



Bharat Heavy Electricals Ltd.

(A Government of India undertaking)

Electronics Division

P.B. No. 2606, Mysore Road, Bengaluru 560026

Tender Reference No: CE-MM-CPD/MED-LRC-/2021-23

Dt. 10.08.2021

Tender document for the supply of Medicines from Medicine manufacturers along with Pricelist

Tender Reference No: CE-MM-CPD/MED-LRC-/2021-23, dated 10.08.2021

Tender Due Date: 24.08.2021, Time : 1500 Hrs.

The tender will be conducted and evaluated online through e-Procurement System. The manufacturers shall submit their response through bid submission to the tender on e-Procurement platform at <https://eprocurebhel.co.in/nicgep/app>

Instruction for Participation in the Tender through e Procurement

The process of utilizing e-procurement necessitates usage of DSC (Digital Signature Certificate) (Class – III, SHA 2, 2048 BIT – Signing and Encryption) and vendors are requested to procure the same immediately if not available with them. Please note that only with DSC of above mentioned specification, the interested bidder will be able to login the e-procurement secured site and take part in the tendering process.

Neither the Organisation (Bharat Heavy Electricals Ltd.) nor the service provider (Govt. E-procure) is responsible for any failure of submission of bids due to failure of internet or other connectivity problems /uploading of corrupted unreadable bids or any reasons thereof. If E-Offers found unreadable/corrupted files while decrypting the same will be ignored for further evaluation purpose.

Price Lists are invited from the reputed manufacturers of Medicines / Drugs, who have registered under Karnataka Drug Act / All India Drug Act (valid) for the supply of ethical branded medicines, for BHEL-EDN, Bengaluru.

Medicines / Drugs manufacturers are required to go through the General Terms & Conditions carefully and submit their price list covering all the points (very clear and readable). Any order resulting from this enquiry shall be governed by the general terms and conditions listed below.

General Terms and Conditions:

1. **SCOPE OF SUPPLY:** Medicines / Drugs manufactured by reputed firms are to be supplied to BHEL - EDN, Mysore Road, Bengaluru on agreed price list basis.
2. **DURATION OF THE PRICE LIST VALIDITY:** The Price list should be valid for a period of Two Years from the date of entering into agreement to supply. The agreement may be extended further, up to three months with mutual agreement, if required.
3. **VALIDITY OF PRICE LIST:** The price list and certificate stating the validity period of the current price list on the letter head of the company being submitted for bulk supply of medicines, should have each page duly signed and stamped by the authorized signatory of the company with company seal.
4. **ELIGIBILITY TO SUBMIT PRICE LIST:** Medicine / Drugs manufacturers fulfilling the following requirements are only eligible to submit price list and copies of these documents should be submitted along with the price list.



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- a. Medicines / Drugs manufacturer should furnish the copy of valid 'License to manufacture', issued by the competent authority.
- b. Should be registered under valid Karnataka Drug Act / All India Drug Act.
- c. Should have Registration No., under GST Act.
- d. Should have Telephone / Fax / Mobile No / e-mail address.
- e. The pack size and pack size rates should be specifically mentioned and adhered to while supplying the medicines / drugs.
- f. The medicines manufacturer should have a valid license as on the date of submission of offer and throughout the contract period, issued by the Drug Controlling Authority or the state Drug authority.
- g. Manufacturer should be committed to supply the medicines / drugs to BHEL as per price list, once the order is placed.

