

ARV Tender
-Technical Core Committee Meet-

Minutes of the Meeting of the Core Committee for Technical Bid Evaluation of ARV Tender held on 21.11.09

Date – 21.11.09

Venue – Conference Hall, SHSB

Members Present –

1. Dr. S. P. Singh, Director –in- Chief, Health Services, Bihar
2. Dr. D.K.Raman, Additional Director, Health Services, Bihar
3. Dr. S. K. Sahi, Medical Superintendent, IGIMS, Patna
4. Sri J. P. Singh, State Drug Controller, Bihar, Patna
5. Sri Naushad Haider, Procurement Specialist, UNICEF, Bihar, Patna
6. Dr. V. S. Raghuvanshi, State Programme Officer, UNFPA, Bihar, Patna

Background

Tender bids were invited directly from eligible original Pharmaceutical Manufacturers/Direct Importers for rate contracting of Anti-Rabies Vaccine (ARV) 0.5ml /1ml containing 2.5 I.U. vial (Intramuscular and Intradermal). Tender notice and tender condition was also made available on the website - <http://statehealthsocietybihar.org>. Notice Inviting Tender was advertised in Hindustan Times (Delhi), Times of India (Mumbai), Indian Express (Mumbai), Business Standard (Chennai, Ahmedabad, Hyderabad), Gujrat Samachar, Sandesh (Gujrat) dated 22.10.09. The last date of submitting of tender was on 16.11.09, 3:00 PM. Prebid meeting of interested bidders was held on 2.11.09 at 11:00 AM in the conference hall of SHSB, Patna.

Following five (5) technical with financial bids, in separate sealed envelopes, were received by the last date and time of submission i.e 16.11.09 at 3 PM.


Sl.No.	Name of Company	Sl.No.	Name of Company	Sl.No.	Name of Company
1	Indian Immunological Limited, Road No. 44, Jubilee Hills, Hyderabad	2	Chiron Behring Vaccines Private Limited, 501, Shree Amba Shanti Chambers, Andheri Kurla Road, Andheri, Mumbai	3	Bharat Biotech International Limited, Vamsi Sadan Plot 265/266, Kamalapuri Colony, Phase II, Hyderabad
4	Sanofi Pasteur India Pvt. Ltd. D-2, Fourth Floor, Southern Park, DDA Commercial Centre, Saket, New Delhi	5	HLL Lifecare Limited 12, 1st Floor, 100 feet, Velacherry- Taramani Road, Vijaya Nagar, Velacherry, Chennai		

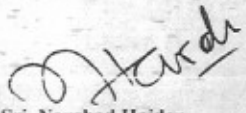
Technical bids of all five bidders were opened by the Core Committee on 16.11.09 at 4PM in presence of the bidders. Attendance of the present bidders were also taken. Separate comparative chart of the technical bids were prepared by the Licensing Authority and Drugs Inspector deputed at SHSB as technical expert from the office of State Drug controller, Bihar is attached as Annexure I with this minute.


Resolution Taken

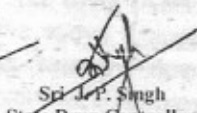
The members of the Committee scrutinized and evaluated each & every documents/papers submitted by all the five bidders with respect to the minimum eligibility criteria Sl.No. (a) to (m), as advertised in Tender Notice.

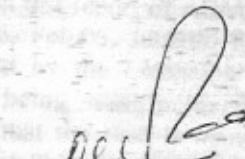
After proper scrutiny of all the documents and papers submitted by all the five bidders, the members of the Core Committee took decision as per technical bid evaluation chart (duly signed by all the members) with respect to each & every bidder.

