

Minutes of Pre-Bid meeting held on 17th March'2017

Recommendation by the committee after examination of the representations received w.r.t. various conditions of Tender Enquiry Document (TED) for Procurement of Diflubenzuron 25% WP against the indent received from SDMC & EDMC.

Amendment No. 2

Date: 31-03-2017

Sub: Amendment to Tender Enquiry Document

Ref: e-Bid Enquiry No.: HLL/PCD/e-MCD/01/RT-01/16-17/Diflu dated 28.02.2017 read with amendment no.1 dated 28.03.2017

The due date & time of closing of online tenders, submission of physical tenders fee & EMD and opening of Online tenders against the referred tender are rescheduled to **17-04-2017 at 06:00 PM, 18-04-2017 at 02:00 PM and 18-04-2017 at 02:30 PM** respectively.

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
1	ITB 6.1 F	Additional Information and instruction on duties and Taxes	<p>M/s Biotech International Ltd.: Query/Suggestion:</p> <p>1. The Goods and Service Taxes (GST) is likely to be introduced w.e.f. 1st July, 2017. The current Tender is for rate contract of one year. At the time of supply of goods/stores, GST may be applicable. Hence, you are requested to kindly amend the Clause 6.1(f) on page 8 accordingly. The effect of this amendment may please be given in the relevant clauses through the entire Tender where Prices/Rates/Duties/Taxes are referred.</p> <p>M/s Gharda Chemicals Limited: Query/Suggestion:</p>	<p>The bidders are requested to quote their prices strictly as per the price schedule given under Section VIII of the TED indicating clearly Ex-factory/Ex warehouse/Ex showroom/ off- the shelf price, Excise Duty,if any, sales Tax payable , Inland transportation, insurance & other local costs incidental to delivery & Total price for each unit. As and when GST is applicable during the supply the ED & ST shall be replaced by the GST percentage and the total unit price for each unit shall be arrived. Since it is a statutory liability it will be worked out as per the prevailing rules at that time.</p>

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
			viii. Your good office should also note that the Government of India is introducing GST with this calendar year. With reference to the same, we would request you to provide for in the tender the scenario wherein GST will be implemented and the payment to the supplier would be adjusted accordingly.	
2	Section VI	<p>Technical Specification: Clause 1.0- The larvicide shall conform to the specification as per registration committee and for standards to be published by the Bureau of Indian Standards. Diflubenzuron 25% WP (IGR) should conform to the standards specified by IS vide No.14186-1994 and amended thereof.</p> <p>Documents Required for Establishing Qualification Criteria: 1.CIB registration certificate for Diflubenzuron 25% WP conforming to the standards specified by IS vide No.14186-1994 and amended thereof. OR 2. BIS Certificate vide no.14186-1994 and amended thereof. OR 3. Test Report from any NABL accredited laboratory which is approved for testing Diflubenzuron 25% WP conforming to IS 14186-1994 and amended thereof.</p>	<p>M/s Biotech International Ltd.: Query/Suggestion:</p> <ul style="list-style-type: none"> - On Technical Specification we would like to specify that there is no need for a BIS certification since the certificate of registration certificate issued by Central Insecticides Board & Registration Committee very clearly defined the product shall conform to the standard as specified by IS vide No. IS :14186-1994 and amendment thereof - The Insecticides Act is a regulatory bodies that ensure the registration, licenses, quality of the insecticides that are supplied through the Country as per the prescribed IS. - BIS nd ISI marked product are not governing under any Rule or Law in this country. - To further elaborate the point with regard to BIS certification not being a requirement we wish to bring to you kind attention that <p>A. BIS Certificate for ISI Mark & Insecticide Rules:-</p> <ol style="list-style-type: none"> 1. The Technical Specification on page 31 of the Tender Document are extremely clear and state that "The larvicide shall conform to the specification as per registration committee and for standards to be published by the Bureau of Indian Standards. Diflubenzuron 25% WP (IGR) should conform to the standard specified by IS vide 	<p>No change. Comply as per TED.</p>

