



PURCHASE CELL

DIRECTORATE GENERAL HEALTH
SERVICES PUNJAB
24-COOPER ROAD, LAHORE



Primary & Secondary
Healthcare Department

Phone No.: +924299201145

Purchase Cell E-mail: pcdghslahore@gmail.com

MINUTES OF MEETING OF THE GRIEVANCE REDRESSAL COMMITTEE HELD ON 17th NOVEMBER, 2020 AT 02:00 P.M TO REDRESS THE GRIEVANCE APPLICATIONS OF THE FIRMS AGAINST TECHNICAL EVALUATION REPORT FOR THE PROCUREMENT OF GLUCOSE TEST STRIPS WITH LANCETS & COMPATIBLE GLUCOMETERS FOR NCD PROGRAM AND SERUM SEPARATING TUBES & LAB ITEMS FOR PHCP, FY 2020-21

A meeting of the Grievance Redressal Committee was held on 17th Nov, 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 Glucose Test Strips with Lancets & Compatible Glucometers for NCD Program and Serum Separating Tubes & Lab Items for PHCP, 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:

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
1	M/s Bio Pharma	Stainless steel blood lancet	The firm has not provided valid sole agency agreement/ authorization letter from foreign/Local principle.	The Firm submitted its grievance that it has attached copy of sole agency agreement.	Mr. Muhammad Abbas, the representative of M/s Bio pharma International, 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. Valid sole agency agreement/ authorization letter from foreign principal submitted by the firm in compliance to knockdown clause of evaluation criteria is accepted. Thus, the overall Grievance of the firm is accepted and status of the firm M/s Bio pharma International for quoted item is declared as "Responsive" .
		Alcohol Swab	The firm has not provided valid sole agency agreement/ authorization letter from foreign/Local principle.	The Firm submitted its grievance that it has attached copy of authorization.	Mr. Muhammad Abbas, the representative of M/s Bio pharma International, 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:

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
					<p>1. Valid sole agency agreement/ authorization letter from foreign principal submitted by the firm in compliance to knockdown clause of evaluation criteria is accepted.</p> <p>Thus, the overall Grievance of the firm is accepted and status of the firm M/s Bio pharma International for quoted item is declared as "Responsive".</p>
2	M/s Moon Enterprises	Disposable Blood Lancets	<p>1. The firm has not provided NTN/GST Certificate</p> <p>2. Quoted product does not conform to advertised specifications</p>	The Firm submitted its grievance that it has attached copy of NTN/GST Certificate.	<p>Mr. Zaheer Babar, the representative of M/s Moon Enterprises, 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. Taxpayer Registration Certificate submitted by the firm in compliance to knockdown clause of evaluation criteria is accepted.</p> <p>2. As the firm had quoted 200 pcs in technical proposal (instead of 100 pcs) which is not as per advertised specifications.</p> <p>Thus, the overall Grievance of the firm is rejected and status of the firm M/s Moon Enterprises for quoted item is declared as "Non-Responsive".</p>
		Alcohol Swab	The firm has not provided NTN/GST Certificate	The Firm submitted its grievance that it has attached copy of NTN/GST Certificate.	<p>Mr. Zaheer Babar, the representative of M/s Moon Enterprises, attended the meeting and presented its grievance before the grievance redressal committee.</p>

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
					<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. Taxpayer Registration Certificate submitted by the firm in compliance to knockdown clause of evaluation criteria is accepted.</p> <p>Thus, the overall Grievance of the firm is accepted and status of the firm M/s Moon Enterprises for quoted item is declared as "Responsive".</p>
3	M/s Three Stars Medical Supplies	Disposable Blood Lancets	Brand name not mentioned on bid cover sheet. Moreover, firm has submitted authority letter of two separate firms. Moreover, the bidder has not mentioned the name of the manufacturer from which the desired product will be provided on affidavit.	The Firm submitted its grievance that it has supplied the quoted item in the past and attached copy of undertaking that M/s Three Stars Medical Supplies is the sole agent of the foreign principle.	<p>Mr. Ali Zafar, the representative of M/s Three Stars Medical Supplies, 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 specified brand name and manufacturer through submission of authority letter and affidavit which is accepted.</p> <p>Thus, the overall Grievance of the firm is accepted and status of the firm M/s Three Stars Medical Supplies for quoted item is declared as "Responsive".</p>

