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No. P.C./ 10061 /CH&UCHS Dated 25-08-, 2023

To

Mr. Abdul Wahab
I/C Programmer (I.T.)
Health Department, Civil Secretariat,
Lahore.

Subject: - **REQUEST FOR UPLOADING THE GRIEVANCES COMMITTEE MEETING MINUTES REGARDING THE FRAMEWORK FOR LABORATORY KITS & CHEMICALS (RE-TENDER) AND FRAMEWORK FOR SURGICAL DISPOSABLES / MEDICAL DEVICES IN THE CHILDREN'S HOSPITAL, UCHS LAHORE FOR THE YEAR 2023-24 ON HEALTH DEPARTMENT WEBSITE**

Please find enclosed herewith the Grievances Committee Meeting Minutes regarding the **Framework for Laboratory Kits & Chemicals (Re-Tender) and Framework for Surgical Disposables / Medical Devices (III)** for The Children's Hospital, University of Child Health Sciences, Lahore for the year 2023-24 need to be uploaded on the Health Department website.

Your positive response will be highly appreciated.

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Prof. of Paediatric Neurology
Medical Director

GRIEVANCES COMMITTEE MEETING MINUTES REGARDING THE FRAMEWORK FOR LABORATORY KITS & CHEMICALS (RE-TENDER) AND FRAMEWORK FOR SURGICAL DISPOSABLES / MEDICAL DEVICES HELD ON 15-06-2023 AT 10:00 A.M. IN THE CONFERENCE ROOM OF THE ADMIN BLOCK THE CHILDREN'S HOSPITAL & UNIVERSITY OF CHILD HEALTH, SCIENCES, LAHORE FOR THE YEAR 2023-2024.

Sr. No.	Grievance by Firm	Reason of Rejection	Decision of Grievance Committee
1.	M/s Gulf Marketing International submit letter No. GMI/CHICH/2407/23 Dated 24-07-2023. This is with reference to the subject we M/s Gulf Marketing International also participated in the tender of Rapid Test Devices for HCV, HBV, HIV, Syphilis & Malaria with the brand name "Diagnostar Original brand of Healgen USA" (relationship of brand is attached with) but rejected without any reason, The Company M/s Main Scientific always comes single bidder from last four years in these items due to biased decision by the department, evaluation of the M/s GMI was not considered because of some assumptions regarding the brand name created by M/s Main Scientific, who is the only accepted bidder in these items from last four to five years by the purchase department on behalf of fake documents and even not a single time in these years company was called for verification of the documents face to face and now it's being four years trying to convince the procuring officer that kindly consider only one point that I am going to request you will defiantly find many quarries regarding the only accepted brand in these item and may be it will resolve the four years mystery why only one brand is always accepted and why only M/s Scientific Participate in the tender from last four years by managing highest prices why other companies are not participating in these items?? Moreover you may check the price difference with other institutes why the prices are higher in children's hospital because of some adjustments??? Following are the points to be noted and should be verified.	M/s Gulf Marketing International was rejected as the said firm did not fulfill the knock down criteria of Bid evaluation No. 9, 10, & 11 which are as follows 9). "CE-MDD/ FDA/ JpMHLW/WHO certification of the quoted brands. (if applicable)". 10). ISO 9001/13485 Certification of the foreign principal. 11). Valid Free sale certificate of quoted brand from the country of manufacturer (translated in English). Valid free sale certificate legalized / notarized, Pakistan embassy attested free sale certificate of the product medical devices (where applicable).	Grievance Committee reviewed the knock down criteria of bid evaluation and after due deliberation it was found that M/s Gulf Marketing International was deficient and do not fulfilled the knock down criteria clause No. 9, 10 and 11. Furthermore Healgen Principal and manufacturer is in USA but M/s Gulf Marketing International did not attached the free sale certificate of the said country. Therefore TAC decision is sustained. Grievance committee thoroughly reviewed the tender process and did not find it bias and found the procurement as per rules, hence grievance is rejected.
2.	The company M/s Mian Scientific don't have any CE-Mark or FDA certificate for rapid test devices the attached CE-Certificate is only for design approval (content can be readout for verification attached with this documents) and cannot be verified online, while other than this M/s GMI quoted brand Halogen USA can be verified online for CE-certificate through (www.TUVSUD.com and official website of CE-Mark certificate). On the other hand M/s Mian Scientific also claim that they are FDA approved but its unfortunately only registration of the product from the year 2017 not a certificate, every company have that registration who is participating in rapid test devices, while only Abbott device of HCV & HIV original FDA certificate that can also be verified online with certificate number (https://www.fda.gov/).		Grievance Committee after reviewing clause No. 9 of knock down criteria where it is clearly mentioned that qualifying firm should have "CE-MDD/ FDA/ JpMHLW/WHO certification of the quoted brands. M/s Mian Scientific have FDA certificate attached in their bid and committee further verified the FDA certificate on US Food & Drug website where it was verified that FDA certificate of M/s Mian Scientific is authentic. Furthermore Grievance Committee also verified CE Certificate of M/s Gulf Marketing International on TUVSUD.com but it only verified two markers i.e. HCV & HIV out of five markers, hence grievance is rejected

