

**DIRECTORATE OF HEALTH SAFETY & REGULATION
B-6, SDA COMPLEX, KASUMPTI, SHIMLA-171009**

NO. H(BMW)48/2010

DATED 28/10/2011

SUB.: PRE-BID CONFERENCE ON “SELECTION OF PRIVATE OPERATORS FOR COLLECTION, RECEPTION, STORAGE, TRANSPORT, TREATMENT AND SCIENTIFIC DISPOSAL OF BIOMEDICAL WASTE INDESIGNATED ZONES IN HIMACHAL PRADESH” HELD ON 6TH AUGUST, 2011 AT 11 AM IN CONFERENCE HALL OF DIRECTORATE OF HEALTH & FAMILY WELFARE- ISSUANCE OF CLARIFICATIONS.

A Pre-Bid Conference, under the Chairmanship of the Sh. Rohit Jamwal, Director, Directorate of Health Safety & Regulations on the above cited Tenders, was held on 6.8.2011 at 11 00 hrs in the Conference Hall of the Directorate, SDA Complex Kasumpti, Shimla-171009

The list of participants is as under:

1. Dr. D S Chandel, Joint Director
2. Dr. Gopal Chauhan, OSD
3. Dalip Sharma, Asst. Controller (Finance)
4. SS Malohtra, Alliance Envirocare Company Pvt. Ltd. Chandigarh
5. Himanshu Suri, Instromedix India Pvt. Ltd.
6. K.P Singh, Laj Engg. Corporation (Punjab)
7. Het Ram Thakur, Pariwartan, Shimla
8. Sh. Sanjay Chauhan, Assistant General Manager, SMS Infrastructure Ltd. New Delhi

The various issues, raised by the bidders, were deliberated upon in detail and clarified during the discussions. Based on the queries received in writing from the Bidders and the discussion held in the Pre-Bid Conference, the clarifications on the subject Tender documents are issued with the approval of Government of Himachal Pradesh. These are placed at Annexure-1 below:

ANNEXURE-1

NAME & ADDRESS OF THE APPLICANT	ISSUED RAISED	CLARIFICATION/CHANGES TO BE ISSUED
<p>1. Sh. Amrik Singh, A.O. Alliance Envirocare Company Pvt. Ltd. Chandigarh</p>	<p>1. Whether it is mandatory that the successful bidder has to set up, install, erect and commission a CBWTF or an arrangement or tie-up can be allowed with any other state or interstate CBWTF for the treatment & disposal of collected, transported and stored bio-medical waste from the designated zone?</p>	<p>Yes, the bidder has to set up, install, erect and commission a CBWTF or an arrangement or tie-up can be allowed. But the disposal of BMW should be within due limits of H.P. only</p>
	<p>2. Whether the contract period is only for five years or extendable up to how many years?</p>	<p>Duration of contract will be for 5 Years only. However it can be extended for another 2 years in view of satisfactory working. Government decision in this respect would be final. (Necessary Corrigendum in this regard is issued)</p>
	<p>3. Whether a bidder can bid all the zones of the tender with one bid security of Rs. 50,000/- or separate bid security are required for each designated zone?</p>	<p>The bidder can bid for all zones with one bid security.</p>
	<p>4. Consortium Bidding: As per tender document if a key person/ lead member has to retain minimum 51% share in the consortium and then other person also should have at least 26% share to meet the technical & financial eligibility criteria. Then what way the value and the accountability of the third member would be accounted to from a eligible consortium of Rs. 50 lakhs worth? Please clarify.</p>	<p>The roles & responsibilities of each of the members of Bidding Consortium has to be submitted as per Exhibit 1 (Principles of understanding to be executed between the members of bidding consortium) of the tender document. It is desired that the Lead Member should be a technically competent entity. However, it has already made clear in the Tender document that the technical qualification of only those persons will be taken who have at least 26% share in the consortium.</p>
	<p>5. Whether the health department HP would undertake to provide the revenue for the base tariff per month per bed on total bed strength as per provided in Annexure-A to support the successful bidder's survival?</p>	<p>No. Annexure A is indicative only & the payment will be made on the basis of actual functional bed strength of a health institution which may vary (increase or decrease) from the indicative bed strength.</p>
	<p>6. Tender document does not contain the list of other small units like clinics, path labs, diagnostic centers, veterinary institutions etc. Please provide the same along with the number of units in each designated</p>	<p>The tender is primarily for the Health Institutions working under the Health & Family Welfare Department of Govt. of Himachal Pradesh as described under "Scope of Work" in Tender Document. However private colleges, hospitals and clinics can choose to opt but it is not binding on</p>

