</p>

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					kit components are not ready to use. Once the reagents are prepared than the same are pipetted further for testing. Such kind of kits will give false results because of the complexity to prepare reagents before use. You are kindly requested to accept our grievance and technically reject such products. Thanking you for your cooperation and assuring you of our best services at all, we remain.	Thus, the overall Grievance of the firm Pakistan Microbiological Associates against M/s Chemical House is rejected .
8	M/s Hoora Pharma	Promotor SARS COV-2 RT PCR Test Kit 32 Tests/Kit	Non-responsive	<p>1. Amount is hidden on copy of bid security attached with technical offer is hidden so not verifiable.</p> <p>2. Model of quoted item is not mentioned in technical offer.</p> <p>3. Bid Form on letterhead of firm as per requirement of knockdown clause is not provided.</p> <p>4. Undertaking</p>	<p>The firm has submitted grievance application stating that we have participated in the above said tender & wants to submit our grievances against objection raised in yesterday technical evaluation report as follow;</p> <p>1. Amount is hidden on copy of bid security attached with technical offer is hidden so not verifiable.</p> <p>We have submitted bid security in shape of Bank Guarantee & Scan copies are enclosed.</p> <p>Bank Guarantee is attached on</p>	<p>Mr. Faizan Rizvi, the representative of M/s Hoora Pharma, attended the meeting and presented its grievance before the grievance redressal committee.</p> <p>The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following:</p> <p>1. Amount of submitted bid security has been verified from copy of bid security with unhidden amount and found less than required 2% of estimated cost</p>

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				<p>regarding declaration of make, model & country of origin of quoted product along with all accessories to be provided with the product on Legalized/Notarized Judicial Stamp Paper of Rs.100 not attached in technical bid.</p> <p>5. Sample not submitted for product evaluation.</p>	<p>2% of Estimated Cost as required in tender.</p> <p>2. Model of quoted item is not mentioned in technical offer We have quoted Promotor SARS COv-2 RT PCR Test Kit which is mentioned in our proposal.</p> <p>3. Bid Form on letterhead of firm as per requirement of knockdown clause is not provided. Enclosed with letter.</p> <p>4. Undertaking regarding declaration of make, model & country of origin of quoted product along with all accessories to be provided with the product on Legalized/Notarized Judicial Stamp Paper of Rs.100 not attached in technical bid. Enclosed with letter.</p> <p>5. Samples not submitted for Product Evaluation We have submitted request letters for submission of kits as the light delayed due to Second wave of COVID-19., Letter copies enclosed with the letter.</p>	<p>hence justification of firm is not acceptable.</p> <p>2. As the firm failed to produce any evidence of verifiable model/catalogue/ref. no. of quoted product attached in technical bid in accordance with knockdown clause of advertised evaluation criteria hence justification of firm is not acceptable as per Rule 33 (1) of PPR-2014 which states that "No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids".</p> <p>3. As the firm did not attached Bid Form on letterhead of firm as per requirement of knockdown clause in technical bid hence justification of firm is not acceptable.</p> <p>4. As the firm did not attach undertaking regarding declaration of make, model & country of origin of quoted product along with all accessories to be provided with the product on Legalized/Notarized Judicial Stamp Paper of Rs.100 technical bid as per requirement of knockdown clause of advertised evaluation criteria hence justification of firm is not acceptable.</p> <p>5. The firm did not submit sample</p>

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						<p>of quoted product for end-user evaluation as per requirements of tender hence, justification of firm is not acceptable.</p> <p>Thus, the overall Grievance of the firm is rejected and status of the firm M/s Hooraa Pharma for quoted item is declared as "Non-Responsive".</p>