

# MINUTES OF GRIEVANCES MEETING

## MAYO HOSPITAL LAHORE

Venue: Department of Neurology, Mayo Hospital Lahore  
Date & Time: 12.07.2023, 13.07.2023, 14.07.2023

### Participants:

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

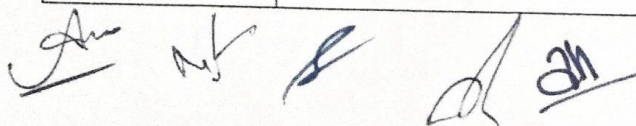
### Proceedings:

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 SAFFRON PHARMACEUTICALS (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:** The firm submitted the grievance while stating that M/S Saffron Pharmaceutical (Pvt) Limited is a renowned pharmaceutical manufacturing company having good alliance with Govt. and semi-Government institutions for the supply of quality products at economical rates. The firm further stated that it participated in Tender of drugs and medicine for year 2023-24 and below mentioned quoted items have been declared non-responsive due to following missing documents. The firm claimed to enclose copies of the documents against below-mentioned items that have been declared Non-Responsive.

API Source		
T.E / Item No.	Name of the Tendered Item	Brand name quoted
100	Terbinafine HCL	Terbisil 125mg Tablet
255	Cetirizine Di-hydrochloride	Cetrix 10mg Tablet



282	Losartan Potassium	Sar- K 50mg Tablet
284	Mecobalamin 500meg	Bezel Tablet
331	Fucidic Acid/ Hydrocortisone Acetate	Fucort H 15gm Cream
332	Fucidic Acid 2% w/w	Fucort 15gm Cream
240	Amlodipine Besylate	Hypotin 5mg Tablet

The firm claimed to have submitted all above documents as per requirements and requested to declare a responsive bidder to ensure healthy competition between bidders in procurement of medicines.

**Time:** 10:21 AM – 10:27 AM (12<sup>th</sup> July 2023)

**Decision:** Mr. Arif Khan, Institutional Sales Manager pleaded the case of firm before the grievances committee. The committee observed that Technical Evaluation Committee (TEC) has disqualified bid in Part-A & Part-B.

**Part-A: Compulsory Parameters**

The committee observed that Technical Evaluation Committee (TEC) has disqualified bid in clause 1 of Part-A as attached CNIC does not belong to bid signatory. The firm's representative stated that the firm has authorized Mr. Ehsan, sales manager of firm but the bid has been signed by pharmacist Ms. Ayesha. **The committee decided to uphold the decision of Technical Evaluation Committee and the bid remains non-responsive in all quoted items.**

**ITEM NO. 02: GRIEVANCE SUBMITTED BY M/S MARTIN DOW (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:** The firm submitted the grievance while stating that We Martin Dow Limited IS a renowned pharmaceutical manufacturing company having good manufacturing practices. M/S Martin Dow Limited participated in the tender of Mayo Hospital Lahore i.e. Drugs and Medicine for FY 2023-24 and was declared Non-responsive against of quoted item no. 291 due to 'Samples not according to specifications'. The firm stated that there was a typographical error in technical and financial bid regarding the brand name of Naproxen 500mg and the firm mistakenly quoted wrong brand name Synflex instead of Proxen. The firm added that samples provided against Item no. 291 are right

as Proxen 500mg samples are provided to Mayo Hospital which is exactly according to specifications of bidding documents. The firm requested to correct its typographical error and consider the Brand Proxen instead of Synflex and declare the item responsive to ensure healthy competition between bidders in procurement of medicines.

**Time:** 10:28 AM – 10:32 AM (12<sup>th</sup> July 2023)

**Decision:** Mr. Arif Khan, Institutional Sales Manager pleaded the case of firm before the grievances committee. The Committee observed that Technical Evaluation Committee (TEC) has disqualified the bid due to failure in Part A and Part B

**Part-A: Compulsory Parameters**

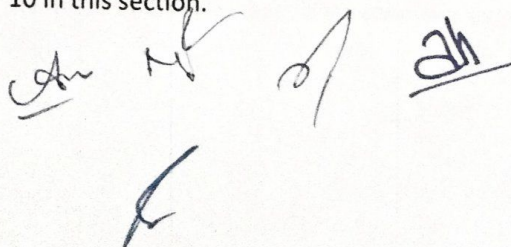
The Committee observed that Technical Evaluation Committee (TEC) has disqualified the bid in T.E. 291 due to failure in clause 12 of Part A as the submitted sample is not as per T.E. The firm's representative stated that firm has mistakenly quoted Tab. Synflex instead of Tab. Proxen 500mg.

**The committee observed that the firm has admitted the mistake at its end as it quoted Tab. Synflex and provided samples of Tab. Proxen. The committee decided to uphold the decision of Technical Evaluation Committees to the extent of T.E. 291 and the bid remains non-responsive in T.E. 291.**

**ITEM NO. 03: GRIEVANCE SUBMITTED BY M/S A.J. MIRZA PHARMA (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:** The firm submitted the grievance while stating that M/S A.J Mirza Pharma Pvt Ltd has been obliged to be the part of bidding process at this prestigious institute, and have following requests for consideration regarding T.E # 161 (Lung surfactant)

**S#2 Product Experience (Part B):** The firm stated that it is a specialized product which is used in hospitals only so its availability on chain pharmacy is not applicable. The firm acknowledged that it is available in the market (Institute) since its registration year and the firm has also attached PO from 2019 which qualified more than 4 years criteria. The firm requested 15 marks instead of 10 in this section.

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S#7 Financial Capacity (Part B): The firm stated that in this clause the firm has been awarded 5 marks instead of 10 marks as the firm's financial capacity lies under 500 to 1000 million. The firm claimed to attach audited sheet & tax returns again for T.E # 133, 134 & 145, (Inj Oxaliplatin 50mg, 100mg & Cap capecitabin 500mg)

Sample: The firm stated that due to supply chain issues the firm was unable to submit samples of Inj. Oxaliplatin 50mg, 100mg & Cap capecitabin 500mg. Moreover, these are imported product so the firm requested to accept its samples.