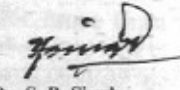

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State Programme Officer,
UNFPA, Bihar, Patna


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Bihar

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SLN	Name of the firm	Findings of the Core Committee
1.	Indian Immunological Limited, Road No. 44, Jubilee Hills, Hyderabad	<p>Technical analysis :</p> <p>During the technical analysis the committee members found that the relevant documents against the requirements of the tender (Sl No. a through m) have been submitted except the Income Tax Return Report of the Assessment Year 2009-10) i Sl.No. (f) of the Minimum Eligibility criteria.</p> <p>In course of technical analysis of the tender documents of M/s Indian Immunologicals Limited, it came to the notice of the members of the Core Committee that ARV is being manufactured by M/s Human Biological Institute, which is a division of I.I.L. In the manufacturing licence renewal certificate issued in Form 26H is mentioned that "Licence No. 15 granted on 6.8.98 to M/s Human Biological Institute (a division of Indian Immunological Limited,) for the manufacture of Sera & Vaccines at the premises situated at Kozhipannai, Pudumund Post, Dr Basavaiah Nagar, Udhagamandalam-643007 has been renewed from 01.01.07 to 31.12.2011". Further, annual reports of IIL includes the manufacturing plants of veterinary biologicals & human biologicals both. The manufacturing & marketing standing certificate, non conviction certificate and GMP certificates are issued in the name of HBI (a division of IIL). In view of the above it is clear that ARV is being manufactured by Human Biologicals Institute, which is own manufacturing plant of IIL.</p> <p>Thus the firm meets the Minimum eligibility criteria as mentioned on Sl. No (a) (b), (c), (d), (e), (g), (h), (i), (j), (k), (l) & (m) of the technical bid evaluation chart prepared by the Core Committee except condition mentioned in sl no. (f) of minimum eligibility criteria.</p> <p>The committee recommends the following.</p> <ul style="list-style-type: none"> • The agency may be provided an opportunity to submit Income Tax Return Report for the Assessment Year 2009-10 by 7.12.2009. • As it has been noticed that HBI in the other State has filled in their tender in independent capacity for supply of ARV, where as IIL has submitted an affidavit dated 22.9.09 wherein IIL has quoted "The Human Biological Institute is a manufacturing division of IIL, established for manufacture of Human Vaccines and does not carry any separate and independent legal identity hence all legal and financial transactions of HBI can only be in the name of IIL". <p>Therefore a clarification and supporting documents needs to be obtained from IIL through a letter, copy marked to HBI.</p> <ul style="list-style-type: none"> • Non receipt of the above by the SHSB by 7.12.2009 will lead to disqualification of the tender, thus, the financial bid will not be opened.
2.	Bharat Biotech International Limited, Vamsi Sadan -Plot 265/266, Kamalapur Colony, Phase II, Hyderabad	<p>Technical analysis :</p> <p>During the technical analysis the committee members found that the relevant documents against the requirements of the tender (Sl No. a through m) have been submitted. However, the members of the Core Committee observed that the firm was granted permission to manufacture ARV as an additional product by the Director, Drugs Control Administration, Govt. of A.P., Hyderabad on 12.10.06, which was duly approved by the Central Licence Approving Authority, i.e. DCGI, New Delhi on 14.12.2006.</p> <p>In course of technical analysis of the tender documents of M/s Bharat Biotech International Limited, it came to the notice of the members of the Core Committee that Central Drugs Laboratory, Kasauli, HP has given test report of ARV, which has been manufactured by M/s BIBL on Dec.05, Jan.06, Feb.06, June06, September06 and Nov.06. The marketing standing certificate, issued by the Licensing Authority, A.P. Hyderabad also states that "the drug (ARV) is being manufactured for more than past three years". From the above it appears that the firm is manufacturing ARV since December 2005 but relevant documents/Papers regarding permission to manufacture ARV since December 2005 have not been enclosed by the firm with their Tender documents.</p>

