

MINUTES OF GRIEVANCES MEETING

MAYO HOSPITAL LAHORE



Participants:

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| 1. Prof. Dr. Ahsan Numan
Head of Neurology Department Mayo Hospital Lahore | Chairman |
| 2. Prof. Dr. Nasir Chaudhary
Head of Ophthalmology Department Unit-II Mayo Hospital Lahore | Member |
| 3. Dr. Sohail Arshad
Addl. Directors Stores Mayo Hospital Lahore | Member |
| 4. Mr. Azeem Butt
Deputy Drugs Controller Mayo Hospital Lahore | Member |
| 5. Mr. Muhammad Jawad Bhatti
Deputy Drugs Controller Mayo Hospital Lahore | Member |

Proceedings:

Meeting started with the recitation from the Holy Quran. The Chairman, Grievances Committee Mayo Hospital Lahore welcomed all the participants.

ITEM NO. 01:

GRIEVANCE SUBMITTED BY M/S ESSITY PAKISTAN (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance with reference to tender process for medical supplies at Mayo Hospital. The firm stated that it quoted Opsite 28x30cm as per requirements of hospital. However, due to unforeseen circumstances and the unavailability of the specified size, the firm had to make a strategic decision to provide an alternative sample of the same brand, Opsite, but in a slightly different size, namely, Opsite 28x15cm. The firm claimed that it did this to give an opportunity to evaluation committee to assess the quality and suitability of the Opsite brand despite the size discrepancy. The firm requested to accept its submitted sample of Opsite 28x15cm and consider it technically responsive to the tender requirement. The firm alleged to deliver correct size after awarded of contract.

Decision:

Mr. Rasheed pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified T.E. 91 due failure in Section 8 of Part-A & Part-C as the sample provided

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was of different specifications. The firm's representative stated that the firm could not provide advertised samples due to import issues and provided Opsite 28X15 cm as a reference. The firm showed sample of Opsite 30X28 at the time of grievances meeting. The committee decided to refer case to TEC for evaluation of sample under Section 8 of Part-A and Part-C.

ITEM NO. 02:

GRIEVANCE SUBMITTED BY M/S VITAL PHARMA (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance with reference to Technical Evaluation Report uploaded on 21.07.2023 on PPRA website, whereas the firm is technically non responsive in Part-A, for serial No. 15-Blood Sugar Strips & 65-Ketone Strips. The firm claimed that it has been supplying the same product to the Pakistan's main hospitals and its product is highly acceptable due to high performance. The firm requested to reconsider its products. The firm gave following submissions:

1. There is no difference between Security Deposit Receipt (SDR) and Call Deposit Receipt (CDR) Call Deposit Receipt. Security Deposit Receipt is a non-negotiable instrument issued on behalf of customers for guaranteed payments to beneficiary such as Government/Semi-Government Private Organization & Individuals. A Security Deposit Receipt or Call Deposit Receipt is a receipt issued by a bank to a depositor for cash and checks deposited with the bank. The information recorded on the receipt includes the date and time, the amount deposited, and the account into which the funds were deposited.
2. The Free Sale Certificate is attached with the tender documents.
3. FOC meters have not been mentioned number of in tender documents. However, FOC meters can be provided if required.

In the light of above facts, the firm requested to declare it Responsive.

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Decision:

Mr. Ikram-ul-Haq, Proprietor of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in section 6 due to invalid CDR, section 7 and section 8 of Part-A. The firm representative provided Certificate of Foreign Product No. 1251-11-2021 valid up to 3rd November 2023 attested by Embassy of Pakistan. However, the firm did not provide affidavit required under section 7 (ii) of Part-A. **The committee decided to uphold the decision of Technical Evaluation Committee due to failure in provision of an affidavit required under section 7(ii) of Part-A.**

ITEM NO. 03:



GRIEVANCE SUBMITTED BY M/S FATIMA TRADERS (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance with reference to Sr. no 72 Nichiban Tape or equivalent. The firm claimed equivalence of its tape with 3M and Nitto, having exact size 5 yards (registered in DRAP) and tensile capacity of the Medical Paper Tape. The firm claimed that in this institute the qualified firm has not the exact size because mostly Chinese companies have tapes having sizes as half of its quoted tape that are not equivalent. The firm appealed the concerned authorities to mention detailed specifications even though if it is mentioned NICHIBAN tape or equivalent. The firm requested to accept its viewpoint and allow to further compete for healthy competition. The firm further stated that it participated in this tender but its bid was rejected on the basis of invalid bid security attached with the bid despite meeting all the required parameters. The firm claimed to have attached the bid security of FAYSAL BANK in the bid and has again attached its bank verified copy.