**Time:** 10:36 AM – 11:00 AM (12<sup>th</sup> July 2023)

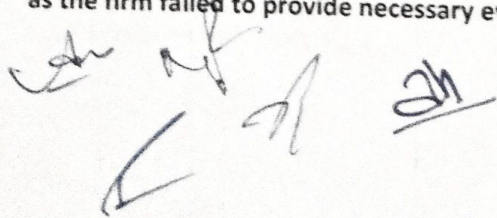
**Decision:** Ms. Mariam Khan, Specialty Manager Institution pleaded the case of firm before the grievances committee. The Committee observed that Technical Evaluation Committee (TEC) has disqualified the bid due to failure in Part A and Part B

#### **Part-A: Compulsory Parameters**

The Committee observed that Technical Committee has disqualified bid in clause 12 of Part-A due to non-provision of samples of T.E. 133, 134 & 145. The firm's representative stated that it could not provide samples due to prevailing import issues and provided samples of T.E 133, 134 & 145 during grievances committee meeting. The committee observed that the provided samples are as per advertised specs and **decided to declare bid responsive in Part-A for T.E. 133, 134 & 145.**

#### **Part-B: Technical Evaluation Parameters**

The Committee observed that Technical Committee has disqualified bid due to less marks in Part-B i.e. 45 T.E. 133, 134 & 145; and 38 in T.E. 161. The firm's representative contended the decision of TEC in clause 7 of Part-B and showed FBR statement for the Year 2021- 22. She claimed 10 marks as the net revenue stands at Rs. 563,179,207/-. **The committee accepted the grievance and declared T.E. 133, 134 & 145 responsive in Part-B by achieving 50 marks out of 70. However, the bid remained non-responsive in T.E. 161 as the firm failed to provide necessary evidence in rest of clauses of Part-B.**



In conclusion, the bid stands responsive in T.E. 133, 134 & 145 in Part-A & Part-B.

**ITEM NO. 04:**

**GRIEVANCE SUBMITTED BY M/S A.A. PHARMA (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted the grievance while stating that M/S A.A Pharma is obliged to be the part of bidding process at this prestigious institute.

T.E # 124 & 125 (Gemcitabine 1G & 200mg): The firm stated that that due to supply chain issues the firm was unable to submit samples of Gemcitabin 1G & 200mg inj for which the firm requested to accept.

T.E #, 9 & 10 (Erythropoeitin 2000IU & 4000IU PFS & Filgrastim 300mcg):

S#1 Bidder Experience (Part B): The firm claimed that it has served more than 8 institutes and got 6 marks only. The firm has requested to review and mark accordingly. S#2 Product Experience (Part B): The firm claimed that its product Jilifen (Inj Filgrastim 300mcg) is registered since 2007 with DRAP and has attached old PO which dates back 2014. The firm claimed 15 marks instead of 10 marks.

**Time:**

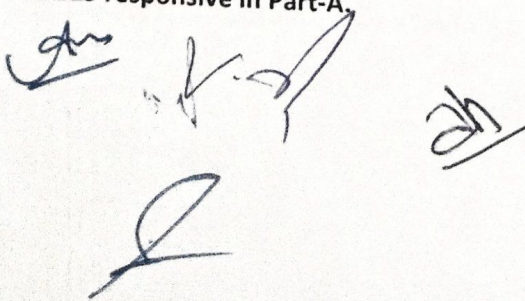
11:00 AM – 11:25 AM (12<sup>th</sup> July 2023)

**Decision:**

Ms. Marium Khan, Specialty Manager Institution pleaded the case of firm before the grievances committee. The Committee observed that Technical Evaluation Committee (TEC) has disqualified the bid due to failure in Part A and Part B

**Part-A: Compulsory Parameters**

The Committee observed that Technical Committee has disqualified bid in clause 12 & 13 of Part-A for T.E. 124 & 125 as the firm did not provide samples & Batch capacity of manufacturer for the quoted item/ product. The firm's representative stated that it could not provide samples due to import issues and provided samples of T.E 124 & 125 during grievances committee meeting. The committee observed that the provided samples are as per advertised specs. The firm's representative showed an undated Production Capacity Certificate issued by M/S Jiangsu Hansoh Pharmaceutical Group Co. Ltd. at page 41 of bid for T.E. 124 & 125. **The committee decided to declare T.E. 124 & 125 responsive in Part-A.**



### Part-B: Ordinary Parameters

The Committee observed that Technical Committee has disqualified bid for T.E. 8, 9 & 122 due to less marks in Part-B i.e. 39 out of 70. The firm's representative failed to provide 8 or more evidences under clause 1 of Part-B. She further contended that item T.E 122 is registered since 2007 and has attached Purchase Order No. 1493/95/ MSD dated 27.03.2014 issued by Government Medical Store Depot Quetta Baluchistan – and claimed 15 marks. **The committee accepted the grievance and awarded 15 marks to T.E 122 in clause 2 of Part-B. However, the bid remains non-responsive in Part-B for T.E 8, 9 & 122 due to less marks.**

**ITEM NO. 05:**

### GRIEVANCE SUBMITTED BY M/S ONCOLINK PHARMA DISTRIBUTORS (TENDER CODE: A01. DRUGS & MEDICINES)

**GRIEVANCE DETAIL:**

The firm submitted the grievance under Rule 67(2) of the Punjab Procurement Rules, 2014 with reference to the Technical Evaluation Report regarding Purchase of Drugs/ Medicines.

Regarding T.E. 54 amikacin 500mg that has been declared non-responsive as not as per T.E. The firm stated that Amikacin Sulphate (Amak) of Hudson pharma is 500mg injection packed in carton with leaflet and is according to the specs advertised in tender. M/S Hudson pharma had also been awarded this product and supplied the same 2021-22 tender for which the Purchase order has been attached for reference. The firm requested to re-evaluate Item#54 and consider it responsive.

**Time:**

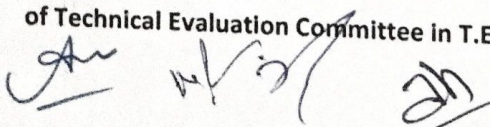
11:30 AM – 12:00 PM (12<sup>th</sup> July 2023)

**Decision:**

Ms. Abdul Wahab, Institutional Manager pleaded the case of firm before the grievances committee. The firm submitted grievance to the extent of T.E. 54.

### Part-A: Compulsory Parameters

The Committee observed that Technical Evaluation Committee (TEC) has disqualified the bid for T.E. 54 due to failure clause 12 of Part A as the submitted sample is not as per advertised specification. The committee observed that the institution required Inj. Amikacin Sulphate 500mg Vial but the firm submitted ampoule. **The committee decided to uphold the decision of Technical Evaluation Committee in T.E. 54 due to failure in Part-A.**



**GRIEVANCE SUBMITTED BY M/S HIMMEL PHARMACEUTICALS  
(TENDER CODE: A01. DRUGS & MEDICINES)**

## GRIEVANCE DETAIL:

The firm submitted the grievance in response to the announcement of the technical evaluation report regarding the purchase of medicines for the financial year 2023-24. and like to submit following request for grievance meeting.

