



OFFICE OF THE MEDICAL SUPERINTENDENT
ESIC MODEL HOSPITAL, BARI BRAHMANA, JAMMU
(ISO 9001:2008 Certified)
Ph.: (01923)-220302, Ph/Fax- (01923)-221105
E-mail: ms-jammu@esic.nic.in

TERMS & CONDITIONS OF CONTRACT FOR EMPANELLEMENT OF LOCAL CHEMIST

- 1) The bidder must have a minimum experience of two years in the field of chemist trade.
- 2) Period of contract:-
The contract will be valid for a period of one year from the date of commencement of contract, unless short closed before that, by Medical Superintendent, ESI Model Hospital, Bari Brahmna, Jammu at their discretion. However this contract can be extended beyond one year if so required by mutual consent.
- 3) The acceptance of tender will normally be on the basis of maximum discount offered by the local chemist on MRP i.e. Maximum retail Price which is printed on the packing/flaps/bottles. The Chemist will be paid on MRP less discount. Sales Tax, octroi or any other levy/tax will be paid extra on Net price.
- 4) Tampering on the printed MRP of the Manufacturer by the local chemist by use of stickers or any other means will not be accepted. **Separate discounts in percentage should be quoted for generic & branded drugs.** Items like **sutures, bandages, gauge, cotton, disposable syringes and other surgical consumables** will be treated as generic and discount will be applied accordingly.
- 5) In case selected, Local chemist will be required to deposit a security Rs. 60,000/- in the shape of demand draft in favour of "ESI Fund A/c No. 1" drawn on any nationalized Bank payable at Jammu. Security deposit will only be released after satisfactory performance of contract. However, the EMD will be refunded after finalization of tender. The security deposit will be forfeited if default is made by the chemist.
- 6) Right to acceptance: The MS does not pledge himself/herself to accept the lowest or any tender and reserves to himself/herself the right to rejecting the whole or any part of the tender.
- 7) The tenderer will not be allowed to sub-contract.
- 8) **Criteria for awarding bids will be fulfillment of technical conditions as well as offering of maximum discounts on generic and branded drugs.**
- 9) M.S. Reserves the right to enter into parallel contract simultaneously or at any time during the period of this contract with one or more chemist for one and the same medicine or for different medicines.
- 10) A list of reputed manufacturers, whose generic drugs the chemist is willing to keep in sufficient stock as needed for day to day requirements of the hospital, may also be enclosed.
- 11) Arbitration clause: In case of any dispute between the purchaser and the Local Chemist arising under the contract or in regard to the interpretation of the terms and conditions of the contract. Medical Superintendent, ESI MH, Jammu or any other Officer nominated by him, to act as arbitrator in the dispute. Decision of the arbitrator shall be final and binding on both the parties of this contract.