

**MINUTES OF TECHNICAL EVALUATION COMMITTEE MEETING FOR TENDER
BMSIC/REAGENT/18-02**

(TENDER FOR RATE CONTRACT & SUPPLY OF CLINICAL BIOCHEMISTRY REAGENT (IN VITRO DIAGNOSTICS MEDICAL DEVICES) FOR SEMI AUTO BIOCHEMISTRY ANALYZERS AND FULLY AUTO BIOCHEMISTRY ANALYZERS INSTALLED THROUGH BMSICL AT DIFFERENT HEALTHCARE FACILITIES OF STATE OF BIHAR FOR THE YEAR 2018-2020.)

Date: 04th January 2019

Venue: BMSICL Conference Hall.

The Technical Evaluation Committee Meeting for Tender No. BMSIC/REAGENT/18-02 was held on 04th January 2019 under the chairmanship of Dr. R. D. Ranjan, Director in Chief, Department of Health, GoB. The other committee members present in the meeting were:

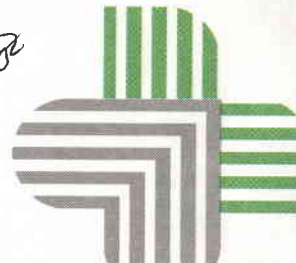
1. Sh. Anil Kumar, Joint Secretary, Department of Health, GoB.
2. Sh. Khalid Arshad, AO, State Health Society, GoB.
3. Dr. N. K. Mishra, Additional Director, Department of Health, GoB
4. Sh. Sudhir Kumar, GM (Procurement), BMSICL.
5. Sh. Sunil Kumar Singh, GM (Logistics), BMSICL.
6. Dr. Biswaprakash Pradhan, DGM (Drugs), BMSICL.

The Details of the invited tender are as follows:

1. Tender Reference No. BMSIC/REAGENT/18-02
2. Tender floated date- 11/07/2018
3. Last date of submission of Online bids-13/09/2018
4. Tender opening date- 14/09/2018

The Tender has been floated for the following Forty-One (41) Number Clinical Biochemistry Reagents along with certain complimentary services as enumerated in clause 20(a) of the tender document.

TENDER PRODUCT LIST			
Sl. No	Name of the Clinical Biochemistry Reagents	Sl. No	Name of the Clinical Biochemistry Reagents
1	Acid Phosphatase	22	Total Iron Binding Capacity (TIBC)
2	Alanine Aminotransferase (ALT)/SGPT	23	Lactate Dehydrogenase (LDH)
3	Albumin	24	Magnesium
4	Alkaline Phosphate	25	Phosphorus
5	Amylase	26	RF Quantitative



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6	Apolipo A1	27	Total Bilirubin
7	Apolipo B	28	Total Protein
8	ASO Quantitative	29	Triglycerides
9	Aspartate Aminotransferase (SGOT)	30	Urea
10	Total Calcium	31	Uric Acid
11	Total Cholesterol	32	Urine Microalbumin
12	Cholinesterase	33	Urine Microprotein
13	Creatinine	34	Lipase
14	CRP Quantitative	35	(Creatinine Kinase) CPK
15	Direct Bilirubin	36	Creatinine Kinase-MB (CK-MB)
16	D-HDL Cholesterol	37	Creatinine Kinase-NAC (CK-NAC)
17	D-LDL Cholesterol	38	Ferritin
18	Gamma Glutamyl transferase	39	Compliment C3
19	Glucose (minimum 400ml)	40	Compliment C4
20	HBA1C	41	Amylase Pancreatic
21	Iron (Fe)		

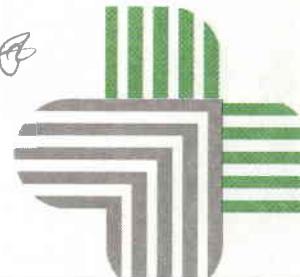
Total 5 (Five) bidders have participated in the tender, the list is as follows:

1. M/s POCT Services Pvt. Ltd.
2. M/s Abbott Healthcare Pvt. Ltd.
3. M/s Avantor Performance Materials and India Ltd.
4. M/s Kopran Laboratories Limited
5. M/s LabX

The Preliminary Evaluation of technical bids of the above-mentioned bidding firms was done by the team of Drug Inspectors deputed at BMSICL. Evaluation sheets were published on the website of BMSICL and clarifications were invited from the respective firms vide notice 3008 dated 01-10-2018.