The firm stated that its quoted products at tender serial no. 135,140,141,144,145 are declared non-responsive. The firm claimed that it has submitted all the necessary documents during tender submission, but due to some reasons, some documents were overlooked which caused our disqualification. The firm submitted following response for each objection:

Item No. 135 & 140 (Injection Paclitaxel Aqvida 150mg & Injection Zolonko 4mg): The firm stated that Technical Evaluation Committee declared its products non-responsive due to non-provision of the samples. The firm claimed that we are importers of these life-saving drugs, due to the economic situation of the country and LC issues at the time of tender submission we were out of stock therefore we were not able to submit samples. Now we have our stock of these products with us and can submit samples of these products to the institute.

Item No. 141 & 144 (Tablet Lenvanix 4mg & Cap Palbonix 125mg): The firm stated that Technical Evaluation Committee declared its products non-responsive (items not as per T.E). The firm claimed that its quoted products are as per specifications specified in the bidding documents. The firm requested to review the decision and declare its product responsive.

Item No. 145 (Tablet Xelocel 500mg): The firm stated that Technical Evaluation Committee declared its product non-responsive due to DRC Expired. It is stated that the firm has submitted the request for renewal of the Drug Registration Certificate in the Drug Regulatory Authority of Pakistan, DRAP and have not received the updated Drug Registration Certificate from DRAP. The firm claimed that submission receipt of DRAP is considered valid as per DRAP.

12:05 PM – 12:20 PM (12<sup>th</sup> July 2023)

Ms. Shahid, Institutional Manager pleaded the case of firm before the grievances committee. The Technical Evaluation has disqualified bid in T.E. 135, 140, 141 & 144 in Part-A.

**Part-A: Compulsory Parameters**

The Committee observed that the Technical Evaluation Committee (TEC) has disqualified the bid for T.E. 154 due to failure in clause 5 of Part A as the Drug Registration Certificate has been expired. The firm's representative stated that the firm has applied for renewal of DRC vide Letter dated 14<sup>th</sup> December 2018 addressed to The Deputy Director (RRR) Drug Registration Board DRAP before expiration of DRC. **The committee accepted the grievance and declared T.E. 145 responsive in clause 5 of Part-A.**

The firm's representative stated that the firm could not provide samples of T.E. 135 & 140 due to import issues and earthquake at Turkey and showed samples of T.E. 135 & 140. **The committee found samples of T.E. 135 & 140 as per advertised specifications and declared T.E. 135 & 140 responsive in clause 12 of Part-A.**

The firm's representative claimed that T.E. 141 & 144 Are as per advertised specifications. The committee observed that the quoted products are not as per advertised specs as the quoted sample contains bottle instead of blister pack. **The committee decided to uphold decision of Technical Evaluation Committee in T.E. 141 % 144 due to failure in Part-A.**

**ITEM NO. 07:**

**GRIEVANCE SUBMITTED BY M/S PUNJAB MEDICAL SERVICES (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted the grievance in response to the announcement of the technical evaluation report regarding the purchase of medicines for the financial year 2023-24. The firm submitted grievance as its product at T.E. 137 has been declared non-responsive by the technical committee due to the non-provision of tender samples. The firm stated that it is importing product from foreign principal Onko Ilac Sanayi Ve Ticaret A.s, Turkey. As all are well aware about the catastrophic earthquake in Turkey and the economic situation of our country/ LC issues, at the time of tender submission the firm was out of stock and was unable to submit samples. The firm has stock of these products and can submit samples injection Topotu 4mg to the institute..



Time:

12:21 PM – 12:25 PM (12<sup>th</sup> July 2023)

Decision:

Ms. Shahid, Institutional Manager pleaded the case of firm before the grievances committee. The Technical Evaluation has disqualified bid for T.E. 137 due to failure in Part-A.

**Part-A: Compulsory Parameters**

The firm's representative stated that the firm could not provide samples of T.E. 137 due to import issues and earthquake at Turkey and showed sample of T.E. 137. The committee found samples of T.E. 137 as per advertised specification and **declared T.E. 137 responsive in clause 12 of Part-A.**

ITEM NO. 03:

**GRIEVANCE SUBMITTED BY M/S FATIMA TRADERS (TENDER CODE: A01. DRUGS & MEDICINES)**

GRIEVANCE DETAIL:

The firm submitted the grievance that its firm has been technically graded in Tender of Disposable Infusion Set but its competitor M/s K.M Enterprises Firm was Black listed from the Director General Health Punjab. The firm claimed that it has attached all the documents which shows that this firm is Black listed and they used fabricated GD's (Good Declaration Certificates) Reference Letter No. 984/PA/DG. The firm added that after this all the company quoted tenders and put on the affidavit that they are not blacklisted. The firm has requested to take a look in this matter and technically out this firm because of fake and fabricated GD's they use. The firm added that this company Blacklisted from the District Health Authority Mianwali from the Dated 13-12-2022 vide Letter no. 17731-4/CEO/DHA/MWI.

Time:

12:30 PM – 12:40 PM (12<sup>th</sup> July 2023)

Decision:

Ms. Abbass Naqvi, CEO of M/S Fatima Traders pleaded the case of firm before the grievances committee. Mr. Khalid, CEO of KM Enterprises defended the case on behalf of KM Enterprises.

Representative of M/S Fatima Traders stated that M/S KM Enterprises was blacklisted from Director General Health Services Punjab and provided Order No. 984/PA/DG dated 23.12.2022. The committee observed that M/S KM Enterprises was blacklisted for period of Three months from date of issuance of Order No. 984/PA/DG dated 23.12.2022, and firm participated in the



tender of Mayo Hospital after expiration of Blacklisting period. It was also observed that the firm was blacklisted from participation in tenders at DGHS Punjab only. **The committee decided to turn down the grievance against M/S KM Enterprises.**

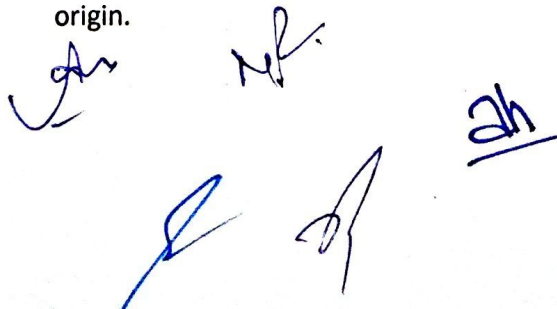
**ITEM NO. 09:**

**GRIEVANCE SUBMITTED BY M/S ASHAL INTERNATIONAL (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted the grievance that its firm has been disqualified in the above-mentioned tender for part A and part B. The firm's submission is given below:

