

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEPARTMENT OF LAW, JUSTICE & LEGISLATIVE AFFAIRS)
8TH LEVEL, C-WING, DELHI SECRETARIAT, NEW DELHI

F.5(501)/Lit./LJ&LA/19/Pt-I

Dated: 13/7/2020

Tender Id:- 2020_LAWJA_192094_1/3847

CORRIGENDUM

Pre-bid meeting for Group Mediclaim insurance(Tender Id:- 2020_LAWJA_192094_1) for advocates and their family members was held on 03.07.2020 at 2:00 PM.

The meeting was attended by following members of Technical Evaluation Committee(TEC):

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| 1. Additional Secretary(Law, Justice & LA) | - | Chairman |
| 2. Sh. R.P. Mittal, EE, OPD-1, Public Works Department
(on behalf of Chief Engineer, PWD) | - | Member |
| 3. Sh. Ashok Kumar, Director(Planning) | - | Member |
| 4. Sh. Cleetus K.M., Deputy Controller of Accounts(Admn.) Audit | - | Member |
| 5. Sh. M. Srikanth, System Analyst, IT department | - | Member |

The following bidders had participated in the pre-bid meeting for Group Mediclaim insurance.

1. Sh. Gaurav Sharma, Branch In-charge, The New India Assurance Co. Ltd.
2. Sh. Kunal Dadlani, Assistant Manager, National Insurance Co. Ltd.
3. Sh. Rakesh Gandhi, Sr. Div. Manager, NIC, Ltd
4. Ms. Vibha Tripathi, AGH, Hindustan Insurance Brokers Ltd.
5. Sh. Pawandeep Singh, Asstt. Manager, Secure Now Insurance Broker Pvt. Ltd
6. Sh. Shishir Gupta, RM, Hindustan Insurance Brokers Ltd.

In addition to above, Sh. Vishnu Sharma, Hony. Secretary, Bar Council of Delhi and Sh. Kamal Mehta, Advocate(representative of Sh. Rakesh Khanna, Sr. Advocate and Convener of the Committee established to propose scheme for welfare of advocates under Chief Minister Advocate Welfare Scheme had also attended the pre-bid meeting as a special invitees.

After pre-bid meeting, Chairman of Technical Evaluation Committee requested the prospective bidders and Special Invitees to give their suggestions/queries(if any) in writing to Department of Law, Justice & LA, in case, any topic/query is not discussed during pre-bid meeting.

Accordingly, suggestions were received from special Invitees i.e. Sh. Vishnu Sharma, Hony. Secretary, Bar Council of Delhi and Sh. Kamal Mehta, Advocate(representative of the Sh. Rakesh Khanna, Sr. Advocate and Convener of the Committee established to propose scheme for welfare of advocates under Chief Minister Advocate Welfare Scheme) vide their emails dated 06.07.2020 & 07.07.2020 and from one of the prospective bidder i.e. Sh. Gaurav Sharma, BM, New India Assurance Co. Ltd vide email dated 04.07.2020 who had attended the pre-bid meeting on 03.07.2020.

All the above suggestions were considered by Technical Evaluation Committee(TEC) during its meeting held on **08.07.2020 at 2:00 PM** in the conference hall of Department of Law, Justice &LA.

The Technical Evaluation Committee(TEC) considered the suggestions received during pre-bid meeting from prospective bidders and also in writing via email dated 04.07.2020 from one of the participants of pre-bid meeting namely Sh. Gaurav Sharma, Branch Manager, New India Assurance Co. Ltd. All the decisions of the TEC are unanimously taken with the consent of all its members. The Technical Evaluation Committee(TEC) took following decisions qua the suggestions received from all prospective stake holders who had attended the pre-bid meetings on 03.07.2020 and suggestion received from New India Assurance co. vide email dated 04.07.2020. The decisions of TEC are mentioned in 5th Column of the following table.

