

Clarification to Pre-Bid Queries : "PAN India Surveillance of Food Products"

Clause No.	Original Clause as per Tender Document	Suggestion/ Comments/ Query/ Proposal of the Prospective Bidders	Justification provided by the Prospective Bidders	FSSAI Comments
1.1.3	The agency shall be accredited in sampling as well in analysis as per ISO/IEC 17025:2017. FSSAI shall share all the relevant details to the selected agency executing the surveillance such as the Standard operating procedure (SOP) for the selected commodity, the list of districts, sample size, sampling plan in consultation with IASRI or any other statistical institute, the parameters to be analysed, the details of the State officials of the selected districts (FSOs/DOs), the list of the NABL accredited laboratories having the scope to analyse the selected commodity.	<p>Add : The bidding agency should conduct both sampling and analysis activity</p>	<p>Sampling along with sample analysis will assist the agency to make this project viable.</p>	<p align="center">Kindly refer the Corrigendum</p>
		<p>The agency shall be accredited as per ISO 17025 by NABL or any other accreditation body.</p> <p>Accreditation for testing is mandatory. accreditation for sampling is preferable. (Not compulsory)</p>		
		<p>NABL Accreditation for Sampling (Apart From Analysis) will be excluded.</p>	<p>Very Limited Labs are having NABL Accreditation for Sampling as its not a Mandatory requirement as of Now.</p>	
1.1.4	<p>FSSAI shall provide virtual trainings to the State Officials and the samplers from the agency on the key features / aspects of the surveillance. The selected agency shall make a virtual demonstration/training on the mobile application to be used for sampling to the FSOs & samplers. The details of the samplers assigned for sample collection shall be shared by the agency with FSSAI.</p>	<p>Believe fssai provides the mobile application</p>		<p align="center">Kindly refer Clause No. 1.1.8 of the RFP</p>
		<p>Include : FSSAI to provide the mobile application software</p>	<p>By offering software,FSSAI will have data in a single format that can be used whenever necessary. Data will be harmonized. The data from all of these survey operations will be in a single format.</p>	

		The selected agency shall make a virtual demonstration /training on the preferably a mobile application or any other virtual mode to be used for sampling		
1.1.7	The agency shall have a team well versed with documentation & report writing. The agency shall submit the report & raw data as per the template shared by the Authority. Further the agency shall submit the traceable analytical data (including the sample receipt, sample/standard preparation, chromatogram, MS data). The Post surveillance data will be analyzed statistically in consultation with IASRI or any other statistical institute.	The chromatogram, MS data are huge data especially for the largefssai parameters, hence the agency may allowed to keep it in their custody for certain period for audit trail.	Asking to submit the chromatogram, MS data for such large parameters will be huge document management work and will consume large time than the time required for actual testing.	<p>Template shall be shared to the successful agency after the issue of the award letter.</p> <p>Meanwhile, the prospective bidders may refer the earlier surveillance reports available on FSSAI Website, for reference.</p>
		Standardized report & raw data template is required.	No standard Template is shared in the Tender Document and hence this is required.	
		Add : Relevant templates/formats as an annexure to the scope of work.	The time required to fill out the forms and share the data can be estimated and accounted for during bid submission.	
1.1.8	The agency shall develop mobile application to capture all the details of the surveillance right from its inception till generation of report.	Features of the Mobile application must be declared	To develop a smooth Application within short time.	<p>Features of the Mobile Application shall be shared to the successful agency after the issue of the award letter.</p>
		Features of the technology platform and application to be generated may kindly be elucidated	As testing laboratory on does not have application development capabilities. List of essential features will help To provide clarity to the Agency for developing a robust Web based and Android-iOS based digital application catering to the input, throughput and output of all the stakeholders.	