1. The company was not qualified because of non-readable DSL through it was attached in the bid and is valid. The firm has claimed to attach colored copy of its DSL which clearly indicates the fact that its DSL is valid.
2. Regarding expired registration for item number 04,05,73,74,75, the firm stated that these registration are already attached in the bid and the firm is once again providing valid registration of these products with renewals which are valid and up to date. The firm added that its products are also qualified in other hospitals like LGH, Jinnah, Services hospital for the year 2023-24.
3. Item #T.E No. 73 and 74 (without WFI) (Vancomycin): The firm stated that it has provided these item sample with water for injection but due to typographical mistake firm could not mention water for injection. The firm offered to give an affidavit in this regard for provision of water for injection with these products.
4. T.E. 67: The firm claimed that it has quoted injection colistemethate 80g vial of M/S MTI which has same specification as demanded by the hospital.
5. Part -B Less mark in Bidder performance: The firm claimed to have attached supply orders of more than 10 institution including Mayo hospital with its bid.
6. Product Experience: The firm claimed to have product experience of more than four years for most of its product and has requested to increase marks to 15.
7. Credibility Certificate: The firm claimed to attach API sources of all the quoted item with its Bid which mostly are FDA Approved and COA from country of origin.

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8. Batch History: The firm claimed that its batch history was non accepted though it had attached the same with its Bid on company letterhead. The firm has claimed to once again attach its product batch history for re-consideration.

**Time:**

10:00 PM – 11:30 AM (13<sup>th</sup> July 2023)

**Decision:**

Ms. Abbass Naqvi & Mr. Aun Bashir, Sales Manager pleaded the case of firm before the grievances committee. The Technical Evaluation has disqualified bid for T.E. 4, 5, 73, 74, 187, 188, 67, 210 & 255 due to failure in Part-A and failure in Part-B due to less marks for all quoted items.

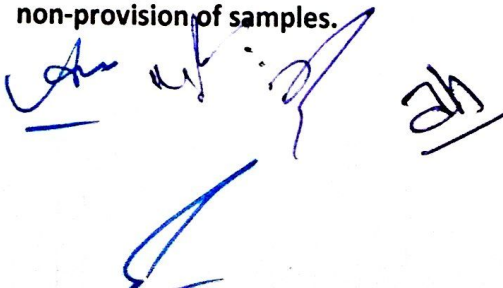
**Part-A: Compulsory Parameters**

The committee observed that Technical Evaluation Committee has disqualified bid due to failure in clauses 4, 5 & 12 of Part-A.

The firm's representative presented colored copy of Drug Sales License No. 05-352-0065-059128D valid up to 06.09.2027 before the grievances committee for which the **committee declared the bid responsive in clause 4 of Part-A.**

The firm's representative presented copy of Drug Registration Certificate No. F.15-7/2017-Reg-V (M-270) dated 22.08.2017 in favor of M/S MTI Medical (Pvt.) Ltd. for T.E 4, 5, 73, 74 & 75 and request for renewal vide Ref. No. MTI/DR/0822 dated 19.08.2022, for which the **committee accepted the request and declared T.E. 4, 5, 73, 74 & 75 responsive in clause 5 of Part-A.**

The firm's representative also contested the decision of TEC in clause 12 of Part-A. The committee observed that TEC disqualified T.E. 73 & 74 as the quoted product does not contain WFI that is required in the advertised specifications. The committee further observed that the TEC has disqualified bid for T.E. 187 & 188 where the institution demanded ampoule in advertised specs while the firm quoted vials. TEC also disqualified T.E. 210 & 255 due to non-provision of samples. The **committee decided to uphold the decision of TEC in clause 12 to the extent of T.E. 73, 74 as the submitted samples did not contain WFI; 187 & 188 due to different specs; and 210 & 255 due to non-provision of samples.**



The committee observed that Technical Evaluation Committee has disqualified T.E 67 as not per specifications. The institution advertised T.E. 67 Inj. Colistimethate 80mg (Vial) with WFI. The firm's representative presented the quoted sample of Colimate containing WFI. He further claimed that the sample contains 1 million IU of Colisthimetate sodium that is equivalent to 80mg Colistimethate as it is equivalent to 34mg of Colistin Base Activity. The committee further examined the sample of Colistim 80mg submitted by M/S Pharmasol where the label states 80mg Colistimethate sodium equivalent to 34mg of Colistin. Hence the grievance of firm was accepted and **the committee decided to declare T.E. 67 responsive in clause 12 of Part-A.**

#### **Part-B: Technical Evaluation Parameters**

The firm's representative claimed 10 points in clause 1 of Part-B while stating that the firm has experience of more than 8 institutions in the last two years. The firm showed documents from Mayo Hospital Lahore dated 14.12.2021, Lady Wallingdon Hospital Lahore 14.02.2023, DHQ Teaching Hospital DG Khan 10.08.2022, LGH Lahore 11.01.2023, Govt. General Hospital G.M Abad Faisalabad 28.08.2022, Said Mitha Teaching Hospital Lahore 30.08.2022, Allied Hospital Faisalabad 17.01.2022, Mian Munshi DHQ Teaching Hospital Lahore 06.10.2022 Govt. teaching Hospital Shahdra. **The committee approved the request and awarded 10 marks in clause 1 of Part-B.**

The firm's representative claimed that APIs of some quoted items are FDA approved. He claimed that T.E. 67, 72, 73 & 74 have FDA approved API from Livzon Group Fuzhou Pharmaceutical Co., Ltd. China. He added that T.E. 4 & 5 have FDA approved API from Hubei Yitai Pharmaceutical Co., Ltd. China. He also claimed that T.E 63 has FDA approved API from Sinopharm Weiqida Pharmaceutical Co., Ltd. China. The committee observed that TEC has awarded 0 marks in this category for all quoted items. The committee verified the claims and **awarded 10 marks in section 4 (i) of Part-B for T.E. 4, 5, 63, 67, 72, 73 & 74.**

The firm's representative claimed 5 marks in section 4(ii) for T.E. 212. The firm showed Certificate of Analysis of Finished product before the grievances committee. The committee observed that TEC has awarded 0 marks in this



category for all quoted items. **The committee awarded 5 marks in section 4 (ii) in favor of T.E. 212.**