Decision:

Mr. Qasim Ali, Institutional Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in section 6 of Part-A due to invalid CDR. The firm added that they have attached Pay Order issued from Faisal Bank and asserted that the bid security is meant to secure the bid and is returned back. The committee also discussed the advice of

 
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PPRA Punjab through Letter No. L&M(PPRA)1-15(SOC)(AB)(LHR)(5)/2020 dated 22nd August 2023 where it has been advised that *any bidder should not be declared non-responsive on account of submission of bid security in other form as it shall curtail the healthy competition.*

In lieu of above-stated, the committee decided to accept grievance and declared firm responsive in Section 6 of Part-A.

ITEM NO. 04:

GRIEVANCE SUBMITTED BY M/S IQBAL ENTERPRISES (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance with reference to objection on the bank SDR as the tender mentioned requirement of a bank CDR. The firm claimed that its bank, United Bank Limited only issues SDR instead of CDR. They also clarified that both are same having same purpose, the only difference is in the name: SDR Security Deposit Receipts instead of CDR that is Cash Deposit receipt.

Decision:

Mr. Syed Ahmar, Field Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in section 6 (iii) of Part-A due to invalid CDR. The firm's representative claimed that there is no difference between SDR and CDR. The firm further stated that both instruments are similar and serve same purpose. It added that SDR & CDR are different nomenclatures of same instruments used by different banks. The claim was also confirmed from bank authorities. The committee accepted the grievance and declared firm responsive in section 6 (iii) of Part-A.

ITEM NO. 05:

GRIEVANCE SUBMITTED BY M/S MEZAN INTERNATIONAL (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

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GRIEVANCE DETAIL:

The firm submitted grievance that its product Actosed PA Solution (instrument disinfectant) has been disqualified just because Free Sale Certificate is not attested by embassy. The firm claimed to have attached embassy attested Free Sale Certificate for consideration. It added that its product MSept(Hand Sanitizer) has been disqualified because it has not submitted Nozzel/Pump and Dispenser. The firm claimed that it has already submitted Pump/Nozzel which could have been misplaced. The firm claimed to submit again Nozzel/pump with Dispensers.

Decision:

Mr. Sajjad Gul, Marketing Coordinator of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in section 7 & 8 of Part-A, less qualifying marks in Part-B for T.E. 54 and failure in Part-C for T.E. 5. The firm showed Embassy of Pakistan attested Certificate of Free Sale No. 270569 valid up to 36 months from date of issuance i.e. 20th October 2022, for which the committee accepted the grievance and declared firm responsive in section 7 of Part-A for T.E 5. The firm further claimed to provide Nozzel and Stand with quoted item for T.E. 54. The committee further observed that the firm is also non-responsive in Part-B for T.E. 54 for which the firm did not submit grievance. The committee decided to uphold decision of TEC for T.E. 54.

ITEM NO. 06:

GRIEVANCE SUBMITTED BY M/S KM ENTERPRISES (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance that it has been declared non-responsive by the Technical Evaluation Committee citing reasons as blacklisting from the PPRA and not receiving full marks in Experience, Certification, and Technical Staff. The firm claimed that it is not currently blacklisted by any institute, including the PPRA. The blacklisted company, KM Enterprises, which shares a similar name has a completely different address including NTN (National Tax Number) and proprietor. The firm claimed that it has CE certification for

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its products. Regarding the evaluation of experience, certification, and technical staff, the firm claimed that that the firm submitted documents with its bid. The firm claimed to have included all necessary certifications, licenses, and qualifications required for this tender. The firm requested to reconsider the technical evaluation of its bid.

Decision:

Mr. Arif, Director Finance of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in Part-A and Part-B. The firm's representative presented an Order No. 17731-41/ CEO/DHA/MWI/-/Acctt: dated 13th December 2022 and stated that a replica firm i.e. KM Enterprises Sargodha Road near Total Petroleum Mianwali was created and has nothing to do with its firm i.e. KM Enterprises K.M Manion 605, D Block MA Johar Town Lahore. He added that the NTN No. of fake firm mentioned in instant order is 4827944-7 while its NTN No. is 1351439-3 that clearly shows that the blacklisted firm is a different entity and has nothing to do with the original firm K.M Enterprises Lahore. The firm further presented Minutes of Meeting of the Grievances Redressal Committee DGHS held on 13th June 2023 where the committee has accepted the grievance of firm on the same issue. **The committee decided to declare firm responsive in section 5 of Part-A.** The firm also claimed that it has attached Free Sale Certificate in the bid. The committee observed that the firm has attached copy of Free Sale Certificate No. 00031/2023/M dated 28th March 2023 attested by Embassy of Pakistan. **The committee decided to declare T.E. 46 & 47 responsive in section 7 of Part-A.**