For Group medi-claim Insurance

1	2	3	4	5
SI no	RFP Clause	Page no/Clause	RFP Clause/Query/Suggestions of the participants	<u>Decision of TEC</u>
1	Requirement of EMD, Performance Security	Page-3, clause no. 23, 24 & 25	Bidders submitted that the insurance companies may be given exemption in Earnest money deposit(EMD) as per prevailing rules specified in letter dated 07.06.2011 of Sh. S.L. Mohan, Secretary General, General Insurance Council and also the clause 23 related with performance security of an amount(5%) of the value of contract may be removed.	Companies seeking exemption are required to submit the copy of such relevant Government notification issued in their favour for such exemption.

			<p>Apart from above, the following suggestions have also been received vide email dated 04.07.2020 from the representative of New India Assurance Co. Ltd</p> <p><i>"The Bench confirmed that provisions of EMD of Rs 50,00,000 (Rupees Fifty Lakh only) and an amount of 5% (Five Percent) of the value of contract towards performance security will be waived considering the communications of IRDAI (Insurance Regulator) and GI Council as attached with our representation."</i></p>	
2	Brokers may also be allowed for bidding.	NIL	Brokers may also be allowed for bidding. They can provide insurance in better terms. Broker can be L-1, broker can be appointed as consultant.	No change is required to be made in NIT.
3	Penalty	Page-3, clause 17, 18 & 22	<p>Penalty clauses are already mentioned under clause 16 "CLAIM PROCEDURE IN RESPECT OF A HEALTH INSURANCE POLICY" in the Gazette Notification dated 22.06.2017 of IRDA(Protection of Policy holders' Interest) Regulation, 2017.</p> <p>Also under clause 17 of said notification, there is also a GRIEVANCE</p>	As applicable for standard policy under standard terms/guidelines of IRDA.

		<p>REDRESSAL PROCEDURE where in case, the grievance is not resolved in favour of policy holder or partially resolved in favour of policy holder, there is a provision of insurance ombudsman.</p> <p>Apart from above, the following suggestions have also been received vide email dated 04.07.2020 from the representative of New India Assurance Co. Ltd</p> <p><i>"The Bench was requested by the participants to waive of the provision as stipulated guidelines are already there as per Regulations issued by IRDAI(Insurance Regulator) for Protection of Policy Holder Rights and for arbitration purpose the mechanism of Insurance Ombudsman is in place and the decisions of Ombudsman are binding to all Insurers. The Bench confirmed that suitable decision will be taken considering the facts and will be communicated in the Addendum/Corrigendum. On further discussion, the Bench also confirmed that the penalty as specified in the tender will be equivalent to contractual liability of</i></p>	
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4	TPA	<p>Page-4, Clause 2, 3 of Special terms and conditions. Clause E on page-4 and TPA services at page-8.</p>	<p>Preference of TPAs can be suggested by Government and incorporated in NIT.</p>	<p>No change is required to be made in NIT.</p>
5.	Adjustment of Premium benefits, bonus and discounts	<p>Page-8, clause regarding adjustment of Premium benefits, bonus and discounts</p>	<p>Since the policy is on year to year basis and can be changed in favour of other insurance companies so this clause may be removed.</p> <p>Apart from above, the following suggestions have also been received vide email dated 04.07.2020 from the representative of New India Assurance Co. Ltd</p> <p><i>“Premium benefits, bonus and discounts will be adjusted in the subsequent year premiums if the total collection of premiums exceeds the claim disbursed on the yearly basis by the insurance</i></p>	<p>Clause regarding Adjustment of Premium benefits, bonus and discounts is removed.</p>

			<p><i>company.</i></p> <p><i>The Bench was appraised that as per GI Council letter dated 07.06.2011 we are not allowed to share any kind of profit and the same was agreed."</i></p>	
6	30 days Pre and 60 days post hospitalization expenses covered	Page-7	<p>The following covers are not mentioned in NIT.</p> <ol style="list-style-type: none"> 1. Maternity benefit which may be around 10% to 15% of the insurance cover. 2. Maternity clauses i.e. Normal, Caesarian 3. Baby cover from 1 day and waiver of 9 month waiting period. <p>In addition to above, capping of diseases like cataract etc may be included in NIT.</p> <p>Apart from above, the following suggestions have also been received vide email dated 04.07.2020 from the representative of New India Assurance Co. Ltd</p> <p><i>"The Bench also proposed to have Day care, Maternity Cover and Corporate Buffer included in the tender for the members: The Bench was proposed to mention capping of Maternity</i></p>	<p>Maternity benefit is allowed as under:</p> <ol style="list-style-type: none"> 1. Normal Delivery- up to Rs. 40,000/- 2. Caesarian – up to Rs. 50,000/- <p>Baby cover from 1 day and waiver of 9 months waiting in case of maternity.</p> <p>For Cataract, the capping is Rs. 35,000/- per eye. (No cosmetic surgery is allowed)</p>

