



**OFFICE OF THE
SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAYS CIRCLE LARKANO**

NO: S.E(PHWC)BB/ 1857 /2019

Larkano, Dated: 12-11-20 /2019

To,

The Chief Engineer
Highways Sukkur.

SUBJECT: - COMPLAINT REDRESSAL COMMITTEE MEETING - AGAINST NIT NO.TC/G-55/660 DATED: 21-07-2020 FLOATED FOR PROCURMENT OF WORKS BY THE EXECUTIVE ENGINEER MACHINERY MAINTENANCE DIVISION KHAIRPUR @ SHIKARPUR.

Ref'nce:- This office letter No.SE(PHWC)BB/1771 dated: 03-11-2020.

Enclosed kindly find herewith the Facts Finding Report of Complaint Redressal Committee (CRC) regarding its meeting held on 06-11-2020 @ 12:00 p.m under the Chairmanship of undersigned wherein no irregularity has been found in the Procurement Process made by the Executive Engineer, Machinery Maintenance Division Khairpur @ Shikarpur / Procuring Agency and the applicants / complaints have been disposed off on the recommendation of the Complaint Redressal Committee (CRC).

D.A / As Above.

Superintending Engineer
Provincial Highways Circle
Larkano/ Chairman
Redressal Committee.

Copy alongwith copy of facts and Finding Report of Complaint Redressal Committee (CRC) to:-

1. The Managing Director, Sindh Public Procurement Regulatory Authority Karachi.
2. The District Accounts Officer Larkano / Member (CRC).
3. The Executive Engineer (Irrigation) Northern Dadu Canal Division Larkano Member CRC.
4. The Executive Engineer Machinery Maintenance Division Khairpur @ Shikarpur Chairman Procurement Committee.
5. The M/S Abdul Qayoom Mazari Government Contractor.
6. The M/S Raja Panhyar Government Contractor.
7. The M/S Zulfiquar Ali Buriro Government Contractor.
8. The M/S Jhooly Lal Construction Co / Ameer Hussain Government Contractor.

Superintending Engineer
Provincial Highways Circle
Larkano/ Chairman
Redressal Committee.

*Post the
CRC decision
then put up
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67/11/20

REC'D

MINUTES OF COMPLAINT REDRESSAL COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SUPERINTENDING ENGINEER PROVINCIAL HIGHWAYS CIRCLE LARKANO/ CHAIRMAN (CRC) DATED:-06-11-2020.

NIT NO.TC/G-55/660 DATED: 21.07.2020 FLOATED FOR ROCUREMENT OF WORKS BY THE EXECUTIVE ENGINEER, MACHINERY MAINTENANCE DIVISION KHAIRPUR @ SHIKARPUR.

(LIST OF PARTICIPANTS ATTACHED).

The Chairman welcomed to all the participants in meeting.

Meeting of Complaint Redressal Committee (CRC) was held on 06-11-2020 at 12:00 (noon) in the office of the Superintending Engineer, Provincial Highways Circle Larkano in accordance with the SPPRA Rule 31(4) & (5) of Sindh Public Procurement Rules-2010 (Amended 2017) to contemplate into complaints made by the following Firms / Contractors versus the Executive Engineer, Machinery Maintenance Division Khairpur at Shikarpur / Procuring Agency against the above subjected NIT.

1	M/S Abdul Qayoom Mazari.	Government Contractor.
2	M/S Raja Panhyar	Government Contractor.
3	M/S Zulfiqar Ali Buriro.	Government Contractor.
4	M/S Jhooly Lal Construction Co / Ameer Hussain.	Government Contractor.

Accordingly all (04) No. of above complainants as well as Executive Engineer concerned / procuring agency have been issued letter vide No. SE(PHWC)BB/1771 dated 03-11-2020 has been requested to attend the meeting of Complaint Redressal Committee on 06-11-2020 so as to ascertain the factual position / matter and redress the grievances.