The firm stated that the firm has attached CE Certificate No. DD 2183016-1 valid up to 2024 in the bid. The committee observed that the certificate stands valid for T.E 110 (Urine Bag) and awarded 07 additional marks in section 3(i) of Part-B. Resultantly, **T.E 110 stands responsive in Part-B by achieving 42 marks.** The firm also claimed marks for T.E 46 & 47 by presenting CE Certificate No. EG20/2833 valid up to 2024 issued by SGS

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Belgium NV that was also available on Nando Database. The Committee decided to award 07 additional marks in section 3(i) of Part-B for T.E. 46 & 47. T.E 46 & 47 stands responsive in Part-B by achieving 42 marks, The firm further claimed that it is also prequalified with Punjab Employees Social Security Institution vide Letter No. SSP(509)/2020/Vol-VI/2127 dated 03.05.2023 for Euromed for Medical Industries Egypt & Changhou Medical Appliances China and claimed 7 additional marks for T.E. 26 in 3(i). The committee awarded 7 marks in section 3(i) for T.E. 26.

T.E. bid stands responsive for all quoted items in Part-A & Part-B except T.E. 7 & 9.

ITEM NO. 07:

GRIEVANCE SUBMITTED BY M/S DIAGNOSTIC SPECIALIST INTERNATIONAL (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance that its quoted item "Blood Sugar Strips" is manufactured by Viva Check, China and the firm is exclusive Sole Importer of the said item countrywide. The firm stated that its quoted product is technically disqualified stating non provision of undertaking. The firm claimed that it has already provided the affidavit and related documents in the bid and is providing the requisite documents with grievance letter.

Decision:

Mr. Qasim, Account Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in Part-A and Part-B. The committee observed that the firm has not attached undertaking required under section 5 of Part-A. The firm failed to provide valid Affidavit/ Undertaking established before the date of Tender Opening. The committee also observed that the firm has also been disqualified in Part-B by achieving 23 marks instead of 35.75 (passing score). The firm showed EC Certificate No. HL 2135127-1 valid up to 26.05.2025. The committee awarded 7 marks

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in section 3(i) of Part-B. However the firm remains non-responsive in Part-B due to less marks 30 out of 55.

ITEM NO. 08:

GRIEVANCE SUBMITTED BY M/S PAKISTAN MARKETING SERVICES (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance that its product Blood Sugar strips with Glucometers is declared as non-responsive and submitted the Free Sale Certificate attested by Pakistan Embassy has already been provided in the Technical Bid at Index S.No (B)7 Page No 23 to 27. The firm requested to recheck the Technical Bid and has claimed to attach attested Free Sales Certificate again for reference.

Decision:


Mr. Kashif, Regional Sales Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid in Section 7 (i) of Part-A as FSC was not attested by Embassy of Pakistan. The firm provided FSC Certificate No. 221100B0/017200 issued on 2nd April 2022 duly attested by Embassy of Pakistan. **The committee decided to declare firm responsive in Section 7 (i) of Part-A.**

ITEM NO. 09:

GRIEVANCE SUBMITTED BY M/S FLOWTRONIX SYSTEMS (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance that it quoted item# 18,19,20,21,108, in this tender & item 29 and has been disqualified due to reason that SDR is attached instead of CDR. The firm claimed that there is no difference between these two bank instruments. It added that few banks have stopped issuing CDRs and they are issuing SDRs. The firm claimed that it has attached this instrument with all the tenders in Pakistan and none of the institutions rejected its bid on this ground. The firm added that it is participating in tenders at Mayo Hospital for the last few years using the same instrument (SDR) and never been disqualified on this reason. The firm also stated that


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its quoted product #21 & 108 have not been qualified as the part B qualifying marks could not be obtained. The firm requested to examine its bid. The firm also claimed to attach the copies of POs of this hospital as an evidence that its products are used in this institution. The firm added that it has qualified in part C, as quoted samples have been accepted by the end user.

