CENTRAL MEDICAL SERVICES SOCIETY

Ministry of Health & Family Welfare (Autonomous Body under MoHFW, Govt. of India) 2nd Floor, Vishwa Yuvak Kendra, Pandit Uma Shankar Dikshit Road, Chanakyapuri, New Delhi-110021 PHONE -:011-21410905/6, Fax -:011-21410849

Date: - 19/07/2024

Minutes of Pre-bid Meeting For Procurement of DSTB Regimens (DSTB-IP (A) and DSTB-CP (A) for NTEP (Online Risk Purchase Tender) CPP Tender ID.: 2024_CMSS_815678_1, Dated 09/07/2024 Pre-bid Meeting held on 12/07/2024 at 11:00 AM

- 1. Following officials were present during the Pre-bid meeting: -
 - (i) Dr. Alok Mathur, Addl. DDG (NTEP)
 - (ii) Mr. Pramod B Somnathe, GM (Procurement), CMSS
 - (iii) Mr. Lava Mishra, AGM (Procurement), CMSS
 - (iv) Ms. Neetu, Manager (Procurement), CMSS
- 2. Following representative from prospective bidder was present during the Pre-bid meeting: -

Sr. No.	Name of Representative	Name of Bidder
1.	Mr. Pawan Thakran	M/s Lupin Ltd
2.	Ms. Rohini- Through VC	M/s Macleods Pharmaceuticals Ltd

3. Queries from following prospective bidders were received via email: -

Sr. No.	Name of the bidders
1.	M/s Centurion Laboratories Pvt Ltd
2.	M/s Macleods Pharmaceuticals Ltd
3.	M/s J Duncan Healthcare Pvt Ltd
4.	M/s AnshGenex Industry Inc.
5.	M/s Pivotal Bio Research Pvt Ltd (OPC)

4. Points raised by representative of prospective bidder was discussed. After due consideration of the queries, the Response/Amendments are enclosed.

Annexure-1

Sr. No.	As per tender Description	Tender Clause No. & Page No.	Bidder's Query	Response/ Amendments
1.	 4 (g). Tenderer should quote for 100% of the tender quantity of each items quoted and the tenderer shall have an annual production capacity not less than one and half times the quantity quoted for each schedule. Annexure-I- 100% qty to L1 bidder 10.3 In exercising of the powers conferred in Section 11 of the Micro, Small and Medium Enterprises Development (MSMED) Act 2006, the Government has notified a new Public Procurement Policy for Micro & Small Enterprises effective from 9th November 2018. 13.4 CMSS will counter offer the lowest rate (L1 rate) to other Tenderers in the order of their ranking i.e. L2, L3 and so on will be asked to match the L1 price. 13.5 (i). In order to maintain uninterrupted supplies, the CMSS will place orders with minimum of two suppliers for tendered product with 70% of the orders given to L1 and the balance 30% to the next Matched Lowest Tenderer. 	No. 4 (g), Annexure-I, 10.3, 13.4, 13.5 (i) & Pg No. 7, 35, 18, 21	Kindly clarifies the methodology of placing orders and MSE should get the 25% order as per MSMED act and L2/L3 will be asked to match L1 to get 30% order as per Clause no. 13.4 & 13.5 (i). So kindly amend accordingly. Refer to this clause we hereby request you to kindly re- confirm that the order will split in 70:30 ratio or 100%, kindly confirm.	Clarified as: 100% quantity will be awarded to L1 bidder however tender clause no. 10.3 will also be followed in case L1 bidder is non-MSE bidder.
2.	Sch I: DSTB IP (Adult)/ <u>4FDC-A</u> Tranche I- 18,57,878 strips of 28 tablets within 60 days. Tranche II-18,57,878 strips of 28 tablets within 61 to 90 days. Tranche III-18,57,878 strips of 28 tablets within 91 to 120 days. Tranche IV-18,57,878 strips of 28 tablets within 121 to 150 days. Tranche V-18,57,878 strips of 28 tablets within 151 to 180 days. Tranche VI-13,27,056 strips of 28 tablets within 181 to 240	Annexure I & Pg No. 35	Once we receive the award, we have to start with securing required API, initiating API testing, followed by API to FPP conversion which involves several processes like granulation, compression, coating, packing, batch release by QA/QC and issuing COA. These processes itself takes minimum 60-90 days depending upon the product, manufacturing process & required quantities by the customer.	Clarified as: Kindly follow the tender terms & conditions.

days.

