



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/PS/CPWS-06/2015-16/ 1264
Karachi, dated the 2nd March, 2017

Most urgent
Reminder-IV

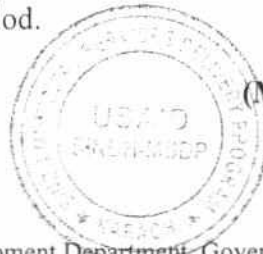
M/s Khan Mohammad Khan & Co,
House No.02, Street No.01, Khayaban-e-Sahar,
Phase-VI, DHA, Karachi

SUBJECT:- EXTENSION IN THE EXPIRY DATE OF PERFORMANCE GUARANTEE- CONTRACT PACKAGE WS-06 (WATER DISTRIBUTION NET WORK ZONE 5 & 6, (SPPRA SR.NO.20420)

Reference this office letter of even number dated 7th February, 2017 & in continuation to AAA-Techno Consultant's letter dated 03RD February, 2017 & subsequent three reminders dated 10th February, 2017, 15th February, 2017 & 24th February, 2017 (copies attached) regarding validity of performance Guarantee/Performance Security, it is to inform you that your Bank Guarantee has been expired on 19th February, 2017, hence, no IPCs of your package shall be entertained till extension of performance guarantee is received in this Program.

Keeping in view the above, you are once again required to move the Bank authorities to extend the date of Performance Guarantee/Bank Guarantee in respect of subject work, at least upto 31st December, 2017, as provided under sub-clause 18.1 of particular Conditions of the Contract, whereby performance security is required to be valid upto 28 days beyond the expiry of defect liability period.

Handwritten notes:
3/19/17
2/13
(Sajid Gh)



Mune
(MUNAWAR ALI MITHANI)
PROGRAM DIRECTOR
PMU- SINHD MSDP

Copy for information to:-

1. The Secretary (Planning) Planning & Development Department, Government of Sindh
2. The Managing Director, SPPRA, Government of Sindh, Karachi
3. The Chief of the Party, AA Associates- Techno Consult International, PECHS, Karachi
4. Mr. Z.A. Gorar, Development Assistance Advisor, USAID/Pakistan
5. Mr. Latif-ur-Rehman, Engineering Specialist, USAID/Pakistan
6. The Operation Manager, HBL Khayaban-e-Saadi Branch, Karachi with a request to extend the Bank Guarantee
7. Assistant Director (Execution) PMU-Sindh MSDP

Vertical handwritten notes:
1788
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MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh

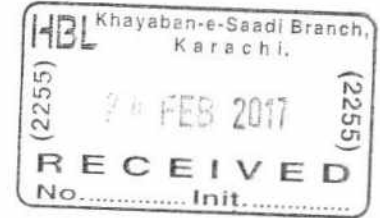


USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/PS/CPWS-06/2015-16/1254
Karachi, dated the 24th February, 2017

Most urgent
Reminder-III

M/s Khan Mohammad Khan & Co,
House No.02, Street No.01, Khayaban-e-Sahar,
Phase-VI, DHA, Karachi



SUBJECT:- EXTENSION IN THE EXPIRY DATE OF PERFORMANCE GUARANTEE- CONTRACT PACKAGE WS-06 (WATER DISTRIBUTION NET WORK ZONE 5 & 6)

Reference this office letter of even number dated 7th February, 2017 & in continuation to AAA-Techno Consultant's letter dated 03RD February, 2017 & subsequent two reminders dated 10th February, 2017 & 15th February, 2017 (copies attached) regarding validity of performance Guarantee/Performance Security, it is to inform you that your Bank Guarantee has ~~been~~ expired on 19th February, 2017, hence, no IPCs of your package shall be entertained till extension of performance guarantee is received in this Program.

2. Keeping in view the above, you are once again required to move the Bank authorities to extend the date of Performance Guarantee/Bank Guarantee in respect of subject work, at least upto 30th June, 2017, as provided under sub-clause 18.1 of particular Conditions of the Contract, whereby performance security is required to be valid upto 28 days beyond the expiry of defect liability period.