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
			<p>No.14186-1994 and amended thereof". In this regard, we wish to inform you that in our Certificate of Registration issued by the Central Insecticides Board and the Registration Committee on page No. 1, Clause 5 iv (a) & (b)clearly specify the following: "iv(a) The Insecticide shall conform to the specifications as approved by the Registration Committee and/or standards to be published by the Bureau of Indian Standards. (b) The Product shall conform to the standards specified by IS vide No. IS: 14186-1994 and amendment thereof:"</p> <p>Test Report from Government approved Laboratory which clearly specifies that our product conforms to the clause in our Certificate of Registration and that our product is in full conformity with the terms and conditions thereof.</p> <p>2. Under Chapter-IV of Insecticides Rules, 1971, Rule-9, Sub Rule 3 Clauses (vi) & (vii) (notarized copy of extract of Rule-9 enclosed as per Annexure-A) refers to requirements of ISI Mark Certificate from Bureau of Indian Standards (BIS). Several representations were received by Govt. of India in regard to the aforesaid Rule-9, Sub Rule 3 Clauses (vi) & (vii). After due consideration of the said representations, Govt. of India issued GSR 405(E) dt. April 6, 2016 (n. d copy enclosed as per Annexure-B) notifying draft rules ing 30 days time for objections and suggestions of the said draft rules.</p> <p>3. Following aforesaid GSR 405(E), Govt. of India issued GSR 794(E) dt. 12th August, 2016 (notarized copy enclosed as per Annexure-C) under powers conferred by Section 36 of Insecticides Act, 1968 notifying interalia :- In the Insecticides Rules, 1971,- (i) In rule 9, in sub-rule (3), clauses (vi) and (vii) shall be omitted.</p>	

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
			<p>Hence as per this Gazzatte Notification there is no requirement for the Pesticides to obtain ISI Mark Certificate from BIS</p> <p>4. The Technical Advisory Committee of Ministry of Health & Family Welfare, Govt. of India (MOH&FW) approved use of Diflubenzuron 25% WP under NVBDCP. The Technical Committee of MOH&FW approved the specifications of Diflubenzuron 25% WP. According to the approved specifications, Diflubenzuron 25% WP should conform to the standard specified by IS vide No. 14186-1994 and amended thereof shall be ensuring the product being offered is exactly as per the standard and quality laid down by BIS. Therefore, even without ISI Mark Certificate, the product being offered has to be of IS Standard 14186-1994 specified from BIS NVBDCP Specification for the Product Diflubenzuron 25WP is enclosed herewith. The specifications is also available on the website http://nvbdcpsoiv.in/Docitech-specification/Diflubenzuron25PerWP.14.pdf</p> <p>- We enclose herewith as per Annexure — E the pre bid minutes of East Delhi Municipal Corporation (EDMC) in which EDMC themselves have recorded that there is no requirements for certification of Diflubenzuron with BIS. It is also pertinent to point out that EDMC is a consignee and has indented 2600 KG of the subject product</p>	
3	Section VI	Technical Specification: Clause 5.0- Source of Technical Material	M/s Biotech International Ltd.: Query/Suggestion: We wish to attach as per Annexure — D a modified affidavit in which we would like to submit that this affidavit should be given by the Technical Indigenous Manufacturer (TIM) to the Bidder who is a Formulation Indigenous Manufacturer (FIM). This affidavit once received by the FIM from TIM should be submitted alongwith their bid in original to ensure that the source of technical for any bidder	No change. Comply as per TED.

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
			<p>are registered with CIB&RC and for Public Health use only.</p> <p>M/s Gharda Chemicals Limited: Query/Suggestion: in point number 5 — Source of Technical, you have mentioned that the bidder should submit documents to prove compliance with two circulars issued by CIB. We would most humbly submit that such open ended requirement will lead to unnecessary litigation and confusion. Since, the product pertain to vector control, delays caused by such confusions will have huge costs and nuisance value. Therefore, we would urge you to clearly specify that The Manufacturer should submit their registration of the technical grade i.e. Diflubenzuron Technical. In case on technical being sourced from any third party, endorsement from CIB should be obtained. This will ensure only genuine products with declared source are obtained and used</p> <p>M/s Bayer CropScience Limited Query/Suggestion: We request you to ask for the Authority Letter from source mentioning the tender number and confirming that they would supply the material to the bidder or bidder's principal.</p>	<p>No change. Comply as per TED.</p> <p>No change. Comply as per TED.</p>
4	Section X	Checklist	<p>M/s Biotech International Ltd.: Query/Suggestion: - On page 58 Sl.No. 32 shall be added to state that the testing of Diflubenzuron 25% WP will be as per IS 14186-1994 to ensure that the product, once tested confirms to IS 14186 -1994 therefore certifying that the product is as per BIS and IS standard</p>	<p>No change. Comply as per TED.</p>
5	Section VII	<p>Qualification Criteria Clause 1/b/ii: CIB registration certificate in the name of the agent for importing and marketing the tendered goods (from the</p>	<p>M/s Biotech International Ltd.: Query/Suggestion: - On page 35 1(b) (ii) sir, we wish to bring to your kind attention that under Section 9(14) of the Insecticides Act, the CI B&RC do not endorse agent on the certificate of registration.</p>	<p>No change. Comply as per TED.</p>

