

**MOM OF GRC OF GRIEVANCES RECEIVED AGAINST THE TER OF THE FRAMEWORK CONTRACT FOR THE PROCUREMENT OF DIAGNOSTIC/ LAB KITS FOR AIDS CONTROL PROGRAM (PHASE-II) FOR FINANCIAL YEAR 2025-26 REFERRED BACK BY PPRA**

Sr. No.	Lot No.	Name of Firm	Name of Item	Brand Name	Final Status Responsive / Non-responsive	Case Referred Back from PPRA against Representation Filed By M/s Roche Pakistan	Decision(s) of Committee
1	5	<b>Roche Pakistan Limited</b>	HIV PCR Quantitative Amplification + Extraction Kits with all Accessories	Cobas Model: 5800	<b>Non-Responsive</b>	<p><b>Referred to the Letter vide No. L&amp;M(PPRA) No. 61/2026/com Dated Lahore 24th February, 2026</b></p> <p>M/s Roche Pakistan filed the case vide diary no. 001020 against the Director General Health Services, Lahore and hearing held in the board of PPRA on 20.02.2026. Representatives from Procuring agency, complainant and Respondent firm attended the PPRA hearing and brief of facts of the case are as follow:</p> <p>2. The Complainant firm participated in the procurement for diagnostic kits under the AIDS control program for the financial year 2025-26. The complainant firm was declared as non-responsive for HIV PCR kits, despite having fulfilled all mandatory technical requirements outlined in the bidding documents. Aggrieved by the said decision, the complainant submitted a grievance before the Grievance Redressal Committee (GRC) however, the GRC rejected the complainant's grievance. In contrast, the GRC allowed the grievance of the respondent firm, namely M/s Global Marketing Services, on similar grounds. It is further argued that the GRC adopted and applied discriminatory and inconsistent standards in assessing compliance, particularly with regard to the requirements of product shelf-life and past experience, thereby acting in an arbitrary and unequal manner. While concluding the arguments, the representative of complainant prayed that the decision of GRC be set aside and complainant be declared as "responsive".</p> <p>3. Parties were heard in detail, available record on the file and reply of the procuring agency in response to the complaint perused. It is observed that certain material aspects pertaining to the technical evaluation particularly the interpretation and application of the mandatory requirements relating to product shelf-life and past experience have not been addressed in a clear, consistent, and reasoned manner. Prima facie, the bidders have not been treated on parity, thereby raising concerns regarding uniform application of the prescribed evaluation criteria. It is further observed that the principles of transparency, fairness, competition, and equal treatment of bidders are foundational and must be strictly adhered to by the procuring agency as well as the GRC. Any deviation from the expressly stipulated criteria, or inconsistent interpretation thereof, undermines the integrity of the procurement process. PPRA is of the view that procurement must be conducted on equal opportunity basis being the cardinal principle governing public procurement. Any evaluation process must not only be in accordance with the prescribed criteria but must also appear to be fair and reasonable. In matters involving technical disqualification, due process requires that the grievance raised by a bidder be examined objectively and, where necessary, the bidder be provided a chance to explain.</p> <p>4. In view of the foregoing, the instant representation filed before PPRA is remanded to the GRC. The matter shall be deemed pending before the GRC, which shall decide the grievance of the complainant as per law/rules. The complainant firm must also be afforded fair opportunity to present its stance before the GRC that shall incisively delve into the facts. In terms of Rule 67A(5) of PPR-14 Pay order bearing No. 28998738 amounting to Rs. 50,000/- submitted by the complainant firm is hereby released.</p>	<p>Mr. Abdus Samad from M/s Roche Pakistan Limited attended the meeting. The committee examined the documents submitted by the firm along with its grievance application in light of the advertised Evaluation Criteria and the announced Technical Evaluation Report;</p> <p>1. The firm cleared the grievance committee regarding the point of shelf life and the firm provided undertaking that the firm will supply stock in compliance with shelf life requirement of HIV Kit as per DRAP enlistment certificate, which is accepted.</p> <p>2. The firm provided Purchase order alongwith Delivery Challans since 01 July 2023 which is accepted.</p> <p>Hence, the status of the quoted item changed to <b>Responsive</b>.</p>