The firm's representative claimed 10 marks in section 5 of Part-B. The committee observed that the TEC has awarded zero marks in this section for all quoted items. The firm's representative presented Batch certificates signed by QA Manager for which the detail follow:

The firm showed 18 batches of T.E 4 and **awarded 5 marks to T.E. 4.** The firm's representative showed 16 batches of T.E 5 and **awarded 5 marks to T.E. 5.** The firm's representative showed 10 batches of T.E 60 and **awarded 3 marks to T.E. 60.** The firm's representative showed 18 batches of T.E 63 and **awarded 5 marks to T.E. 63.** The firm's representative showed 12 batches of T.E 72 and **awarded 3 marks to T.E. 72.** The firm's representative showed 12 batches of T.E 67 and **awarded 3 marks to T.E. 67.** The firm's representative showed 15 batches of T.E 73 and **awarded 3 marks to T.E. 73.** The firm's representative showed 16 batches of T.E 74 and **awarded 5 marks to T.E. 74.** The firm's representative showed 19 batches of T.E 201 and **awarded 5 marks to T.E. 201.** The firm's representative showed 29 batches of T.E 212 and **awarded 10 marks to T.E. 212.**

The committee observed that TEC has awarded 38 marks out of 80 to all quoted items. **After grievances T.E. 4, 5, 63, 74 & 212 were declared responsive in Part- B after achieving 55 marks out of 80. T.E. 67, 72, 73 were declared responsive in Part-B after achieving 53 marks out of 80.**

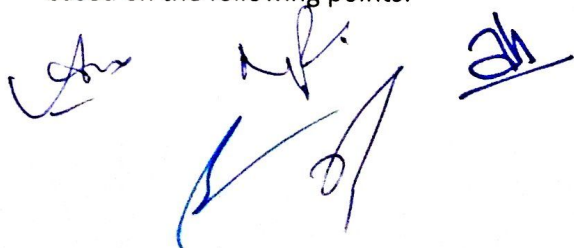
**In conclusion T.E. 4, 5, 63, 67, 72 & 212 stands responsive in Part-A & Part-B.**

**ITEM NO. 10:**

**GRIEVANCE SUBMITTED BY M/S K.M. ENTERPRISES (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted the grievance with respect to tender for the Procurement of Medicine A-01 (Disposable Infusion Set) for the Financial Year 2023-24, in which the firm participated as a bidder. The firm conveyed its utmost respect for the Technical Evaluation Committee's decision-making process. The firm believed there may have been a misinterpretation or oversight regarding its bid's responsiveness. We respectfully request a reconsideration of our bid based on the following points:



Experience Government & Private: The firm claimed that it is the authorized sole agent of the manufacturer for the quoted products. It has a strong understanding of the quality and efficacy of the Disposable Infusion Set. Its extensive experience in the private pharmacy sector as well as in Government sector for over five years has allowed it to witness its successful usage without any complaints in major teaching institutions and private hospitals throughout Pakistan.

Compliance and Certification: The firm claimed that its product holds the CE marking and is ISO 13485 Certified, ensuring adherence to stringent quality standards. Although it acknowledges that the certification marks were not explicitly mentioned in the bid but the firm believes that it will get full marks as its product is freely available in China, a market known for its strict quality regulations.

Technical Bid Review: The firm requested to carefully review its technical bid taking into account the comprehensive documentation it has provided. The firm claims that upon closer examination it will show that the firm has fulfilled all the necessary technical requirements and can be considered responsive to participate in the financial competition.

#### **Grievance Against M/S Fatima Traders**

The firm claimed that M/s Fatima Trader does not fulfill the mandatory criteria for participating in the Drug Medicine Tender (A-01) for infusion sets. According to the bidding criteria, distributors are not permitted to participate in the procurement of locally manufactured drug/medicine. Hence, M/s Fatima Trader, being a distributor, is ineligible to participate in the tender. It added that M/s Fatima Trader does not possess the necessary CE mark certification for its product and how have they got full marks in the evaluation? The firm added that its quoted product has CE Certification and didn't get any mark in the marking criteria while M/s Fatima Trader doesn't has experience of the related product. The firm requested to reevaluate their bid and mark them Non-Responsive.

**Time:**

12:45 PM – 01:45 PM (12<sup>th</sup> July 2023)

The block contains several handwritten signatures in blue ink. There are four distinct signatures: one on the left, one in the center, one on the right, and one at the bottom center.

Mr. Khalid, CEO of KM Enterprises pleaded the case of firm before the grievances committee. The Technical Evaluation has disqualified bid for T.E. 40 due to failure in Part-B.

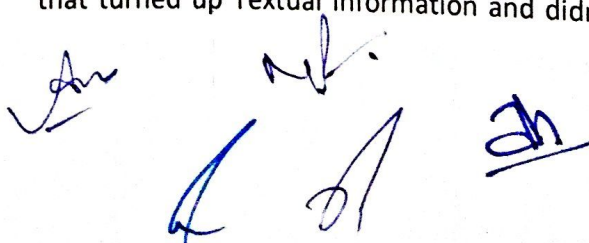
**Part-B: Technical Evaluation Parameters**

The firm's representative stated that the Technical Evaluation Committee has marked 07 marks in section 2 of Part-B while the firm has more than 2 years product experience. He showed Order No. 1675 dated 19<sup>th</sup> July 2019 issued by Punjab Employees Social Security Institution Lahore & Order No. 655-662 dated 16.01.2019 issued by CEO DHA Bahawalnagar. **The committee awarded 10 marks in Section 2 of Part-B for T.E. 40.** The firm's representative added that the Technical Evaluation Committee has awarded 03 marks in section 3 of Part-B while marks have not been awarded in sub-section i of Section 3 but the firm has valid CE certification. He presented Certificate No. DD 2183016-1 issued in favor of Changzhou Medical Appliances China valid up to 26.05.2024. **The committee accepted the grievance and awarded 7 marks in sub-section I of section 3, making total 10 marks in section 3.**

The committee observed that the TEC has awarded 38 marks out of 70 in Part-B. The grievances committee awarded 10 additional marks making 48 marks out of 70. **The T.E. 40 stands responsive in Part-B.**

**Grievance against M/S Fatima Traders**

Mr. Abbas Naqvi CEO of Fatima Traders defended the grievance. Mr. Khalid alleged that the defendant does not have valid CE certification while the TEC has awarded marks. The representative of M/S Fatima Traders presented a CE certificate in favor of Unisa Private Limited issued by MegaVision Certifications valid up to 29<sup>th</sup> Jan 2024. the petitioner stated that there are fake certificates in the market and information Certification body shall be available at NANDO (New Approach Notified and Designated Organisations) Information System. It was observed that MegaVision is not available under NANDO database. The committee further tried to verify from MegaVision website but the Certificate Verification page did not contain search field for verification. The committee further scanned the QR Code over the certificate that turned up Textual information and didn't link to MegaVision site. **The**



committee accepted the grievance submitted by K.M Enterprises and deducted 7 marks in subsection I of section 3 of Part-B. Resultantly, T.E. 40 stands non-responsive by having less marks i.e. 48 out of 80.