Out of (04) No. of complainants only 02 Nos. namely Zohaib Raza Shah authorized representative of M/S Abdul Qayoom Mazari at Sr. No.1 and M/S Raja Panhyar at Sr. No.2 attended the Complaint Redressal Committee Meeting and rest of the complainants failed to attend the Meeting.

While going through the contents of complaint made by M/S Abdul Qayoom Mazari, Government Contractor that he had applied the work at Sr. No.2/2079 under NIT No. 660 dated 21-07-2020 called by the Executive Engineer, Machinery Maintenance Division, Khairpur @ Shikarpur / Procuring Agency and quoted the necessary rates against each of every items and submitted before the Procurement Committee but the XEN / Procuring Agency malafidely changed by Bidding Documents and awarded to his favourite Contractor.

In response to above the Executive Engineer / Procuring Agency has submitted vide letter No.TC/G-55/1085, dated 04-11-2020 that M/S Abdul Qayoom Mazari participated for the work No.02/2079 at the Cost of Rs.101.8228 Million through authorized representative Zohaib Raza Shah dropped the sealed tender in the Tender Box. All sealed tenders were opened in presence of the Procurement Committee and his tender were found blank and without any signature. (Photo copies of blank tenders are attached for ready reference) Therefore, Procurement Committee was decided and announce rejected.

Accordingly the contents of complaint made by M/S Raja Panhyar has been examined which reflects that: in the competition of tender process undersigned declared as successful with amounting to Rs.97,360,049/- by procuring agency with lowest bid and undersigned was in communication for further process with the Procuring Agency but later on I have been rejected and M/S Khokhar Brothers has been declared as lowest in amounting to Rs.161,790,917/- .

Consequently in response to above the Executive Engineer / Procuring Agency has submitted vide letter No.TC/G-55/1086, dated 04-11-2020 that M/S Raja Panhyar participated for the work at Sr. No.01/2077 and his bid were evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the NIT he fails to comply with the basic requirements of bidding documents and not meet the mandatory eligibility as per NIT published as under:-

1. M/S Raja Panhyar did not provide at least 03 work orders of same specifications and nature of equivalent or more cost completed during past three years duly supported with completion certificate.
2. He did not provide annual turnover at least twice per annum. The estimate cost of work applied in the last three years.
3. He did not provide the statement of bank showing credit worthiness at least 15% of the estimate cost of work applied along with bank certificate.

However, technical sanction for the said work is Rs.163,012,441/- and he quoted his rates Rs.97,360,049 after subtracting the quoted cost from Technical sanction amount comes Rs.65,652,392 which is less amount of Engineer's Estimate. The contractor cannot be able to complete the site of work in quoted cost, which is about Rs.40.27% below the Engineer's cost even against the clause of 11.3.4 (in case of Procurement Committee received as bid which is more than 30% below of Engineer's Estimate. The Procurement Committee can reject the bid. Therefore on the basis of above grounds Procuring Committee decided and announce Rejected.


During the course of meeting, Mr. Zohaib Raza Shah authorized representative of M/S Abdul Qayoom Mazari has been asked to prove his version as stated in his application / complaint he supplied the photo copies of tender documents comprising the quoted rates but Executive Engineer's / Procurement Agency presented the original blank tenders against which his tenders were rejected.


Similarly, the Bid Evaluation Report prepared by the Procurement Committee reflects that the rates quoted by Mr. Raja Panhyar are more than 30% below and placed at Sr. No.6 Bid Evaluation Report as highest, hence rejected by the Committee in accordance with the Notification No.DD(A&F)/SPPRA/17-18/22, dated 05th July, 2017 issued by Sindh Public Procurement Regulatory Authority.

Conclusion:-

In light of the above discussion the Committee decided to file the instant complaints which do not carry the weight-age in this regard.


(Abdul Hafeez Dedar)
District Accounts Officer
Larkano/ Member CRC.


(Engr. Faheem Ahmed Soomro)
Executive Engineer (Irrigation)
Northern Dadu Canal Division
Larkano/ Member CRC


(Engr. Maqsood Ahmed Memon)
Superintending Engineer
Provincial Highways Circle
Larkano / Chairman CRC.