		<p>Add : Infolnet to be utilized for all project-related operations – this will help avoid duplication of work .</p>	<p>Infolnet is a accomplished and a powerful tool where data management would be easy - data from these survey operations will be in a single format that can be used whenever necessary ensuring data integrity.</p>	<p>Original clause shall prevail</p>
		<p>The agency may use mobile application or any other software like LIMS to capture all the details of the surveillance right from its inception till generation of report</p>		
1.3	<p>Standard Operating Procedure(SOP)</p> <ul style="list-style-type: none"> ● Sample Pick up – 04 days PAN India (Two weeks after award of the contract. ● Delivery of Samples to identified Laboratories – 04 days (Maximum). 	<p>The stipulated time for Sample pickup and delivery to labs is too short. Requesting to extend the time for sample pick-up and delivery to Labs from 4 to 7 days.</p>	<p>For smooth operations</p>	<p>Original clause shall prevail</p>
		<p>North Eastern States such as Nagaland, Arunachal Pradesh, Mizoram, and Island States of Lakshwadeep and Andaman and Nicobar, FSO's can be virtually trained and sampling material and courier can be arranged by the Agency, physical travel of sampler may be exempted</p>	<p>Depending on the months of sampling, travelling may be arduous, further states require interline permits for the sampler to enter. Hence the request.</p>	<p>Original clause shall prevail. Further, this issue can be dealt on case to case basis.</p>
1.3	<p>No. of Samples – the sample size may vary depending upon the commodity (4000 approx/survey which could decrease by 25%). The sample size will increase beyond 25% based on the type of the commodity & the surveillance activity.</p>	<p>Clarify : Whether there are 4000 Samples totally or is it 4000 samples per category (24000 Samples) - also clarify how many surbeys will be conducted through the year</p>	<p>A preliminary survey schedule will assist agencies in understanding the volume of samples per category while BID submission.</p>	<p>4000 Samples (approx) per survey</p>

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1.3	Draft report submission with the statistically analysed data along with all relevant information – 03 weeks after complete analysis of samples	Add: Penalties should be imposed on identified laboratories who fail to comply with the TAT . Agency should not be held responsible for the associated delay.	Delays by identified laboratories will have an adverse effect on the overall operation process and the submission of results.	Original clause shall prevail
1.3	FSSAI shall not release the payment, if the draft report is not in the order & in the format shared by FSSAI.	The Darft Report Format need to be shared	No standard Template is shared in the Tender Document and hence this is required.	The report of PAN-India Surveillance, 2022 is available in FSSAI Website for reference.
1.3	The agency shall ensure to upload the analysis report in the InFolnet. Additionally the agency shall submit the traceable analytical data (including the sample receipt, sample/standard preparation, chromatogram, MS data) in the surveillance mail id shared by FSSAI.	Action : Resolve the exiting challenges faced during the data upload via Infolnet on priority	Use of Infolnet will help data management – Single software will ensure data integrity and ease of access and usage	Original clause shall prevail
		Infolnet can be opted out.	Since samples are more in number, subcontracted and already lab is entering the data in software, infolnet will be a double & non-productive work.	
1.3	Big Cities – 50 Sector specific districts – 20 Remaining Districts / Tehsils – 180	Sample Collection Locations to be more specific	For better logistic planning & Calculating the Sample Collection cost	All relevant details will be shared to the successful agency
1.4	TIMELINE OF STUDY, SCHEDULE AND PAYMENT TERMS	(20% advance can be paid to bidders upon submission of a bank Guarantee for equal amount.)	Is this applicable for all successful awarded labs or just in case the one who want 20% advance & has to submit the Bank guarantee for equal amount.	Original clause shall prevail
1.4	Payment Terms	Add : Timely payments release by FSSAI will help the agency for smooth operations.	Delay in payments will impact the overall operations of the Agency - GST payment in advance by agency is made on behalf of FSSAI	Original clause shall prevail

1.4 Note (a)	The payment made by the successful agency to the selected labs towards surveillance activity will be reimbursed by FSSAI on submission of documentary evidence (like bank transaction details of agency as well of labs, GST return etc).	1. Will it be applied on final 20% payment, how will it be considered?		Original clause shall prevail
		The first tranche of payment shall be paid to the Agency upon submission of Draft Report. Subsequent payments shall be released upon providing proof of payment to the participating Laboratories.	Each survey envisages about 400 samples and payment to the partnering Laboratories upfront will be a huge working capital burden on the Agency. Hence may be considered.	
2.1.1 (a)	Should have an Average Annual financial turnover, during each of the last three years i.e. 2019-20, 2020-21 and 2021-22 should not be less than Rs. 09 Crore. Documentary evidence duly attested by a Chartered Accountant/Company Secretary should be submitted along with the Technical Bid. Bidders should also enclose notary attested copy of IT returns filed for the last three financial years, notary attested audited copy of audited accounts, balance sheet etc.	In this clause, its written that average turn over should be Rs. 09 Crore in last 3 financial years, let say, if a group have 50 Lac turn over in FY 19-20, 15.5 Crore in FY 20-21 & 20 Crore in FY 21-22, then an average for last 3 years is coming out to be 12 Crore, will a lab be considered as per the above calculation on average turn over or lab can submit MSME certificate for the exemption.		In this regard, please refer the relevant order(s) issued by the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry
		In the pre-bid meeting, We have been told that for MSME registered companies – Order Value clause and EMD submission clause is relaxed but there is nothing mentioned about this in Tender document and also for MSME registered companies is there any relaxation for another Pre-qualification criteria on Annual Turnover in last three years – 9 Crores		