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
4	M/s Meher Traders	Disposable Blood Lancets	1. Amount of Bid Security is not verifiable. 2. Annual sales and turnover on FBR form is not attached. 3. Establishment registration certificate of bidder is not provided.	The Firm submitted its grievance that it has attached: 1. Copy of Bid Security. 2. FBR Tax Returns of FY 2018-19. 3. Copy of License to import medical devices.	<p>Mr. Rizwan, the representative of M/s Meher Traders, 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. The firm has submitted copy of 2% bid security with unhidden amount which is found to be as per requirements upon verification.</p> <p>2. FBR Tax Returns of FY 2018-19 has been submitted by the firm which is accepted.</p> <p>3. Establishment registration certificate has been submitted by the firm which is accepted.</p> <p>Thus, the overall Grievance of the firm is accepted and status of the firm M/s Meher Traders for quoted item is declared as "Responsive".</p>
		Alcohol Swab	1. Amount of Bid Security is not verifiable. 2. Annual sales and turnover on FBR form is not attached. 3. Establishment registration certificate of bidder is not provided.	The Firm submitted its grievance that it has attached: 1. Copy of Bid Security. 2. FBR Tax Returns of FY 2018-19. 3. Copy of License to import medical devices.	<p>Mr. Rizwan, the representative of M/s Meher Traders, 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</p>

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
					<p>discussion the committee unanimously agreed upon following:</p> <ol style="list-style-type: none"> 1. The firm has submitted copy of 2% bid security with unhidden amount which is found to be as per requirements upon verification. 2. FBR Tax Returns of FY 2018-19 has been submitted by the firm which is accepted. 3. Establishment registration certificate has been submitted by the firm which is accepted. <p>Thus, the overall Grievance of the firm is accepted and status of the firm M/s Meher Traders for quoted item is declared as "Responsive".</p>
5	M/s Eastern Medical Care	Glucose Test Strips With Compatible Glucometers and Lancets	<ol style="list-style-type: none"> 1. Certificate of Enlistment or registration of quoted item is not provided. 2. End user has failed the quoted item after evaluation. 3. Moreover, the quoted product is not FDA approved. 	The Firm submitted its grievance and requested for re-evaluation of the quoted sample along with stay order from Honorable Lahore High Court for the extension for further 48 months.	<p>Mr. M. Kamran, the representative of M/s Eastern Medical Care 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> <ol style="list-style-type: none"> 1. According to Chapter VIII "Exemptions, Prohibitions and Sampling", Rule 52 "Exemption from operation of the rules" of notified Medical Device rules 2018 issued by Drug Regulatory Authority of Pakistan (DRAP) commenced on dated 16th January, 2018, Class-C Medical

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
					<p>Devices were granted exempted from operation of these rules for exemption period of 12 months from commencement of these rules. As the given exemption period has been lapsed and firm has been failed to produce Certificate of Enlistment or registration of quoted item as per knockdown clause of evaluation criteria. Therefore, justification of firm is not acceptable.</p> <p>2. End user has failed the quoted item after evaluation with remarks that due to variation against control results, the glucometer strips are not acceptable.</p> <p>3. Upon re-scrutiny regarding FDA Approval of quoted item as claimed by the firm, it has been found that the manufacturer of the quoted item "FORA Diamond GD50" according to submitted sample is ForaCare Suisse AG, CH-9000 St. Gallen, Switzerland while as per Establishment Registration & Device Listing Database of U.S. FDA official website, the manufacturer of the "FORA GD50 Blood Glucose Monitoring System" is TAIDOC TECHNOLOGY CORPORATION. Therefore, claim of the firm is not verified and quoted item is "Not FDA Approved".</p> <p>Thus, the overall Grievance of the firm is rejected and status of the firm M/s Eastern Medical Care for</p>