After comparison of the clarifications received in the light of that notice from the bidders and close examination of the documents submitted by the bidding firms, the bidder wise technical evaluation findings were recorded as follows in the TEC meeting dated 29-10-2018.

B. Pradhas

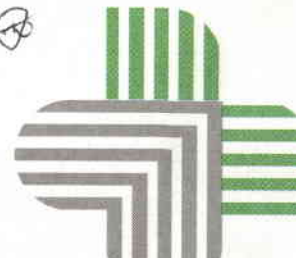


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S.N.	Name of the Bidder	Remarks
1	M/s POCT Services Pvt. Ltd.	The bidder has not submitted valid license in Form 10 for Glucose (NIT Sl. No. 19) to import drugs.
2	M/s Abbott Healthcare Pvt. Ltd.	The bidder has not submitted valid license in Form 10 for HBA1C (NIT Sl. No. 20) to import drugs.
3	M/s Avantor Performance Materials and India Ltd.	<p>All submitted documents are not attested by the Authorized signatory, as required vide clause 3 (e) of Bid document. Bidder has submitted product approval only for 7 quoted items against the requirement of 41 items.</p> <p>As per Clause 3(h) of NIT, "The bidder shall produce copy/copies of executed supply order/orders for Biochemistry reagents worth minimum ten crore rupees on a cumulative basis during the last three years from the Central Government/ any state government/ any Central Government or State Government PSU- but the Bidder has not submitted the requisite documents.</p> <p>Bidder has quoted for 20 products only against the requirement of 41 products.</p>
4	M/s Koprani Laboratories Limited	The bidder has not submitted valid license in Form 10 for Acid Phosphatase (NIT Sl. No. 1), Cholinesterase (NIT Sl. No. 12), Ferritin (NIT Sl. No. 38) to import drugs.
5	M/s LabX	<p>According to Clause 3(f) of NIT, "The Bidder must have a valid manufacturing/import license but the bidder has not submitted valid license in form 10 for import any of the quoted products.</p> <p>2) Certification from European-CE/USFDA has not been submitted for Acid Phosphatase (NIT Sl. No. 1), Urine Microprotein (NIT Sl. No. 33), (Creatinine Kinase) CPK (NIT Sl. No. 35) and Amylase Pancreatic (NIT Sl. No. 41) as required according to clause 3(f) of NIT".</p> <p>3) As per Clause 3(h) of NIT, "The bidder shall produce copy/copies of executed supply order/orders for Biochemistry reagents worth minimum ten crore rupees on a cumulative basis during the last three years from the Central Government/ any state government/ Any Central Government or State Government PSU- but the Bidder has not submitted the requisite documents.</p>

B. Pradhan

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Considering the fact that after publication of preliminary evaluation sheets on the web-portal of BMSICL, the bidders had clarified many of the points raised by the evaluators and further considering the volume of the documents required to be submitted, it was unanimously decided in the TEC meeting dated 29/10/2018 to give them another but last opportunity to all the bidders to submit their clarification on the above mentioned points and further submit the missing documents (if any). It was also decided to upload the minutes of this meeting on the website of BMSICL and to intimate the respective bidders individually also through e-mail, to allow them for clarification and submission of missing documents within 7 (seven) days.

Accordingly, the minutes of that meeting was published on the website of the BMSICL along with a notice bearing notice no. 3577 dated 01-11-2018 to invite claims/objections and the bidders were also intimated through mail.