**ITEM NO. 11:**

**GRIEVANCE SUBMITTED BY M/S BAJWA PHARMACEUTICALS  
(TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted the grievance while stating that M/s Bajwa Pharmaceuticals (Pvt.) Ltd. is always striving to serve the humanity by producing rare formulations for catering emergency requirements of nationwide institutions in the segment of Anesthesia, Cardiovascular and Pain Management and also by donating free medicines, financial supports and necessities which directly support the human being.

**Grievance against M/S Brookes Pharma**

With reference to the Tender for the bulk purchase Drugs/Medicine for the financial year 2023-24, the firm stated that the Evaluation Committee has approved M/s Brookes Pharma which is blacklisted by PPRA in all their quoted items, most of the items are me-too items which our firm has also quoted. It added that the above said firm has misled the evaluation committee by submitting false/unlawful undertaking that their firm has not been declared blacklisted which is clear violation of compulsory parameters. The declaration of blacklisting of Brookes Pharma is available on PPRA website.

In this context, the firm has requested to take up the matter and justice may be granted.


**Time:**

11:30 AM – 11:45 PM (13<sup>th</sup> July 2023)

**Decision:**

Mr. Muhammad Azeem, Institutional Manager of M/S Bajwa Pharmaceuticals pleaded the case of firm before the grievances committee and Mr. Shahid Hameed, Sales Manager defended the grievance on behalf of M/S Brookes Pharma. The representative of M/S Brookes Pharma stated that his firm has not been blacklisted throughout Punjab. The committee observed that the firm has been blacklisted for Three Months from procurements of DHA Lahore.

**The Grievances Committee turned down the grievance raised by M/S Bajwa Pharma and showed displeasure for misguiding this prestigious forum.**





**ITEM NO. 12:**

**GRIEVANCE SUBMITTED BY M/S SAMI PHARMACEUTICALS  
(TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted the grievance with reference to the captioned subject while thanking the authority for considering it "Responsive". The detail of grievance is as follows:

**Grievance against M/S BF Biosciences**

The firm stated that M/s. BF Biosciences' quoted brands have been provided 15 marks against Product experience of the quoted product resulting in the Responsive status. The firm added that the specification for the tender item , S.No 8 & 9 respectively is Erythropoietin Alpha 4000iu Prefilled syringes (PFS), hence the experience of VIAL form should not be applicable for issuing 15 marks against product experience in that particular period as specified in the tender . The firm claimed to attach copy of the relevant page of Bid Evaluation Criteria for the year 2023-2024. Considering the above submission, the firm requested to scrutinize the matter and revise the marks according to Point no. 02 of Technical Evaluation Parameter – Ordinary Parameters for the Bulk Purchase of Medicines of Drugs/Medicines.

**Time:** 12:00 PM – 12:20 PM (13<sup>th</sup> July 2023)

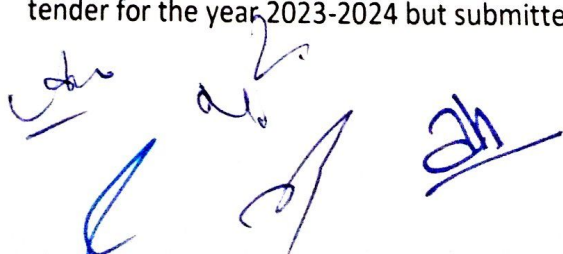
**Decision:** Mr. Muhammad Tayyub, Field Officer of M/S Sami Pharmaceuticals pleaded the case of firm before the grievances committee and Mr. Mr. Saeed, Manager Institutions defended the case. The petitioner stated that TEC has wrongly awarded 15 marks in section 2 of Part-B as the quoted product T.E. 8 & 9 does not have more than 4 years experience as the advertised specs require experience of prefilled syringes rather than vials. The committee observed that M/S BF Bioscience has attached two POs i.e. PO No. 21939 dated 31.12.2021 issued by Shahdra Hospital Lahore & Invoice No. 1239-2021 dated 07.04.2021 issued by Farmacia. **The committee accepted the grievance and deducted 5 marks making 10 marks for T.E. 8 & 9 in Section 2 of Part-B. However, the T.E. 8 & 9 remains responsive by having 55 marks out of 80.**

**ITEM NO. 13:**

**GRIEVANCE SUBMITTED BY M/S ATCO PHARMMA INTERNATIONAL  
(TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm showed its satisfaction with technical evaluation report of medicine tender for the year 2023-2024 but submitted the grievance that according to



the evaluation report the firm has been declared non-responsive in Part A and Part B. The firm added in the context of Part A that the institution already knows that its quoted products are imported and the shipment was in transit at that time and the firm could not submit the samples within. The firm claims that now they have the samples and are ready to be delivered. Secondly, it is mentioned in the report that the CDR was not attached while firm attached it vide CDR # 01287107 amounting to Rs: 19,45,000.00. Regarding Part B the firm stated that COA is not attached and ISO was expired but now the firm is submitting these documents for review and consideration for further process.

**Time:**

12:20 PM – 12:40 PM (13<sup>th</sup> July 2023)

**Decision:**

Mr. Naeem Ahmed, Sales Officer of M/S Atco Pharma International pleaded the case of firm before the grievances committee.

**Part A: Compulsory Parameters**

The committee observed that Technical Evaluation Committee has disqualified the firm due to failure in section 2, 12 & 13 of Part-A. The firm's representative stated that the firm could not attach copy of CDR in the bid and submitted copy of CDR No. 01267107 dated 06.04.2022. The Committee observed that the request for publication of tender was sent on 14.04.2023. **The committee turned down the grievance and showed displeasure and recommended blacklisting the firm for three months for submitting expired CDR before this prestigious forum.**

**ITEM NO. 14:**

**GRIEVANCE SUBMITTED BY M/S ATCO LABORATORIES (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm showed its satisfaction with technical evaluation report of medicine tender for the year 2023-2024 while raising the grievance that in the evaluation report the firm has been declared non-responsive in Part A because of non-submission of samples. The firm added that its quoted products are in used in this hospital. The firm admitted that it could not submit samples as a mistake from its side. The firm apologized and requested to please give a chance to submit samples.