Decision:

Mr. Zarar, Regional Sales Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid in Section 6 (iii) of Part-A due to invalid CDR and less marks (31) in Part-B for T.E. 21, 29, 108. The firm's representative claimed that there is no difference between SDR and CDR. The firm further stated that both instruments are similar and serve same purpose. It added that SDR & CDR are different nomenclatures of same instruments used by different banks. The claim was also confirmed from bank authorities. **The committee accepted the grievance and declared firm responsive in section 6 (iii) of Part-A for all quoted items.**

The firm/s representative stated that it has attached an undertaking in bid required under section 4 of Part-B. The firm showed the undertaking at page 37 of bid. **The committee awarded 3 marks in section 4 (ii) of Part-B.** The firm added that it also qualifies criteria of Section 5 (ii) of Part-B and showed Tax returns for the year 2019-20, 2020-21 & 2021-22. **The committee decided to award 2 marks in section 5 (ii). Resultantly, T.E. 21, 29 & 108 stands responsive in Part-B after achieving 5 marks (36 out of 55).**

ITEM NO. 10:

GRIEVANCE SUBMITTED BY M/S MEDICARE ENTERPRISES (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance it has been technically non-graded because of non-compliance with the specification and missing Firm Establishment Certificate for Sr# 3 Adhesive Sticking Plaster 2.5cm x 3.5m or equivalent. The firm claimed that it quoted same specification as in bidding documents and submitted the samples of same specification. The firm claimed to have

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firm establishment certificate which was already attach in the bid and again submitting with the grievance. The firm claimed that M/S Roys & Roys have not quoted same specification as per demand of this tender but it has been approved. The firm requested to review this and alleged that in the instant tender A012 this firm was disqualified in many items as the firm did not attach CDR and attached cheque. The firm claimed that it is illegal and not according to the law and appealed re-visit the above-mentioned points.

Decision:

Mr. Bilal Haider, Marketing Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid in section 2 & 8 of Part-A for T.E. 3. The firm stated that it has submitted an application with DRAP through MDMC Application No. 7CA4121FCF. The committee observed that the Establishment Certificate has not been issued and the **committee decided to uphold the decision of Technical Evaluation Committee.**

The committee also discussed the grievance against M/S Roys & Roys International. Dr. Ehsan defended the case on behalf of firm. The petitioner stated that the T.E. 3 size quoted by the firm is not as per specifications but failed to give any evidence for his claim. The committee observed that the TEC has qualified the item quoted by M/S Roys & Roys International. The petitioner further alleged that the defendant has attached invalid CDR for T.E. 3 which was also based on assumption. **The committee decided to turn down the grievance against M/S Roys & Roys International.**

ITEM NO. 11:

GRIEVANCE SUBMITTED BY M/S MEDISERVE (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

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GRIEVANCE DETAIL:

The firm submitted grievance with reference to the above mentioned tender. The grievance is as follows:

ITEM #	REASON OF REJECTION	GRIEVANCE
20,21 & 29	Qualifying mark not obtained	M/S Medi Serve obtain marks in item no 18 ,19 & 29 whereas quoted brand name and manufacturer both are same as for quoted item 20 & 21.
22	Free sale not embassy attested	Firm provided FSC attested from Pakistan embassy and will provide copy.
25	Label not attached as per specification mentioned	Firm provided samples in loose packing. Label comes with complete pack so the fir will bring complete pack with complete specification mentioned on pack as ready reference.
30 & 31	Sample not provided	Samples could not be provided due to import restrictions. Sample can be provided during meeting.
32	Qualifying mark not obtained	Firm provided all concerned documents. Review again and will provide documents copies during meeting.
33,34,35,36,43,44,45,46,47,48,49,50 & 110	Perfect brand not mentioned on free sale certificate	The provided free sale certificate has Perfect brand name and Embassy attested copy of Free Sale Certificate also contains Perfect brand name. Firm will provide during meeting as ready reference.
42	Free sale not embassy attested	Provided FSC attested from Pakistan embassy. Firm will also provide copy during meeting.
59,60	Free sale certificate not embassy attested	Provided FSC attested from Pakistan embassy. Firm will also provide copy during meeting.
62,63	Qualifying mark not obtained	Attached all mandatory documents. Firm will provide documents again during meeting
67	Free sale not embassy attested	Provided FSC attested from Pakistan embassy. Firm will also provide copy during meeting.
72	Qualifying mark not obtained	Attached all mandatory documents. Firm will provide documents again during meeting.
73,74,87 & 88	Sample not properly fit	Request to know the name of end-user who rejected high quality pioneer product and approved Chinese brand against UK brand.
93	Authority letter not attached Qualifying mark not obtained	Will provide authority letter during meeting.
104	Sample not provided	Receiving of samples include this sample.
105	Free sale not embassy attested Lock is not properly	Provided FSC is attested from Pakistan embassy. Firm will provide copy during meeting. The firm have been supplying this item to this institute for last three years.

