



NOTICE INVITING TENDER

***Directly from eligible Original Pharmaceutical Manufacturers/Direct Importers only for
Rate Contracting of Anti-Rabies Vaccine, 0.5ml/1ml vial containing 2.5 I.U
(Intramuscular and Intradermal)***

Background : Bihar is the third largest populated State in the country having population of more than 90 million. The State of Bihar intends to procure good quality drugs for all Govt. Hospitals/Institutions of Bihar having 6 Medical Colleges, 2 Health Institutions, 25 District Hospitals, 23 Sub Divisional Hospitals, 70 Community Health Centre, 76 First Referral Units, 534 Primary Health Centers and 1243 Additional Primary Health Centers. The combined bed strength of these hospitals is around 22000 beds. The State is also taking steps to increase the bed strength of these hospitals. It is expected that the bed strength of the Govt. Hospitals will increase at least two folds of the present strength by 2012 AD. Govt. is providing free medicine to all OPD and Indoor patients of all Govt. Hospitals of the State since 2007. During last three financial years an allocation of Approx. Rs. 200 crores have been made for medicines procurement for Govt. Hospitals, which is likely to increase in the coming years.

Project Description

State Health Society Bihar is implementing the National Rural Health Mission (NRHM) to carry out necessary correction in the basic health care delivery system. The Goal of the Mission is to improve the availability of and access to quality health care by people, especially for those residing in rural areas. As part of its overall mandate of ensuring accessibility to good quality healthcare and to meet the overall demand of good quality drugs in the government health institutions, the SHSB is aiming towards rational drug procurement and management, so as to ensure availability of good quality drugs in the Govt. Health Institutions for the patients.

Tender bids are invited for **Anti-Rabies Vaccine, 0.5ml /1ml containing 2.5 I.U. vial (Intramuscular and Intradermal) directly** from eligible interested **Original Pharmaceutical Manufacturers/ Direct Importers only** for **'Rate Contracting**

Minimum Eligibility Criteria:-

Bidders should meet the following criteria to be eligible for bidding for **ARV**

- a) Tender bid is invited directly from original Pharmaceuticals Manufacturers who manufacturers ARV at their own Manufacturing unit or Direct Importers only. **Dealers/Sole distributors/C&F agents and Branch/ division of the pharmaceutical manufacturer, who do not manufacturer ARV at their own Manufacturing unit etc. need not apply.** Companies which have been **Blacklisted/de-registered by any Govt. and/or by their any agencies are barred from participating in this tender.**
- b) Bidder must have Minimum three years old Manufacturing License of the product quoted with latest license renewal certificate and product list. In case of Importer, all quoted products should be accompanied by their invoice, statement and import licence showing that the quoted products are being imported and sold in India minimum for last three years. Manufacturing Licence/Import Licence must be valid on the last date of submitting the tender. Import Licence should be issued by competent Drug Licencing Authority/Drug Controller General, India.
- c) Should have market standing **in India** of minimum **3 years** issued by the concerned **Licensing Authority only** for each & every product quoted in the tender.
- d) WHO-GMP/GMP (Good Manufacturing Practice) certificate for the manufacturing unit for two years or more.
- e) Average Annual turnover of the company should be of minimum **Rs.10 (Ten) crores** in last three Financial Year 2006-07, 2007-08, 2008-09, with minimum turnover of Rs 8.00 (Eight) crore in each year
- f) Income tax return report for assessment year 2007-08, 2008-09, 2009-10
- g) PAN card of the company.
- h) Up to date Non-conviction certificate issued by the concerned Licensing Authority stating that the company or any officer of the company has not been convicted ever before under Drugs and Cosmetics Act, 1940 and Rules 1945

- i) Bidder shall submit an affidavit from First Class Magistrate in his technical bid certifying that “the company has not been blacklisted/de-registered/barred by Govt. of India, by any State Govt. and/or by any other Govt. Organization”.
- j) Sales Tax Registration Certificate.
- k) Large scale manufacturing /production capacity of ARV issued by concerned Licencing Authority.
- l) Bidders will be required to deposit a demand draft of Rs.50,000/- (Rupees Fifty Thousand only) as EMD favouring Executive Director, State Health Society, Bihar.
- m) The Vaccines intended for intra-dermal route of administration should be approved by DCGI.

Note :- Non fulfillment of any of the above eligibility criteria may lead to disqualification of the tender.

Submission Requirements : Interested eligible companies, wishing to bid, may submit their tender in a large envelop marked “**Tender bid for Rate Contracting of ARV** , This large envelop will contain two separate sealed envelops—one marked as **Cover ‘X’ for technical bid for ARV** and another marked as **Cover ‘Y’ for financial bid for ARV**”.