**Time:**

12:45 PM – 01:20 PM (13<sup>th</sup> July 2023)



*Decision:*

Mr. Naeem Ahmed, Sales Officer of M/S Atco Laboratories pleaded the case of firm before the grievances committee. The Technical Evaluation Committee has disqualified the bid in T.E. 211, 216, 221 & 340 due to failure in section 12 of Part-A as the firm did not provide samples.

**Part A: Compulsory Parameters**

He stated that the firm could not submit samples due to import issues. He presented samples for T.E. 211, 216 & 340. The committee found samples as per advertised specifications and **declared T.E. 211, 216 & 340 responsive in section 12 of Part-A.**

**ITEM NO. 15:**

**GRIEVANCE SUBMITTED BY M/S MULLER & PHIPPS (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted grievance with reference to Evaluation Report of Tender of Medicine Items 2023-24. The firm stated that it has been declared Non-Responsive due to non-provision of documents. The firm claimed that it has submitted all necessary documents with tender and again submitting the same documents for consideration. The firm requested to consider it as technically responsive against the tender for bulk purchase of Medicine for the 2023-24 for supply of Bulk Medicine to Mayo Hospital Lahore.

**Time:**

10:05 PM – 10:34 PM (14<sup>th</sup> July 2023)

**Decision:**

Mr. Muhammad Ikram, Senior Field Manager of M/S Muller & Phipps pleaded the case of firm before the grievances committee. The Technical Evaluation Committee has disqualified the bid due to failure in Part-A & Part-B.

**Part A: Compulsory Parameters**

The firm's representative stated that TEC has disqualified the bid for T.E. 314 in section 5 of Part-A due to expired DRC. The firm's representative failed to show renewal letter at the time of meeting and the committee decided to **uphold the decision of TEC for T.E. 314.**

**Part B: Technical Evaluation Parameters**

The firm's representative stated that the firm is prequalified by DGHS Lahore vide Notification No. 5706-15 dated 09.05.2023 whereas the TEC has awarded



0 marks in section 3 (i). The committee **accepted the grievance and awarded 7 marks in section 3 (i).**

The firm's representative further alleged to attach necessary documents required under section 4 (ii) of Part-B. The committee observed that the firm has attached Certificates of Analysis of API rather than finished product and **turned down the request to the extent of section 4 (ii).**

The firm's representative also challenged TEC decision in section 5 of Part-B. The firm submitted Batch certificates that were not signed by QA Manager of firm. **The committee decided to turn down the request to the extent of section 5.**

The firm's representative stated that the firm has attached an Affidavit in the bid that is required under section 6 of Part-B, and provided an affidavit No. PB-LHR-04DD22977B71882E issued on 18.04.2023. The committee **accepted the grievance and awarded 5 marks in section 6 of Part-B.**

**The bid remained non-responsive in Part-A due to failure in section 5 and Part-B by achieving 50 marks out of 80.**

**ITEM NO. 16:**

**GRIEVANCE SUBMITTED BY M/S LAB DIAGNOSTIC SYSTEMS (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted grievance with reference to Technical Evaluation Criteria for Drugs/Medicine (A01) for the Financial year 2023-24. The firm submitted following objections against Technical Evaluation Parameters Part-B.

Sr.#		Document required	LDS Reply
2	Product Experience	Commercial invoice, purchase order. Delivery Challan, Framework agreement etc.	Copies of orders attached
6	Batch quality on stamp paper	No Batch failed during last (03) three years of the quoted item from any statutory lab	Undertaking given on Rs 100/- stamp paper as per specimen.

**Time:**

12:45 PM – 12:55 PM (14<sup>th</sup> July 2023)

**Decision:**

Mr. Sajid Shaukat, Area Sales Manager of firm pleaded the case of firm before the grievances committee. The Technical Evaluation Committee has



disqualified the bid due to failure in Part-A & Part-B. The firm submitted the grievance to the extent of Part-B only.

**Part A: Compulsory Parameters**

The committee observed that the firm has been disqualified due to failure in section 13 of Part-A and the firm has not challenged the TEC decision.

**Part B: Technical Evaluation Parameters**

The firm challenged the decision of TEC in section 2 of Part-B. He provided PO No. 001230004335 dated 27.04.2023 issued by Shaukat Khanum Memorial Cancer Hospital for T.E. 115, PO No. UINOR-ADM-RCD-277 (2022-23 & 24) dated 14.01.2023 issued by Atomic Energy Cancer Hospital Abbottabad for T.E. 142, and PO No. 31780 dated 26.01.2022 issued by Chughtai Lab (Pvt.) Ltd for T.E. 159. The committee accepted the grievance and awarded 7 marks in section 2 of Part-B.

The firm's representative provided an affidavit to claim marks in section 6 of Part-B. The committee observed the affidavit has been issued on 13<sup>th</sup> June 2023 and decided to turn down the request.

The bid remains non-responsive due to failure in Part-A & Part-B.

**ITEM NO. 17:**

**GRIEVANCE SUBMITTED BY M/S TABROS PHARMA (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted grievance with reference to Technical Evaluation Report for the purchase of medicines (A-01) FY 2023-24. The firm states that it has been declared non-responsive in report due to following reasons:

Reason: Bid is non-responsive due to failure in Part-B.

The firm states that they have submitted following documents to fulfill the requirement:

- Certificate of Analysis of quoted items
- Batch History of quoted items
- Affidavit of Judicial Paper regarding Non-Declaration of spurious/substandard/adulterated by DTL Punjab last three years (Attested).



**Time:**

12:56 PM – 01:30 PM (14<sup>th</sup> July 2023)

**Decision:**

Mr. Tayyub, Assitant Manager of firm pleaded the case of firm before the grievances committee. The Technical Evaluation Committee has disqualified the bid due to failure in Part-B for all quoted items.

**Part B: Technical Evaluation Parameters**

The firm's representative claimed 5 marks in section 4 (ii) of Part-B. The firm provided Certificates of Analysis for T.E. 257, 258, 281, 331, 332 & 364. The committee decided to award 5 marks in T.E. 257, 258, 281, 331, 332 & 364.