Tranche VII-13,27,056 strips of 28 tablets within 241 to 270 days. Tranche VIII- 2,39,657 strips of 28 tablets within 271 to 300

days. <u>Sch II: DSTB CP (Adult)/</u>

<u>3FDC-A</u> Tranche I: 32,56,243 strips of 28 tablets within 60 days. Tranche II: 32,56,243 strips of 28 tablets within 61 to 90 days. Once we share the COA with CMSS, we need to get the Pre-Dispatch Inspection organized. And once the inspection is performed, we may have to wait for the report before dispatching the goods by road to the CMSS warehouses-total 18 locations.

There are total 18 locations where we need to dispatch the goods the transit lead time is between approx. 5 days to 45 days including the time required to secure POD's etc.

So considering all the above activities, we hereby request you to amend the delivery timeline as specified below:

For SCH. I - DSTB IP (Adult)/4FDC-A

Tranche I- 18,57,878 strips of 28 tablets within 120 - 150 days after the completion of earlier pending order supply placed by CMSS.

Tranche II-18,57,878 strips of 28 tablets within 155 to 185 days. Tranche III-18,57,878 strips of 28 tablets within 186 to 216 days.

Tranche IV-18,57,878 strips of 28 tablets within 217 to 247 days.

Tranche V-18,57,878 strips of 28 tablets within 248 to 278 days. Tranche VI-13,27,056 strips of 28 tablets within 279 to 309 days.

Tranche VII-13,27,056 strips of 28 tablets within 310 to 340 days. Tranche VIII- 2,39,657 strips of

28 tablets within 341 to 371 days.

For SCH. II – DSTB CP(Adult)/3FDC-A Tranche I: 32,56,243 strips of 28

tablets within 130 to 160 days. Tranche II: 32,56,243 strips of 28 tablets within 161 to 195 days.

We are having pending deliveries to CMSS of earlier

			. 1 1 1	
			tranches against tender no: and additional order placed by CMSS. Production of these pending quantities will get over tentatively by Mid of September, 2024, thus please consider the above-mentioned delivery lead-time in days starting mid-september'24.	
3.	Consignee Receipt Certificate	Annexure- XIX & Pg No. 91	We request to remove this certificate to submit along with Post Shipment documents. This is because, refer to past supplied tender, we are unable to get the CRC copy from each consignee & due to which we are unable to submit the bills and so our payments are stucked. So allow us to submit the POD's instead of CRC along with Post Shipment documents.	Clarified as: Kindly follow the tender terms & conditions. However, it is clarified that Consignee Receipt Certificate is not required for the tendered item.
4.	If the supply reaches the designated consignee places or CMSS Warehouse after scheduled delivery date mentioned in LOA/P.O, liquidated damages will be levied @ 2.5% per week to be applied proportionately on per day basis up to a maximum of 10% of P.O. Cost, irrespective of the fact that whether the CMSS has suffered any damage/ loss or not, on account of delay in effecting supply. If the last scheduled delivery day happens to be a holiday the supply will be accepted on the next working day without any penalty.	18.2 & Pg No. 30	Refer to this clause, we hereby request you to kindly remove this clause or to reduce the percentage to 0.1 % penalty. If the supply reaches the designated consignee places or CMSS Warehouse after scheduled delivery date mentioned in LOA/P.O, liquidated damages will be levied @ 0.5% per week to be applied proportionately on per day basis up to a maximum of 10% of P.O. Cost, irrespective of the fact that whether the CMSS has suffered any damage/ loss or not, on account of delay in effecting supply. If the last scheduled delivery day happens to be a holiday the supply will be accepted on the next working day without any penalty. Reasons: - To compliance with DOE/GFR or CMSS existing tenders. Tender Clause 18.2 :- If the supply reaches the designated consignee places or CMSS Warehouse after scheduled delivery date mentioned in LOA/P.O, liquidated damages will be	Clarified as: Kindly follow the tender terms & conditions.