In the light of the above said notice dated 01.11.2018, the following claims/objections were received till the last date of the scheduled period and those claims and objections were evaluated in the TEC meeting dated 08-11-2018 and disposed off in that meeting as follows:-

S. N.	Name of the Claimant/ Objector	Date and time of receipt of claim/ Objection	Claim/Objection in Brief	Supporting documents if any	Disposal of the claim/Objection	Remarks
1	Atul Kumar Singh through atulkumar singhpnb09@gmail.com	08-11-2018 (8:29AM)	1. M/s Abbott Diagnostics Pvt. Ltd has submitted the bid only to complete the tender procedure formalities. They are not at all manufacturing OPEN system reagents, neither for different make Auto Analyzer nor they make any reagents for Semi Automatic Reagents. Requesting you, to please inquire and take the written confirmation from them. After confirmation from their end, please put it in your web portal about their confirmation, so that in feature NO	Not Given	M/s Abbott Healthcare Pvt Ltd. has given the requisite import license and fulfilled the required criteria as per the terms and conditions laid down in the bid document. Hence, the objection is not valid.	M/s Abbott Healthcare Pvt. Ltd. is technically qualified.



		companies can do unethical practice in feature.			
		<p>2. POCT services limited is the only company who is getting maximum order from BMSICL. It may in Diagnostics products or Hospital furniture, in spite of submitting the FALSE documents against your tender. Here, also they have submitted the FAKE documents like import documents and past order copies for reagents .They are manufacturing the reagents in India and supplying the same in your different Health Centre. Please enquire, there quoted reagents in last time and supplied reagents details. Even ,knowing the fact that in between (more than 1 year) they did not have the valid IEC (import export code). But they quoted as a importer and produce all the FAKE documents. I am surprise to see, even they have done the same thing this time and try to play with BMSICL management as well as with the health of general people</p>	Not Given	Regarding ingenuineness of the documents submitted by the bidder, no evidence is submitted by the objector.	M/s POCT services Pvt Ltd is technically qualified.

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			in Bihar. Please take appropriate action.			
			3. Kopran Laboratories Ltd. has also quoted against your above mentioned tender and we are surprise to see that the same company has also got the order for Auto Analyzer and they are not doing properly service for the supplied instrument after floating the current tender. Please inquire from your different health institute/ Hospital. If they are not able to maintain the Automated Analyzer, how they will supply the reagents for whole state of Bihar. Please inquire about their service in last 6 months from different Health Centre/Hospitals.	Not Given	The objection against this firm has nothing to do with this tender. Nevertheless as the firm M/S Kopran Laboratories Ltd has not fulfilled certain criteria as per the terms and conditions laid down in the bid document, this firm doesn't qualify technically.	M/s Kopran Laboratories Ltd. is technically Disqualified.
2	Umesh for Labxx kerala through labxx.keralaindia@gmail.com	07-11-2018 (15:06 PM)	1. M/s POCT Services Pvt. Ltd.- : Bidder has not submitted valid license in FORM 10 for GLUCOSE. A. POCT Services Pvt. Ltd is manufacturing the Glucose reagents in India and they can't submit the valid license in FORM 10 for quoted GLUCOSE parameters against your tender. B. You may have	Not Given	A. M/s POCT services Pvt limited has now submitted valid license in Form 10 for Glucose. B. Submitted documents (purchase order) are in the name of POCT Services Pvt. Ltd. Hence, the objection is not valid.	M/s POCT Services Pvt Ltd is technically qualified.