24 FEB 17



Munawar

(MUNAWAR ALI MITHANI)
PROGRAM DIRECTOR
PMU- SINHD MSDP

Copy for information to:-

1. The Managing Director, SPPRA, Government of Sindh, Karachi
2. The Chief of the Party, AA Associates- Techno Consult International, PECHS, Karachi
3. Mr. Z.A. Gorar, Development Assistance Advisor, USAID/Pakistan
4. Mr. Latif-ur-Rehman, Engineering Specialist, USAID/Pakistan
5. The Operation Manager, HBL Khayaban-e-Saadi Branch, Karachi with a request to extend the Bank Guarantee
6. P.S. to Secretary (Planning) Planning & Development Department, Government of Sindh
7. Assistant Director (Execution) PMU-Sindh MSDP

024



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU-MSDP-PS-CPWS-06-2015-16-1232
Karachi, dated the 15th February, 2017

Most urgent
Reminder-II

M/s Khan Mohammad Khan & Co,
House No.02, Street No.01, Khayaban-e-Sahar,
Phase-VI, DHA, Karachi

SUBJECT:- EXTENSION IN THE EXPIRY DATE OF PERFORMANCE GUARANTEE- CONTRACT PACKAGE WS-06 (WATER DISTRIBUTION NET WORK ZONE 5 & 6)

Reference this office letter of even number dated 7th February, 2017 & subsequent one reminder dated 10th February, 2017 & in continuation to AAA-Techno Consultant's letter dated 03RD February, 2017 & reminder dated 15th February, 2017 (copy attached) regarding validity of performance Guarantee/Performance Security, it is to inform you that your Bank Guarantee is going to expire on 19th February, 2017.

2. Keeping in view the above, you are once again required to move the Bank authorities to extend the date of Performance Guarantee/Bank Guarantee in respect of subject work, at least upto 30th June, 2017, as provided under sub-clause 18.1 of particular Conditions of the Contract, whereby performance security is required to be valid upto 28-days beyond the expiry of defect liability period.



Mune
(MUNAWAR ALI MITHANI)
PROGRAM DIRECTOR
PMU- SINHD MSDP

Copy for information to:-

1. The Chief of the Party, AA Associates- Techno Consult International, PECHS, Karachi
2. Mr. Z.A. Gorar, Development Assistance Advisor, USAID/Pakistan
3. Mr. Latif-ur-Rehman, Engineering Specialist, USAID/Pakistan
4. The Operation Manager, HBL Khayaban-e-Saadi Branch, Karachi with a request to extend the Bank Guarantee
5. P.S. to Secretary (Planning) Planning & Development Department, Government of Sindh
6. Assistant Director (Execution) PMU-Sindh MSDP



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/PS/CPV/S-06/2015-16 1231
Karachi, dated the 10th February, 2017

Most urgent
Reminder-I

M/s Khan Mohammad Khan & Co,
House No.02, Street No.01, Khayaban-e-Sahar,
Phase-VI, DHA, Karachi

SUBJECT:- EXTENSION IN THE EXPIRY DATE OF PERFORMANCE GUARANTEE- CONTRACT PACKAGE WS-06 (WATER DISTRIBUTION NET WORK ZONE 5 & 6)

Reference this office letter of even number dated 7th February, 2017 & in continuation to AAA-Techno Consultant's letter dated 03RD February, 2017 copy attached regarding validity of performance Guarantee/Performance Security, it is to inform you that your Bank Guarantee is going to expire on 19th February, 2017.

2. Keeping in view the above, you are once again required to move the Bank authorities to extend the date of Performance Guarantee/Bank Guarantee in respect of subject work, at least upto 30th June, 2017, as provided under sub-clause 18.1 of particular Conditions of the Contract, whereby performance security is required to be valid upto 28 days beyond the expiry of defect liability period.