5. **QUOTATION (TECHNO-COMMERCIAL BID):**

- a. The techno commercial bid is to be filled and required documents uploaded online on E-Tendering Portal of BHEL at web address <https://eprocurebhel.co.in/nicgep/app> latest by **15:00 Hrs on the last day of Tender submission date**. Please ensure to upload the clear scanned documents wherever asked for in the tender and is required as part of technical bid on the portal.
This includes documents required as per Annexure-I, Annexure-II, Annexure-III, entire tender document, GFR certificate on company's letter head, amendment if any issued to the tender. Hard copies of commercial offers shall not be accepted for evaluation.
- b. Medicines / Drugs manufacturers should submit their (brand wise) list of medicines / drugs which they are authorized to sell and intent to supply under this rate contract indicated in the **"PRICE LIST FORMAT"** (Annexure-I) giving the following details.
 - I. **Name of the product:** Brand name of the product.
 - II. **Composition:** Chemical composition.
 - III. **Type:** Bottle / Strip / Vial / Blister etc
 - IV. **Pack:** Quantity per type (e.g. per strip of 10s, per bottle, vial etc.)
 - V. **Institutional / Hospital rate:** This is the rate at which the medicines / drugs are to be supplied to BHEL. This rate should be defined in terms of percentage of MRP and as MRP changes Institutional price will also change proportionately. However, the percentage of MRP shall be maintained irrespective of upward / downward revision of prices during the rate contract period.
 - VI. **Institutional/ Hospital rate including GST:** This rate should be defined in terms of amount.
 - VII. **Institutional/ Hospital rate excluding GST:** This rate should be defined in terms of amount.
 - VIII. **MRP rate:** This is the Maximum Retail Price indicated on bottles / strips / packets etc.
 - IX. Please indicate the applicable GST % in your offer.
- c. All the commercial Terms & Conditions indicated in the Annexure-III to be complied within the same format.
- d. Following documents are also to be submitted along with the price list.
 - I. If the order is required to be placed on your authorized dealer / distributors / stockiest, the same should be mentioned with full address and contact details. As per table III on Annexure-II.
 - II. Authority letter from the principal company, in case dealer is authorized to supply the medicines on their principals' behalf.
 - III. Copy of Drug License under FDC for retailing drugs.
 - IV. Copy of Registration No., under GST Act, of the firm on whom the order to be placed.
 - V. Undertaking to replace defective / expired medicines if any, at the cost of supplier.
 - VI. Medicines supplied should have a minimum one-year shelf life before the date of expiry.



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6. **PRICE LIST (Price Bid):** Price bids of bidders furnishing complete documents as per sl. no. 4 of General Terms & Conditions only will be opened / Decrypted on online portal. The Price Bid is to be filled up in E-Tendering system only before the due date of submission in the format provided in the tender.

The price list is to be submitted in both in excel and pdf format (signed and stamped with company seal) and uploaded as 'Annexure-I' (in rar file format) in Price bid in Portal. In case of discrepancy in prices in excel & pdf format, prices mentioned in pdf format shall be considered as final.

The excel format contain upto 1200 rows only for listing the items & prices. In case of medicine list containing more than 1200 items, the complete list of medicines and prices may be submitted in pdf format.

No deviation to the specifications, item, descriptions, scope of work and other tender terms and conditions is to be enclosed in excel sheet while submitting E-offer.

7. **FIRM PRICE:** Institutional Price agreed to supply to BHEL is dependent on MRP, prevailing at the time of supply. Whenever, there is a downward / upward revision of the MRP, the same should be brought to the notice of BHEL and copy of the same should be furnished.

Upward revision of rates in local rate contract may be permitted maximum two times during the contract period. However, any downward revision in price has to be passed on to BHEL by the vendor. The Institutional/ Hospital rate percentage of MRP shall be maintained irrespective of upward / downward revision of prices during the rate contract period.

8. **LETTER OF INTENT / PURCHASE ORDER:**

- Letter of Intent (LOI) will be issued to Qualified and accepted medicines manufacturer.
- Separate Purchase orders will be released as per the agreed prices, Terms & Conditions as and when required. Delivery has to be made within 30 days from the date of purchase order.
- In case of medicines required for serious patients, emergency supply will have to be made immediately / round the clock.
- For any clarification, suppliers may consult Medical Superintendent, Occupation Health Centre, BHEL - EDN, Bengaluru, Ph., No: 080 26998202

9. **EXPIRY DATE / SHELF LIFE:**

- Expiry of all items supplied should be minimum ONE year at the time of Supply, unless concerned BHEL authority asks vendor in writing to supply certain quantity with short expiry (to overcome emergency situation).
- Concerned BHEL authority will reserve the right to ask the vendor to replace medicine item (supplied by vendor at any point of time and present in BHEL store) having less than six months' expiry (in case BHEL authority thinks that items cannot be utilized before expiry date) with medicines having more than one-year expiry, free of cost. Replacement requirement will be intimated to the authorized e-mail furnished in the quotation. However, BHEL will intimate vendor at least three months before expiry date, for replacement of the expiry items. Vendor should replace within 45 days of getting e-mail information, failing which BHEL will be free to dispose it off and recover an amount equal to purchase order value of the disposed off items. The amount may be recovered from the respective vendor's bill.
- In case of supply of medicines / drugs not manufactured in India, the sole distributors / marketing agents in India are required to submit the Lab. Analytical Test report of the country of origin along with the certificate duly attested by the Drug Controller of India / State Drug Controller / licensing Authority regarding its permissibility and safe uses in India.