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	fitted	
106	Free sale not embassy attested	Provided FSC attested from Pakistan embassy. The firm will provide copy during meeting.
109,111	Qualifying mark not obtained	Attached all mandatory documents. Firm will provide documents again during meeting.
113	Qualifying mark not obtained	Item 112 approved where item 113 also having same brand and same manufacturer.
117	Free sale not embassy attested. Lock is not properly fitted	Firm provided FSC attested from Pakistan embassy. Firm will provide copy during meeting. The firm has been supplying this item to this institute from last three years.

Grievance against M/S Clifton Enterprises

T.E # 21 CVP Line T/L CVP Line Triple Lumen 18G & T.E # 29 CVP Line (Double Lumen)

The firm claimed that M/S Clifton has quoted Medcomp brand from USA, so according to Evaluation Criteria they do not comply with the Part-A Compulsory Parameters; Clause # 7) that their product is freely available with the same brand in the country of manufacturer and is safe for human, which is clearly violation of your bidding Documents Knock Down Criteria clause 7.

Page#18 Clause#7	Product Related Free Sale Certificate issued by the Regulatory Body of manufacturer country	<p>i. The bidder will submit Pakistan Embassy attested "free sale certificate of the product" (Medical devices) bearing the brand name of the product in country of manufacturer (where applicable)</p> <p>ii. Affidavit of the sole agent that their product(s) are freely available with same brand name in the country of the manufacture for at least/ last two (02) years and is safe for human use (where applicable)</p>
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According to Medcomp, USA website (www.medcomp.net), they manufacture two types of products: Domestic products for use within the USA and international products for other countries. M/S Clifton, however,

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has been offering international products not intended for use in the USA, thus they do not have FDA Free Sale Certificate of quoted product. It should be noted that the FDA issues certificates for only those products which is used in the USA, also FDA provides a searchable database for verifying product certifications. The firm referred to Grievance Minutes of Lahore General Hospital where it had been confirmed that M/S Iqbal & Company does not have a valid Free Sale certificate for its quoted/registered products. This information was verified through the official FDA website (www.fda.gov).

The firm added that Medcomp CVP Line were also rejected by Mayo Hospital not having FDA free sale certificate in Mayo Hospital Lahore in CODE NO.A054 [CVP LINES] 2019-20 Tender. The firm requested to disqualify M/S Clifton in T.E # 21 & T.E 29. The firm also stalled following reservations:

SR	NAME OF ITEMS	GRIEVANCE
6	Anesthesia Face Mask	M/S CLIFTON quoted brand FOYOMED China does not comply the part –A Compulsory parameters : Clause # 7 that their product is freely available with same brand in the country of manufacturer and exporting country as well. The quoted brand Foyopmed free sale certificate is not brand oriented as per their Free sale certificate uploaded on their website.
58	LMA Size	
73, 74	Nebulizer Set (Adults & Peads)	
87, 88	Oxygen Mask (Adults & Peads)	
90	Oxygen Nasal Cannula (Peads)	

Grievance against M/S Adnan Traders

M/S Adnan traders have no experience of Folley's Catheter as they have business history of supplying linen and general items.

Grievance against M/S Save On

The grievance detail is given below:

6	Anesthesia Face Mask	M/S SAVE ON quoted brand HITECARE China does not comply the part –A Compulsory parameters :
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7	Bacteria Filter For Ventilator	Clause # 7 that their product are freely available with same brand in the country of manufacturer and exporting country as well. Brand hitecare Free Sale Certificate not Brand oriented (Grievance result of PINS Punjab institute of neuro sciences Lahore General hospital Lahore where M/S SAVE ON Rejected in grievance from Intersurgical brand in this mandatory parameter). Quoted brand information is also false/wrong as they claim their manufacturer detail hitecare Germany instead of China so their bid may also be rejected due to incomplete information as Germany is their European representative office so no one can claim representative office as their origin.
9, 10	Breathing Circuit For Ventilator (Adult & Peads)	
56	ICU Kit	
57	L. Connector	
73, 74	Nebulizer Set (Adults & Peads)	
87, 88	Oxygen Mask (Adults & Peads)	
90	Oxygen Nasal Cannula (Peads)	
104	T. Connector	
111	Yanker Set	

Decision:

Mr. Afzal Agha, CEO of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in section 3 for T.E. 93; failure in section 7 (i) for T.E. 11, 12, 22, 34, 35, 36, 42, 43, 44, 45, 46, 47, 48, 49, 50, 59, 60, 67, 93, 105, 106, 110 & 117; and failure in section 8 for T.E. 5, 11, 21, 25, 30, 31, 44, 45, 46, 54, 104, 119 in Part-A and less marks in Part-B for T.E. 4, 5, 11, 12, 20, 25, 31, 32, 35, 43, 44, 45, 59, 60, 62, 63, 64, 66, 72, 75, 93, 106, 109, 111, 113 & 119.