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	<p>Bharat Biotech International Limited, Vamsi Sadan Plot 265/266, Kamalapuri Colony, Phase II, Hyderabad</p>	<p>Thus the firm meets all the required minimum eligibility criteria as mentioned in SI.No. (a) to (m) of the technical bid evaluation chart prepared by the Core Committee.</p> <p>The committee recommends the following.</p> <ul style="list-style-type: none"> • The agency may be provided an opportunity to submit all relevant papers/documents, Licence, permission letter etc. indicating the manufacture of ARV since 2005. • A letter should be given to the Director, Drugs Control Administration, Govt. of Andhra Pradesh, Hyderabad requesting him to kindly to intimate the basis of issue of Market Standing Certificate to BIBL for more than past three years in view of the approval of grant of mfg. licence of ARV as an additional product to BIBL by the Central Licencing Approving Authority on 14.12.2006. • Non receipt of the above by the SHSB by 7.12.2009 will lead to disqualification of the tender, thus, the financial bid will not be opened.
3.	<p>Chiron Behring Vaccines Private Limited, 501, Shree Amba Shanti Chambers, Andheri Kurla Road, Andheri, Mumbai</p>	<p>Technical analysis :</p> <p>During the technical analysis the committee members found that the relevant documents against the requirements of the tender (SI No. a through m) have been submitted except (1) the Income Tax Return Report of the Assessment Year 2009-10 i.e. SI.No. (f) of the Minimum Eligibility criteria and (2) with regard to sl.no. (i) affidavit from first class Magistrate regarding blacklisting or de-registration of the firm has been submitted by Sri Shueb Ahmed instead of Sri S. Balakrishnan, who is the Authorised person to do so.</p> <p>Thus the firm meets the Minimum eligibility criteria as mentioned on SI. No (a), (b), (c), (d), (e), (g), (h), (j), (k), (l) & (m) of the technical bid evaluation chart prepared by the Core Committee except condition mentioned in sl no. (f) and (i) of minimum eligibility criteria.</p> <p>The committee recommends the following.</p> <ul style="list-style-type: none"> • The agency may be provided an opportunity to submit: <ol style="list-style-type: none"> (1) Income Tax Return Report of the Assessment Year 2009-10 and (2) affidavit from first class Magistrate regarding blacklisting or de-registration of the firm to be submitted by the Authorized person of the agency by 7.12.2009. • Non receipt of the above by the SHSB by 7.12.2009 will lead to disqualification of the tender, thus, the financial bid will not be opened.
4.	<p>Sanofi Pasteur India Pvt. Ltd. D-2, Fourth Floor, Southern Park, DDA Commercial Centre, Saket, New Delhi</p>	<p>Technical analysis :</p> <p>During the technical analysis the committee members found that the relevant documents against the requirements of the tender (SI No. a through m) have been submitted except (1) the bill of entry of ARV in India submitted with reference to sl.no. (a) & (c) of minimum eligibility criteria shows the name of Importer as Ranbaxy Laboratories Ltd. Instead of M/s Sanofi Pasteur India Pvt. Ltd.</p> <p>(2) the documents showing the Batch Production Capacity of ARV submitted with reference to sl.no. (k) of the minimum eligibility criteria has been issued by the Head Pharmacist of the firm instead of the concerned Licencing Authority and</p> <p>(3) the affidavit regarding blacklisting or de-registration of the firm submitted with reference to sl.no. (i) of the minimum eligibility criteria has been obtained from the Notary, where as it was to be obtained from first class magistrate.</p> <p>Thus the firm meets the Minimum eligibility criteria as mentioned on SI. No (b), (d), (e), (f), (g), (h), (j), (l) & (m) of the technical bid evaluation chart prepared by the Core Committee except condition mentioned in sl no. (a), (c), (i) and (k) of minimum eligibility criteria.</p>