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3.	M/s Mian Scientific always claim that they have free sale certificate of that product with brand name while the claim was also accepted by the procuring officer, while company representative from M/s GMI always requested the procuring officer every year to verify this certificate either it's a fake or original document (even the certificate is not embassy attested which is requirement of letter # 1093 dated 07-03-2022). The letter was issued from SSD through letter # 2547-2549 dated 09-03-2022 (attached with this documents) "product should be with brand name in the country of manufacturer", purchase department of the institute always consider the first line of the letter but always skip the last line for M/s Mian Scientific why is it so? The reason is because the CTK Biotech is registered in USA and items are being produced in China and just by using the fake FSC certificate that is not relevant if SSD charging more price from last four year without any competition with the help of purchase department. M/s Scientific have FSC from USA that you can verify from the bid of M/s Mian Scientific while the production is in china with the manufacturer name of M/s Beijing Genesse Biotech China (as a proof attaching the registration certificate of DRAP issued to M/s Mian Scientific) same like the other rapid test devices available in the market. Moreover this FSC can also be verified with the product that M/s Mian Scientific are supply to the institute by analyzing the product inset that clearly shows a narration with "FOR EXPORT ONLY NOT FOR RESALE IN THE USA" what does it means that the same product is not being in use of that country which the company is attaching the certificate that is USA, which also not fulfilling the criteria of FSC certificate and creating conflict against the free sale certificate.		Grievance Committee deliberated the matter in detail and asked M/s Mian Scientific to bring original free sale certificate after looking into the original certificate committee found that free sale certificate of M/s Mian Scientific is authentic duly notarized / attested. Furthermore it was found that manufacturer is CTK Biotech USA and its manufacturing site is M/s Beijing Genesee Biotech, China. After verifying the original free sale certificate it was cleared to the committee that the product of M/s Mian Scientific is easily marketed in the country and can be export too. As FDA certificate is also checked by the committee where committee found that it is mentioned on the certificate **"It is certified that the above products(s) may be marketed in and legally exported from; the United States of America at this time. The manufacturing plant(s) in which the product(s) is produced is subject to periodic inspections. The last such inspection showed that the plant(s), at that time, appeared to be in substantial compliance with current good manufacturing practice requirements for the product(s) listed above".** Furthermore committee also verified M/s Mian Scientific DRAP registration of said items as one of the clause for registration of DRAP is availability of free sale certificate and M/s Mian Scientific fulfilled the clause. Hence it was clear to the committee that free sale certificate M/s Mian Scientific is authentic. Therefore grievance is rejected.
4.	Like Halogen USA M/s CTK Biotech is also manufacturing other brands like "ARIAL" AND "ANSWER" can be verified from CTK website but Diagnostar by Halogen USA is always being highlighted by the Procuring officer while in the last year tender 2021-22 the same brand was accepted in Urine Strips only and rejected in rapid devices with same documents. Here question is that the same brand DIAGNOSTAR is accepted because M/s Main is not in competition with that product?? Why monopolizing the product with only one company from last four years??? While institute have option like other institutes to save the budget.		Grievance Committee after due deliberation verified the case regarding urine strip and it was found that two firms were responsive in the tender out of four firms and one of them was M/s Gulf Marketing International. M/s Gulf Marketing International was financially lowest among the two and was awarded urine strips award. Grievance Committee reviewed the procurement process in detail and found that the process is as per accordance to PPRA rules, hence grievance is rejected.