Munawar
(MUNAWAR ALI MITHANI)
PROGRAM DIRECTOR
PMU- SINHD MSDP

Copy for information to:-

1. The Managing Director, SPPRA, Government of Sindh, Karachi
2. The Chief of the Party, AA Associates- Techno Consult International, PECHS, Karachi
3. Mr. Z.A. Gorar, Development Assistance Advisor, USAID/Pakistan
4. Mr. Latif-ur-Rehman, Engineering Specialist, USAID/Pakistan
5. The Operation Manager, HBL Khayaban-e-Saadi Branch, Karachi with a request to extend the Bank Guarantee
6. P.S. to Secretary (Planning) Planning & Development Department, Government of Sindh
7. Assistant Director (Execution) PMU-Sindh MSDP

Contractor for U.S. Agency for International Development

M/S Khan Muhammad Khan
Government Contractor Regional office
House # 11, Street 1
Khy-e-Sehar, Phase VI-DHA
Karachi

NO. WD/MSDP/JCD/475
February 15, 2017

REMINDER - 01

A&E Services for Jacobabad Water, Wastewater and Solid Waste Infrastructure
Contract Package WS 06- Water Distribution Network Zone 5 & 6

Ref: WD/MSDP/JCD/465 dated February 03, 2017
Ref: PMU/MSDP/PS/CPWS-062015-2016/1225 dated February 07, 2017

Subject: Validity of Performance Security

Dear Sir,

We would like to point out you again that the Performance Security has been submitted by you for Contract Package WS-06 is going to expire on February 19, 2017. Therefore, you are required to revise the validity period of subject policy within 5 days, failing which appropriate measures shall be recommended to the Employer.

Thanking you.

AD (EX)
[Signature]

Very truly yours

[Signature]

(Sanam Murtuza)
Planning & Contract Engineer
Jacobabad MSP A&E Support Team
AA Associates - Techno-Consult International Pvt. Ltd.
16-E, Block-6, PECHS
Karachi

Copy to:

1. Mr. Zulfikar Gorar -USAID/Pakistan, Karachi
2. Mr. Latif Ur Rahman, Senior Program Engineer, OIE USAID-Islamabad
3. A.D (Exec), PMU MSDP-Sindh, Karachi
4. Procurement Specialist, PMU-Sindh Karachi.
5. Construction Manager, AAA-TCI Jacobabad.

USAID/PECHS/CONSTRUCTION ENGINEERS
Sanam Murtuza
717
Date: 15-02-2017



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/Veri.P.O/WS-04/2015-16/1207
Karachi, dated the 24th January, 2017

REMINDER-I

The Secretary (Planning),
Planning & Development Department,
Government of Sindh, Karachi.

The Additional Secretary (Budget),
Finance Department,
Government of Sindh, Karachi

SUBJECT: TERMINATION OF THE CONTRACT OF CONTRACT PACKAGE WS-04 (WATER DISTRIBUTION SYSTEM ZONE 1&2) @ JACOBABAD MSDP-USAID REMITTANCE OF BANK GUARANTEE/PERFORMANCE GUARANTEE

Kindly refer this office letter of even number dated 3RD January, 2017 on the subject cited above (Photo copy attached for ready reference).

2. The Sindh Municipal Services Delivery Program is in the process of **forfeiting & depositing the Bank/Performance Guarantee No. IGT225500059115** dated 19TH February, 2015 with validity upto **19TH February, 2017** (photo copy attached) amounting to **Rs.9,300,272/-** (Rupees Nine Million, three hundred thousand, Two hundred Seventy Two only issued by the **Habib Bank Limited** in favour of M/s Khan Mohammad Khan & Co, Contractor of Contract Package WS-04 in Treasury office in Government Account.

3. It is again requested that till the final decision is made, the Finance Department may kindly be moved to guideline whether the amount may directly be deposited in Non-Food Account or the Bank Guarantee/Performance Guarantee may be encashed/deposited to the Finance Department, Government of Sind, in the relevant head of account under intimation to this office/Program.

