

ORISSA STATE AIDS CONTROL SOCIETY (OSACS)
(Department of Health & Family Welfare), Government of Odisha



No. 3052 / OSACS

Date: 21/09/2022

TENDER CALL NOTICE FOR PROCUREMENT OF ARV DRUGS

Orissa State AIDS Control Society (OSACS), BBSR invites sealed tenders from authorized manufacturers/distributors/ approved dealers having valid GST registration for supply of Anti Retro Viral (ARV) Drugs to OSACS, Bhubaneswar. The detailed terms & conditions and specifications are available in the websites of www.osacs.nic.in, which can be downloaded for use. Interested parties may submit their tenders through Speed post / Registered Post / Courier only super-scribing "Tender for supply of Anti Retro Viral (ARV) Drugs to OSACS" which should reach on or before 3.30 P.M of 30 / 9 / 2022 positively and the same will be opened at 4.00 P.M on the same day before the committee & the participants. The undersigned reserves the right to reject any or all the tender(s) without assigning any reason thereof.

Orissa
21/9/2022

Project Director

Orissa State AIDS Control Society,
(Department of Health & Family Welfare), Govt. of Odisha,
2nd Floor, Oil Orissa Building, F-Nayapalli, Bhubaneswar-12

**Terms & Conditions for Rate Contract
towards supply of
"ARV DRUGS" to OSACS for 2022-23**

Tender / Bid Reference No. / OSACS dated . . . 2022

Tender Document for supply of ARV Drugs on Rate Contract for a period of one year from the date of approval of this tender

- ◆ Availability of Tender document in website for downloading : 23 / 09 / 2022
- ◆ Last date for downloading the Tender Paper for submission : 30 / 09 / 2022
- ◆ Last Date & Time of Receipt of Bid documents : 30 / 09 / 2022 by 3.30 P.M
- ◆ Date & Time of Bid Opening : 30 / 09 / 2022 at 4.00 P.M

- ◆ Place of opening the Bid : Conference hall of OSACS

Address for Communication:

PROJECT DIRECTOR
ORISSA STATE AIDS CONTROL SOCIETY (OSACS)
Oil Orissa Building, Nayapalli, Bhubaneswar,
Ph: 2395415/2393235 Fax: 2394560/ (0674),
E-mail: orissasacs@gmail.com



Terms & Conditions for supply of (ARV) Drugs to OSACS.

1. Sell of Tender/Bid document:

The prospective bidders may download the complete sets of the tender documents directly from the website available at www.osacs.nic.in and submit the same to Orissa State AIDS Control Society (OSACS). In case of any bid amendment and clarification, responsibility lies with the bidders to collect the same from the website of OSACS or the office notice board before last date of submitting the tender document. The tenders / Bids will only be received through Regd. Post / Speed Post / Courier latest by 3.30 P.M of 30.09.2022. Any tender received after the due date & time will be rejected.

2. Bid Price:

- a) The tender shall be submitted in two bid system i.e. technical Bid & Financial Bid, Financial Bid contains only the price Bid as per (Cover – B) and Technical Bid (Cover – A) contains all other documents as per the tender terms except Price bid. The technical Bid & Financial Bid will be covered in two separate envelop clearly written on the top of the envelope as Technical Bid (Cover – A) & Financial Bid (Cover – B) respectively and those two bids will be covered in a Big envelop writing in the top that "Tender for supply of ARV Drugs to OSACS".
- b) The tender shall be for the full quantity as mentioned in the advertisement. The detailed specification of different ARV Drugs is enclosed at **Annexure-I** and the format of quotation for "supply of ARV Drugs" is specified in **Annexure- II** which should be used at the time of submission of tender.
- c) The bid price shall include the excise duty and the bidder's cost towards insurance, packing & forwarding and transportation charges to OSACS. The unit price should be valid for one year or before finalization of the next year tender whichever is earlier.
- d) GST and any other local taxes should be clearly mentioned separately in terms of percentage and amount in the price sheet.
- e) Delivery will be made at head quarter of "Orissa State AIDS Control Society" (OSACS), Bhubaneswar.