			levied @ 0.5% per week to be	
			applied proportionately on per	
			day basis up to a maximum of	
			10% of P.O. Cost, irrespective	
			of the fact that whether the	
			CMSS has suffered any	
			damage/ loss or not, on	
			account of delay in effecting	
			supply. If the last scheduled	
			delivery day happens to be a	
			holiday the supply will be	
			accepted on the next working	
			day without any penalty.	
			Tender Clause 18.2 :-	
			If the supply reaches the	
			designated consignee places or	
			CMSS Warehouse after	
			5	
			mentioned in LOA/P.O,	
			liquidated damages will be	
			levied @ 0.5% per week to be	
			applied proportionately on per	
			day basis up to a maximum of	
			10% of P.O. Cost, irrespective	
			of the fact that whether the	
			CMSS has suffered any	
			damage/ loss or not, on	
			account of delay in effecting	
			supply. If the last scheduled	
			delivery day happens to be a	
			holiday the supply will be	
			accepted on the next working	
			day without any penalty.	
5.	Protocol & Testing	Annexure-	Request to allow Skip Test of	Clarified as:
	Microbial Count: - The drugs	1A (Point 2)	Microbial Test	
	should be dispatched to the	& Pg No. 37	So please remove the clause to	Kindly follow the tender
	consignee only on clearance	0	mention Micro test in each	terms & conditions.
	from the Testing Laboratory.		batch.	
	The drug shall be released on			
	the basis of Protocol scrutiny by		As per WHO guideline	
	the authorized representative		Microbial test is done on first	
	of the Purchaser and testing of		five Commercial batches &	
	the drugs by authorized		then after on first and every 10 th	
	laboratory.		batch of the year whichever is	
	in crutory.		earlier. (Enclosed herewith	
	Each batch should be		the WHO Guideline copy for	
	accompanied with a certificate		your reference)	
	from the manufacturer that the		,	
	drugs meet the specified			
	requirements.			

6.	Supply/ Delivery Conditions	14.6 (2) & Pg	Request to kindly remove this	Clarified as:
	2. The WHO Prequalification Unit- Medicines Assessment Team (PQT/MED) has issued an FAQ around the Nitrosamine concerns for rifampicin and rifapentine in December 2020. This explicitly mentions the MNP (1-methyl-4- nitrosopiperazine) temporary limit of 5 pm as accepted by USFDA and recognized by PQT/MED as acceptable from the point of view of benefit/risk assessment.	No. 24	test, as it takes additional 10 days' time to get the COA released.	Kindly follow the tender terms & conditions.
7.			As the required quantities are huge and as per the tender condition 100% award quantity will be given to 1-L1 supplier. So, request you to allow us to supply from Multiple factories. Please let us known which all documents we have to submit.	Clarified as: Any bidder can quote the item from multiple manufacturing premises subject to the conditions that they meet the prescribed eligibility criteria from every premises as per tender terms & conditions and submit all required documents as per tender requirement from every quoting manufacturing premises.
8.	Proforma for Performance Statement	Annex-IV & Pg No. 65	Request to allow issuing this certificate by Statutory Auditor or Practicing accountant instead of only Statutory Auditor.	Clarified as: Kindly follow the tender terms & conditions.
9.	Tender timelines are as under: (d) Last date and time for bid submission: 31/07/2024 at 3:00 PM		Regarding advance intimation of award: Request you to intimate us in advance on intention of award and quantities before the actual award notification and during Bid evaluation itself so that we can initiate securing the API & Packing Material to expedite the supply chain process. We hereby request to extend the Tender, as you have floated multiple tenders at the same time. Kindly extend the Bid Submission end date 15.08.2024 Kindly extend the Bid Submission end date 07.08.2024	Clarified as: Kindly follow the tender terms & conditions. Clarified as: Kindly follow the tender terms & conditions.