DA/-As above



(**ABDUL NABI MEMON**)
DIRECTOR (F&C)
PMU-SINDH MSDP

Copy for information:

1. The Additional Chief Secretary (Dev), P&D Department, Government of Sindh
2. The Managing Director (SPPRA), Government of Sindh, Karachi
3. The Secretary, Finance Department, Government of Sindh, Karachi.
4. The Chief of the Party, Jacobabad MSP A&E Support Team, AA Associates-Techno-Consult
5. Mr. Z.A. Gorar, Development Assistance Advisor, USAID/PAKISTAN, Karachi
6. Mr. Latif-ur-Rehman, MSP Engineering Specialist, USAID/PAKISTAN, Karachi
7. M/s Khan Mohammad Khan & Co, Contractor, Contract Package WS-04.
8. The Head-FX Operations Support Department, Habib Bank Limited, 03-HB Plaza I.I. Chundrigger Road, Karachi **with a request that may not be released en-cashed to the Contractor i.e M/s Khan Mohammad Khan & Co. without prior permission of the PMU-Sindh MSDP.**
9. The Operation Manager, HBL Khayaban-e-Saadi Branch, Karachi **with a request that may not be released en-cashed to the Contractor i.e M/s Khan Mohammad Khan & Co. without prior permission of the PMU-Sindh MSDP.**
10. P.S. to Program Director, PMU-Sindh MSDP
11. P.S. to Director General (Works), PMU-Sindh MSDP/Assistant Director (Execution)PMU-MSDP

House # D-18, Block-2 Kehkashan, Clifton, Karachi, Phone #021-35810016-18 Fax #21-35810019

829
24-01-17
NO:
DATE:

For 29
24/1
Plan
20/20
25/10



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/Veri.P.O/WS-04/2015-16/ 1187
Karachi, dated the 3rd January, 2017

RECEIVED R&I
Finance Department
Govt of Sindh

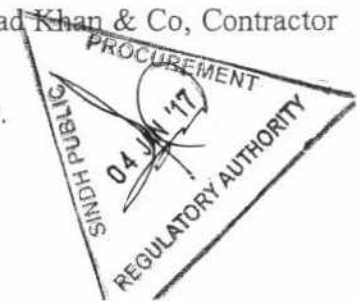
The Secretary (Planning),
Planning & Development Department,
Government of Sindh, Karachi.

The Additional Secretary (Budget),
Finance Department,
Government of Sindh, Karachi

SUBJECT: TERMINATION OF THE CONTRACT OF CONTRACT PACKAGE WS-04 (WATER DISTRIBUTION SYSTEM ZONE 1&2) @ JACOBABAD MSDP-USAID REMITTANCE OF BANK GUARANTEE/PERFORMANCE GUARANTEE

It is to inform that the Letter of Termination of Contract in respect of Contract Package WS-04 under clause 15.2(c) (i) of the Condition of Contract was issued to M/S Khan Mohammad Khan & Co, Contractor of Contract Package WS-04 (Water Distribution System Zone 1 & 2) @ Jacobabad on 4th October, 2016 vide No.PMU/MSDP/JCB/WS-04/2015-16/1085 dated 4th October, 2016 (photo copy attached) upon failure on fulfillment of contractual obligations. The said decision was endorsed by the Program Steering Committee (PSC) of MSDP during its meeting held on 7th September, 2016.

2. The Sindh Municipal Services Delivery Program is in the process of **forfeiting & depositing the Bank/Performance Guarantee No. IGT225500059115** dated 19TH February, 2015 with validity upto 19TH February, 2017 (photo copy attached) amounting to **Rs.9,300,272/-** (Rupees Nine Million, three hundred thousand, Two hundred Seventy Two only issued by the **Habib Bank Limited** in favour of M/s Khan Mohammad Khan & Co, Contractor of Contract Package WS-04 in Treasury office in Government Account.





MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/Veri.P.O/WS-04/2015-16/ 1187
Karachi, dated the 3rd January, 2017

The Secretary (Planning),
Planning & Development Department,
Government of Sindh, Karachi.

The Additional Secretary (Budget),
Finance Department,
Government of Sindh, Karachi

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2. The Sindh Municipal Services Delivery Program is in the process of **forfeiting & depositing the Bank/Performance Guarantee No. IGT225500059115 dated 19TH February, 2015 with validity upto 19TH February, 2017** (photo copy attached) amounting to **Rs.9,300,272/-** (Rupees Nine Million, three hundred thousand, Two hundred Seventy Two only issued by the **Habib Bank Limited** in favour of M/s Khan Mohammad Khan & Co, Contractor of Contract Package WS-04 in Treasury office in Government Account.