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- d. Labels of all containers, cartons, wrappers, vials, strips etc. should be marked in block letters "BHEL SUPPLY NOT FOR SALE" with the indelible ink in RED COLOUR to the extent possible.
10. **TERMS OF DELIVERY:** Materials shall be delivered at Occupational Health Center, Electronics Division, BHEL, Mysore Road, Bengaluru 560026, on door delivery basis inclusive of packing & forwarding charges.
11. **BHEL's PENALTY CLAUSE:** Delay in delivery as per PO delivery date will result in penalty of 0.5 % per week subject to maximum of 10% on the value of the items not supplied / delayed.
12. **TERMS OF PAYMENT:** 100% payment will be made with 45 days credit from the date of receipt & acceptance of medicines at EDN / BHEL. TDS/ TCS, as applicable under Income Tax / GST Act shall be deducted / payable extra. GST TDS, if applicable shall be deducted accordingly.
All payments shall be made through Electronic Fund Transfer (EFT) only. Suppliers have to submit the EFT format duly signed by their operating bank along with a copy of cancelled blank cheque leaf.
13. BHEL reserves the right to accept or reject the price list without assigning any reason or cause thereof. Price list received are subject to and governed by all these terms and conditions. BHEL's decision will be final in awarding of the contract and binding.
14. Any new medicine introduced by manufacturer after tender finalization, will be included in Local Rate Contract (LRC) at discounted rate provided by the vendor after necessary price justification and approval by Head OHC / HR, BHEL-EDN.
15. **POST ORDER REQUISITS:**
- Only the ordered brands of medicines / drugs are to be supplied and are subject to regulation issued by the Drug Controller of India from time to time.
 - Medicines shall be dispatched in proper packed condition. Any rejection due to poor packing shall be to supplier's account.
 - Any rejection of medicines should be made good or replaced immediately.
 - Original invoice (2 copies) to be submitted to purchase section of **CE-MM-CPD/ Occupational Health Centre, BHEL-EDN** for arranging payment.
 - Supplier will have to certify on the bills that the rates charged are institutional prices and are as per the drugs manufacturing company's printed price list.
16. Any dispute arising out of this shall be referred to the sole arbitration of Head of Materials Management, CE-MM, EDN / BHEL, Bengaluru or any other officer nominated by him and his decision shall be final and binding on the parties. The venue of the arbitration in all cases shall be Bengaluru.
17. For this procurement, Restrictions under Rule 144 (xi) of the General Financial Rules (GFR), 2017 - Dept. of Expenditure OM No. 6/18/2019-PPD dt.23/07/2020: shall be applicable. For details kindly refer enclosed document.
18. All suits in respect of this, lie in the court of Bengaluru only.



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Annexure-I

I. PRICE LIST FORMAT

Sl. No.	Name of the product (a)	Composition (b)	Type (c)	Pack (d)	MRP rate (e) (INR)	Institutional/ Hospital rate % on MRP (f)	Institution al/ Hospital rate including GST $g = e * f$ (INR)	Institution al/ Hospital rate excluding GST $h = g / (1 + i)$ (INR)	GST % (i)	Remarks
	I	II	III	IV	V	VI	VII	VIII	IX	X

- I. **Name of the product:** Brand name of the product.
- II. **Composition:** Chemical composition.
- III. **Type:** Bottle / Strip / Vial / Blister etc.
- IV. **Pack:** Quantity per type (e.g. per strip of 10s, per bottle, vial etc.)
- V. **MRP rate:** This is the Maximum Retail Price indicated on bottles / strips / packets etc.
- VI. **Institutional / Hospital rate % on MRP:** This is the rate at which the medicines / drugs are to be supplied to BHEL. This rate should be defined in terms of percentage of MRP and as MRP changes Institutional price will also change proportionately.
- VII. **Institutional/ Hospital rate including GST:** This rate should be defined in terms of amount.
- VIII. **Institutional/ Hospital rate excluding GST:** This rate should be defined in terms of amount.
- IX. Please indicate the applicable GST % in your offer.