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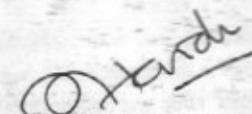
	Sanofi Pasteur India Pvt. Ltd. D-2, Fourth Floor, Southern Park, DDA Commercial Centre, Saket, New Delhi	<p>The committee recommends the following.</p> <ul style="list-style-type: none"> The agency may be provided an opportunity to submit the following:- <p>(1) the bill of entry of ARV in India showing the name of Importer as M/s Sanofi Pasteur India Pvt. Ltd.</p> <p>(2) the documents showing the Batch Production Capacity of ARV issued by the concerned Licencing Authority and</p> <p>(3) the affidavit regarding blacklisting or de-registration of the firm sworn in before the first Class Magistrate by 7.12.2009.</p> <ul style="list-style-type: none"> Non receipt of the above by the SHSB by 7.12.2009 will lead to disqualification of the tender, thus, the financial bid will not be opened.
5.	HLL Lifecare Limited 12, 1st Floor, 100 feet, Velacherry- Taramani Road, Vijaya Nagar, Velacherry, Chennai	<p>Technical analysis :</p> <p>During the technical analysis the committee members found that the relevant documents against the requirements of the tender (Sl No. a through m) have been submitted except</p> <p>(1) with regard to sl no (b) import licence of 29.12.08 has been submitted which shows that ARV is being imported by the agency since last 11 months only.</p> <p>(2) As per sl.no. (c) Market Standing certificate of 3 years has not been submitted.</p> <p>(3) As per sl. No. (e) profit & loss account for the financial year 2006-07, 2007-08 & 2008-09 has not been submitted.</p> <p>(4) As per sl.no. (i) affidavit regarding blacklisting or de-registration of the firm has been obtained from the Notary, where as it was to be obtained from first class magistrate.</p> <p>Thus the firm does not meet the Minimum eligibility criteria as mentioned above.</p> <p>The committee recommends the following.</p> <ul style="list-style-type: none"> The agency has been considered as technically disqualified for non submission of documents as per the minimum eligibility criteria (see above sl.no. 1,2,3 & 4) The financial bid of the agency will not be opened.

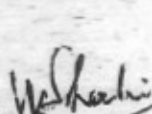
Conclusion :-


The committee recommends that

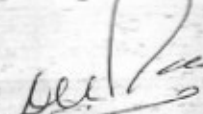
- Indian Immunological Ltd, Hyderabad, Bharat Biotech International Limited Hyderabad, Chiron Behring Vaccine Limited Mumbai and Sanofi Pasteur India Pvt. Ltd. New Delhi are provisionally qualified on technical grounds subject to the conditions mentioned above. All the relevant documents as mentioned above have to be submitted by the agencies by 7.12.2009. If any of the agency fails to submit any of the documents asked for by 7.12.09, that agency will be considered as technically disqualified.
- It was also decided that the decisions of the Core Committee shall be put on the website of SHSB.
- The final decision on the technical bids of ARV will be taken in the next meeting of the Core Committee, which will be called after 7.12.2009.

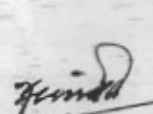

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Health Services,
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Dr. S. P. Singh,
Director-in-Chief
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Technical Comparative Chart of ARV Tender- 2009

