



TRANSPARENCY INTERNATIONAL-PAKISTAN

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6th March, 2018

TL18/0603/2A

Secretary (Health),
Government of Punjab,
Civil Secretariat,
Lahore.

Sub: Violation of Punjab Procurement Rules 2014, Compliant regarding Rejection of Offer Without Indicating any Technical Reasons against Tender for Purchase of Medical Equipment, Instruments, ADP Scheme PINS Phase- III (Item no. 2 Neuro Surgery Instruments Set) Ref # CM/ LGH/ T- 2 (Inst)/01/TAC/17-18 Bid Reference: 69870/ LGH.

Dear Sir,

Transparency International Pakistan has received a complaint, from M/s Claris Medical dated 28th February, 2018 regarding rejection of offer without indicating any technical reasons against tender for 'Purchase of Medical Equipment, Instruments, ADP Scheme PINS Phase- III (Item no. 2 Neuro Surgery Instruments Set)' Bid Reference: 69870/ LGH dated 19th September, 2017 and technical advisory committee meeting held on 19th January, 2018. The complaint (annexure) is enclosed for your ready reference.

The complainant has alleged that;

M/s Claris Medical offer against subject tender for Neurosurgery Instruments has been declared "Non-responsive" due to the remarks "Incomplete quotation".

TIP's observation is that it is a violation of Punjab Procurement Rules 2014, Rule No. 35, which requires that the reason shall be communicate to any bidder upon request. Rule is quoted below:

35. Rejection of Bids :- (1) *the procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal.*
(2) *the procuring agency shall upon request communicate to any bidder, the grounds for its rejection of all bids or proposals, but shall not be required to justify those grounds.*

Secretary (Health), Government of Punjab is requested to look into this matter, and kindly resolve the matter as per Punjab Procurement Rules 2014.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,


Sohail Muzaffar
Chairman

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Minister, Government of Punjab, Lahore
2. Director General, NAB, Lahore.
3. Chief Secretary, Government of Punjab, Lahore.
4. Registrar, Lahore High Court, Lahore.
5. Managing Director, Punjab PRA, Lahore.

CLARIS MEDICAL

Ref #: CM/LGH/T-2 (Inst)/01/TAC/17-18

Date: 28 February, 2018

To: Managing Director
Punjab Public Procurement Regularity
Lahore

CC: Secretary Health
Government of Punjab
Lahore

✓ Transparency International (Pakistan)
Karachi

Subject: **Rejection of our Offer without indicating any technical reasons against Tender for Purchase of Medical Equipment, Instruments, ADP Scheme PINS Phase-III (Item No.2 Neuro Surgery Instruments Set)**

Bid Reference: 69870/LGH dated 19th September, 2017 and Technical Advisory Committee Meeting held on 19th January, 2018. Copies of Bid Evaluation Report is attached.

Respected Sir,

With reference to Technical Advisory Committee Meeting (Lahore General Hospital) held on 19 January, 2018, our offer against subject tender for Neurosurgery Instruments has been declared "Non-Responsive" due to the remarks "incomplete quotation". The remarks endorsed by the Committee are not justifiable and the same practice causes serious violation of rules/regulations and also against the norms.

We had quoted complete package of Neurosurgery Instruments Set from world renowned manufacturer with latest upgraded specifications and provided all documents required as per tender. In this connection, please link List of Items

ARIS MEDICAL

demanded by the Hospital and our Offer No.CM/LGH-T-2(Inst)/17 dated 19 October, 2017 (Copies are attached). There is no deviation between the required and offered specifications.

We had approached the concerned authority to provide technical reasons regarding rejection of our offer, but the concerned authority has declined to provide the same. Rejection of our offer without indicating any technical reasons is not justifiable.

Therefore, it is requested to please instruct the concerned hospital to reconcile the Technical Evaluation to the best interest of the Hospital and to streamline the procurement procedures.

With Regards,

Nawaz Gul)
Manager Operation



A handwritten signature in black ink, appearing to be "Nawaz Gul".

LAHORE GENERAL HOSPITAL, LAHORE

Minutes of Meeting

1. The Ad Hoc Advisory Committee for medical equipment held on 19-01-2018 under the chairmanship of Prof. Dr. Agha Shabbir Ali, Prof. of Paeds, PGMI, Lahore General Hospital, to discuss the technical specifications of the medical equipment and the administration reports submitted by sub-committees constituted vide letter No. 932/2-29 dated 05-12-2017 and the report of the committee dated 17-12-2017 for the purchase of medical equipments and other items through ADP scheme PINS Phase-III.