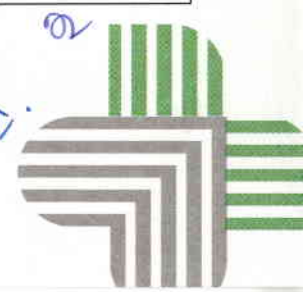


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		<p>overlook, that POCT Services Pvt. Ltd has not submitted the order copies of Ten Crore on a cumulative basis during last 3 years. The bidder has submitted the order copies from POCT Services - not from POCT Service Pvt. Ltd. Both companies are different and both are holding different GST number. Moreover POCT Services Pvt. Ltd has not submitted any Name Change certificates from Gov. of UP or Delhi, against your tender (from POCT Services to POCT Services Pvt Ltd.) at the time of tender submission.</p>			
		<p>2. Abbott Healthcare Pvt. Ltd.: Non submission valid license in FORM 10 for HbA1c. A. Abbott Healthcare does not have FORM 10 for HbA1c. B. Abbott Healthcare Pvt. Ltd is manufacturing the reagents for their Automated Chemistry Analyser ONLY. This reagents pack are only fitted in their Chemistry Analyser. Moreover, they do not have any semi auto analyser</p>	<p>Not Given</p>	<p>M/s Abbott Healthcare Pvt. Ltd has now submitted valid import license in FORM 10 for HbA1c. M/s Abbott Diagnostics Pvt Ltd. has fulfilled the required criteria as per the terms and conditions laid down in the bid document. Hence, the objection is not valid.</p>	<p>M/s Abbott Healthcare Pvt. Ltd. is technically qualified.</p>

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		<p>reagents till date (you can find from their website). Please confirm by mail or in person or by call from Abbott Healthcare Pvt Ltd that whether they are manufacturing the chemistry reagents for different automated chemistry analyser and semi automated analyser or not. Please take it written confirmation from Abbott Healthcare and we assure you that they are not in a position to reply your quires. They will NOT reply your quires. R you going to take any steps for the same ? They have just done participated for helping other bidder which is violence of CVO guideline.</p>			
		<p>3. Avantor Performance Materials and India Ltd. Bidder has quoted few items but all the quoted items are having FORM 10. Regarding Ten Crore on a cumulative basis during last 3 years,we assure you that none of the bidder is having 10 crore certificates except Abbott Healthcare Pvt. Ltd & Kopran Laboratories Limited.</p>	<p>Not Given</p>	<p>Avantor Performance Materials and India Ltd has not fulfilled the required criteria as per the terms and conditions laid down in the bid document. Hence, the objection is not valid.</p>	<p>M/s Avantor Performance Materials and India Ltd is technically Disqualified.</p>

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3	M/s POCT Services Pvt. Ltd.	02-11-18 (hard copy submitted)	The bidder has submitted valid license in Form 10 (Licence no.NCD-117/16, valid upto 05/07/2019) for Glucose (NIT Sl. No. 19) to import drugs.	YES	M/s POCT services Pvt limited has now fulfilled the required criteria as per the terms and conditions laid down in the bid document.	M/s POCT services Pvt limited is technically qualified.
4	M/s Abbott Healthcare Pvt. Ltd.	03-11-2018 (7:02 PM)	The bidder has submitted valid license in Form 10 for HBA1C (NIT Sl. No. 20) to import drugs.	YES	M/s Abbott Diagnostics Pvt Ltd. has now fulfilled the required criteria as per the terms and conditions laid down in the bid document.	M/s Abbott Healthcare Pvt Ltd. is technically qualified.
5	M/s Avantor Performance Materials and India Ltd.	(08-11-2018 & 5:05 PM) and (08-11-2018 & 6:25 PM)	M/s Avantor Performance Materials and India Ltd. has declared that they have provided all certificates/documents required to comply with the Medical device rules 2017 for supply of Invitro Diagnostics devices. But in the later mail it has declared that, it has quoted only for 20 items out of 41.	YES	1) All submitted documents are not attested by the Authorized signatory, as required vide clause 3 (e) of Bid document. Bidder has submitted product approval only for 7 quoted items against the requirement of 41 items. 2) As per Clause 3(h) of NIT, "The bidder shall produce copy/copies of executed supply order/orders for Biochemistry reagents worth minimum ten crore rupees on a cumulative basis during the last three years from the Central Government/ any state government/ any Central Government or State Government PSU- but the Bidder has not submitted the requisite documents	M/s Avantor Performance Materials and India Ltd is technically Disqualified for non-compliance of clause 3(e), 3(h) and 2(f) of the bid document.