3. Bid Security:

- a) The bidder shall furnish Bid Security Declaration as per FDOM No.-8943 dated 18.03.2021 instead of EMD.
- b) Each bidder shall submit only one bid. Alternative offer without separate bid security declaration will be rejected.
- c) The bidder shall furnish its GST Registration Certificate and up-to-date GST return.

4. The tender shall remain valid for a period one year from the date of opening of the tender or before finalization of the next year tender whichever is earlier. The tender/Bid documents are not transferable.

5. **Amendment of Bid Document:**
 - a. At any time prior to the dead line for submission of Bid, the Tender Inviting Authority may, for any reason, modify the bid document by amendment
 - b. The amendments shall be published in website OSACS along with Notice Board of OSACS and the bidder shall submit copy of amendments published if any signed by the bidder or the authorized representative as part of the technical bid as a proof of having read and accepted the terms and conditions of the bid document.
 - c. The Tender Inviting Authority shall not be responsible for failure to inform the prospective bidders for any notices published related to each bid. Bidders are requested to follow the website of the Tender Inviting Authority for information/general notices/amendments to bid document etc. on a day to day basis till the bid is concluded before submission of bid.
6. The Drugs should be of flexible packing & should contain Manufacturing Date, Expiry date, Batch number, Brand Name & Manufacturer name etc. The drugs shall be delivered at head quarter of OSACS, BBSR with remaining shelf-life of at least 5/6th of the stipulated total life from the date of manufacturing.
7. All the packaging should be New. The supplier shall provide such packaging as is required to prevent their damage or deterioration during transit to their final destination. The packaging shall be sufficient to withstand without limitation rough handling during transit and exposure to extreme temperature during transit and upon storage. All primary packaging containers, which come in contact with the drug content, should strictly protect the quality & integrity of the drugs.
8. **Performance Security:**
 - a. The successful Bidder/Firm irrespective of its registration status will submit the performance security 3% of the order value in shape of Account payee Demand Draft/Pay Order from any nationalized banks in favour of "Orissa State AIDS Control Society", payable at Bhubaneswar.
 - b. The performance Security of the successful bidder/firm will be returned to the firm without interest only after successful complete delivery of drugs as per order.
9. **Eligibility Criteria;**
 - The bidder will submit the Bid Security Declaration
 - Self attested copy of firm registration certificate
 - Self attested copy of firm's GST registration certificate
 - Self attested copy of firm's up to date GST return
 - Self attested copy of firm's PAN card, Valid Drug License
 - Self attested copy of last three years audited financial statement (2018-19 to 2020-21)
 - Self attested copy of last three assessment year income tax return (2019-20 to 2021-22)
 - Supply order copy for last three years as per Annexure – III
 - Undertaking/Declaration as per Annexure – IV
 - Declaration as per Annexure - V
 - Quoted price as per price format at Annexure - II
 - In case of imported item, WHO GMP certificate copy (of Manufacturer) shall be submitted by the bidder along with valid Import License and product registration certificate issued by the Drugs Controller General of India along with valid Drug License of authorized agency.
 - In case of bidder not a manufacturer, they have to submit the bid specific manufacturer authorization certificate.
 - The bidder shall submit the valid copy of GMP certificate of manufacturer, as per revised schedule M of Drugs & Cosmetics Act & Rule 1945 (by & large GMP certificate will not be accepted).

- Bidders, who has been blacklisted / debarred by any state Government or Central Government organization cannot participate in the tender.
- The bidder shall have sufficient experience in supplying Drugs to the Government / Corporate / PSU / Pvt. Hospitals in India.

10. DOCUMENTS TO BE SUBMITTED IN TECHNICAL BID (COVER – A) AS FOLLOWS

All documents as per above eligibility criteria with checklist except quoted price in price format (Annexure – II).

11. Cover – B (Price Bid):

- The rates offered or quoted by the tenderer should be submitted in a separate sealed cover hereafter-called "**Cover – B**" (**Price Bid**). The specification for different Drugs is enclosed at **Annexure – I**.
- The price Bid in prescribed form (as per **Annexure - II**) should be submitted in duplicate inclusive of excise duty, insurance, packing, forwarding and freight (i.e. door delivery) but exclusive of taxes only. The rate should be quoted absolute rate (both in figure & word), each page of the price bid must be signed & sealed.
- The Price Bid (Cover – B) of only those tenderers who qualify in technical Bid evaluation will be opened at the Conference Hall of Orissa State AIDS Control Society (OSACS), Bhubaneswar in presence of the technically qualified tenderers or their authorized representatives. The date & Time to this effect will be intimated to the technically qualified bidders latter on.