			<p>cover with INR 50,000 for normal as well as C-Sec delivery along with Day 1 baby cover and waiver of 9 months waiting in case of maternity, in case the same is incorporated in the tender. Also, limit of INR 32,000 per eye was also proposed for cataract.</p> <p>He also suggested to incorporate the following clause on humanitarian ground – “No deduction of any expenses upto policy limit in case of death of insured.”</p>	
7.	Domiciliary Hospitalization(including COVID-19 cases)	Page-7	<p>Coverage of Home stay is not specified for COVID-19 cases.</p> <p>Apart from above, the following suggestions have also been received vide email dated 04.07.2020 from the representative of New India Assurance Co. Ltd</p> <p>“For Domiciliary Hospitalization (including COVID-19 cases): It was suggested to specify capping over the said limits, and it was proposed by the participants to cap it upto 20% of Sum Insured.”</p>	Capping of Domiciliary hospitalization is fixed upto 15% of Sum Insured.
8	1st year and 2 years exclusions which is waived in NIT.	Page-7	<p>In addition to 1st year and 2 years exclusions, 4 year exclusion may also be included.</p> <p>Apart from above, the</p>	No change is required to be made in NIT.

			<p>following suggestions have also been received vide email dated 04.07.2020 from the representative of New India Assurance Co. Ltd</p> <p><i>“1 Year and 2 Year Exclusion: It was proposed to also mention 4 year exclusion.”</i></p>	
9	Any Service Charges on Medical Bills (Should not be deducted from the individual claim.)	Page-8	Admission charges, Registration Charges, Consumable items are charged from the policy holder. Waiver of such charges may enhance the cost of policy.	No change is required to be made in NIT.
10.	The company should have a net reserve equivalent to at least 50% of the Mediclaim coverage for which the tenders are invited.	Page-2/ point no.2 of terms and conditions	No private company may fulfill this condition, keeping in view the magnitude of policy holders, coverage amount involved in the matter. So this may be reduced.	No change is required to be made in NIT.

Also the Technical Evaluation Committee(TEC) considered the suggestions received from special Invitees i.e. Sh. Vishnu Sharma, Hony. Secretary, Bar Council of Delhi and Sh. Kamal Mehta, Advocate(representative of the Sh. Rakesh Khanna, Sr. Advocate and Convener Committee established to propose scheme for welfare of advocates under Chief Minister Advocate Welfare Scheme) vide their emails dated 06.07.2020 & 07.07.2020.

All the decisions of the TEC are unanimously taken with the consent of all its members.

The Technical Evaluation Committee(TEC) took following decisions qua the suggestions received from special invitees who had attended the pre-bid meetings on 03.07.2020. The decisions of TEC are mentioned in 4th Column of the following table.