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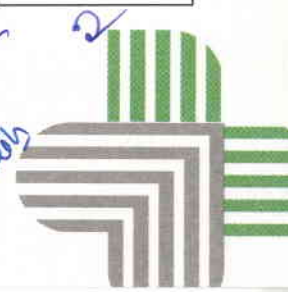
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					3) Bidder has quoted for 20 products only against the requirement of 41 products. Avantor Performance Materials and India Ltd has not fulfilled the required criteria as per the terms and condition of the bid document. Hence, the objection is not valid.	
6	M/s Kopran Laboratories Limited	06-11-2018 & 5:48 PM	<p>The firm has submitted the Form-10 from his principal for the following parameters i.e</p> <p>1)Acid Phosphate 2)Cholinesterase 3)Ferritin</p> <p>including renewal application details for ACP (Ref no. IMP/IVD/2018/6747 dated 06/09/18 & for others reference no.IMP/IVD/2018/6919 dated 19/09/18. These parameters are imported origin and manufactured by Beckman Coulter GmbH. Beckman coulter India Pvt Ltd is a subsidiary of Beckman Coulter GmbH and presently Beckman coulter India Pvt Ltd are having their office in India. Currently Kopran Laboratories Ltd is sourcing from Beckman</p>	YES	<p>The bidder has not submitted valid license in Form 10 for Acid Phosphatase (NIT Sl. No. 1), Cholinesterase (NIT Sl. No. 12), Ferritin (NIT Sl. No. 38) to import these items. Hence, it has not fulfilled the required criteria as per the terms and condition of the bid document.</p>	<p>M/s Kopran Laboratories Ltd. is technically Disqualified for non-compliance of clause 3(g) and 5(a) of the bid document.</p>

B. Pradhas





			coulter India Pvt Ltd for above parameters.			
7	M/s LabX	Not submitted any claim or objection.	No clarification from the bidder.	NA	As per the minutes of TEC meeting dated 29-10-2018, the firm has not fulfilled the following criteria:- 1) According to Clause 3(f) of NIT, "The Bidder must have a valid manufacturing/import license but the bidder has not submitted valid license in form 10 for import any of the quoted products. 2) Certification from European-CE/USFDA has not been submitted for Acid Phosphatase (NIT Sl. No. 1), Urine Microprotein (NIT Sl. No. 33), (Creatinine Kinase) CPK (NIT Sl. No. 35) and Amylase Pancreatic (NIT Sl. No. 41) as required according to clause 3(f) of NIT". 3) As per Clause 3(h) of NIT, "The bidder shall produce copy/copies of executed supply order/orders for Biochemistry reagents worth minimum ten crore rupees on a cumulative basis during the last three years from the Central Government/ any state government/ Any	M/s LabX. is technically Disqualified for non compliance of clause 3(f), 3(g) and 3(h) of the bid document.

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					Central Government or State Government PSU- but the Bidder has not submitted the requisite documents.	
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Hence, it was unanimously decided to recommend for opening of the financial bids of the following technically qualified bidding firms-

1. M/s Abbott Healthcare Pvt. Ltd.
2. M/s POCT Services Pvt. Ltd.

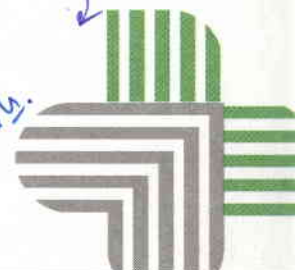
In the light of that recommendation, the meeting of Financial Committee was called on 12-11-2018. But in the meanwhile, two objections were received against the TEC decision dated 08-11-2018. Hence, in the financial committee meeting dated 12/11/2018, the committee discussed about the objection which was received from Mr. Atul Kumar Singh through e-mail dated 12/11/2018 at 8:52 AM against M/s Abbott Healthcare Private Limited and M/s POCT Services Private Limited and the representation of M/s Kopran Laboratories Ltd. which was received through e-mail on 10/11/18 at 05:02 PM, against its technical disqualification. As the issues raised in the said e-mails were technical in nature, the financial committee recommended to examine the details on the technical ground and accordingly conduct a TEC meeting for disposal of the said objections before opening of financial bid.