The detail of proceeding is given below;

T.E	Proceeding	Decision
20, 21, 29	For T.E 20, the firm representative failed to show document to claim marks in Part-B. The committee observed that T.E. 21 has been disqualified due to different specs. The T.E. 29 is already responsive.	The committee upheld the decision of TEC for T.E. 20, 21 & 29.
22	The firm failed to show Pakistan Embassy attested Free Sale Certificate	The committee upheld the decision of TEC for T.E. 22.
25	The committee observed that the said item has been disqualified in Part-A due to section 8, Part-B due to less marks & Part-C due to missing label and different size. The firm failed to provide CE certification as	The committee upheld the decision of TEC for T.E. 25.

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	required under 3 (i) of Part-B and also failed to give logical argument to challenge decision in Part-C.	
30 & 31	The firm stated that it could not provide samples of T.E. 30. The committee observed that T.E. 31 is disqualified in Part-B due to less marks i.e. 29. The firm failed to provide any supporting document to increase marks in Part-B.	The committee accepted the grievance and decided to refer T.E. 30 for evaluation. The committee upheld the decision of TEC for T.E. 31.
32	The firm claimed that it has sufficient product experience of quoted item. The firm provided PO No. 12070 dated 4 th March 2023 issued by Mayo Hospital Lahore.	The committee awarded 7 marks in section 2 of Part-B. T.E. 32 stands responsive by achieving 36 marks.
33, 34, 35, 36, 43, 44, 45, 46, 47, 48, 49, 50 & 110	The committee observed that the firm has quoted T.E. 33, 34, 35, 36, 43, 44, 45, 46, 47, 48, 49, 50 of Everest Medical Product Group China and provided Free Sale Certificate No. 221100B0/059038 dated 28 th September 2022 attested by Pakistan Embassy, containing Brand Name. The firm provided FSC Certificate No. 221100B0/026772 dated 15 th March 2022 issued in favor of Huain Angel Medical Instrument China for T.E. 110.	The committee accepted the grievance and declared T.E. 33, 34, 35, 36, 43, 44, 45, 46, 47, 48, 49, 50, 110 responsive in section 7 (i) of Part-A.
42	The firm provided Free Sale Certificate No. 007602AA valid up to 26.08.2024 from Czech Republic whereas the firm has quoted item from Smith Medical UK/Mexico.	The committee decided to uphold decision of TEC for T.E. 42.
59, 60	The firm provided Free Sale Certificate No. 221100B0/009373 issued on 24 th Feb 2022 in favor of German Medical Technology Beijing Co. Ltd. The firm also claimed 7 marks in Section 2 of Part-B and showed PO No. 12065 dated 4 th March 20 issued by Mayo Hospital Lahore.	The committee decided to declare T.E. 59 & 60 responsive in section 7 (i) of Part-A and Part-B after attaining 36 marks out of 55.
62, 63	The firm failed to show documentary evidence for its quoted item X-Med to increase marks in Part-B.	The committee upheld the decision of TEC for T.E. 62 & 63.
67	The firm failed to show Free Sale Certificate	The committee upheld the decision of TEC for T.E. 67.