2.1.1 (a)	The agency shall be accredited in sampling as well in analysis as per ISO/IEC 17025:2017	What document is expected to satisfy the requirements		Kindly refer the Corrigendum
		Can a lab submit other supporting documents to show their experience in sampling activity ?	As of now, NABL does not consider the sampling activity under ISO/IEC 17025:2017, then what documents a lab should submit	
		Change : Bidders with more than 10 years of FSSAI recognition to be considered.Proven capability of analysing more than 30000 food samples a year to be considered.Minimum Turnover of 20 Crores or at least 50 % of tender value (~ 15 Crores) for the last 3 years to be considered.	Understanding the capability and competency of the bidding agency is vital for a successful outcome.Agency should be having the proven knowledge , experience to successfully handle sample load, should have theConsidering the objective of survey, agency should be well versed with the regulations and methodology. Technical rich experience with FSSAI and its related activities will strengthen the activity and its operations - There are no surveys have been organized apart from FSSAI which has initiated recently. Hence to provide similar survey data would be a challenge.	
2.1.1 (a)	Bidders are required to submit Bank Solvency Certificate issued not earlier than 3 months from the date of issue of this bid.	Bank Insolvency Certificate for how much amount		Kindly refer the Corrigendum
		For how much amount the Bant solvency certificate is required ?		
2.1.1 (a)	Should have qualified and experienced personnel capable of executing the	What document is expected to satisfy the requirements		The details of

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	responsibilities required for completing the job detailed through this document	Any guidelines to evaluate in terms of Number of samples Vs Manpower ? (to avoid compromise because of load vs low headcount)		qualification and relevant experience of key staff has to be submitted along with the bid.
		Can the orders be more than three , if value of each is not 15% bid value		
2.1.1 (a)	<p>Should have experience in conducting similar surveys/ studies/ audits in the food products, agriculture or allied fields and/or food testing or testing laboratories and/ or R&D organization and should be in this field for a period of not less than 03 years as per following criteria:</p> <p>(i) Single order of at least 35% of estimated bid value; or</p> <p>(ii) Two orders of at least 20% each of estimated bid value; or</p> <p>(iii) Three orders of at least 15% each of estimated bid value</p>	Consider removal of contradiction, the fssai bid document is fine.	fssai bid document content is ideal one(Clause 7 of the GeM Bid Document: Past Experience of Similar Services: The Bidder must have successfully executed / completed at least one single order of 80 % of the Estimated Bid Value or 2 orders each of 50 % of the Estimated Bid Value or 3 orders each of 40 % of the Estimated Bid Value for similar service(s) in last three years to any Central / State Govt Organization / PSU / Public Listed Company. Copies of contracts / work orders and documentary evidence of successful execution / completion in support of Past Experience of Similar Services along with names, address and contact details of clients shall be uploaded with the bid for verification by the Buyer.)	Kindly refer the Corrigendum

		<p>Requesting this to be changed with available Lab capacity, Past Experience in Testing of Surveillance Samples, Laboratory's Infrastructure, Accreditations & Scope Coverage under NABL.</p>	<p>The existing clause is restrictive and is favouring only those selective Labs which have been Awarded the Surveillance Tenders in Past. This is also against the competitive bidding spirit.</p>	
		<p>Should have experience in conducting similar surveys/studies/audits in the food products, agriculture or allied fields[OR] Experience of establishing and operating Food Testing or Testing or R&D Laboratory.</p>	<p>Provide clarity on the nature of experience of the Agency</p>	
		<p>Enclsoing certificates for your review & confirmation</p>	<p>Can a lab get an exemption under MSME & Start Up India?</p>	
		<p>Remove : remove "audits " as it's a part of 17020 which is outside the purview of the activity .</p>	<p>Audits are not evaluated under ISO 17025</p>	