Note: The Institutional/ Hospital rate percentage on MRP as in column VI shall be maintained irrespective of upward / downward revision of MRP during the rate contract period.



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Annexure-II

II. CONTACT DETAILS

Contact Person Name	
Address	
Email ID	
Mobile / Telephone Number	

III. CONTACT ADDRESS OF AUTHORIZED DEALERS - WITHIN BENGALURU, IF ANY

Dealers Name	
Address	
Contact Person's Name	
Email ID	
Mobile / Telephone Number	



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IV. ELIGIBILITY TO SUBMIT PRICE LIST

Sl.	Description	If yes, furnish details
1	Medicines / Drugs manufacturer should furnish the copy of valid 'License to manufacture', issued by the competent authority.	
2	Medicine / Drugs manufacturer Should be registered under valid Karnataka Drug Act / All India Drug Act.	
3	Medicine / Drugs manufacturer Should have Registration No., under GST Tax act.	
4	Medicine / Drugs manufacturer Should have Telephone / Mobile No / e-mail address.	
5	The pack size and pack size rates should be specifically mentioned and adhered to while supplying the medicines / drugs.	
6	The medicines manufacturer should have a valid license as on the date of submission of offer and throughout the contract period, issued by the Drug Controlling Authority or the state Drug authority.	
7	Manufacturer should be committed to supply the medicines / drugs to BHEL as per price list, once the order is placed.	

Note:

- The documentary proof shall be furnished for verification along with offer.
- Offer is liable for rejection, if required documents are not submitted along with offer.



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V. DOCUMENTS TO BE SUBMITTED ALONG WITH PRICE LIST

Sl.	Description	Document Submitted
1	If the order is required to be placed on your authorized dealer/ distributors / stockiest, the same should be mentioned with full address and contact details.	YES / NO / NA
2	Authority letter from the principal company, in case dealer is authorized to supply the medicines on their principals' behalf.	YES / NO / NA
3	Copy of Drug License under FDC for retailing drugs.	YES / NO
4	Copy of Registration No., under Karnataka Sales Tax Act, of the firm on whom the order to be placed.	YES / NO
5	Undertaking to replace defective / expired medicines if any, at the cost of supplier.	YES / NO
6	Medicines supplied should have a minimum of one-year shelf life on the date of supply.	YES / NO



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Annexure-III

VI. BHEL COMMERCIAL TERM AND CONDITIONS

Sl. No.	Particulars	Bidder's confirmation
1	Payment terms: (a) 100% within 45 days from the date of receipt & acceptance through EFT. (b) Deviation if any please specify	(a) Acceptable / Not acceptable (b)
2	Delivery period: (a) 30 days from the date of PO. (b) Deviation if any please specify	(a) Acceptable / Not acceptable (b)
3	BHEL's penalty clause: (a) Delay in delivery as per PO delivery date will result in penalty of 0.5 % per week subject to maximum of 10% on the value of the items not supplier/delayed. (b) Deviation if any please specify	(a) Acceptable / Not acceptable (b)
4	Terms of delivery: (a) Ex EDN / BHEL, Bengaluru (Free delivery to EDN/BHEL Bengaluru including packing & forwarding charges) (b) Deviation if any please specify	(a) Acceptable / Not acceptable (b)
5	Expiry date: (a) Medicines supplied should have a minimum ONE-year shelf life on the date of supply. (b) Deviation if any please specify	(a) Acceptable / Not acceptable (b)
6	Shelf life: (a) Un-utilized medicines which are due to expire in the next six-month period will be returned back to the suppliers. Suppliers have to make free replacement. (b) Deviation if any please specify	(a) Acceptable / Not acceptable (b)
7	Validity of Price List should be two years from the date of Entering into contract	Acceptable / Not acceptable

Signature of Vendor with stamp