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
		<p>manufacturer covered under (b i. above),valid on the date of bid opening. (For the Agent of the Foreign Manufacturer)</p> <p style="text-align: center;">OR</p> <p>CIB registration certificate in the name of the domestic manufacturer as well as of agent for marketing the tendered goods (from the manufacturer covered under (b i) above),valid on the date of bid opening. (For the Agent of the Domestic Manufacturer)</p>	<p>In view of this the condition for CIB registration in the name of the agent may please be deleted.</p>	
6	Section VII	<p>Qualification Criteria Clause 3.0: The bidder must have received and successfully executed at least one contract of Diflubenzuron 25% WP to any government institution or municipal corporations prior to the date of bid opening. In support of this, data on past performance should be submitted as per proforma in Section VIII. Supplies made to Whole Sale stockiest, Distributors, Own Agents, Sister Company will not be considered for performance unless it reaches the end user, for which the performance certificate should be submitted as per the format provided at Section-VIII Format</p>	<p>M/s Biotech International Ltd.: Query/Suggestion:</p> <p>- The present tender is requires one order. We would humbly request you that the TAC approval of Diflubenzuron was approved approximately 3 years ago. We would therefore request that the bidder should have received and successfully executed a minim of 25% supply order in India after amend by TAC.</p> <p>M/s Gharda Chemicals Limited: Query/Suggestion:</p> <p>With reference to this please note that Diflubenzuron 25 % WP was approved by TAC, Ministry of Health & Family Welfare in 2013 and the leading market players have been selling this product to semi government agencies like municipal corporations etc. Hence, in order to ensure only high quality trusted suppliers qualify, we would request you kindly add:</p>	<p>No change. Comply as per TED.</p> <p>No change. Comply as per TED.</p>

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
		A.	<p>"The product should have been sold to government/semi government/municipal corporations in the last three years and the bidder should submit copies of order with performance certificates. Furthermore, the bidder himself should have supplied atleast 25 % on the tender quantity in a single order to government/semi government/municipal corporations in the last two years."</p> <p>M/s Bayer CropScience Limited Query/Suggestion:</p> <p>We understand that this is new addition in the tender most Purchaser or Consignee has their own independent format for Performance Certificates and they provide it accordingly. Furthermore, They provide Performance Certificate only once and same can not be issued based on requirement of some other tender.</p> <p>Hence we request that the requirement of the Performance Certificate as per Format A" should be replaced with condition that <i>"The Bidder should furnish the performance certificate which should contain details such as Order Number, Quantity, Product name , Distributor or Supplier and Manufacture name with a confirmation that product was supplied satisfactorily.</i></p>	No change. Comply as per TED.
7	Section VIII	Proforma-Sample Forms-Proforma "B": Point 01/b: full address of the premises	<p>M/s Biotech International Ltd.: Query/Suggestion:</p> <p>In Performa on page 45 & 46 point number 1 (b) should read as full address of the manufacturing premises and factory.</p>	Proforma on page 45&46 point number 1(b) should read as full address of the manufacturing premises.
8	Section V	Schedule of Requirements (SOR)	<p>M/s Gharda Chemicals Limited: Query/Suggestion:</p>	Amended as given below. Page 29, Schedule of Requirements (SOR) Point No. 3) Delivery period-(a) The contractor/supplier shall odder the goods/stores