		<p>It can be evaluation criteria. Not eligibility criteria. Even this condition should not be applied to give a fair chance to a fresh entry / startup bidder Should have experience in conducting similar surveys/ studies/ audits in the food products, agriculture or allied fields and/or food testing or testing laboratories and/ or R&D organization and should be in this field for a period of not less than 03 years as per following criteria(i) Single order of at least 35% (ii) 2 orders of at least 20%;(iii) 3 orders of at least 15% each of estimated bid value</p>	<p>It can be evaluation criteria. Not eligibility criteria. Even this condition should not be applied to give a fair chance to a fresh entry / startup bidder</p>	
		<p>Can we submitted FSMS or any other Food certification related experience</p>	<p>We have started our testing facility in February 2022 so we have not any such project as on date but as IRCLASS we have done lots of Certification & audits related to Food.</p>	
		<p>If we have less Value Orders, Can we participate and have a chance to get Qualified. We wanted the Authority to revise the order Value to 1 Crore as this kind of survey's are not very common and only those who have earlier done this project from FSSAI will be qualified and new participants will be dis-qualified.</p>		

2.2	<p><u>Presentation before the Technical Evaluation Committee:</u> Bidders who meet the pre-qualifications/ eligibility requirements would be considered as qualified to move to the next stage of Technical evaluation, as per the criteria given below and are required to come to FSSAI and demonstrate before the evaluation committee. Bidders will be given technical scores as per the demonstration of the entire criterion mentioned below</p> <p>Criteria</p> <p>Project Experience in similar type of work - Total 20 Marks</p> <p>Survey work done in a large scale event* - Total 30 Marks</p>	<p>Requesting this to be changed with available Lab capacity, Past Experience in Testing of Surveillance Samples, Laboratory's Infrastructure, Accreditations & Scope Coverage under NABL.</p> <p>Also special consideration should be given to MSEs & MSMEs to encourage their participation as per GoI Guidelines.</p>	<p>50 Marks (20 for Project Experience of Similar Work and 30 for Survey Work done in Large Scale) would be directly lost for the Labs who doesn't have such big project experience / survey work on large scale, just because they have not received any such big Tender from FSSAI in Past, even though the Lab holds strong infrastructure and sufficient capability & capacity. Therefore, this clause is restrictive against the competitive bidding spirit for MSEs & MSMEs and Other Labs</p>	<p>Kindly refer the corrigendum</p>
	<p>Survey work done in a large scale event* - State level 10marks, Region Level (Min. 4 States) 10marks, National/International Level 10 marks - Total 30 Marks</p>	<p>To the best of our understanding, only fssai conducts such survey to match the volume and value of this bid. In such case it only give eligibility criteria for few agency already worked with fssai</p>	<p>This descrimination do not provide equal oppurtunity for the qualified and experienced ISO 17025 accredited, fssai notified laboratories who is working with fssai on their testing requirements for several years.</p>	
	<p>Stage 2: Presentation before the Technical Evaluation Committee: Project Experience in similar type of work</p>	<p>Nature of Project(s) under Project Experience may be clarified</p>	<p>Provide clarity on the nature of Project experience of the Agency</p>	
	<p>Project Experience in similar type of work</p>	<p>How much marks a lab can get in stage 2 in case of exemption.</p>	<p>Can a lab get an exemption under MSME & Start Up India?</p>	