2. The following members attended the meeting:

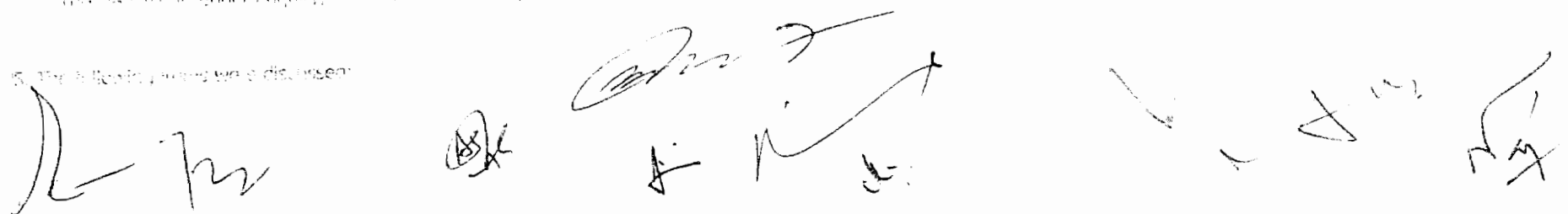
- Dr. M. Iqbal, Calabuddin, Medical Superintendent
- Prof. Dr. Iqbal, Maroof Butt, Prof. of Neurosurgery unit I
- Prof. Dr. Iqbal, Mehmood, Prof. of Neurosurgery Unit-II
- Prof. Dr. Avir Hashim, Prof. of Neurosurgery Unit III
- Prof. Dr. Iqbal, Mehmood, Prof. of Orthopedics
- Prof. Dr. Syam ul Hasnain, Prof. of ENT
- Dr. Ahsan ul Awan, Representing Prof. Dr. Tariq Rehmani, Prof. of Pathology
- Ms. Arshad, Ahsan, AMS (Equipment)
- Dr. N. K. Iqbal, DMS (ADP Purchase)
- Dr. Iqbal, Ahsan, DMS (ADP Purchase)
- Mr. Iqbal, Tariq, Biomedical Engineer, PGMI/ LGH

3. The technical sheets were prepared by the Technical Officer, Health Department, Lahore & End user and placed before the committee for further discussion.

4. After detailed discussion on the Technical Comparative sheets, following decision were taken by the committee:

- The final go/no go for approval/ rejection will be given to the user/ End user of equipment by the end user. It was also decided that the due weightage will be given to the user/ End user & committee in the approval/ rejection of the hospital especially for the provision of high tech equipment.
- The user/ End user/ End user, will be followed strictly.

5. The following items were discussed:



28 February 2018

Sr #	Name of Equipment	Name of Firm	Model/Make	Remarks	Decision
1	Stereotatic Frame PINS Phase-III	M/S Medi Urne	CRW Precision ARC, Integra (Brand Radionics), USA/ EEC	Demonstration unsatisfactory Does not meet requirements of end user. End user commented that frame does not have required accuracy; including FDA certification for sub-millimeter accuracy; and furthermore is not compatible with Gamma Knife and therefore it can not be used upon further up-gradation of Neurosurgery department.	Both firms are Non Responsive, item to be re-tendered.
		M/S Vertex Medical	ED System, Inomed Medizintechnik, Germany	Demonstration unsatisfactory Does not meet requirements of end user. End user commented that frame does not have required accuracy; including FDA certification for sub-millimeter accuracy; and furthermore is not compatible with Gamma Knife and therefore it can not be used upon further up-gradation of Neurosurgery department.	
2	Neurosurgery Instruments PINS Phase-III	M/S Allmed Solution	Gebruder Martain GmbH Co. KG, Germany	Incomplete quotation. Manufacturer does not have quoted products in catalog.	Non Responsive
		M/S Medi Urge	Integra (Jarit & Ruggles), USA/ EEC	As per Technical Specifications & bidding documents.	Responsive
		M/S Claris Medical	ASANUS Medizintechnik, Germany	Incomplete quotation	Non Responsive
		M/S Coral Medical	Medicon, Germany	Incomplete quotation	Non Responsive
		Vertex	B.Brüan / Aesulap AG, Germany	As per Technical Specifications & bidding documents.	Responsive
3	Spinal Surgery Instruments PINS Phase-III	M/S Oriental Sales Corporation	Weigao Orthopaedic Device Co., China	As per Technical Specifications & bidding documents.	Responsive

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