Accordingly in the TEC meeting dated 15/11/18, the objector/ claimant Mr. Atul Kumar Singh, M/s Kopran Laboratories Ltd., M/s Abbott Healthcare Private Limited and M/s POCT Services Private Limited were also invited to attend and substantiate their claim/objections with evidence if any.

The objector/claimant Mr. Atul Kumar Singh represented through his mail dated 14/11/2018 at 9:08 AM that he would be unable to attend the meeting and requested for another opportunity to attend and to put forward his case in any future meeting with proper prior intimation.

Mr. Jayanta Kr. Hati of M/s Kopran Laboratories Ltd attended the TEC meeting dated 15/11/2018. He submitted two separate representations which in brief were as follows: -

1. "We have already submitted our valid import license and Form-10. We have also submitted the Form-10 from our Principal Beckman Coulter GmbH along with renewal application code number ((Ref. No. IMP/IVD/2018/6747 Dated 6.09.2018) & (IMP/IVD/2018/6919 Dated 19.09.2018) for the following three parameters:
 Serial No. 1 Acid Phosphatase
 Serial No. 12 Cholinesterase
 Serial No. 38 Ferritin.
 These parameters are imported origin and manufactured by Beckman Coulter GmbH. Beckman Coulter India Pvt Ltd subsidiary of Beckman Coulter GmbH and presently they are not having their



office in India. However, we do hereby confirm that we are also in the process to incorporate these parameters in our Form-10. We further assure you that we will be able to supply the above reagents from our principal, if the consideration made from your end”.

2. “We thank you very much for the curtsey extended to the undersigned during the technical meeting which has held at your office today (15.11.2018). Refer to above mentioned tender, we request you to please consider our Technical bid. Kindly refer to C.V.C guideline 2006 page no. 14, para no. 4 “In another case for procurement of computer hardware consisting of several individual items, the offer of a firm was rejected as the ‘Server’ quoted was not meeting the specified requirements. Similarly, the offer of another firm was rejected as the ‘Client Desktop’ quoted by them was not as per specified requirement. Though only one individual item was unacceptable in both the offers, the entire offer of both the firms was rejected despite there being no such condition in the tender that disqualification in one item would result in disqualification of the tender as a whole. Referring to the cited guidelines, we hereby request you to kindly consider our technical bid for further process of the above mentioned tender.”

The points raised in the first representation of M/s Koprana Laboratories Ltd had already been dealt with in the minutes of the meeting of this committee dated 08-11-2018 and it was technically disqualified for the said deficits. After reexamination of these points it was observed that no new facts have been put forward by the firm in its first representation. Hence, the firm still stood disqualified for the want of valid Import license for items namely, Acid Phosphatase (Serial No. 1), Cholinesterase (Serial No. 12) & Ferritin (Serial No. 38 of NIT).

Regarding the 2nd representation of the firm, it was unanimously decided to take legal opinion on the issues of: -

1. Applicability of the above said para of the said guidelines to this tender in general and to the applicant in particular.
2. Whether the firm could be treated partially qualified for 38 items and partially disqualified for rest 3 items in the light of the above guidelines as well as in the light of the tender clause especially clause no. 20(a), 14(e) and 2(f).

Accordingly, the legal opinion was sought. The legal opinion has been recorded as-“In my opinion, the provision contained in the CVC guidelines is not applicable with respect to the instant tender in as much as the instant tender is a composite one as per clauses referred to above, each item cannot be segregated or the activities and other related functions. It is not based on individual item wise. It is composite with respect to supply of all the items and also for providing of man power, infrastructure, accessories, equipments and maintenance thereto. Having examined the matter, in my opinion, there is no error in the decision of the Technical Evaluation Committee and the said firm has rightly been held to be disqualified.”

After considering the representation of Mr. Atul Kumar Singh, it was unanimously decided by the TEC on 15/11/2018 to provide another but last opportunity to attend and put forward the case in a future meeting with prior intimation. And accordingly vide mail dated 26/11/2018, he had been informed to attend this TEC meeting on 30/11/2018 to substantiate the objections/claims raised by him against the minutes of the

B. Prasadhan



meeting dated 08/11/2018. He was also informed that his raised claims/objections might be disposed off unilaterally by the committee if he fails to attend the scheduled TEC meeting.