The company fulfilling eligibility criteria for ARV is required to submit the following documents in **Cover ‘X’ (Technical Bid):-**

- a) Minimum three years old Manufacturing License of the product quoted with up to date Licence renewal Certificate and their product list. Incase of Importer, quoted product should be accompanied by their invoice, statement and import licence showing that the quoted product is being imported and sold in India minimum for last three years. Manufacturing Licence/Import Licence must be valid on the last date of submitting the tender. Import Licence should be issued by competent Drug Licencing Authority/Drug Controller General, India.
- b) Minimum three years market standing certificate for each of the Product quoted, issued by the concerned Licensing Authority only. This Market Standing certificate shall be accompanied with the following details in the format prescribed below.

Format for Market Standing Certificate

| Sl no. | Name of Drug (<i>as per tender only</i>) | Specification | Manufacturing license No. | Batch No. with date showing that drug is being manufactured for more than past 3 years |
|--------|--|---------------|---------------------------|--|
| | | | | |

- c) WHO-GMP/GMP certificate for the manufacturing unit for two years or more, which should be valid on the last date of submitting the tender.
- d) Last three financial years audited annual report showing details of their Annual Turnover, which should not be less than Rs 8 crores in each of the last three financial years. (2006-07, 2007-08, 2008-09) provided that average annual turnover of the company should be minimum of Rs. 10 crores in the last three financial years (2006-07, 2007-08, 2008-09) **Auditor/ C.A. certificate of turnover will not be accepted.**
- e) Income tax return report for assessment year 2007-08, 2008-09, 2009-10
- f) Copy of PAN card of the company.
- g) Up to date Non-conviction certificate issued by the concerned licensing authority stating that the company or any officer of the company has not been convicted ever before under Drugs and Cosmetics Act, 1940 and Rules, 1945
- h) Bidder shall submit an affidavit from First Class Magistrate certifying that “the company has not been blacklisted/de-registered/barred by Govt. of India, any State Govt. or by any other Govt. Organization”.
- i) Sales Tax Registration Certificate.
- j) Documents mentioning the maximum Batch production Capacity of ARV certified by the concerned Licensing Authority
- k) EMD in the form of Demand Draft of Rs. 50,000/- (Fifty Thousand only) favouring Executive Director, State Health Society, Bihar.
- l) Approval letter from DCGI for intradermal Anti Rabies Vaccine.

Note : *Non submission of any of the above documents may lead to disqualification of the bid. All tender documents are to be duly attested by a registered Chartered Accountant bearing his Regn.No.*

Note for bidders:

1. Mention the name of drugs/items for which you are bidding and only relevant paper should be attached.
2. Technical bid not accompanied by earnest money or any of the above mentioned documents are liable to be rejected.
3. Loan License will not be acceptable.
4. Documents in languages other than English must include a translation of all certificates into English in addition to the original untranslated documents and these should be duly attested by a registered Chartered Accountant bearing his Reg.No.
6. In case of import products, manufacturing license of the country of origin, registration and import license of Importers must be attached in the Technical Bid.
7. Bidder shall submit an affidavit from Court/First Class Magistrate in his technical bid that “the company has not been blacklisted/de-registered/banned by Govt. of India, by any State Govt. and/or by any other Govt. Organization”. If at any stage it comes to the notice of SHSB from any sources that company has concealed the actual facts, the SHSB reserves the right to verify it and if it is found that the company has really concealed the facts the Earnest money shall be forfeited and proceedings against the company shall be initiated as per the law.
8. Quoted price of the product should not in anyway violate the provisions of “Drugs Price Control Order”.
9. Documents such as Power of Attorney, Resolution of Board by which the bidder has been authorized to sign the bid documents for any Such authorization letter should be enclosed with the tender and should also have to be produced for attending in the meeting of opening of the bid . Unsigned bid is liable to be rejected.
10. Once the drug rate contract has been awarded to a successful bidder, the contract cannot be sub-let to others.

Cover ‘Y’ (Financial Bid): –

Financial bid for ARV shall be given strictly in the following format in two copies sealed in two separate envelop marked as “First Copy” and “Second Copy”. The “Second Copy” will be opened and the “First Copy” shall be kept unopened in safe custody for future reference. In case any discrepancy arises, the “First Copy” will govern and shall be taken as final.