UPWARD DIARY
NO: 355
DATED: 4-1-17



For 2/20
AD (Sindh SB)
20420
pleenhor
64/01



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

By TCS

No. PMU/MSDP/P&DD/WS-04/2015-2016/1085
Karachi, dated the 4th October, 2016

M/s Khan Muhammad Khan & Co.
Contractor Contract Package WS-04
House No. 2, Street No.1
Khayaban-e-Sehar, Phase-VI, DHA
Karachi.

**SUBJECT:-TERMINATION OF THE CONTRACT PACKAGE WS-04 (WATER SUPPLY
DISTRIBUTION NETWORK ZONE-1 & 2) @ JACOBABAD MSDP-USAID
UNDER CLAUSE 15.2 OF CONDITION OF CONTRACT.**

1. Engineers vide Letter No. WD/MSDP/JCD/101 dated 18th March 2016 issued a Notice in terms of Clause 15.1 of Conditions of Contract for rectification of defects but you have failed to improve state of affairs at site in positive manner with in specified period, which clearly proves failure on your part to fulfill contractual obligations for progressing the work in accordance with the contract agreement. Even after lapse of more than 4 months of extended completion time, the progress of work is merely 24%, which is too miserable to complete the Contract Works.

2. You have, without reasonable causes, failed to proceed with the work in accordance with Clause 8 of the contract and you have also failed to achieve given targets although various notices were issued including the following:

- a. Meeting held at DC office Jacobabad on 14th January 2016, in which you were given targets to be achieved by the end of February 2016. You were also informed during the meeting that if you failed to achieve set targets then necessary action will be initiated against you as per contract agreement.
- b. A short term work plan for the month of February 2016 submitted by you vide Letter No. WS-04/KMK/MSDP/JCD/177 dated 29th January 2016 was not adhered to.
- c. In Letter No. MSP/JAC/WS-04/4.60/545 dated 16th February 2016 "Extremely Slow Progress of Works" was pointed out by the Engineer.
- d. Your undertaking submitted alongwith the work plan on 25th January, 2016 that you will complete the work within the given time and period and in case of failure your performance Guarantee/Bank Guarantee may be forfeited.
- e. In Letter No. MSP/JAC/WS-04/4.60/551 dated 23rd February 2016 "Slow Progress upto 3rd week of February 2016" was communicated by the Engineer.
- f. Notice of Slow Rate of Progress issued vides Letter No. WD/MSDP/JCD/84 dated 4th March 2016 under Clause 8.6 of the Conditions of Contract.
- g. In Letter No. WD/MSDP/JCD/113 dated 1st April 2016 "Notice to Correct Failures under Clause 15.1 of Conditions of Contract" was issued by the Engineer.
- h. In Letter No. MSP/JAC/WS-04/4.60/613 dated 14th May 2016 "Slow Progress of Works" was pointed out by the Engineer.
- i. Letter No. MSP/JAC/WS-04/4.60/667 dated 16th August 2016 stating "No Progress at Site" was brought to your notice by the Engineer.

3. You have also failed to comply with the commitments for improvement made by you during various progress review meetings.



Mr. Assad Zamin
 Director (F&C)
 PMU - Sindh MSDP
 Planning & Development Department
 Govt of Sindh
 D-18, Block-2, Clifton
 Karachi

Ref: AMS/MAR/2255-B
 Dated: March 07, 2016

Dear Sir,

**CONFIRMATION OF AMENDMENT MADE IN BANK GUARANTEE
 ISSUED BY HBL KHAYABAN-E-SAADİ BRANCH (2255) KARACHI.**

Reference your letter No.PMU/MSDP/P&DD/Veri.P.O/WS-04/2015-16/891 dated 24.02.2016 attaching copy of amendment, whereby you have sought verification regarding amendment made in guarantee No. IGT225500059115 by our Bank.

Based on copy of Extension letter received vide your above letter, we have obtained confirmation from Branch and TI System, we confirm extension made in following LG by our HBL Khayaban-e-Saadi Branch, Karachi favoring M/s. Municipal Services Delivery Program Karachi:

Particulars	
LG No.....	IGT225500059115
Amount.....	PKR 9,300,272.00
Date of issue.....	19-February-2015
Date of amendment.....	24-February-2016
Extended Validity period.....	19-February-2016 to 19-February-2017
On Behalf of.....	M/s. Khan Mohammad Khan & Co.