But Mr. Atul Kumar Singh has neither attended nor submitted any document in support of his claims/objections. Despite that the points raised by the said complainant need to be verified and it was therefore decided to recommend for constitution of a fact finding committee to deeply enquire into the allegations made by the complainant against the technically qualified bidding firms namely M/s Abbott Healthcare Pvt. Ltd. and M/s POCT Services Pvt. Ltd., so that the matter could be brought to a logical conclusion.

Thus the Internal Committee was formed under the chairmanship of Mr. Sunil Kumar Singh, GM (logistics), BMSICL. The other members of the committee were:-

1. Sh. Biswaprakash Pradhan, DGM (Drugs)
2. Mrs. Puja Sinha (Company Secretary)
3. Sh. Mahesh Kumar Atri, (Manager Finance)
4. Mr. Ravi Kiran Rakesh (Manager Drugs)
5. Mr. Nitin Kumar (Asst. Manager Drugs)
6. Mr. Rajesh Kumar (SRU)

The internal committee has submitted its findings and recommendations vide the minutes of its meeting dated 29.12.2018 which are in brief as follows:-

[The evaluation sheets submitted by the Drug Inspectors during their technical evaluation of this tender were thoroughly examined in the meeting of the Internal Committee on 10.12.2018. It was observed that during the technical evaluation all the papers submitted by the bidders had been technically examined, following which the two firms had been declared technically qualified.]

However, in view of the complaint received, it was felt by the internal committee that the authenticity of the documents submitted by the firms, as a part of the technical bid needed to be authenticated on the basis of the verification of the corresponding original documents.

It was therefore unanimously decided by the internal committee to ask the technically qualified firms namely M/s Abbott Healthcare Pvt. Ltd. and M/s POCT Services Pvt. Ltd to be present in front of this committee on 17.12.2018 at 11:00 AM in BMSICL along with the original copy of the documents, submitted by the above said firms for the said tender. It was also decided to intimate the objector/ claimant Mr. Atul Kumar Singh, to attend and substantiate his claim/objections if any with evidence supported by an Affidavit on the above Scheduled meeting i.e 17.12.2018 at 11:00 AM in BMSICL.

Accordingly, vide letter no 4276 & 4275 dated 10.12.2018, M/s POCT Services Pvt. Ltd & M/s Abbott Healthcare Pvt. Ltd were informed respectively to appear in front of the internal committee on 17.12.2018 at 11:00 AM in BMSICL along with original copy of the documents submitted by the firm, as a part of the technical bid for the said tender, and same day a mail was also sent to the objector/ claimant Mr. Atul Kumar Singh to appear on 17.12.2018 before that committee and furnish supporting documents in favor of his claims/objections. He was also requested to furnish supporting documents (if any) under an affidavit through a speed post to BMSICL, if unable to appear at the scheduled meeting.



But no response was received from M/s Abbott Healthcare Pvt. Ltd and Mr. Atul Kumar Singh.

M/s POCT Services Pvt. Ltd. also did not attend the scheduled meeting but it had requested for time through the following mail dated 13.12.2018 which reads as follows:- "This is with reference to your letter ref no. BMSIC/40020/28-2018/4276 dated 10.12.2018 regarding verification of the original documents before the Internal Committee. Owing to the fact we are a group our companies with multiple office locations and our documents are placed at different offices nationwide, thereby; it is a time taking process to collate all the documents at one instance. However, on your directions we have already initiated our process and would request you to please grant an extension of two days for furnishing the original documents before your committee. We hope you'll consider our request for this extension and would be grateful to you."

Accordingly, it was unanimously decided by the internal committee to provide another but last opportunity to the objector/ claimant Mr. Atul Kumar Singh, to either appear in person before it on 27.12.2018 at 11:00 AM in BMSICL to substantiate his claims/objections or send the true copies of evidence in support of his claims/objections by email.