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5.	Just because of single bidder in rapid test devices the company is charging extra amount on these items and defiantly losses have to bear by the government through he institute while every time M/s Mian Scientific accepted as single bidder to monopolize the business with the understanding of procuring officer. As for justification against rapid test product quoted by M/s GMI, all the international certificates including embassy verified FSC certificate are attached with the bid, CE-Mark can be verified online. M/s GMI is the only sole distributor of Diagnostar original brand of Healgen USA from last 13-years (letter attached). It is to be requested kindly accept the attached certificate & bid for a healthy competition. Once again my humble requests to the institute are that kindly check and verify online the product CTK don't have any quality certificate which the company M/s Mian Scientific is claiming.		Grievance Committee after due deliberation verify the procurement process in detail and found that the process is as per PPRA rules, fulfilling all legal, codal and procedural formalities.
5.	M/s Popular International (Pvt) Ltd submits the letter # Nil dated 25-07-2023. We hope this letter finds you well. We are writing to formally request the reconsideration of samples that were previously evaluated as part of the technical evaluation. We value the integrity and fairness of the evaluation process, and we believe that reconsidering the samples in question is crucial to ensure accurate and equitable results. Our intention is not to undermine the initial evaluation but rather to address any concerns and ensure that all samples receive a fair and through assessment. We already submitted the said samples (copy attached) however we are going to resubmit all quoted product's (Tracheostomy Tubes all sizes) for reconsideration in technical evaluation process. We understand that reconsideration of samples may require additional time and resources. However, we firmly believe that this process will contribute to the accuracy and reliability of the evaluation results, thereby maintaining the credibility and fairness of the overall process.	M/s Popular International (Pvt) Ltd. was responsive in bid evaluation report but was technically rejected by end-user on sample evaluation. The said firm did not submit the required quantity of Tracheostomy Tubes samples (all sizes) for sample evaluation as per bidding documents criteria.	After due deliberation the Grievance committee decided and allowed M/s Popular International (Pvt) Ltd. to submit the required quantity of samples to be evaluated by end-user and then after decision of end-user with due evaluation of the samples the product will be technically accepted / rejected, hence grievance is accepted.

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6.	We are writing to address a concern regarding the technical evaluation report prepared by your esteemed institute. It states that our product (item No. 45, VP shunt) is not registered with the Drug Regulatory Authority of Pakistan (DRAP). However, I would like to bring your attention to the attached SRO (Statutory Regulatory Order) which grants us exemption until December, 2023. Furthermore, I would like to inform you that we have already initiated the registration process for our product with DRAP, as evidenced by the attached copy of the application. We acknowledge that the registration process may take some time; however, it is crucial for you to reconsider your description in light of our ongoing efforts for registration. The SRO provided exempts our product (item No. 45, VP shunt) from registration requirements until December, 2023 ensuring that we are operating within the legal framework.	M/s Popular International (Pvt) Ltd. was responsive in bid evaluation report but was technically rejected by end-user on sample evaluation.	After due deliberation the Grievance committee told the representative of the firm that as the product did not satisfy the end-user, hence decision of TAC is sustained and the grievance is here by rejected.

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Bio Medical Engineer

Dr. Zia ur Rehman
Associate Prof. of Peads Neurology

Dr. Edrees Anwar Sheikh
AMS (Admin)

Dr. Muhammad Khalid Masood
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Dr. Samina Zaman
Prof. of Histopathology
Chairperson

Submitted for approval please.

Medical Director 26/8/2023