

**Call for Expression of Interest
From NABL accredited Food testing Laboratories for
empanelment with FSSAI for analysis of Samples of
Imported Food Items**

Food Safety and Standards Authority of India

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Ministry of Health & Family Welfare, Govt. of India
FDA Bhawan, Kotla Road,
New Delhi-110 002

“Call for Expressions of Interest from NABL accredited Food testing Laboratories for empanelment with FSSAI for analysis of Samples of Imported Food Items”

Food Safety and Standards Authority of India (FSSAI) has been established under the provisions of Food Safety and Standards Act, 2006 as a statutory body for laying down science based standards for articles of food and to regulate manufacture, storage, distribution, sale and **import of food** so as to ensure availability of safe and wholesome food for human consumption. Under the FSS Act, the Authority has a mandate of ensuring safety of food items imported into the country also.

2. The FSSAI has already initiated the operationalisation of imported food clearance process in a phased manner through appointment of Authorized Officers initially at 5 selected ports (Chennai, Kolkata, Haldia, Mumbai, JNPT Nhava Sheva) in terms of the mandate of the Act. The FSSAI intends to empanel and engage services of conveniently located NABL accredited competent food testing laboratories with immediate requirements for sea ports viz. Chennai, Mumbai, JNPT Nhava Sheva, Kolkata and Haldia and also for the ports of Tuticorin, Cochin, Kandla, Vishakhapatnam, Mundra, Kakinada, Delhi and Nagpur, for analysis of samples of imported food items received from FSSAI's Authorized Officers, on ad-hoc basis till final notification of accredited laboratories as per section 43 (1) of FSS Act, 2006.

3. The detailed EOI document indicating the scope of work, qualifying requirements, forms and procedure for submission of proposal for EOI can be obtained in person from **Shri Adesh Mohan, Sr. Inspecting Officer, Food Safety and Standards Authority of India, Ministry of Health & Family Welfare, Government of India, Room No. 417, 4th Floor, FDA Bhawan, Kotla Road, New Delhi-110 002 (Phone No.011-23237433) on or before 31st December, 2010 by 5.00 P.M.** with a payment of Rs. 1,000/- (Non-refundable) by Demand Draft/ Pay Order payable at New Delhi in favour of **“Senior Accounts officer, Food Safety and Standards Authority of India”**. The EOI document can also be downloaded from FSSAI's website at <http://fssai.gov.in> which can be submitted along with a sum of Rs.1000/= in the manner indicated above at the time of proposal submission. The proposal may be submitted to Receipts & Dispatch Section, Food Safety and Standards Authority of India, Ministry of Health & Family Welfare, Govt. of India, 4th Floor, FDA Bhawan, Kotla Road, New Delhi-110 002 **on or before 3rd January, 2011 by 3.00 P.M.** The FSSAI reserves the right to accept or reject any or all the offers at any stage of the process without assigning any reasons thereof and no claim/dispute on this aspect shall be entertained.

(Sumita Mukherjee)
Director, FSSAI

INSTRUCTIONS TO THE APPLICANT

Background

Demand for imported food items has increased considerably in India coinciding with the impressive economic growth achieved by the country and concurrent changes in the import regulations since last few years. According to an assessment, imports into India are permitted through 255 entry points. These include 82 customs ports, 32 customs airports, 132 land customs stations and 9 foreign post offices/sub-foreign post offices.

Under the FSS Act, all imports of articles of food to be subject to this act in terms of section 25 and the Authorized Officer of Food Authority will send samples to notified laboratory for analysis in terms of section 47(5). These responsibilities of FSSAI make it pre-requisite to have competent NABL accredited food testing laboratories in the vicinity of the port of entries for smooth functioning of the system.

2. Scope of work

The broad Scope of work is at **Annexure I**.

3. Applicant Status

The applicant should be a single entity and qualify the eligibility criteria.