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72	The firm claimed 7 marks in section 2 of Part-B. The firm provided PO No. 8609 dated 8 th March 2023 issued by Services Hospital Lahore.	The committee awarded 7 marks in section 2 of Part-B. T.E. 72 stands responsive after achieving 36 marks out of 55.
73, 74, 87, & 88	The committee observed that the End User has disqualified the T.E. 73, 74 & 87. The firm claimed that the quoted Brand InterSurgical is a renowned brand and showed demonstration of quoted product	The committee decided to reevaluate T.E. 73, 74 & 87. The committee observed that T.E. 88 is already responsive in Part-A, Part-B & Part-C. So T.E. 88 remains responsive.
93	The firm provided Free Sale Certificate No. 20220311 issued on 11 th March 2022 attested by Pakistan Embassy. The firm also claimed 7 marks in section 2 of Part-B and provided PO No. 9511 dated 10 th September 2022 issued by Medical Superintendent Sir Ganga Ram Hospital Lahore.	The committee decided to declare T.E. 93 responsive in section 7 (i) of Part-A and Part-B after achieving 36 marks out of 55.
104	The committee observed that the item has been disqualified in section 8 of Part-A due to different specifications while the same has been declared Responsive (R) in Part-C.	The committee decided to refer T.E. 104 back to TEC to remove this disparity.
105	The firm representative stated that the Free Sale Certificate's renewal is pending.	The committee upheld the decision of TEC
106	The committee observed that the Free Sale Certificate is not attested by the Pakistan Embassy.	The committee decided to uphold the decision of TEC for T.E. 106.
109 & 111	The firm claimed 7 marks for T.E. 109 in section 2 of Part-B and provided PO No. 7705/ MH dated 1 st February 2020 issued by the Mayo Hospital Lahore. The firm failed to provide any supportive document to increase marks for T.E. 111.	The committee awarded 7 marks to T.E. 109 in section 2 of Part-B. T.E. 109 stands responsive after achieving 36 marks out of 55 in Part-B. However, the TEC decision to the extent of T.E. 111 remains intact.
113	The firm failed to provide supportive documents to increase marks in Part-B	The committee decided to uphold the decision of TEC for T.E. 113.
117	The firm failed to provide Free Sale Certificate for	The committee decided to uphold

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said item.	the decision of TEC for T.E 117.
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Grievance against M/S Clifton Enterprises.

Mr. Qasim, Sales Manager defended the case on behalf of M/S Clifton Enterprises. The petitioner stated that the Free Sale Certificate offered by M/S Clifton Enterprises is not valid as it does not contain Brand name i.e. Foyomed. The petitioner downloaded Free Sale Certificate No. 20200863 issued on 28th September 2020, from Principal's website and claimed that the FSC does not contain Foyomed brand. The defendant claimed that it has attached Free Sale Certificate No. 2021YB1133 dated 1st June 2021 where the Foyomed brand has been mentioned in attached item list. The firm also showed updated FSC No. 233302A0/016419 issued on 25th June 2023 bearing Foyomed brand name. The defendant stated that as a practice If a firm exports its products to multiple countries, each with its own regulatory requirements, they might need to obtain separate free sale certificates for each country. The committee further observed that the firm has also been declared responsive by Technical Evaluation Committee. **The committee decided to turn down grievance against M/S Clifton Enterprises.**

Grievance against M/S Save On.

Mr. Jameel Hassan, Manager of M/S Save On defended the case on behalf of firm. The petitioner claimed that FSC certificate of defendant does not contain brand name and the country of origin is different. The committee observed that the defendant has quoted Hitecare Germany (Mfg, China) and the FSC No. 2023YB0080 dated 16th January 2023 is also issued from China Chamber of Commerce. It was also observed that the brand Hitecare is also mentioned on FSC. The committee observed that the FSC has been considered by the Technical Evaluation Committee and **decided to turn down grievance against M/S Save On.**

Grievance against M/S Adnan Traders

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Mr. Waqas Habib, Proprietor of M/S Adnan Traders defended the case on behalf of firm. The petitioner presented the grievance before the committee and claimed that the defendant has no experience for Folley's Catheter. The committee thoroughly checked the Technical Evaluation Report with the bid and found that it has been prudently evaluated. **The committee decided to turn down grievance against M/S Adnan Traders**

ITEM NO. 12:


GRIEVANCE SUBMITTED BY M/S SAVE ON (TENDER CODE: A012: SURG, ICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm, submitted grievance that it participated in tender for bulk purchase of surgical disposable 2023-24 and has been disqualified in L-Connector & Soda Lime. The firm stated that the item Soda Lime has been disqualified based on the assumption that firm does not possess a valid Free Sale Certificate. The firm claimed that it holds a valid Free Sale Certificate that has been attached. The L-Connector has been disqualified due to less experience in supplying this product to both private and government institutes. The firm claimed that it has substantial experience in providing L connectors to various institutions, including both private and government establishments. The firm also claimed that it meets all technical requirements and have attached the necessary documentation and testimonials from these institutions to support its claim.

Decision:

Mr. Amir, Marketing Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid in section 4 & 7 in Part-A for T.E. 95. Whereas T.E. 57 is disqualified in Part-B due to less marks i.e. 27. The firm failed to provide Product Quality Certificate for T.E. 95 required under Section 4 of Part-A. The firm provided a Certificate for Foreign Government, that was also not attested by Pakistan Embassy as required under section 7 (i), and also did not show affidavit required in section 7 (ii). The firm also did not provide any supportive documentation to claim marks in Part-B. **The**


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committee decided to uphold the decision of Technical Evaluation Committee.