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					quoted item is declared as "Non-Responsive" .
6	M/s Roche Pakistan Limited	Glucose Test Strips With Compatible Glucometers and Lancets	Annual turnover of year 2018-2019 or 2019-2020 not attached.	The Firm submitted its grievance that it has attached copy of Annual turnover of calendar year 2018 & 2019.	<p>Mr. H. Tahir Abbas, the representative of M/s Roche Pakistan Limited, 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. FBR Tax Returns of Year 2018 & 2019 submitted by the firm in compliance to knockdown clause of evaluation criteria is accepted is accepted.</p> <p>Thus, the overall Grievance of the firm is accepted and status of the firm M/s Roche Pakistan Limited for quoted item is declared as "Responsive".</p>
7	M/s Popular International (Pvt.) Limited	Glucose Test Strips With Compatible Glucometers and Lancets	<ol style="list-style-type: none"> 1. End user has failed the quoted item after evaluation. 2. Certificate of Enlistment or registration of quoted item is not provided 	<p>The Firm submitted its grievance that it has attached:</p> <ol style="list-style-type: none"> 1. Copy DRAP application with fee slip form 7A. 2. Copy of Satisfactory Reports of three Institutions. 	<p>Mr. Asif Zaidi, the representative of M/s Popular International (Pvt.) Limited, 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>

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
					<p>1. End user has failed the quoted item after evaluation with remarks that due to variation against control results, the glucometer strips are not acceptable.</p> <p>2. According to Chapter VIII "Exemptions, Prohibitions and Sampling", Rule 52 "Exemption from operation of the rules" of notified Medical Device rules 2018 issued by Drug Regulatory Authority of Pakistan (DRAP) commenced on dated 16th January, 2018, Class-C Medical Devices were granted exempted from operation of these rules for exemption period of 12 months from commencement of these rules. As the given exemption period has been lapsed and firm has been failed to produce Certificate of Enlistment or registration of quoted item as per knockdown clause of evaluation criteria. Therefore, justification of firm is not acceptable.</p> <p>Thus, the overall Grievance of the firm is rejected and status of the firm M/s Popular International (Pvt.) Limited for quoted item is declared as "Non-Responsive".</p>
8	M/s NSONS Group (Pvt.) Limited	Glucose Test Strips With Compatible Glucometers and Lancets	<ol style="list-style-type: none"> 1. CNIC copy is not attached. 2. Sole Agency Agreement/ Authorization Letter and affidavit not attached. 3. Certificate of Enlistment or registration of quoted item is not attached. 4. Affidavit for Acceptance of all terms and condition is not attached. 	<p>The Firm submitted its grievance that it has attached:</p> <ol style="list-style-type: none"> 1. CNIC copy. 2. Sole Agency Agreement/ Authorization Letter and affidavit. 3. Certificate of Enlistment or registration of quoted item. 4. Affidavit for Acceptance of all terms and condition. 	<p>Mr. Shahzad Jutt, the representative of M/s NSONS Group (Pvt.) Limited, 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</p>

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			5. FBR returns of year 2017-2018 are not attached	5. FBR returns of year 2017-2018	<p>discussion the committee unanimously agreed upon following:</p> <p>1. Copy of valid CNIC of owner of firm submitted by the firm is accepted.</p> <p>2. Sole agency agreement/authorization letter along with submitted by the firm is accepted.</p> <p>3. According to Chapter VIII "Exemptions, Prohibitions and Sampling", Rule 52 "Exemption from operation of the rules" of notified Medical Device rules 2018 issued by Drug Regulatory Authority of Pakistan (DRAP) commenced on dated 16th January, 2018, Class-C Medical Devices were granted exempted from operation of these rules for exemption period of 12 months from commencement of these rules. As the given exemption period has been lapsed and firm has been failed to produce Certificate of Enlistment or registration of quoted item as per knockdown clause of evaluation criteria. Therefore, justification of firm is not acceptable.</p> <p>4. Undertaking for acceptance of all terms & conditions was required on notarized judicial stamp paper of worth Rs. 100 as per knockdown clause of evaluation criteria whereas firm has submitted affidavit of worth Rs. 50 which is not accepted.</p> <p>5. FBR returns of FY 2017-18 submitted by the firm are accepted.</p>

Sr.	Name of Firm	Name of Item	Reason(s) of Rejection	Grievance of the Firm	Decision of the Committee
					Thus, the overall Grievance of the firm is rejected and status of the firm M/s NSONS Group (Pvt.) Limited for quoted item is declared as "Non-Responsive" .