- The Laboratory should have a minimum of five years experience in analysis of food items. Documentary evidence and details to be provided to support the experience.
- The laboratory should be NABL accredited and conveniently located near the port of entry.
- A minimum annual turnover of Rs.50 lakhs during the last three years.
- Should have technically qualified and well-experienced strong in-house resource base.
- Should have sufficient in house infrastructure and laboratory equipments to carry out the tests prescribed in the PFA Rules.
- The applicant should furnish an undertaking to the effect that the laboratory has not been black listed in India or abroad.

4. Authorized Signatory

The 'Applicant' mentioned in the EOI document shall mean the one who has signed the EOI document forms. The applicant should be the duly Authorized Representative, for which a certificate of authority will be submitted. All certificates and documents (including any clarifications sought and any subsequent correspondence) received hereby, shall, as far as possible, be furnished and signed by the Authorized Representative.

5. Bid processing fee & Availability of EOI

The EOI document can be obtained in person from **Shri Adesh Mohan, Sr. Inspecting Officer, Food Safety and Standards Authority of India, Ministry of Health &**

Family Welfare, Government of India, Room No. 417, 4th Floor, FDA Bhawan, Kotla Road, New Delhi-110 002 (Phone No.011-23237433) on or before 31st December, 2010 by 5.00 P.M. with a payment of Rs. 1000/- by Demand Draft/ Pay Order payable at New Delhi in favour of **“Senior Accounts officer, Food Safety and Standards Authority of India”**. The EOI document can also be downloaded from FSSAI’s website at <http://fssai.gov.in> which can be submitted along with a sum of Rs.1000/= in the manner indicated above at the time of proposal submission.

6. Submission of Proposal

6.1 The proposal complete in all respects shall be submitted in sealed envelope super scribed as **“EOI for Empanelment for analysis of Imported Food Items at _____(Clearly indicated the Location for which the Laboratory seek to be empanelled)”** to Receipts & Dispatch Section, Food Safety and Standards Authority of India, Ministry of Health & Family Welfare, Govt. of India, 4th Floor, FDA Bhawan, Kotla Road, New Delhi-110 002 **on or before 3rd January, 2011 by 3.00 P.M.**

7. Documents to accompany EOI

7.1 The applications shall be complete with the following documents:

- Expression of Interest in Form – I.
- Details of experience in analysis of food items (at least for the last 5 years)
- Details of areas like Chemical, Microbiological, Pesticide Residue, Veterinary drugs etc. and other parameters for which lab is NABL accredited and copy of valid NABL certificate.
- List of food products which can be tested in the laboratory for the parameters mentioned under PFA Act for that particular product.
- Location map of the laboratory along with justification regarding convenience to specific port of entry.
- Details of Financial status of the applicant in Form-II.
- Details of staff working in the laboratory along with Name, Educational qualification, experience and trainings etc.
- Details regarding Building, structure and layout of the building
- Complete list of equipments available in the laboratory
- Month-wise details of number of food items tested during the last 2 years.
- Copy of other statutory approval documents like Registration Certificate, pollution Certificate etc. to carry out the activity in the area.
- Any other information required in support to the scope of work.

7.2 Every sheet and all forms complete in all respects shall be signed by the person/ persons duly authorized to sign on behalf of the applicants with affixing the applicant’s rubber stamp. The Power (s) of Attorney supporting/authorizing of the signatory shall be enclosed with the offer. Any / all corrections made in the proposal shall be duly authenticated by the signature of the Authorized Signatory.

8. Amendment to EOI

At any time prior to the last date for receipt of proposals, the Food Authority, may for any reason, whether at its own initiative or in response to a clarification requested by a prospective applicant, modify the EOI document by an amendment. In order to provide prospective applicants reasonable time in which to take the amendment into account in preparing their proposals, the Food Authority may, at its discretion, extend the last date for the receipt of proposals and/or make other changes in the requirements set out in the EOI.