ITEM NO. 13:

**GRIEVANCE SUBMITTED BY M/S MEDICAMP INTERNATIONAL,
(TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)**

GRIEVANCE DETAIL:

The firm submitted grievance that some of its products have been declared non responsive in Ser# 17 as the Product is Ostomy bag instead of required Colostomy bag on documents, despite the fact that quoted Product has been approved by the end-user. The firm claimed that the quoted product is colostomy bag with accessories and Ostomy is the brand name of the required item. It added that the quoted Item is US FDA Approved and is registered as Ostomy bag, which is an international term also used for the Stomacore surgery that can be clarified from the International Association of Ostomy Care at <https://www.ostomy.org/what-is-an-ostomy/>, which categorically shows that Colostomy and Ostomy as the same. The firm further clarified that the term Colostomy is the surgically created opening of the colon (large intestine) which results in a stoma. A colostomy is created when a portion of the colon or the rectum is removed, and the remaining colon is brought to the abdominal wall. It may further be defined by the portion of the colon involved and/or its permanence. An Ostomy causes a change in the way urine or stool exits the body as a result of a surgical procedure. Bodily waste is rerouted from its usual path because of malfunctioning parts of the urinary or digestive system. An ostomy can be temporary or permanent.

The firm also submitted that item at Sr# 100 has not been approved as proper specifications and label are not attached. The firm also claimed that its quoted item is European CE certified manufactured under strict quality standards and specifications and labels are as per European CE Standards.

The firm concluded that its above quoted items are US FDA/ CE Approved and has never been rejected for above cited reasons. These are highly recommended and approved throughout Pakistan with same specifications.

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Decision:

Mr. Rizwan Zafar, Institutional Manager of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in section 7 for T.E. 17 and failure in section 8 for T.E. 100. The firm was also non-responsive in Part-B due to less marks. The firm representative stated that the Ostomy bag is colostomy bag that has also been approved by the end user. He also stated that his brand Ostomy bag is mentioned on its Free Sale Certificate attached in the bid. **The committee decided to declare T.E. 17 responsive in section 7 of Part-A.** The committee observed that the observation of TEC regarding T.E. 100 in Section 8 of Part-A is valid.

The firm stated that it has valid CE Certification No. DD 60139846 for T.E. 17 and claimed 7 marks in section 3 (i) of Part-B. **The committee decided to award 7 marks in section 3 (i) of Part-B increasing marks to 40 from 33.** Resultantly, T.E. 17 stands responsive in Part-A & Part-B.

ITEM NO. 14:

GRIEVANCE SUBMITTED BY M/S VERTEX MEDICAL (TENDER CODE: A012: SURGICAL DISPOSABLE ITEMS)

GRIEVANCE DETAIL:

The firm submitted grievance the firm has been announced 'NOT RECOMMENDED' due to attached SDR rather than a CDR or Bank guarantee. The firm stated that there is no such difference between the two deposit receipts i.e., SDR & CDR. Both receipts are cashable at any time and are a form of non-profitable guarantee certificates issued to Government & Semi-Government Medical Institutions, Corporations and Semi-Autonomous Bodies as a security deposit in favor of any quoted tender. The beneficiary can at any time deposit them in their account. Further it is also stated that the attached security deposit receipt in the bid can also be verified from the concerned schedule bank for its authenticity and validity. The firm added that M/s Soneri Bank Limited is offering different types of instruments to fulfill various requirements and payment needs, according to the SNBL Security Stationery SOP, appended types of bank draft are offered to the

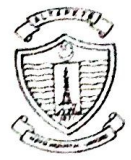
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account holders and general public/Institution for which the Bank reference has been attached.

Decision:

Mr. Amir Aslam, Product Specialist of firm pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee has disqualified the bid due to failure in section 6 (iii) due to invalid CDR. The firm's representative stated that SDR and CDR are same instruments as both instruments are similar and serve same purpose. He added that both instruments have different nomenclatures used by different banks. The claim was also confirmed from bank authorities. **The committee accepted the grievance and declared firm responsive in section 6 (iii) of Part-A for all quoted items.**

The meeting ended with vote of thanks to and by the Chair.

Mr. Muhammad Jawad Bhatti
Deputy Drugs Controller
Mayo Hospital Lahore

Mr. Azeem Butt
Deputy Drugs Controller
Mayo Hospital Lahore

Dr. Sohail Arshad
Addl. Director Stores
Mayo Hospital Lahore

Prof. Dr. Masir Chaudhary
HoD Ophthalmology Department
Mayo Hospital Lahore

Prof. Dr. Ahsan Numan
HoD Neurology Department
Mayo Hospital Lahore

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