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
		<p>Clause 3/(a) & 3 (b): (a) The contractor/supplier shall offer the Goods/ stores mentioned above for inspection within 10 days from the date of issue of supply order.</p> <p>(b) The contractor/ supplier shall deliver the inspected and acceptable Goods/stores within 10 days from the date of issue of inspection note.</p>	<p>Since, we as a company always endeavor to supply goods which are freshly manufactured, we believe 10 days delivery period is extremely short. Various delays like transport, weather etc. can very easily lead to delay beyond 10 days. We would therefore, request you increase the delivery period to 30 days.</p>	<p>mentioned above for inspection within 20 days from the date of issue of supply order.</p> <p>(b) The contractor/supplier shall deliver the inspected and acceptable Goods/ stores within 10 days from the date of issue of inspection note.</p>
9	Others		<p>M/s Gharda Chemicals Limited: Query/Suggestion:</p> <p>We appreciate that your good office by way of certain conditions ensuring that the laws and provision of various Statutory acts are not by passed by the bidder. In the same spirit, we would like to bring to your kind attention that as per the Insecticide Rules, any company selling its product (covered under Insecticides Act) in any State, would require local sell and stock licence. Henceforth, it should be introduced in the qualification criteria that the bidder should hold valid Selling and Stocking licence as issued by Plant Protection Office, Government of Delhi</p> <p>Furthermore, the Delhi Government vide its circular (copy enclosed) have clearly mentioned that it should be mandatory to have a Delhi VAT registration to supply any product to any government body in Delhi. Therefore, in the spirit of upholding the law, it should be introduced in the qualification criteria that the bidder should hold valid Delhi VAT registration as issued Government.</p>	<p>The bidder shall abide by all the latest Govt. rules for sale & supply of Insecticides/Larvicides.in the state of Delhi. Further the bidder is expected to be aware of any such act in their own interest and should have complied to this act.</p>
10	ITB Clause 5	Documents comprising the e-bid		<p>ITB Clause 5- Documents Comprising the e-Bid: is modified as given below.</p> <p>The bid shall be submitted ONLINE ONLY. However, ORIGINAL TENDER FEE & EMD (in physical form) to</p>

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
				<p>be submitted . The two part e-Bid , that is <u>Techno-commercial/Technical bid</u>(Consisting of Eligibility Criteria & Technical Specifications viz. Product specification Sheets/Brochures ,Certificates etc) to be submitted ONLINE ONLY. Bidders may name the files indicating the nature of content in PDF format which would be required to be attached in e-Bid. and <u>Price Bid</u> (To be filled up in the Proforma, Signed, Stamped, Scanned to PDF mode & attach under PRICE BID)prepared by the bidder . DO NOT'S Bidders are requested NOT to submit the hard copy of Techno-commercial/Technical bid and Financial bid. In case the hard copy of Techno-commercial /Technical bid and Financial bid is submitted in physical form, the bid shall be straight away rejected. Also, uploading the price bid in pre-qualification bid or technical bid will RESULT IN REJECTION of the Bid.</p>
11	Others	General		<p>Photocopy of the documents are to be notarized or attested by a gazetted officer. Copy of CA certificate duly notarized or attested by Gazetted officer shall be submitted. Packing shall be as per the Technical specification and as approved by CIB&RC. Wherever Tender No./e-bid enquiry No/Press Notice/IFeBNo.is to be mentioned in the bid , the bidder shall mention the e-Bid Enquiry No. HLL/PCD/e-MCD-01/RT-01/16-17/Diflu dated 28.02.2017. Wherever "rate and agency" is mentioned in the tender it should read as "rate and supplier." Wherever "Procurement Agent" is mentioned in the</p>

Sl. No.	TED Ref. /Clause	Clause Details as per Tender Document	Points/ queries raised by Likely Bidders	Reply/Clarification by HLL.
				<p>tender it should read as "Procurement Consultant". It is clarified that all the documents shall be submitted to HLL, the procurement consultant and clarifications shall be sought by the procurement consultant .Rules as applicable in MSME Act shall prevail.</p> <p>Reply/clarification on the pre-bid queries raised by the prospective bidders shall be uploaded in the website of HLL and CPP Portal.</p> <p>ITB Clause 17.4.1 (iv) is amended as follows:- Required EMD/Bid security have not been provided. (Unless Exempted).</p>

Existing:

The prospective bidders shall submit their online bids as per the revised schedules at <https://govtprocurement.delhi.gov.in>

Read as:

The prospective bidders shall submit their online bids as per the revised schedules at <https://etender.lifecarehll.com/irj/portal>

All other contents of the tender enquiry including terms & conditions remain unaltered.

Note:

- 1. Prospective bidders are advised to ensure the validity of their EMD as per this revised schedule.**
- 2. Prospective Bidders are also advised to check the website regularly prior to the closing date and time of online submission of tenders.**