Sl. No.	Company Name	Paper Attested By	Power of Attorney or Resolution Paper	Cops of PAN card	Income tax return report for assessment year 2007-08, 2008-09, 2009-10	Sales Tax Registration Certificate	Manufacturing License with up to date license renewal certificate and their product list.	WHO-GMP /GMP certificate	Minimum three years market standing certificate for each of the Product quoted, issued by the concerned licensing authority with details in the (prescribed) format.	Up to date Non conviction certificate issued by the concerned licensing authority	Documents mentioning the maximum Batch Capacity of each section certified by the concerned licensing authority	Affidavit from First Class Magistrate Regarding Blacklisting or De-Registration	Approval Letter from DCGI for ID	Whether ARV is being manufactured at the bidder's own Unit
1	Indian Immunological Limited Road No. 44, Jubilee Hills, Hyderabad 500 033	Chartered Accountant	Submitted P-167-168	Submitted Indian Immunologicals P-29	Submitted for 2006-07, 2007-08, 2008-09 (not submitted for 2009-10) P-26-28	Submitted Indian Immunological P-30-31	N/a Human Biological Institute (Division of IIL) (i) Mfg Lic No - 26-H-15 dt. 6.8.98 Renewed from 1.1.2007 to 31.12.2011 Additional Product Abhay Rab-ID granted on 26.12.07 (ii) Mfg No. 28-D-15 6.8.98 to 31.12.99 P-4-11	Of HBI 22.5.09 Valid for One Year P-18-21	Not in Format Dt. 10.2.09 for ARV (IM). Another certificate in format issued by C.A. has also been enclosed P-15-17	Submitted 18.2.09 HBI for last 3 yrs P-2-2	Submitted (HBI) P-24-25	By company Secretary attested by Class II Special Metropolitan Magistrate P-169-170	21.8.06 in selected Anti Rabies centre in the prescribed manner P-12-14	No (ARV is being manufactured by HBI division of IIL)
2	Chiron Behring Vaccines Private Limited, 501, Shree Amba Shanti Chambers, Andheri Kurla Road, Andheri, Mumbai	Chartered Accountant	Authority of S. Balakrishnan	Submitted P-29	Submitted for 2006-07, 2007-08, 2008-09 (not submitted for 2009-10) P-26-28	Submitted P-32-34	Mfg Lic. No - Form 26-H 28-D-GLVP-2 issued 20.6.01 Validity: 1.1.08 to 31.12.2012 P-2-7	11.12.08 valid 7.2.2010 P-11-16	Not in Format ARV 1ml (2.5 IU) Another certificate in format issued by company itself has also been enclosed P-8	Submitted Dt. 24.10.09 P-30	Submitted P-35	By Mr. Shoeb Ahmad whose authority letter has not been submitted P-31	Submitted 28.2.06 P-27-39	Yes
3	Bharat Biotech International Limited, Vamsi Sadan Plot 265/266, Kamalapur Colony, Phase II, Hyderabad	Chartered Accountant	Submitted P-D-2	Submitted P-189	Submitted P-185-187	Submitted P-190-192	(i) Mfg. Lic No. - Form 28-D 03A/HD/AP/98V/G issue- 14.10.98 Valid upto- 31.12.99 (ii) Form 26H- 03A/HD/AP/98V/G valid upto 1.1.07-31.12.2011 (iii) Additional product ARV granted dt. 15.12.06 (iv) Additional product Rabies vaccine (Intradermal) granted on 19.12.08 P-4-18	12.3.09 for 2 yrs P-82-84	Submitted dt. 13.11.09 Batch no. and Mfg year has been mentioned instead of Batch No. & Date P-25 & 81	Submitted dt. 19.9.09 P-203	Submitted P-201-201A	By Special Metropolitan Magistrate P-204-205	submitted 4.1.08 P-23	Yes

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Technical Comparative Chart of ARV Tender- 2009