The firm claimed marks in section 5 of Part-B. The firm showed 38 batches for T.E. 257 for which the committee awarded 10 marks for T.E. 257. The firm showed 19 batches for T.E. 258 for which the committee awarded 5 marks for T.E. 258. The firm showed 76 batches for T.E. 293 for which the committee awarded 10 marks for T.E. 293. The firm showed 37 batches for T.E. 331 for which the committee awarded 10 marks for T.E. 331. The firm showed 49 batches for T.E. 332 for which the committee awarded 10 marks for T.E. 332. The firm showed 29 batches for T.E. 364 for which the committee awarded 10 marks for T.E. 364.

The firm's representative claimed that TEC has not given marks in section 6 of Part-B while an affidavit has been attached in the bid. The committee accepted the grievance and awarded 5 marks in section 6 of Part-B.

The Grievances Committee declared T.E. 257, 258, 293, 331, 332 & 364 responsive in Part-B by achieving more than 52 marks out of 80.

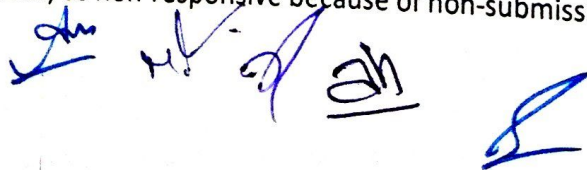
**ITEM NO. 18:**

**GRIEVANCE SUBMITTED BY M/S BROOKES PHARMA (TENDER CODE: A01. DRUGS & MEDICINES)**

**GRIEVANCE DETAIL:**

The firm submitted grievance with reference to published technical evaluation report for the financial year 2023-24 for the procurement of Drug/Medicine. The firm submitted grievance that:

The firm stated that the technical committee of this esteemed hospital has declared the Item# 41 Inj Bupivacaine 10ml (Brand Name: Inj. Sensocain 10ml) & Item# 42-Inj. Bupivacaine Spinal 2ml (Brand Name: Inj. Sensocain Spinal 2ml) as non-responsive because of non-submission of tender samples (as per



TER). In this regard the firm stated that it could not submitted the said tender samples at the time of tender documents submission because said products were not available in the inventory or in the market, neither these were in the manufacturing process, but now the fresh stock of said products are available & the tender samples from the fresh stock are being dispatched to this esteemed institute for getting responsive status.

In the light of the above fact, the firm request to re-evaluate this technical report and re-consider the non-responsive status of said products of M/s Brookes Pharma Pvt. Ltd. on technical grounds.


### **Grievance against M/S Bajwa Pharmaceuticals**

The firm stated that the technical committee of this esteemed hospital has declared the M/s. Bajwa Pharmaceutical Pvt Ltd as Responsive against the Item TE# 6-Inj Atracurium Besylate 3ml, Item# 7. Inj Atracurium Besylate 5 ml, Item # 42 In. Bupivacaine Spinal 2ml & Item# 49 Glycopyrrolate + Neostigmine. The firm showed its concern that these are highly sensitive drugs used in Anesthesia; low quality may lead to the serious life threat of the patient. Keeping the following aspects in view, it is requested to please review the decision:

The firm claimed that M/s. Bajwa Pharmaceutical Pvt Ltd has very much less sProduction Experience as well as very less Marketing Experience for last 2 years. M/s. Bajwa Pharmaceutical Pvt. Ltd does not have enough Past Experience regarding the supply of said product to Teaching Hospitals/Institutes in Punjab. M/s. Bajwa Pharmaceutical Pvt. Ltd is not Pre-Qualified in DGHS Punjab for the financial year of 2021-24 for Inj. Atracurium.

The firm further claimed that sufficient teaching hospitals in Punjab have rejected Inj. Atracurium Besylate etc. for M/s. Bajwa Pharmaceutical Pvt. Ltd on the basis of tender samples or other technical reasons.

The firm alleged that based on the quality of Product, M/s. Bajwa Pharmaceutical has no appropriate End User Acceptance, where Brookes has vast End User Acceptance / Satisfaction due to its Quality of APIs as well as vast experience in supplying of those Items in Teaching Institutes in Punjab and throughout the nation.



M/S Brookes Pharma claimed that it possesses Valid Good Manufacturing Practices Certificate, is pre-qualified by all health care departments in Punjab, as well as throughout Pakistan and has been recently prequalified in Primary & Secondary Healthcare department. Lahore (DGHS Punjab including District Health Authorities Punjab for 20123-24) & in PTSSI Punjab etc. M/S Brookes Pharma further claimed that its products are standardized products due to quality, efficacy & efficiency within shelf lives. Brookes has vast End User Acceptance/Satisfaction due to in Quality of APIs as well as vast experience in supplying of those Items in Teaching Institutes in Punjab Sindh and KP.

It also claimed Standard Analytical Reports from DTLY Punjab as No batch has been declared "Misbranded /Substandard /Adulterated/ Spurious declared from any competent lab in Pakistan. M/S Brookes Pharma also claimed to have vast experience in supplying the said products for the last many years to this hospital.

In the light of the above details, the firm requested to re-evaluate the technical report and re-consider the responsive status of M/s. Bajwa Pharmaceutical Pvt. Ltd. for the said products under the technical grounds.

**Time:**

11:45 AM – 12:00 PM (14<sup>th</sup> July 2023)

**Decision:**

Mr. Shahid Hameed, Sales Manager of firm pleaded the case of firm before the grievances committee. The Technical Evaluation Committee has disqualified the bid due to failure in for T.E. 41 & 42 in Part-A.

#### **Part A: Compulsory Parameters**

The firm stated that it could not submit samples for T.E. 41 & 42 and submitted the samples during grievances committee. The committee found submitted samples as per advertised specs and **declared T.E. 41 & 42 responsive in clause 12 of Part-A.**

#### **Grievance against M/S Bajwa Pharmaceuticals**

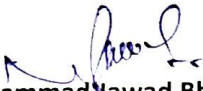
The representative of M/S Brookes Pharma presented the case before the Grievances Committee. The Grievances Committee observed that Technical Evaluation Committee has declared M/S Bajwa Pharmaceuticals responsive in Part-B. The committee checked the alleged claims of M/S Brookes Pharma

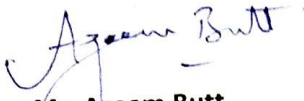






against the TEC marking over evaluation criteria that turned out to be unfounded. The committee turned down the request of M/S Brookes Pharma against M/S Bajwa Pharmaceuticals.


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

  
**Mr. Muhammad Yawad 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. Nasir Chaudhary**  
HoD Ophthalmology Department  
Mayo Hospital Lahore

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

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