	<p>zone as well as procedure to charge minimum lump-sum rate per month from these units may kindly be clarify for the competitive bidding.</p>	<p>them as long as they are disposing their BMW as per the provisions of BMW Rules at their own level.</p>
	<p>7. Successful bidder: What would be the procedure to select successful operator, if the two bidders would have offered same lowest base tariff per month per bed? Please clarify in detail.</p>	<p>In the event that two or more Bidders quote the same lowest base tariff per month per bed (the “Tie Bidders”), the successful bidder shall be identified by draw of lots, which shall be conducted, with prior notice, in the presence of the Tie Bidders who choose to attend.</p>
	<p>8. In case the operator fails to execute the job after signing the agreement deed before completion of the period of contract due any reasons then whether the contract would be awarded to L-2 bidder of that zone or fresh tender would be called?</p>	<p>In the event that the Highest Bidder withdraws or is not selected for any reason in the first instance (the “first round of bidding”), the Authority may invite all the remaining Bidders to revalidate or extend their respective Bid Security, as necessary, and match the Bid of the aforesaid Highest Bidder (the “second round of bidding”). If in the second round of bidding, only one Bidder matches the Highest Bidder, it shall be the Selected Bidder. If two or more Bidders match the said Highest Bidder in the second round of bidding, then the Bidder whose Bid was higher as compared to other Bidder(s) in the first round of bidding shall be the Selected Bidder. For example, if the third and fifth highest Bidders in the first round of bidding offer to match the said Highest Bidder in the second round of bidding, the said third highest Bidder shall be the Selected Bidder.</p>
	<p>9. Under the requirement to provide the prescribed containers, non-chlorinated color coded bags, puncture proof containers at the point of generation as well as end points for the collection of segregated Bio-Medical Waste for CBWTF. Whether the Health Department desired to have two services at once i.e. centralized indoor management BMW from the end point for CBWTF? Please clarify.</p>	<p>The tenderer will provide end to end services which imply that they will also provide containers & color coded bags (as prescribed under Bio Medical Waste (Management & Handling) Rules, 1998 as amended up to date) & ensure their clearance at the point of generation to the pick up point within the hospital etc. as provided in the tender.</p>
	<p>10. In case of any force Majeure or undue natural calamities like earth quake, heavy fog, rains, snow fall, riots and other law & order situation etc. beyond human control. Whether the penalty clause will remain</p>	<p>In unavoidable circumstances the penalty clause will be dealt on case to case basis, keeping in view the type of adverse circumstances.</p>

	be imposed?	
	11. Agreement: whether the rate per month per bed has to be quoted on the actual bed strength as per annexure A or on the basis of functional bed as mentioned in the format of hospital agreement? Please clarify.	Already explained at pt. 1.5 above.
	12. The color coding of the bags and waste product to be contain in that bags are not seems to be in order. Please check and also clarify the sizes of the required bags in the Govt. Health Care Institutions along with number of colors of the bags have to supply under rules 1998.	Already explained at pt. 1.9 above.
	13. Whether the Health Department would provide the required land and subsidy for the said CBWTF's?	No
	14. Whether in any case one CBWTF is already in the area/zone and bed strength is already less than 10000 beds while catering the radius of 150KM as allowed by Central Pollution Control Board norms then another CBWTF can be allowed to cater the same area? Please clarify the facts for their feasibility and survival.	All the Health Institutions working under the Health & Family Welfare Department of Govt. of Himachal Pradesh will be bound to deliver their BMW to the selected private operator through this tendering process.
	15. Kindly last date of submission of tender document may kindly be extended one month to make clarification & assessment.	Already Extended till 17/11/2011 at 11 AM.
2. Instromedix India Pvt. Ltd.	1. The Contract period should be a minimum of 15 years and after that it should be extendable on mutual understanding.	Duration of contract will be for 5 Years only. However it can be extended for another 2 years in view of satisfactory working. Government decision in this respect would be final. (Necessary Corrigendum in this regard is issued)
	2. The land should be provided by the Concerned Department of Himachal Pradesh.	The land for establishing CBWTF has to be arranged by the private operator at his own level.
	3. Please clarify if two bidders are L1, then who be operator on that project.	Already explained at pt. 1.8 above.
	4. Kindly provide us the list of private hospital/ institute also	Already explained at pt. 1.6 above.