12. Non Responsive / Rejection Criteria:

The Bid(s) will be rejected due to any one of the following;

- Non submission of Bid Security Declaration.
- Non submission of relevant documents as mentioned in the eligibility criteria.
- Applicability of Conditions as mentioned in the eligibility criteria
- Any pre condition by the bidder contradicting to the tender Terms & Conditions or non-compliance to the mentioned specification.
- Alternative price for same item shall be taken not taken in to consideration and bid shall be out-rightly rejected.
- Without seal & signature of the Technical Bid & Price Bid.
- Bid received beyond allowed time as per tender advertisement.

13. Tender Conditions:

- Each & every enclosed document shall be serially numbered with an index page at the front for both Technical & Price Bid separately. The paging must be done on all the documents submitted in "Cover – A" & "Cover – B".
- Tenders shall be type written / Computer written. No correction will be allowed in price Bid after submission of Tender/Bid.
- The rate should be quoted both in Indian Rupees, if there is any discrepancy between unit price and total price, unit price will prevail.
- The quoted price should not be more the Maximum Retail Price (MRP) at any point of time.
- To ensure sustained supply without any interruption Orissa State AIDS Control Society (OSACS), Bhubaneswar reserves the right to split orders for

supplying the requirements among more than one bidder provided that, the rates & other conditions are equal and with sufficient grounds. In case of non supply by the lowest quoted firm, OSACS can ask for willingness to L2 / L3 firm to supply at L1 rate.

- vi. The rates quoted will be binding for a period of one year from the date of approval by the authority of Orissa SACS, Bhubaneswar or that of next year approval of tender whichever is earlier and on no account any increase in the price will be entertained till the completion of this tender period.
- vii. Any selected bidder shall not be allowed at any time on any ground whatsoever to claim revision of or modification in the quoted rates after approval up to one year.
- viii. If at any time during the period of contract, the price of tendered item is reduced or brought down by any Law or Act of the Central Government of India, the firm should inform immediately to authority of Orissa SACS, Bhubaneswar about such reduction in the contract price for necessary implementation. The tax will be charged as per act. From time to time.
- ix. The price quoted by the bidder should be in Indian Currency only, as payment will be made in Indian Currency only.
- x. The approved bidder should supply the item within 30 days or within such extended period with Liquidated Damage @ 0.5% of order value per week or part thereof subject up to 10% of the order value.
- xi. Authority of Orissa SACS, Bhubaneswar reserves the right to accept or reject the tenders at any time without assigning any reason before issue of order.
- xii. The authority of Orissa SACS, BBSR will be at liberty to terminate the contract in case of failure by the approved firm to carry out the order, the firm will not be entitled for any compensation whatsoever in respect of such termination.

14. Issue of Purchase Order

- a. The bidder whose bid has been determined to be substantially responsive and who has offered the lowest evaluated bid price shall be empanelled for supply of the said selected drugs to OSACS for one year from the date of approval with the quoted rate.
- b. The Purchase Order shall be placed in favour of empanelled bidder as per need based manner or at a time whole ARV drugs as mentioned in the tender document / on phase basis as per requirement of OSACS.

15. Quality Testing:

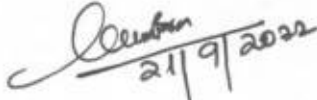
- i. The supplier will take back the entire supplies of NSQ/damaged drugs if any observed OSACS within 15 days after receiving the intimation of Orissa SACS, BBSR otherwise Orissa SACS will destroy the NSQ drugs and destroy report will be intimated to supplier. The cost for destruction will be deducted from the firm's (supplier's) due / performance security etc.

16. Packing :

- i. The packing standards and labeling must meet the requirements given in this technical specification. Not only the drugs but also the packing components should also meet specifications suitable for use in Odisha climate
- ii. All the packing should be new and should strictly protect the quality & integrity of the drugs. All labeling & packing inserts shall be in English language.
- iii. The Packing & labeling of the drugs should be done as per D & C Act 1940.
- iv. Each box shall bear the seal of Manufacturer and month of manufacturing, month of Expiry, Batch No.