9. Evaluation

The procedure of evaluation of the proposals is indicated at **Annexure-II**.

10. Time Period

The services of the empanelled food laboratory will be engaged purely on ad-hoc basis and as per work requirement basis and could be discontinued by FSSAI without assigning any reason thereof. However, the empanelled food laboratory should ensure the timely renewal of the NABL accreditation failing of which its empanelment could be discontinued.

11. Technical Presentation

Once the proposals are evaluated, if required, the shortlisted laboratories may be asked to make a presentation in the Food Authority at a short notice. Further, a team of FSSAI officials may also carry out physical inspection of the food laboratory, wherever required to verify the facts.

12. Rejection of EOI

The application is liable to be rejected if:

- a) The application is not covered in proper sealed cover with superscription as indicated in para 6 above.
- b) Not in prescribed form and not containing all required details.
- c) Not properly signed.
- d) Received after the expiry of due date and time.
- e) Offer is received by fax, telegram or e-mail & not followed /supported by the prescribed documents within the stipulated date.
- f) Proposal received without cost of EOI document if downloaded from website.

Further, applicant is required to furnish a declaration regarding exclusion criteria strictly in the format as given at Annexure-III

13. Disclaimer

13.1 The Food Authority shall not be responsible for any late receipt for any reasons whatsoever. The applications received late will not be considered and returned unopened to the applicant.

13.2 The Food Authority reserves the right

- To reject any / all applications without assigning any reasons thereof.
- To relax or waive any of the conditions stipulated in this document as deemed necessary in the best interest of the Food Authority without assigning any reasons thereof.
- To include any other item in the Scope of work at any time after consultation with applicants or otherwise.
- To determine the number of laboratories to be empanelled at each location taking into account the existing/likely workload.
- To determine the proportion in which samples will be distributed among laboratories if more than one laboratory is empanelled at any location.

PRE-QUALIFICATION CRITERIA

1. Preliminary examination for the applications

1.1 The Food Authority shall examine the applications to determine whether they are complete, whether the documents have been signed as indicated in this document, whether all Forms as asked have been filled in properly, whether applications are generally in order and all information as indicated under various clauses have been furnished.

1.2 The Food Authority reserves the right to waive minor deviations in the proposal application if they do not materially affect the capability of the applicant to perform the assignment.

1.3 Prior to detailed evaluation formalities, the Food Authority shall determine the substantial responsiveness of each application to the Invitation documents. A substantially responsive proposal is one which conforms to all the terms and conditions of the Invitation document without any material deviation. A material deviation is one which limits in any way responsibilities and liabilities of the applicant as required in this document. The Food Authority may waive any minor infirmity or non-conformity in an application which does not constitute material deviation. Non-responsiveness shall run the risk of rejection.

1.4 The evaluation shall be carried out on the basis of data available in the application documents received from the agency in the first instance. No account will be taken of any further documents or clarifications or any such additional information furnished subsequently by the applicant. However, the Food Authority reserves the right to call for such clarifications confined in scope to the contents of the application, should such a clarification become necessary for proper judgment in evaluation.

2. Eligibility

The proposals will be screened on the basis of the following essential eligibility criteria: -

- The applicant laboratory should have a minimum of five years experience in analysis of food items. Documentary evidence and details to be provided to support the experience.
- The laboratory should be NABL accredited and conveniently located near the port of entry.
- A minimum annual turnover of Rs.50 lakhs during the last three years.
- Should have technically qualified and well-experienced strong in-house resource base.
- Should have sufficient in house infrastructure and laboratory equipments to carry out the tests prescribed in the PFA Rules.