1	2	3	4
SI No.	<p>SUGGESTIONS RECEIVED FROM SH. VISHNU SHARMA, HONY. SECRETARY, BAR COUNCIL OF DELHI VIDE EMAIL DATED 06.07.2020</p> <p>(Attended the Pre-Bid meeting as Special Invitee)</p>	<p>SUGGESTIONS RECEIVED FROM SH. KAMAL MEHTA, ADVOCATE, REPRESENTATIVE OF SHRI RAKESH KHANNA, SR. ADVOCATE AND CONVENOR OF THE COMMITTEE ESTABLISHED FOR WELFARE OF ADVOCATES UNDER CHIEF MINISTER ADVOCATE WELFARE SCHEME VIDE EMAIL DATED 06.07.2020 & 07.07.2020.</p> <p>(Attended the Pre-Bid meeting as Special Invitee)</p>	DECISION OF TEC
1	There is no clarity about standard day care procedures, wherein no need of 24 hours hospitalization.	Standard Day care be covered / 24 hours hospitalisation may not be insisted upon.	Capping of Domiciliary hospitalization is fixed upto 15% of Sum Insured.
2	Cataract surgery expenses limit say- 35 K per eye. (NO cosmetic surgery is allowed).	Cataract Surgery be capped at Rs. 35,000	For Cataract, the capping is fixed for Rs. 35,000/- per eye. No cosmetic surgery is allowed.
3	TPA may be selected & named by GNCTD. Its fee will be paid by Insurer.	The TPA offered by the insurance company shall have a dedicated team at the exclusive service of this policy group at all the three levels of claim processing procedure.	No change is required to be made in NIT.
4	It is better to opt GIPSA / PPN Rates to reduce the claim outgo	<p>GIPSA (General Public Sector Association) Agreed Rates be provided of the Network Hospitals.</p> <p>The Insurer shall ensure that the bill raised by</p>	GIPSA/PPN agreed rates are applicable in Network hospitals. Where no GIPSA rates are available, the claim is to be paid on actual basis.

		the networks hospital must not cross GIPSA limit.	
5	In case of treatment in non network hospital, usually hospitals charge higher rates, so TPA generally deduct 10% from claimed amount.	Non-Network hospital treatment be covered on the GIPSA limits.	Non-Network hospital treatment covered on the GIPSA limits.
6	There is no clarity, where some advocates are having more than 2 dependent children, you can accommodate third child with some conditions.		No change is required to be made in NIT.
7	There should be some logical limit on domiciliary expenses, since it is very debatable issue.	Domiciliary hospitalisation in case of the recommended COVID-19 patients, & other eventuality specifically listed by the insurance company.	Capping of Domiciliary hospitalization is fixed upto 15% of Sum Insured.
8	The list of non payable items should be very clear and well circulated among beneficiaries.		No change is required to be made in NIT.
9	Maternity should be covered with some limit of expenses for normal and caesarean (like 40k & 50k respectively inclusive of expenses relating to new born child).	Maternity claim be capped at Rs. 50,000/- Normal/ caesarean. New born baby covered from the day one.	Maternity benefit is allowed as under: 1. Normal Delivery- up to Rs. 40,000/- 2. Caesarian – up to Rs. 50,000/-
10	9 months waiting waiver for maternity should be there.	Nine months waiting period be waived.	Waived.
11	The coverage from day one can be opted for new born child if it is with stipulated family size.		The coverage from day one for new born child if it is with stipulated family size is allowed.
12	Ayush treatment – Ayurvedic / Homeopathic / Unani treatments only in govt approved hospitals with 10% of sum family floater sum insured for any one illness. However massage, spa, steam bath, acupuncture, acupressure, magneto therapy and similar treatment excluded.	Coverage for AYUSH treatment/ medicine up to maximum of Rs. 25,000 per policy period.	Coverage for AYUSH treatment/ medicine up to maximum of Rs. 25,000 per family. However massage, spa, steam bath, acupuncture, acupressure, magneto therapy and similar treatment excluded.
13	Ambulance exp to & fro should be there. Either way –Rs.2000/- on submission of valid receipt.	Emergency Ambulance services & expenses of Rs. 5000 be covered.	In Emergency, full ambulance charges are covered.

	However ambulance charges from hospital to residence and or another hospital on the recommendation of treating doctor.		
14	Ambulance expenses for mortal remains. Say up to Rs.5000/-	Death cases: No expenses be deducted of any consumables of any kind from the processing of the claim. including Ambulances services.	Death cases: No expenses be deducted of any consumables of any kind from the processing of the claim including Ambulances services.