	5. Kindly clear that the billing amount of 0 bedded hospital, clinics, diagnostic centers, labs, blood banks etc.	The present tender is for CHC and above level health institutions & all of them have specified bed strength.
	6. In the point No. 14 of the agreement in the tender specification, it is mentioned that the SP will provide the bins & bags to the Generators. Since it is extremely hard to calculate & keep a check of the quantity of bins & bags, so that we suggesting this point will be excluded from the tender and let the generators purchase these bins & bags on their own as per their requirement.	Already explained at pt. 1.9 above.
	7. After the signing of Final contract, no other parties will be authorized for opening the CTF in that zone for particular period contract.	Already explained at pt. 1.14 above.
	8. Kindly extend the date for submission of bids of all zones up to 16/9/2011. So that we can calculate easily & bid the best price.	Already Extended till 17/11/2011 at 11 AM.
3. Sh. Sanjay Chauhan, Assistant General Manager, SMS Infrastructure Ltd. New Delhi	1. Any company applies for all three zones 1. Shimla zone 2. Mandi zone 3. Kangra zone. Please clarify	The operator can bid in all the three zones but he will be allotted only one zone which he chooses subject to the commercial offer submitted by him.
	2. Contract period: Common Bio Medical Waste Treatment Facility shall be on BOOT, BOO DBFOT basis. The concession period of the facility shall be for 30 years instead of 5 years.	Duration of contract will be for 5 Years only. However it can be extended for another 2 years in view of satisfactory working. Government decision in this respect would be final. (Necessary Corrigendum in this regard is issued)
	3. Land shall be provided by Health Department.	The land for establishing CBWTF has to be arranged by the private operator at his own level.
	4. State Government shall give some subsidy on this project or from Centre Government. What will be the contribution of Health Department in the CBWTF.	The private operator will have to establish CBWTF at his own level no subsidy or grant will be provided for this purpose.
	5. Technical & Financial eligibility criteria: Experience in handing collection, transportation and scientific disposal of municipal solid waste/ industrial wastes/ Bio-Medical Waste please clarify.	As already explained in Tender Document.
	6. Point no.9: Price for service charges: only per bed per	Already explained at pt. 1.6 above.

	month is asked but clinic/ nursing homes/ blood banks/ path lab charges are not asked in the tender. Please clarify.	
	7. Point 4 , page no. 20. The contract can be terminated by the first party by giving one month notice. Please clarify and it should be minimum 90 days' notice period of maximum to 180 days' notice period	As per Tender document.
	8. Point no. 10, page no. 21: The operator shall be responsible for the following without any addition charges/ cost:	
	(1). Provision of prescribed containers at the point of generation as well as the end points for the collection of segregated BMW. It should be in the scope of Health Department.	Already explained at pt. 1.9 above.
	(2) Operator has to provide non-halogenated, non-Chromium, non-chlorinated, pre-printed and color coded bags which should be impervious to moisture, Leak proof with a dori (Chord) around the opening as per BMW Rules as amended from time to time. The capacity of the bag should be appropriate for the capacity of the bin in use. It should be in the scope of Health Department Clarify	Already explained at pt. 1.9 above.
	(3) Issue of wall posters and complete literature on segregation of BMW. It should be in the scope of Health Department Clarify.	It is the scope of the bidder as per Tender Document.
	(4) Disposal of BMW within 48 hours strictly in accordance with Bio-Medical Waste (management & Handling) Rule 1998 as amended to date and instructions issued by central pollution Control board and H.P. State pollution control board from time to time.	Already explained in Tender Document.
	9. Point no. 16 page no. 22: If the operator fails to lift the BMW within 48 hours a penalty of Rs. 1000/- (Rupees one thousand only) will be imposed and the same shall	In unavoidable circumstances the penalty clause will be dealt on case to case basis, keeping in view the type of adverse circumstances.