SCOPE OF WORK

The FSSAI intends to empanel and engage services of conveniently located NABL accredited competent food testing laboratories with immediate requirements for five sea ports viz. Chennai, Mumbai, JNPT Nhava Sheva, Kolkata and Haldia and also for other major ports of entries [Tuticorin, Cochin, Kandla, Vishakhapatnam, Mundra, Kakinada, Delhi, Nagpur], for analysis of samples of imported food items received from FSSAI's Authorized Officers, on ad-hoc basis till final notification of accredited laboratories as per section 43 (1) of FSS Act, 2006. The interested NABL accredited food laboratories before submitting their proposal should satisfy themselves on the following points:

- Fulfillment of the eligibility criteria laid down under EOI.
- The services of the empanelled food laboratory will be engaged purely on ad-hoc basis and as per work requirement basis and could be discontinued by FSSAI without assigning any reason thereof. However, the empanelled food laboratory should ensure the timely renewal of the NABL accreditation failing of which its empanelment could be discontinued.
- The Laboratory will carry out the analysis of samples of imported food items received from FSSAI's Authorized Officer as per provisions under PFA Act or as specified by FSSAI from time to time and the testing fee payable will be Rs.3000/- per sample as per PFA Rules.
- The Laboratory will send its report only to FSSAI's Authorized Officer within a stipulated time frame and as per agreed procedure.
- The laboratory will not disclose any information regarding the samples received from FSSAI's authorized officer, to any third party without prior permission from FSSAI.
- The Laboratory will be liable for sharing data related to imported food samples with FSSAI for any further scientific analysis as and when required.

The details mentioned above are indicative only. Any other item not specifically indicated above, but required for efficient Imported Food Clearance Process shall be deemed to have been incorporated within the scope of the work. Omission of specific reference to any of the activities in the scope of work shall not relieve the laboratory of its responsibility.

EVALUATION PROCEDURE

- (1) The proposals will be evaluated on the basis of the eligibility criteria at para 2 of the section on Pre-qualification criteria and will carry maximum marks of 100. The maximum marks for each component of proposal is as under:

Eligibility criteria	Max Marks
1. Experience in Analysis of food samples	20
2. No. of criteria/food products/parameters for which the Laboratory has got NABL accreditation	20
3. Laboratory Infrastructure & Equipments facility	20
4. Technical and Non-technical staff strength	20
5. Convenient location to the port of entry	20

- (2) The proposals will be scrutinized on the basis of the eligibility criteria. Thereafter the shortlisted agencies may be required to make presentations and /or written submissions to an Evaluation Committee for which they will be given 5 days notice.
- (3) The agencies in descending order of merit so evaluated will be empanelled for a specific port of entry for analysis of samples of imported food items, the number of which will be dependent upon the workload at each location. The decision of the Evaluation Committee and FSSAI will be final and no further correspondence will be entertained. The empanelled labs may be asked for taking the work of analysis as and when required.

APPLICANT'S DECLARATION REGARDING THE EXCLUSION CRITERIA

To be completed and signed by the applicant and to be included in the EOI application

Food Safety and Standards Authority of India

Ministry of Health & Family Welfare, Govt. of India,
3rd & 4th Floor, FDA Bhawan,
Kotla Road, New Delhi-110 002

Ref: Call for Expressions of Interest from NABL accredited Food testing Laboratories for empanelment with FSSAI for analysis of Samples of Imported Food Items

Concerned laboratories shall be excluded from participation in a procurement procedure if:

1. They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matter, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
2. They have been convicted for an offence concerning their professional conduct by judgment which has the force of res judicata;
3. They have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
4. They have not fulfilled obligations in respect of payment of social security contribution or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is performed;
5. They have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the communities' financial interests;
6. Following another procurement procedure or grant award procedure financed by the community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

In response to your call for expression of interest, I/We hereby declare that I/we:

- Am/are not in any of the situations excluding me/us from participation contracts (and will produce the corresponding certificates if so requested)
- Agree to abide by the highest ethical standards in the profession and, in particular, have no potential conflict of interest;
- Will inform the Authority immediately if there is any change in the above circumstances at any stage during the tender procedure or during the implementation of the project;
- Fully recognize and accept that any inaccurate or incomplete information deliberately provided in this tender may result in my/our exclusion from this or other contracts funded by the Authority