Format for Financial Bid

| Sl. No. (as per tender drug list) | Name of Drug (as per tender drug list only) | Dosages Form | Specification / strength (as per tender drug list) | Pack Size | Rate in Rs. per unit i.e. of 1 (one) vial inclusive of all taxes | |
|--------------------------------------|---|--------------|--|-----------|--|--|
| | | | | | <u>In figure</u> (Upto 3 digit after decimal) | <u>In words</u> viz. 0.109 shall be written as “Zero decimal one zero nine” |
| | | | | | | |

1. In case of discrepancy in “In figure” price and “In words” price, then “In words” price would prevail.
2. For all four categories an affidavit has to be given in Cover ‘Y’ (Financial Bid) envelop that the rate quoted in the financial bid is at least 20% less than the MRP. In case the quoted price in the financial bid is not more than 20% less than the MRP, it will not be accepted.
3. DPCO Form-V Price List/ M.R.P. List should be enclosed with the Financial Bid.
4. In case of non submission of any one of the above, financial bid will not be considered.

Bidders required to clearly indicate each of the submission requirements mentioned in Cover ‘X’ (Technical Bid) and Cover ‘Y’ (Financial Bid) with the relevant page number in their Cover Letter/ application accompanying the technical proposal.

Tender conditions

- a) The rate contract will be applicable up to 31.3.2012 from the date of award of the contract.

- b) The inner layer of the vial shall have the logogram of Govt. of Bihar. The embossing of the logogram should be on the inner side of the cap.
- c) The selected Company will be immediately informed about the final award. In case the selected Company declines to take-up the task at the quoted and approved rates, it would be barred from applying for any tender from the State Health Society Bihar. The tender/performance security money of the said firm will also be forfeited.
- d) The each successful bidder will have to furnish a suitable Performance Security **of 5% to 10% of the purchase value of estimated quantity of ARV shown in the tender at the time of awarding the rate contract** for the period of the contract. The minimum Performance Security amount will be Rs 1 Lakh (One Lakh). The proceeds of their Performance Security shall be payable to the SHSB as compensation for supplier's failure to fulfill its obligation under the contract or for making delay in the completion of obligations under the contract.
- e) If the bidder fails to furnish the required performance security within the specified period after the award of the contract or refuses/denies to sign the rate contract, the EMD shall be forfeited and shall also be disqualified/blacklisted/barred for a period of 5 years for participating in any tender of SHSB.
- f) **The first supply shall be ensured within 30 days of the receipt of the first order, thereafter subsequent all supplies shall be made within 15 days of the receipt of the orders. Penalty will be levied for delayed supply (0.5% per day subject to a maximum of 35% of bill amount of delayed supply), which shall be deducted from their bill or Performance Security Money.**
- g) In case, the company found to be habitual defaulter of delay supply or not supplying the full quantity in time, the balance amount of performance security shall be forfeited. No further supply order will be given to them and company shall be barred from applying for any tender from the State Health Society Bihar and to ensure regular and uninterrupted supply of required quantity of the medicine the SHSB may offer for supply of the particular medicine/items to other successful bidder/bidders at L1 rate. Preference of offer will be in order L2 then L3 then L4 and so on, only at L1 rate.
- h) Minimum expiry period of the products should not be less than 1 ½ years from the date on which the store receives the product.
- i) Leaked, soiled, broken containers with damaged labels shall not be accounted for the purpose of supply.
- j) The inner label as well as label on the catch cover/carton shall bear conspicuously the words “ BIHAR GOVERNMENT SUPPLY – NOT FOR SALE” which will be bolder than those already printed on the label. The above caption shall run from the lower left hand corner to the top right hand corner of the label.
- k) 3D multi-coloured self-adhesive hologram as approved by the GOB/SHSB should be used on the packing of the products.
- l) Samples of drugs of each batch will be taken for testing/analysis by the Drug Inspector from companies Godown-cum Store/District Drug Store/Medical College Hospital Store. For this purpose every selected supplier company and Medical Officer I/c Distt Drug Store will have to inform the concerned Drug Inspector for taking sample. If the product is declared sub-standard , then every sub standard batch will be taken back by the supplier company at the supplier's cost and the SHSB/Government shall not be responsible for any damage during this period.
- m) If the sample drawn does not pass the test the Drug Inspector will take all necessary action as required under the provision of Drugs & Cosmetic Act, 1940 and the Rules 1945.