On the basis of the decisions taken by Technical Evaluation Committee, the NIT, certain terms and conditions of tender are modified/added as under:-

SI no	RFP Clause as per NIT	Page no/Clause	Modification/addition of clauses
1	The bidders shall deposit earnest money of Rs. 50,00,000/- (Rupees Fifty Lakh only) in the form of Account Payee Demand Draft/Fixed Deposit Receipt/Banker's Cheque or Bank Guarantee from any of the Commercial Banks in favour of Principal Secretary, Department of Law, Justice & Legislative Affairs, Government of NCT of Delhi. EMD/Bid Security should be valid for a period of forty five days beyond the final bid validity period.	Page-3, clause no. 23.	Companies seeking exemption are required to submit the copy of such relevant Government notification issued in their favour for such exemption.
2.	The successful bidder shall also deposit Performance Security for an amount of Five per cent (5%) of the value of the contract	Page-3, clause no. 24	Companies seeking exemption are required to submit the copy of such relevant Government notification issued in their favour for such exemption.

	as specified in the bid documents in the form of Account Payee Demand Draft/Fixed Deposit Receipt/Banker's Cheque or Bank Guarantee from any of the Commercial Banks in favour of Principal Secretary, Department of Law, Justice & Legislative Affairs, Government of NCT of Delhi. Performance security should remain valid for a period of sixty days beyond the date of completion of all the contractual obligations of the successful bidder.		
3.	In addition to the submission of scanned copy of EMD/bid security, original physical copy of EMD/Bid security is required to be submitted in the tender box kept in room no. C-806 at 8th Level, C-Wing, Delhi Secretariat of Department of Law, Justice & LA, Government of NCT of Delhi.	Page-3, clause no. 25	Companies seeking exemption are required to submit the copy of such relevant Government notification issued in their favour for such exemption.
4	In case of any unsatisfactory service, suitable penalties as decided by the Government of NCT of Delhi shall be levied after issuing notice.	Page-3, clause 17	As applicable for standard policy under standard terms/guidelines of IRDA.
5.	In case of failure in settlement of claims within the time frame provided, penalty will	Page-3, clause 18	As applicable for standard policy under standard terms/guidelines of IRDA.

	be enforced as per GNCTD norms.		
6.	Arbitration- All disputes and differences which may arise between the GNCTD and the Insurance Company shall be referred to an Arbitrator appointed by the Delhi International Arbitration Centre, whose decision shall be final and binding on all concerned.	Page-3, clause 22	As applicable for standard policy under standard terms/guidelines of IRDA.
7.	Other Conditions: Premium benefits, bonus and discounts will be adjusted in the subsequent year premiums if the total collection of premiums exceeds the claim disbursed on the yearly basis by the insurance company.	Page-8	Clause regarding Adjustment of Premium benefits, bonus and discounts is removed.
8.			<ul style="list-style-type: none"> • Maternity benefit is allowed as under: Normal Delivery- up to Rs. 40,000/- Caesarian – up to Rs. 50,000/- • Baby cover from 1 day and waiver of 9 months waiting in case of maternity. • For Cataract, the capping is Rs. 35,000/- per eye. (No cosmetic surgery is allowed)
9.	Domiciliary Hospitalization(including COVID-19 cases) which is covered in NIT	Page-7	Capping of Domiciliary hospitalization is fixed upto 15% of Sum Insured.
10	-	-	GIPSA/PPN agreed rates are applicable in Network hospitals. Where no GIPSA rates are available, the claim is to be paid on actual basis.

11	-	-	Non-Network hospital treatment covered on the GIPSA limits.
12	-	-	Coverage for AYUSH treatment/ medicine up to maximum of Rs. 25,000 per family. However massage, spa, steam bath, acupuncture, acupressure, magneto therapy and similar treatment excluded.
13	-	-	In Emergency, full ambulance charges are covered.
14	-	-	Death cases: No expenses be deducted of any consumables of any kind from the processing of the claim including Ambulances services.

Revised important dates of tender are as under:

SI no	Particulars	Date	Time
1	Last date and time for submission of tender	27.07.2020(Monday)	05:00 PM
2	Date & Time of opening of Technical Bids	28.07.2020(Tuesday)	02:00 PM
3	Date & Time of opening of Financial bids	Will be intimated to the technically qualified bidders on a later date.	

Tender document complete in all respect should be submitted only on the Delhi Government e-procurement system <https://govtprocurement.delhi.gov.in/nicgep/app>

Further only one authorized representative of the bidder/company is permitted at the time of opening of the tender.


PRINCIPAL SECRETARY (LAW, JUSTICE & LA)
GOVERNMENT OF NCT OF DELHI