Mr. Atul Kumar Singh neither attended nor submitted any document in support of his claims/objections on 27-12-2018 and even earlier.

It was also decided by the internal committee to ask M/s POCT Services Pvt. Ltd & M/s Abbott Healthcare Pvt. Ltd to be present before the Internal Committee on 27.12.2018 at 11:00 AM in BMSICL along with original copy of the documents submitted by them as a part of the technical bid for the said tender, intimating them that this will be the last opportunity for them in view of the urgency of procurement of reagents and allied services as mentioned in clause 20(a) of the NIT.

Accordingly, on 27.12.2018 M/s POCT Services Pvt Ltd attended the meeting of the internal committee through its representative Mr. Vinay Mishra (RSM). As per the original copy of the documents furnished by him, it was found that the documents submitted (including the clarifications) were true copies of their original documents. Hence the allegations made by the complainant against this firm were found without substance and the internal committee has recommended to reject the same.

M/s Abbott Healthcare Pvt Ltd also attended the meeting of the internal committee through its authorized representative Mr. Inderjit Singh (KAM-ADD). He has represented in front of the internal committee that M/s Abbott Healthcare Pvt Ltd is a group of companies with multiple/global office locations and their documents are placed in those offices complying to their statutory policies. Consequent upon this, it becomes a time consuming process to collate all the original documents in a single instance and requesting to grant an extension of at least three (3) months, thus, enabling them to aggregate all the documents in original for their submission/ presentation before the committee. He promised before the internal committee to communicate the same thing on letterhead of M/s Abbott Healthcare Pvt Ltd by 29.12.2018.

It was therefore decided by the internal committee to wait for the official communication from M/s Abbott Healthcare Pvt Ltd and to finalise the proceeding of its meeting on 29.12.2018.

B. Pradhan

Sh. Kumar
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10/12/18



Accordingly, M/s Abbott Healthcare Pvt Ltd has communicated to BMSICL on its office letterhead vide its mail dated 29.12.2018 affirming its stand taken before the internal committee on 27-12-2018 and requested for extension of time period of 3 months for submission of original documents for verification.

In view of the above mentioned facts as well as in view of the fact that, the rate contract for Clinical Biochemistry Reagent (IN VITRO DIAGNOSTICS MEDICAL DEVICES) for semi auto biochemistry analyzers and fully auto biochemistry analyzers has expired since 09.11.2018 and considering the urgent requirement of the Clinical Biochemistry Reagent across the state, the Internal committee has recommended that it would not be advisable to grant an extension of 3 months to M/s Abbott Healthcare Pvt Ltd for submission of original documents and then to find the authenticity of the documents those submitted during the online bid submission, as during this period a fresh tender could be called upon and finalized.]

After perusal of the findings and agreeing with the recommendations of the Internal Committee, it was unanimously decided to recommend for cancellation of this tender and to re-invite the tender for the Biochemistry reagents and allied services necessary for providing uninterrupted diagnostic services at the health institutions of the state where semi and fully auto biochemistry analysers have been provided by the BMSICL.

With this decision, the meeting was concluded with a vote of thanks.

B. Pradhan
04/01/2019

(Dr. Biswaprakash Pradhan)
DGM (Drugs), BMSICL, Patna

S.S.
04/01/2019

(Sh. Sunil Kumar Singh)
GM (Logistics), BMSICL, Patna

S.K.
04.1.19

(Sudhir Kumar)
GM (Procurement), BMSICL,
Patna.

N.K.M.
04.01.19

(Dr. N. K. Mishra)
Additional Director, Health Dept.,
Govt. of Bihar.

K.A.
04/01/19

(Khalid Arshad)
Administrative Officer, SHSB.

A.K.
04.1.2019

(Sh. Anil Kumar)
Joint Secretary, Health Dept.
Govt. of Bihar.

R.D.
4/1/19

(Dr. R.D. Ranjan)
Director in Chief, Health Dept.
Govt. of Bihar.