(Signature of the applicant or of authorized representative
Along with Office seal)

EOI Letter Proforma

To

Ms. Sumita Mukherjee,**Director****Food Safety and Standards Authority of India,**

Ministry of Health & Family Welfare, Govt. of India,

FDA Bhawan, Kotla Road,

New Delhi-110 002

Sub: Call for Expressions of Interest from NABL accredited Food testing Laboratories for empanelment with FSSAI for analysis of Samples of Imported Food Items

Sir,

The undersigned having read and examined in detail all the EOI documents pertaining to the proposals for preparing Food Safety Surveillance Framework, do hereby express the interest to do the work as specified in the scope of work.

2. Correspondence details:

1.	Name of the applicant/ Laboratory	
2.	Address	
3.	NABL accreditation Number and validity date : (Please enclose valid certificate)	
4.	Name, designation & address of the person to whom all references shall be made in case of applicant on behalf of the Laboratory	
5.	Telephone (with STD code)	
6.	Mobile No. of the contact person	
7.	E-mail of the contact person /Website address of the Lab (if any)	
8.	Fax No. (with STD code)	

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3. Documents forming part of EOI

We have enclosed the followings:

- Expression of Interest in Form – I.
- Complete set of documents as per point 7.1 of EOI documents

4. I/ We hereby declare that my/ our EOI is made in good faith and the information contained is true and correct to the best of my/ our knowledge and belief.

Thanking you,

Yours faithfully,

(Signature of the Applicant)

Name:

Designation:

Seal:

Date:

Place:

Witness:

Signature _____

Name _____

Address _____

Date _____

FINANCIAL STATUS OF THE APPLICANT

Fill in the blanks for each of the last three fiscal years, duly certified by Chartered or Public Account or Chamber of Commerce or Banks.

	2007-08	2008-09	2009-10
1. Share Capital (INR)			
2. Paid up Capital (INR)			
3. Free Reserve (Gross) (INR)			
4. Unallocated Balance Surplus (INR)			
5. Expenses not written-off (INR)			
6. Total assets (INR)			
7. Total liabilities (INR)			
8. Current credit resources (INR)			
9. Contingent Liability (INR) (give in details)			
10. Total profit before tax (INR)			
11. Total profit after tax (INR)			
12. Total loss (gross) (INR)			
13. Turnover from contracting during the financial year (INR)			
14. Bank References and address			

(Place & Date)

(Name & Signature)

Food Safety and Standards Authority of India (FSSAI)

Ministry of Health & Family Welfare, Government of India,

FDA Bhawan, Kotla Road, New Delhi-110 002

No.1/2008/Import Safety/FSSAI

Dated:1stDecember, 2010

“Call for Expression of Interest from NABL accredited food testing laboratories for empanelment with FSSAI for analysis of samples of imported food items”

Under the FSS Act, all imports of articles of food to be subject to this act in terms of section 25 and the Authorized Officer of Food Authority will send samples to notified laboratory for analysis in terms of section 47(5). The FSSAI intends to empanel and engage services of conveniently located NABL accredited competent food testing laboratories with immediate requirements for five sea ports viz. Chennai, Mumbai, JNPT Nhava Sheva, Kolkata and Haldia and also for other major ports of entries [Tuticorin, Cochin, Kandla, Vishakhapatnam, Mundra, Kakinada, Delhi and Nagpur], for analysis of samples of imported food items received from FSSAI's Authorized Officers.

Details in this regard may be seen at FSSAI's website <http://fssai.gov.in>. The last date for submission of complete proposal is **3rd January, 2011**. For any further clarification, feel free to contact **Shri Adesh Mohan, SIO (011-23237433)**.

(Sumita Mukherjee)
Director