17. Supply Condition:

- i. The approved supplier/firm will submit a copy of in house testing report against the supplied batch along with challan copy.
 - ii. The drugs shall be delivered at the Head Quarter of Orissa SACS, Bhubaneswar with remaining shelf life of at least 5/6th of the stipulated total shelf life from the date of manufacture.
 - iii. The specification of the different ARV drugs is enclosed at Annexure –I.
 - iv. In case of Delay in supply the kits Liquidated Damage @ 0.5% of order value per week or part thereof will be charged.
 - v. Each & every drugs packet should be stamped / printed as Govt. supply not for sale.
18. The delivery should be completed 45 days from the date of receipt of the order otherwise liquidated damages @ 0.5% per week or part thereof shall be imposed subject to a maximum of 10% of purchase order value which will be deducted from the payment due.
19. If the selected firm fails to execute the Order/contract, the EMD / Performance Security deposited by the firm will be forfeited and the firm will be debarred from OSACS for participating in any tender for three years.
20. The tender documents should be numbered and arranged as per the checklist specified at **Annexure-VI**
21. The tenders are liable to be rejected if any of the above conditions are not complied with.
22. Any legal disputes arising out of this are subject to Bhubaneswar jurisdiction only.
23. The undersigned reserves the right to cancel any or all tender without assigning any reason thereof.
24. The bidders may be present in person or through their authorized representative(s) during the opening of bids at **4.00 P.M** on 30/9/2022. In case the day will be a Govt. Holiday the tender will be opened in the next working day at 4.00 PM at the mentioned venue. No request for change of time, date or venue will be entertained on any ground from bidders. Even if no Bidder or their representative remains present in the scheduled time, the Bid will be opened & no complain / objection will be entertained


21/9/2022
Project Director

Annexure: I

The Individual ARV Drugs specification along with quantity

Sl. No.	Drug Name	Specification	Quantity
01	TL (A)	Tenofovir 300mg + Lopinavir 300mg	159340
02	ZLN (P)	Zidovudine, Lamivudine & Nevirapine tablets IP 60mg / 30mg & 50mg.	69000
03	ZL (P)	Lamivudine & Zidovudine tablets IP 30mg / 60mg	144000
04	LR oral solution	Lopinavir & Ritonavir oral solution 160ml IP	140 btl.
05	Zidovudine Syrup	<p>Oral solution, Zidovudine 50mg/5ml IP or any other pharmacopoeia, having shelf-life of 2 years , 100ml (10mg/ml), packed in HDPE opaque bottle with child resistance cap with a liner and a measuring syringe, Glazed label in accordance with statutory requirement as per Drugs & Cosmetic Act as per Rule 96.</p> <p>5 ply shipper to accommodate the bottles as volume, shipper fabricated from virgin kraft paper 3 liner – 150 GSM, 2 Flute – 150 GSM BS:NLT 12.5 KG/sq.cm, each shipper to be labelled as per statutory requirement. Facility to Transport & store in less than 30°C cool & dry place.</p> <p>The product should be approved by State/Central licensing authority as per provision of Drugs & Cosmetic Act and rules their under. Appropriate certificate (GMP / manufacturing license / import license) to this effect is mandatory</p>	526 btl.
06	Nevirapine Syrup	<p>Nevirapine Oral Suspension IP 50mg / 5ml: Each 5ml contains: Nevirapine IP 50mg flavoured syrup baseq.s., having shelf-life of 2 years, 100ml bottle. packed in HDPE opaque bottle with child resistance cap with a liner and a measuring syringe, Glazed label in accordance with statutory requirement as per Drugs & Cosmetic Act as per Rule 96.</p> <p>5 ply shipper to accommodate the bottles as volume, shipper fabricated from virgin kraft paper 3 liner – 150 GSM, 2 Flute – 150 GSM BS:NLT 12.5 KG/sq.cm, each shipper to be labelled as per statutory requirement. Facility to Transport & store in less than 30°C cool & dry place.</p> <p>The product should be approved by State/Central licensing authority as per provision of Drugs & Cosmetic Act and rules their under. Appropriate certificate (GMP / manufacturing license / import license) to this effect is mandatory</p>	263 btl.