	be deducted from the bill or security Deposit. If land slide/ snowfall and traffic jam it is very difficult to travel such long distance, so there should relaxation in it. Please clarify.	
	10. SP will provide the plastic bags as stipulated by the Ministry of Environment and forest vide notification dated 20.7.1998, procurement of such bags should be made from any vendor approved. In the scope of Health Department.	Already explained at pt. 1.9 above.
	11. Red colored bags: Would contain following categories of waste:- microbiology & Bio-technology waste, soiled waste and solid waste. These waste products would be meant for autoclaving. Please clarify.	Already explained at pt. 1.9 above.
	12. Soiled Waste: Items contaminated with blood & body fluids including cotton dressing, soiled plaster casts & other material contaminated with blood. please clarify	Already explained at pt. 1.9 above.
	13. Solid waste: The waste generated from disposable items other than waste sharp such as tubing, catheters, intra-venous sets etc. please clarify.	Already explained at pt. 1.9 above.
	14. White bags: would contain waste sharps such as needle syringes, scalpels, blades and broken glass items etc. please clarify.	Already explained at pt. 1.9 above.
	15. Yellow bags would contain human anatomical waste such as human tissue, organs, body parts etc. please clarify.	Already explained at pt. 1.9 above.
	16. SP will provide container for sharps, needles and glasses etc. also as per the requirement of hospitals regularly. In the scope of Health Department please clarify.	Already explained at pt. 1.9 above.
	17. No. of Private Clinic/ Nursing homes, Blood Bank, Path labs are not mentioned in the bed wise details of annexure A	Already explained at pt. 1.6 above.

<p>4. Eagle services Sanjauli Shimla</p>	<p>As per the condition of tender documents the arrangement of land for establishment of CBWTF is to be done by the operator himself in this state however it is very tough task for the parties belonging to the out of state of H.P. due to following reasons.</p> <p>They have to exert a lot to trace the suitable piece of land and if it is done then they have to seek the permission of State Govt. under Land Revenue act. 118 which will take at least more than 3 months.</p> <p>(b) If the rider as at (a) is cleared by them they have to take the NOC from the concerned Gran</p> <p>(c) Panchayat/ Gram Sabha which is apparent from today's burning problem prevailed in Noida(India)</p> <p>(d) If the rider as at (b) is also cleared they have to get registered in the Department of Industries.</p> <p>(d) After the above rider as at (C) they have to take the consent to establish the CBWTF from the Pollution Control Board which is a lengthy process as it will take at least more than one year, due to time taken by the PCB for inspection of site/ submission of reports etc.</p> <p>From the above perusal if any party belonging to outside the State is given the opportunity to establish the CBWTF is given then they surely will take more than one year to fulfill these basis formalities</p>	<p>The land for establishing CBWTF has to be arranged by the private operator at his own level & the private operator will have to establish CBWTF at his own level & no subsidy or grant will be provided for this purpose.</p>
	<p>2. As per the condition No. 8 of the tender document the technical qualification criteria does not seem to be justifiable as per the trend in vogue nowadays as 26 % share of technical person in the consortium should not be mandatory condition, however a technical person must be associated with the firm/ party as they must be engaged by company on salary/ remuneration basis for the smooth functioning of work, since if we take the example of the owners of Tenzin hospital Shimla he is contractor but all</p>	<p>Already explained at pt. 1.4 above.</p>

	the technical staff associated with this hospital have been engaged by him on salary basis and the Hospital work is running smoothly.	
	3. The condition of 3 years' experience in handle the BMW does not seems to be viable as the firm who is handling BMW for the last more than 2&1/2 year can also handle it smoothly, therefore one year experience condition should be sufficient to evaluate the capacity of firm to manage the things which will give opportunity to new firms to ensure more transparency.	Strictly as mentioned in the Tender Document
	4. Since H.P. is hill state and condition of handling BMW in the hill state must also be incorporated in the tender condition and preference must be given to the party who have already experience to handle the BMW in the state of HP.	Equal opportunity is to be provided to each bidder, hence not accepted.

-sd-
DIRECTOR
HEALTH SAFETY & REGULATIONS
HIMACHAL PRADESH

No. As above

Dated

Copy to: -

- 1 The Principal Secretary (Health) to the Govt. HP Shimla for information please.
2. The Senior System Analyst (Group-1) National information Centre 6th Floor HP Secretariat Shimla-2 with the request to upload the corrigendum in the website of Health Department.

-sd-
DIRECTOR
HEALTH SAFETY & REGULATIONS
HIMACHAL PRADESH