Sl. No.	Company Name	Paper Attested By	Power of Attorney or Resolution Paper	Copy of PAN card	Income tax return report for assessment year 2007-08, 2008-09, 2009-10	Sales Tax Registration Certificate	Manufacturing License with up to date license renewal certificate and their product list.	WHO-GMP /GMP certificate	Minimum three years market standing certificate for each of the Product quoted, issued by the concerned licensing authority with details in the (prescribed) format.	Up to date Non conviction certificate issued by the concerned licensing authority	Documents mentioning the maximum Batch production Capacity of each section certified by the concerned licensing authority	Affidavit from First Class Magistrate Regarding Blacklisting or De-Registration	Approval Letter from DCGI for ID	Whether ARV is being manufactured at the bidder's own Unit
4	Sanofi Pasteur India Pvt. Ltd D-2, Fourth Floor, Southern Park, DDA Commercial Centre, Saket, New Delhi	Notary	Submitted P-116	Submitted P-111	Submitted P107-109	Submitted P-104-106	(i) Import Lic. No. - Form-10 S.V. - L- 32 dt. 28.1.09 validity- 1.1.09 - 31.12.2011 (ii) Old Lic. - Form-10- SV-1-409 dt. 27.3.06 Validity- 1.4.06 - 31.3.09 (iii) Sale Lic. No. - Form 20B & 21B - 34(185) Validity- 30.9.05 - 29.9.2010 Manufacturing licence of the company from which the products are being imported is not enclosed/ P: 3-19	Submitted dt. 3.4.08 P-88-103	Bill showing entry of product in India has been enclosed But the bill bears the name of importer as Ranbaxy Laboratories Ltd. P:20-25	Submitted 20.7.09 P-87	Submitted (Self) P-21	By Notary P-112	Submitted 28.2.06 P-113-114	Importer
5	HLL Lifecare Limited 12, 1st Floor, 100 feet, Velacherry- Taramani Road, Vijaya Nagar, Velacherry, Chennai	Self	Authority Letter P-1-1	Submitted P-34	Submitted P: 31-32A	Submitted P-36	(i) Import Lic. No. - Form-10 SV-62-24 dt. 29.12.08 Validity- 23.12.08 - 24.7.2010 Manufacturing licence of the company from which the products are being imported is not enclosed P:4-5	China P-26	Dt. 5.8.09 of M/s Liaoning China for Market Standing of Two years in India P-18-21	Submitted 2.8.09 P-35	Certificate regarding quantity sold in India during last two years have been attached P-23	From Notary, by Asstt. Manager authorised person P-3	Not submitted	Importer

Vikash Siromani
Inspector of Drugs

Pradeep Kumar
Inspector of Drugs

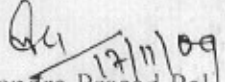
Rakeem Nandani Singh
Licencing Authority

Hemant Kumar Sinha
Licencing Authority

ARV Tender - 2009

Technical Bid Evaluation (Financial Part- Audited Annual Report, Turnover, PAN, Income Tax Assessment Report)

Sl. No.	Company Name	Whether audited annual report submitted for (Yes/No) <i>Note : Auditor/C.A certificate of turnover will not be accepted</i>			Annual turnover (Rs in crore) <i>Eligibility Criteria: Should not be less than Rs 8 Crores in each year.</i>			Avg. Annual turnover (Rs in crore) - <i>This should not be less than 10 crores</i>	Copy of PAN card of the company (Yes /No)	Income tax return report for assessment year (Yes/No)			Remark
		2006-07	2007-08	2008-09	2006-07	2007-08	2008-09			2007-08	2008-09	2009-10	
1	Indian Immunological Limited Road No. 44, Jubilee Hills, Hyderabad 500 033	Submitted	Submitted	Submitted	156.67	193.70	221.76	190.71	Submitted	Submitted	Submitted	Not submitted	
2	Chiron Behring Vaccines Private Limited, 501, Shree Amba Shanti Chambers, Andheri Kurla Road, Andheri, Mumbai	Submitted	Submitted	Submitted	96.35	82.14	85.29	87.93	Submitted	Submitted	Submitted	Not submitted	
3	Bharat Biotech International Limited, Vamsi Sadan Plot 265/266, Kamalapuri Colony, Phase II, Hyderabad	Submitted	Submitted	Submitted	55.32	83.44	241.06	126.61	Submitted	Submitted	Submitted	Submitted	
4	Sanofi Pasteur India Pvt. Ltd. D-2, Fourth Floor, Southern Park, DDA Commercial Centre, Saket, New Delhi	Submitted	Submitted	Submitted	52.58	65.82	87.07	68.49	Submitted	Submitted	Submitted	Submitted	
5	HLL Lifecare Limited 12, 1st Floor, 100 feet, Velacherry- Taramani Road, Vijaya Nagar, Velacherry, Chennai	Profit & Loss Account not submitted.							Submitted	Submitted	Submitted	Submitted	


 12/11/09
 Yogendra Prasad Pal
 Accountant
 SHSB


 12/11/09
 K. L. Das
 Finance Manager
 SHSB