

PHARMACEUTICALS & MEDICAL DEVICES BUREAU OF INDIA (PMBI)
(Under the Department of Pharmaceuticals, Govt. of India)
B-500, B-Tower, 5th Floor, Nauroji Nagar, World Trade Center, New Delhi-110029

Amendment No. 3

EOI: PMBI/08/04/LS/2024/002

Dated: 22 /11 /2024

Subject: EOI No. PMBI/08/04/LS/2024/002 dated 22 /10 /2024 for the appointment of distributors in different parts of India.

Pharmaceuticals and Medical Devices Bureau of India (PMBI) has invited bids from the interested parties for the appointment of distributors in different parts of India vide Notice Inviting EOI No.- PMBI/08/04/LS/2024/002 dated 22/10/2024. Detailed document containing eligibility criteria, selection mechanism, other terms and conditions are available on the website of Central Public Procurement Portal; www.eprocure.gov.in and PMBI Website; www.janaushadhi.gov.in.

The following Amendment in the tender document is authorized:

| Sr. No. | Tender Clause/Reference | Details of Tender clause | Query / Suggestion | Clarification / Amendment |
|---------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| 1 | Clause 1 eligibility criteria Sr. No. 1 | Valid wholesale Drug License (20B and 21B) as per Drugs and Cosmetic Act-1940 at the time of application | NA | Valid wholesale Drug License (20B, 21B & 20G/F) as per Drugs and Cosmetic Act-1940 at the time of application. |
| 2 | Clause 1 eligibility criteria Sr. No. 3 | The average annual sales turnover handled by the applicant in the preceding three financial years should be more than Rs 25.00 Crores. | Bidders requested to reduce the requirement of average annual sales turnover of preceding three years. | <u>No Change, tender Condition prevails</u> |
| | | | One of the bidders requested to relax the requirement of average annual sales turnover for MSMEs. | <u>No Change, tender Condition prevails</u> |

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| | | | One of the bidders requested to consider the combined turnover of a group company or consider the turnover of distributor on Carry & Forward model. | <u>No Change, tender Condition prevails</u> |
| 3 | Clause 1 eligibility criteria, Sr. No. 4 | Storage area of min 10,000 sq. feet for storing medicines in controlled temperature as per the requirements of Drugs & Cosmetics Act 1940 | <p>Bidders requested to reduce the required warehouse are of 10,000 sq. feet.</p> <p>Bidders requested to clarify whether there is separate requirement of 10,000 sq. feet of area for PMBI</p> | <p><u>No Change, tender Condition prevails</u></p> <p><u>Clarification:</u> No separate storage area required for PMBI at present. The participating distributor must have minimum of 10,000 sq. feet storage/warehouse in the existing facility.</p> |
| 4 | Clause 1 eligibility criteria, Sr. No. 5 | Self-attested copy of Bank Statement of last six months | Bidders raised query that the documents of six months bank statements are very lengthy and will be difficult to upload. | <p><u>Clarification:</u> Bidders are required to submit a certificate issued by the Bank Authority, confirming the opening and closing balances for the period from April 2024 to September 2024.</p> |
| 5 | Clause 1 eligibility criteria, Sr. No. 6 | Interest free security deposit of minimum Rs 50.00 lakh (Fifty lakh) for Rs. 5 Crore credit limit and further bank Guarantee equivalent to the required limit if credit limit enhanced to Rs. 10 Crore on request (Thus total Rs. 50 Lakh deposit and bank guarantee Rs. 5 Crore. Total 5.50 Crore will be required for limit of Rs. 10 Crore) | One of the bidders requested to accept the Bank Guarantee of Rs. another 50 Lack instead of Rs. 5 crores on the credit limit of Rs. 10.00 crore or more. | <u>No Change, tender Condition prevails</u> |

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| | | in favour of PMBI which is refundable at the time of termination/expiry of agreement between PMBI & the applicant | | |
| 6 | Clause 1 eligibility criteria Sr. No. 7 | Non-refundable application fees of Rs 10,000/- & refundable earnest money deposit (EMD) of Rs 10,00,000/- in form of DD/NEFT payable to PMBI | Bidders requested to exempt the EMD submission for MSME companies | Micro and Small Enterprises (MSEs) are exempt from submitting the Earnest Money Deposit (EMD). Parties seeking this exemption must provide the necessary supporting documents, such as the MSME Certificate or Udyam Registration Certificate, as proof of their MSE status. |
| 7 | Clause 1 eligibility criteria Sr. No. 8 | Documents of incorporation of the applicant like Memorandum & Article of Association, list of directors in case of a Company, Partnership deed and details of partners in case of Partnership firm, registration certificate and list of members in case of Society. It is only indicative & will depend upon constitution of the applicant firm. | Bidders requested to allow Joint Ventures, Consortiums and Proprietors to participate in the Tender. | Proprietors are allowed to participate in the tender. |
| 8 | Clause 3 Selection Criteria, Sr. No. 1 | Minimum Sales turnover Rs. 25 crores (in the preceding three financial years 2020-2021, 2021-2022 and 2022-2023) | Bidders requested to consider the turnover of FY 2023-24 in the average annual sales turnover requirement. | Minimum average sales turnover of Rs. 25 crores (any three consecutive financial years of the preceding four financial years i.e., 2020-2021, 2021-2022, 2022-2023 & 2023-2024) |

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| 9 | Clause 3 Selection Criteria, Sr. No. 4 | Number of existing retailers being supplied medicines (C.A. to certify) | Bidders requested to define the term "Existing retailers being supplied medicines" | <u>Clarification:</u> The total number of "Retailers" shall refer to institutions, hospitals, or medical stores that are supplied with medicine. Each entity shall be considered as a single retailer. |
| 10 | Clause 3 Selection Criteria, Sr. No. 4 | One point for every 100 retailers covered Maximum point are 10. | One of the bidders requested to reduce the point system to every 50 retailers instead of 100. | <u>No Change, tender Condition prevails</u> |
| 11 | Clause 3 Selection Criteria, Sr. No. 5 | Points to be awarded to the applicant if the applicant is authorized distributor of any of the WHO-GMP certified pharma company having annual turnover of more than Rs. 200 Crore. | One of the bidders requested to reduce the pharma company turnover to Rs. 100 crores instead of Rs. 200 crores. | <u>No Change, tender Condition prevails</u> |
| 12 | The given clause is being added in the tender document | | <u>Clause 1 Eligibility Criteria & Documents required.</u> <u>Sr. 10.</u> The applicant shall submit a self-attested declaration on company letter head stating that the firm has not been blacklisted by any Government Agency, Drug Licensing Authority, or any other relevant authority. | |

Following general queries are clarified:

| Sr. No. | Queries | Clarification |
|---------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 1 | Can other state distributors apply for the given locations | No |
| 2 | Can a company submit proposals for multiple locations | No |
| 3 | After award of contract, can the distribution point be changed to other location | No. Distribution point shall be at the location given in Annexure I of tender document only. |
| 4 | Any extra point for PMBJK running owners | No |
| 5 | Can existing distributors apply for the tender | No |

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| 6 | Is EMD amount will be adjustable in Security Deposit | Yes |
| 7 | Is there requirement of set up of different facility for PMBI for inspection | PMBI officials shall inspect the existing facility of the participating distributor. |

All other terms and condition of the tender document remain unaltered including Amendment no.1, Amendment No. 2 and this Amendment No. 3 dated 22 / 11/ 2024.



Sd/-
DGM (Logistics & Sales)
For & on behalf of PMBI
Ph: 011- 49431800
Email: dgm.logistics@janaushadhi.gov.in