Price Format for supply of different ARV Drugs to OSACS

Name of the firm: _____

1	2	3	4	5	6	7	8
Sl. No.	Drug name	Brand Name of the drug	Name of the Manufacturer	Quantity (in tab./btl.)	Unit Rate per Tab. / bottle (Rs.)	Total value (Rs.)	Taxes
1	TL (A)			159340 tab.			
2	ZLN (P)			69000 tab.			
3	ZL (P)			144000 tab.			
4	LR oral solution			140 btl.			
5	Zidovudine Syrup			526 btl.			
6	Nevirapine Syrup			263 btl.			

Total Value (excluding taxes) in Rs. _____, in words (Rupees _____) only.

Signature of the bidder
Name:
Business address:

Place:

Date:

Note :

- (a) In case of discrepancy between unit price and total price unit price shall prevail.
- (b) The supply of the drugs shall be completed as per specification within 45 days from the date of receipt of the order.

Annexure-III***Purchase/Supply order copies of bidders for last three year***

Sl. No.	Year	Order No. Date	Order value	Name of the Organization.
01	2020-21			
02	2019-20			
03	2018-19			
Total				

Date:

Name and Address of the Firm.
Signature of the bidder

Place:

ANNEXURE – IV

(To be submitted in *Technical Bid*)

UNDERTAKING / DECLARATION FORM

I / Wehaving My / our
.....office at.....do declare
that I / We have carefully read all the terms & conditions of tender of the
_____, Odisha for the supply of "different ARV Drugs". The approved rate will
remain valid for a period of one year from the date of approval. I/we will abide with **all the
terms & conditions** set forth in the **Tender Reference no.** _____ dated
____/____/2022.

I/We do hereby declare I/We have not been de-recognised / black listed by any
State Govt. / Union Territory / Govt. of India / Govt. Organization / Govt. Health
Institutions for supply of Not of Standard Quality items / non-supply.

I/We agree that the Tender Inviting Authority can forfeit the Earnest Money Deposit
and or Performance Security Deposit and blacklist me/us for a period of 3 years if, any
information furnished by me/us proved to be false at the time of inspection / verification and
not complying with the Tender terms & conditions.

I / Wedo hereby
declare that I / we will supply the _____ as per the terms, conditions &
specifications of the tender document

Signature of the bidder :
Seal with Date:
Name & Address of the Firm:

Affidavit before Notary Public

DECLARATION

1. I, _____ Son / Daughter / Wife of Shri _____ Proprietor/ Director/ authorized signatory of the firm/agency, _____, am competent to sign this declaration and execute this tender document;
2. I have carefully read and understood all the terms and conditions of the tender and undertake to abide by them;
3. The information / documents furnished along with the above application are true and authentic to the best of my knowledge and belief. I / we, am / are well aware of the fact that furnishing of any false information / fabricated document would lead to rejection of my tender at any stage besides liabilities towards prosecution under appropriate law.
4. I am agree to supply the required "ARV Drugs" to OSACS for one year with the quoted rate with effect from the date of initial contract/engagement/order and also agreed that the quoted price will remain unchanged during that period instead of increasing market price.

Full Name:
Seal with signature

Place:
Date:

The declaration should be in the letter pad of the Bidder.

CHECK LIST

<u>Name of Document</u>	<u>Submitted (Yes / No)</u>	<u>Page No</u>
Bid Security Declaration	:	
Copy of PAN Card of bidder	:	
Copy of GST Registration of bidder	:	
Up-to-date GST return of bidder	:	
"Cover – B" Price Bid as per format (Annexure – II)	:	
Earlier order copy as per Annexure – III	:	
Copy of Valid Manufacturing License / Loan License / Import License for the item :		
Copies of audited report of bidder for three years (2018-19 to 2020-21)	:	
Income tax return of bidder for last three Assessment years (2019-20 to 2021-22)	:	
Valid up-to-date GMP Of authorized manufacturer	:	
Copy of Valid Drug License Bidder	:	
Bid specific authorization certificate of Manufacturer	:	
Undertaking as per Annexure-IV	:	
Undertaking as per Annexure – V	:	

Seal with Signature of the Bidder