			Kindly extend the Bid Submission end date 07.08.2024	
11.	Copies of the audited Annual reports including the Balance Sheet and Profit and Loss Account along with all the annexure for the last three years i.e. 2020-21, 2021-22 and 2022- 23 OR 2021-22, 2022-23 and 2023-24 duly certified by a practicing Chartered Accountant.	6.2 (l) & Pg No. 12	Refer to this document, we request you to allow submitting only Balance Sheet & Profit & loss St of last 3 years along with Turnover certificate instead of submitting full book of Annual Audited report. This is because audited report contains huge no. of pages and due to which file size increase and to while uploading the documents we have to compress the file size until the documents get upload in E- aushadhi portal. Also it is necessary to follow UNSDG rule (United Nations Sustainable Development Goal) to save natural resources.	Clarified as: Kindly follow the tender terms & conditions.
12.	ONLINE RISK PURCHASE TENDER FOR PROCUREMENT OF DSTB Regimens (DSTB-IP (A) and DSTB-CP (A)) for NTEP	Pg No. 1	Tender Title Name amended as: - Tender for procurement of DSTB Regimens (DSTB-IP (A) and DSTB-CP (A)) for NTEP Reasons: - Online risk purchase indicates to provoke to quote higher prices	Clarified as: Kindly follow the tender terms & conditions.
13.	This tender is for procurement of DSTB Regimens (DSTB-IP (A) and DSTB-CP (A)) for NTEP at the risk & cost of the defaulter supplier against CMSS Purchase Order No. CMSS/PROC/2023- 24/NTEP/042/171 & CMSS/PROC/2023- 24/NTEP/042/003 dated 12/02/2024 & 02/04/2024 awarded against tender no. CMSS/PROC/2023- 24/NTEP/042 opened on 30/10/2023.	Pg No. 5	Kindly remove the such point. Reasons: - Such conditions to provoke to quote higher rates because quoted rates will be recovered by defaulting suppliers	Clarified as: Kindly follow the tender terms & conditions.
14.	Eligibility Criteria The bidder should not be blacklisted/ banned/ debarred (as whole) or for the tendered goods by CMSS, MoHFW and Department of Expenditure on the date of tender opening. Aforesaid debarred/banned/blacklisted bidder are not eligible to bid in the tender.	4 (f) & Pg No. 7	Amended as Tender Clause 4.f In addition to the existing tender clause, Those tenderer have also eligible to participate which was filled the court cases against procurement agency before tender publishing date or Hon'ble court grant stay order against blacklisting orders.	Clarified as: Kindly follow the tender terms & conditions.

15.	Tenderer should quote for 100% of the tender quantity of each items quoted and the tenderer shall have an annual production capacity not less than one and half times the quantity quoted for each schedule.	4 (g) & Pg No. 7	Tender Clause 4.g & 6.2.e Tenderer should quote for minimum 50% of the tender quantity of each items quoted and the tenderer shall have an annual production capacity not less than one and half times the quantity quoted for each schedule. Tender Clause 4.g & 6.2.e Eligibility Criteria Tenderer should quote for minimum 50% of the tender quantity of each items quoted and the tenderer shall have an annual production capacity not less than one and half times the quantity quoted for each schedule. Tender Clause 4.g & 6.2.e Eligibility Criteria Tenderer should quote for minimum 50% of the tender quantity of each items quoted for each schedule.	Clarified as: Kindly follow the tender terms & conditions.
			times the quantity quoted for	
16.	Tenderer should have supplied 40% of the quoted quantity of same or similar items during the last two financial years. Bidder should submit Purchase order copies and certificate duly issued by statutory auditor of the company on his letter head by certifying the quantities manufactured and marketed in trade, export, open market, sold to government institutions, private bodies etc. and the marketed quantities are not less than at least 40% of the quoted/ similar items. Similar Items here relate to the following: - Similar item means quoted/any Anti TB drugs Supply/Sale/Service order under loan license arrangement shall not be considered. Note: Bidder should submit Purchase order copies along with the copy of GST invoice and E-way bill	4 (h), 6.2 (e) & Pg No. 7, 11	each schedule Tender Clause 4.h & 6.2.e Eligibility Criteria Relaxed the such conditions for MSME or Startup manufacturers in line with Deptt. Of Expenditure guidelines/ Orders/ Circulars. Tender Clause 4.h & 6.2.e Eligibility Criteria Relaxed the such conditions for MSME or Startup manufacturers in line with Deptt. Of Expenditure guidelines/ Orders/ Circulars. Tender Clause 6.2 (C), e, f,g,h,i, j, n, aa:- In case, bidder is Authorized Agent of the manufacturer in India then all relevant criteria of the self/ principal (manufacturer) could be considered. Tender Clause 4.h & 6.2.e Eligibility Criteria Relaxed the such conditions for MSME or Startup	Clarified as: Kindly follow the tender terms & conditions.
	against the proof of execution of order for every submitted Purchase Order. If GST invoice is not applicable for any Purchase Order, the		manufacturers in line with Deptt. Of Expenditure guidelines/ Orders/ Circulars.	