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	<p>Presentation - Total Marks 30</p> <p>The demonstration of workable model, methodology along with developed platform and Clarity in understanding of requirements as evidenced in proposal or during the presentation, qualification and relevant experience of key staff and merit of the solution proposed.</p>	<p>Methodology : 10</p> <p>Platform : 10</p> <p>Manpower : 10</p>	<p>Split up of 30 marks to be provided for each element of merit. Should be quantifiable elements.</p>	
2.3 c	<p>c. The bidders who secure a Technical Score of 60% or more will be declared as technically qualified.</p>	<p>The bidders who secure a Technical Score of 50% or more will be declared as technically qualified.</p>	<p>Fair chance available for 3 yrs, only state survey & 10 Cr, as their max score ends at 60% only</p>	<p>Original clause shall prevail</p>
2.4 a & b	<p>The Financial Bids of the technically qualified bidders will be opened. The bidder with lowest financial bid (L1) will be awarded 100% work.</p>	<p>Is score of technical bid for evaluation of qualification marks (60%) only.</p> <p>Or factor of technical score shall be considered in financial evaluation also, if yes how?</p>		<p>The evaluation criteria is least-cost evaluation</p>
2.4b	<p>The bidder with lowest financial bid (L1) will be awarded 100% work.</p>	<p>Change : Bid to be bifurcated into four regions and the best technically sound and capable agency with an experience of analysing more than 30,000 samples a year for last 3 years to be chosen</p>	<p>Through the relentless efforts and initiatives of FSSAI, APEDA a capable network of laboratories has been built across India . By bifurcating of the order the necessary integrity and authenticity of the analytical results would be maintained and dependency on a single agency can be avoided. Food Safety being a shared responsibility to serve safe and wholesome food to the consumers across india regionwise segregation of the orders would ensure effective and</p>	<p>Original clause shall prevail</p>

			efficient delivery maintain the desirable TAT.	
3.6	No interest will be paid to the successful bidder on Security deposit.	Remove : Security Deposit clause and replace it with Bank Guarantee - applicable interest to be paid	The associated amount is high , not providing interest to the agency would be an unfair business practice .	Please refer para 3
5	PENALTY In case of default in maintaining time schedule, the FSSAI will impose a penalty of amount equivalent to 0.5% of the total tender cost per day subject to a maximum of 10% on each such occasion. FSSAI will in no way be held responsible for the loss, whatsoever, attributed due to the delay in any matter	Add : Similar criteria to be followed during the release of payments by FSSAI	Applicable GST needs to be paid by the agency on behalf of FSSAI as soon as the bill is generated. Delayed payments will impact the cash flow of the agency impacting the overall operations	Original clause shall prevail
GeM document		As per the GeM document splitting of Bid is not allowed, while a. under MSE preference (8, ii) buyer can choose to split the bid? b. RFP 2.4 (g) Evaluation of financial Bid states that separate L1 will be determined for C1 and C2?		The Clause 2.4(g) shall be followed
GEM Bid Document (a)	The bidder seeking EMD exemption, must submit the valid supporting document for the relevant category as per GeM GTC with the bid. Under MSE category, only manufacturers for goods and Service Providers for Services are eligible for exemption from EMD. Traders are excluded from the purview of this Policy.	EMD amount Exemption required for MSMEs	Both MSE & MSME are uprising business sectors requiring support.	Relevant orders of MSME shall prevail.
		Change to - MSME (Micro, Small, Medium Enterprises) where all associated clauses to be made applicable	Classification of Industries by Central Government as per Gazette notification with effect from 1st July 2020 includes Micro, Small and Medium Industries.	MSE and Startup are exempted

		We have MSME certificate but we comes under the MEDIUM category .So can we get the exemption from EMD/BIDDR TURNOVER & EXPERIENCE CRITERIA to submit this tender or not. Kindly clarify		
GeM Bid Document Sl. No. 7	Past Experience of Similar Services: The Bidder must have successfully executed / completed at least one single order of 80 % of the Estimated Bid Value or 2 orders each of 50 % of the Estimated Bid Value or 3 orders each of 40 % of the Estimated Bid Value for similar service(s) in last three years to any Central / State Govt Organization / PSU / Public Listed Company. Copies of contracts / work orders and documentary evidence of successful execution / completion in support of Past Experience of Similar Services along with names, address and contact details of clients shall be uploaded with the bid for verification by the Buyer.	Remove the Clause	Only the preceding party who completed the job would be able to accept comparable orders. In such circumstances the tender opportunity will be limited to few,	The Clause 2.1.1(a) shall be followed
Form I Checklist	Bid Security Declaration	The Bid Security Declaration format should be shared	No standard Template is shared in the Tender Document and hence this is required.	Kindly Refer Form IX (Corrigendum)
		Affiliation & consortium ??		Not allowed
Form VIII: FINANCIAL BID		What about margin when samples sent to other labs? because rates paid are as per fixed rate of fssai. Then what is share of bidder ?		Original clause shall prevail