- n) Company found to be supplying of sub-standard drug/ARV shall be blacklisted and barred from applying for any tender from the State Health Society Bihar . No further supply order will be given to them.
- o) The intradermal ARV Package leaflet should include a statement indicating that the potency as well as immunogenicity and safety allow safe use of vaccine by ID Pre-and Post- exposure.
- p) The list of L1 bidders will be finalized at the State Health Society Bihar. After being awarded the contract, the awardee will be required to be registered with the Bihar Sales Tax. The Firms will be required to open a **Company's** godown-cum- store at the State Level. **Supply must be made directly by the bidder Company, not through any agency.**
- q) The SHSB would only make a rate contract of the drugs/items as per the advertised drugs/item list.. Superintendent, Medical College Hospital/Civil Surgeon-cum-Chief Medical Officer shall purchase the required drugs/items on '**Cash & Carry Mechanism**'. The purchase orders shall be placed to the Company's depot/godown at Patna directly by the Superintendent, Medical College Hospital /Civil Surgeon-cum-Chief Medical Officer of respective district/Head of State level Government Hospitals/Institutions. As soon as the supplier receives the indent have to inform or intimate immediately about schedule of supply to the Superintendent, Medical College Hospital /Civil Surgeon-cum-Chief Medical Officer. The concern company have to give Proforma Invoice within 7 days. After receiving the Performa Invoice the concern District/Hospitals have to receive the drugs within 20 days of supply order. The Districts will come and collect the medicines/items from the **Company's** godown-cum- store. Bank Draft payable to the company only will be handed over to the Company's godown-cum- store, **only after** drugs are supplied in full quantity i.e 100% of the indented quantity for which performa invoice has been raised. Thus the purchase will be based on '**cash and carry**' mechanism, but no advance would be payable.
- r) In case of non-fulfillment of any conditions of the contract may lead to disqualified for a period of 5 years for participating in any tender of SHSB. This shall be put on the SHSB website for general notice.

Refund of Earnest Money Deposit:

The EMD submitted by unsuccessful bidders shall be returned to them without any interest whatsoever, within 30 to 60 days after conclusion of the contract with successful bidder. The EMD submitted by successful bidders shall be returned to them after the successful bidder deposits the performance security according to conditions stipulated in the bid document.

Refund of Performance Security:

If the supplier duly performs and completes the contract in all respect, the performance security shall be returned the supplier without any interest, within 30 to 60 days of completion of all such obligations under the contract.

Jurisdiction of any dispute:

If any dispute or difference of any kind what so ever arises between the purchaser and supplier in connection with or arising out of the contract the parties first shall make every effort to resolve such dispute or difference amicably by way of mutual consultation and/or under "The Arbitration and Conciliation Act 1996" and for the said purpose the Secretary Health/Executive Director, SHSB will be the sole arbitrator. If the parties have fail to resolve their dispute or difference by such mutual consultation or under the Arbitration and Conciliation Act 1996 then that dispute shall be the subject of jurisdiction at Patna, Bihar only .

Pre-bid meeting of interested bidders is scheduled on 2.11.09 at 11:00 AM in Conference Hall, State Health Society Bihar, Pariwar Kalyan Bhawan, Sheikhpura, Patna-14. Bidders seeking clarification on the bid

document shall submit written query/queries three (3) days prior to the Pre-bid meeting date. Pre-bid amendments, if any, will be floated on the SHSB website -<http://statehealthsocietybihar.org> under tender information section.

Deadline for Submission of Bids-

The technical and financial bids, in separate sealed envelopes may be sent addressed to “**The Executive Director, State Health Society Bihar, Pariwar Kalyan Bhawan, Sheikhpura, Patna-800 014**”. This must reach the office of the undersigned latest by 03:00 PM on or before 16.11.09 through Courier/Registered/Speed Post. Bids received after this deadline, would not be entertained. No any bid will be accepted directly or by hand. SHSB will not be responsible for postal delay. In the event of the specified deadline of submission of bid being declared a holiday, the bid shall be received on the next working day.

Opening of Bids –

Technical bid shall be opened at 4 PM on the last date of submission of tender in presence of the bidders or their authorized representative who desire to be present. Authorized representative must bring authority letter of the company with them participation in the meeting. Without authority letter they will not be allowed to participate at the time of opening of bid. Thereafter, opened bids shall be evaluated by a committee. Financial bid of only those bidders will be opened whose technical bid is found eligible by the Technical Core Committee for Drug Purchase after Physical Verification site inspection of their manufacturing premises. If any adverse comment is reported after Physical Verification site inspection, tender will be technically disqualified. Financial Bid will be opened in the presence of bidders and the date of meeting of the financial bid will be informed later.

Display of qualified/disqualified bidder on SHSB website: Bidders should visit SHSB website-<http://statehealthsocietybihar.org> regularly for information regarding status on qualification/disqualification of their bid and for other related information.

The decision of the State Health Society Bihar shall be final, and no enquiries, or application for review, shall be entertained. **The State Health Society Bihar reserves the right to cancel or reject all or any bid/tender without assigning any reason.**

For details, please contact Phone – 0612-2281545, 2290328

**Ravi Parmar, I.A.S.
Executive Director**