	affidavit to that effect on		Tender Clause 6.2 (C), e,	
	stamp paper of Rs. 100/-		f,g,h,i, j, n, aa:-	
	should be submitted.		In case, bidder is Authorized	
			Agent of the manufacturer in	
			India then all relevant criteria	
			of the self/ principal	
			(manufacturer) could be	
			considered.	
17.	Duly notarized general power	6.2 (d) & Pg	Duly notarized general power	Clarified as:
	of Attorney (on non-judicial	No. 11	of Attorney (on non-judicial	
	stamp paper of worth Rs. 50/-)		stamp paper of worth Rs. 50/-	Accepted.
	in favour of authorized		or More) in favour of	_
	signatory in case of partnership		authorized signatory in case of	
	firm (to be signed by all		partnership firm (to be signed	
	partners) / proprietorship firm		by all partners) /	
	or board resolution in case of a		proprietorship firm or board	
	company to sign the bid and		resolution in case of a company	
	bind the bidder. The signature		to sign the bid and bind the	
	of authorized signatory should		bidder. The signature of	
	be duly attested. In case of		authorized signatory should be	
	proprietorship on its letter head		duly attested. In case of	
	of firm declares himself as		proprietorship on its letter	
	proprietor with specimen		head of firm declares himself as	
	signature.		proprietor with specimen	
			signature	
18.	Annexure-VIII	Annexure-	NOTARISED	Clarified as:
	NOTARISED UNDERTAKING	VIII & Pg No.	UNDERTAKING BY MSE	
	BY MSE COMPANIES (In 20-	70	COMPANIES (In 20- Rupees or	Accepted.
	Rupees stamp paper)		more rupees stamp paper)	I.
19.	Payments for supply will be	17.4 & Pg No.	In addition to the referred	Clarified as:
	made only after completion of	28	tender clause.	
	supply of Items ordered in the		Payment should be release to	Kindly follow the tender
	individual Purchase Order		MSME manufacturers	terms & conditions.
	PROVIDED quality reports are		according to MSME provisions	
	acceptable. The CMSS shall		by GoI.	
	endeavour to make payment		by Gol.	
	within 75 days in respect of		Delay in Payment: - CMSS	
	items requiring sterility tests		will have to pay penalty	
	and within 60 days in respect of		equivalent to LD charges	
	items requiring non- sterility		clause (18.2)	
	test from the date of submission		clause (10.2)	
	of invoice or from the date of			
	receipt of material, whichever			
	is later along with all the relevant documents of tender.			
20.	Only Class-1 and Class-2 local	4 (a) & Pg No.	Class-1, Class-2 & Non local	Clarified as:
20.	5			Cialificu ad.
	supplier shall be eligible for	6	supplier shall be eligible for	Kindly follow the tor day
	participation. Bids from Class		participation. Bids from	Kindly follow the tender
	I/Class II supplier (MSE/Non		supplier (MSE/Non MSE) as	terms & conditions.
	MSE) as defined in Department		defined in Department of	
	of Pharmaceuticals under		Pharmaceuticals under	
	Ministry of Chemicals and		Ministry of Chemicals and	
	Fertilizers order no. F.No		Fertilizers order no. F.No	
	31026/65/2020-MD dated		31026/65/2020-MD dated	
			30.12.2020 shall be accepted.	
1	30.12.2020 shall be accepted.			
	Bids from firms/vendors other		*	
			Remarks: - Tender Published	
	Bids from firms/vendors other than Class-1 and Class 2 local		Remarks: - Tender Published	
	Bids from firms/vendors other		-	

			Class-1, Class-2 & Non local supplier shall be eligible for	
			participation. Bids from supplier (MSE/Non MSE) as defined in Department of Pharmaceuticals under Ministry of Chemicals and Fertilizers order no. F.No 31026/65/2020-MD dated	
			30.12.2020 shall be accepted. Remarks: - Tender Published against risk purchase w.r.o defaulting suppliers.	
21.	The invitation to bid is open to	4 (b) & Pg	The invitation to bid is open	Clarified as:
	domestic manufacturers (Indian Manufacturers) only.	No. 6	for Indian manufacturers and their authorized agents/distributors or Global suppliers and their agents.	Kindly follow the tender terms & conditions.
			NOTE: - As this Tender Published against risk purchase w.r.t. defaulting suppliers, means in the open market i.e., distributor/ Dealer permissible.	
			The invitation to bid is open to domestic manufacturers (Indian Manufacturers)/or/and their authorized agencies or Global Manufacturers or their agents.	
			NOTE: - Tender Published against risk purchase w.r.t. defaulting suppliers. As per tender provisions 5.6 (c), 16.8 (ii), 18.1 (a), 18.4 (g), 18.4 (h) ii, 19.4, 20.4, (in the open market means distributor/ Dealer permissible.	
22.	Tenderer shall be a manufacturer of the quoted product and having valid own manufacturing license in the indicate pharmacopeia (in technical specification at Annexure IA) and a Valid Certificate of Pharmaceutical Product (CoPP) as	4 (c), (e), (h) & Pg No. 7	Tender Clause 4.c, e & h In case, bidder is Authorized Agent of the manufacturer in India then the past supply criteria of the self/ principal (manufacturer) could be considered.	Clarified as: Kindly follow the tender terms & conditions.
	Product (CoPP) as recommended by WHO in any Pharmacopeia IP/BP/USP/IH (if drug not available in any pharmacopeia). The manufacturing license & COPP should be valid on the date of tender opening packet 1. In case of failure to submit the same,		Tender Clause 4.c, e &h In case, bidder is Authorized Agent of the manufacturer in India then the past supply criteria of the self/ principal (manufacturer) could be considered.	

the bid shall not be considered
any further.
e) (i) Average Annual
turnover for Tenderers in the
last three years i.e. 2020-21,
2021-22 and 2022-23 OR 2021-
22, 2022-23 and 2023-24 shall
not be less than the following:
Schedule Amount (in
Rs.)
I 69,31,18,434
II 28,86,95,899
11 20,00,00,00
(ii) The turnover benchmark
given in (e) above will not
apply to Micro and Small
Enterprises (MSE).
Note: MSE Traders will not get
the benefits of MSE Firm
$\mathbf{h} = \mathbf{T}_{\text{output}} \mathbf{h}_{\text{output}} \mathbf{h}_{\text{output}} \mathbf{h}_{\text{output}}$
h) Tenderer should have supplied 40% of the guoted
supplied 40% of the quoted
quantity of same or similar
items during the last two
financial years. Bidder should
submit Purchase order copies
and certificate duly issued by
statutory auditor of the
company on his letter head by
certifying the quantities
manufactured and marketed in
trade, export, open market, sold
to government institutions,
private bodies etc. and the
marketed quantities are not less
than at least 40% of the quoted/
similar items.
Similar Items here relate to the
following: -
Similar item means
quoted/any Anti TB Drug
Supply/Sale/Service order
under loan license
arrangement shall not be
considered.
Note: Bidder should submit
Purchase order copies along
with the copy of GST invoice
and E-way bill against the proof
of execution of order for every
submitted Purchase Order. If
GST invoice is not applicable
for any Purchase Order, the
affidavit to that effect on stamp
paper of Rs. 100/- should be
submitted.
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23.	Please clarify if any litigation or	Clarified as:
	sub-Judice Matter happened with defaulting suppliers, as there is huge financial involvement.	
	Please clarify if any litigation or sub-Judice matter happened with defaulting suppliers, as there is huge financial involvement.	

Note: - Above changes will be part of the tender document.

-sd/-GM (Procurement)

Annexure-2

REVISED IMPORTANT DATE SHEET ARE AS UNDER:

Description	Scheduled date
Bid Submission End Date and Time	01/08/2024 till 03:00 PM
Last date of submission of original documents	02/08/2024 till 03:00 PM
Bid Opening Date and Time	02/08/2024 at 04:00 PM

Note: - Apart from above, all other terms & conditions of tender document will remain unchanged.

Sd/-GM (Procurement)