Thanks & regards,

ABDUL MANNAN
 Head - FX Operations Support Department
 HBL-Head Office, Karachi

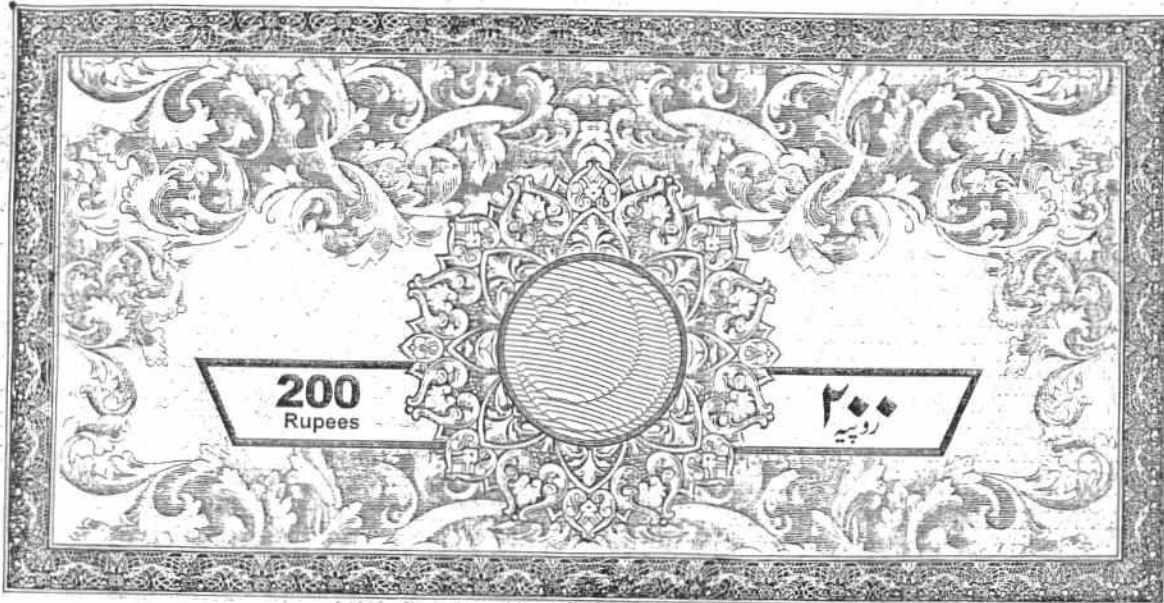


MIRZA KAMRAN ALI BAIG
 DGM - Branch Operations Support
 HBL-Head Office, Karachi.

For perusal, pls.

Ag. 11-03-16.

[Signature] 113 Dir(F&C)/F.G.



MUHAMMAD ARIF STAMP VENDOR
Lic. No. 80, 203 M.L. TOWER, SOLDIER BAZAR, KARACHI

24 AUG 2015

S. No. 10490 Date 24/08/2015
issued to With Address Habit Bank W/P
Through With Address.....
Purpose.....
Value Rs. Attached ✓
Stamp Vendor's Signature.....

Ref.: IGT225500059115
Dated: 24-February-2016

Municipal Services Delivery
Program P&D Department,
Govt. of Sindh

Dear Sir(s)

BANK GUARANTEE No. IGT225500059115 DATED 19-Feb-2015
FOR PKR 9,300,272.00 A/C. M/S. M/S KHAN MOHAMMAD KHAN &
CO.

At the request of our Clients, M/s. M/S KHAN MOHAMMAD KHAN & CO, we hereby
extend validity period of subject bank guarantee from 19-February-2016 to 19-February-
2017

All other terms and conditions of Guarantee will remain unchanged.

This amendment constitutes an integral part of, and must be attached to the Original
Letter of Guarantee.

Jahid Damar
Operations Manager P.A. # 12905
HBL Khayaban-e-Saadi
Branch-2255

M. Adrees Khan
Branch Manager P.A. # 15165
HBL Khayaban-e-Saadi
Branch (2255), Karachi



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/Veri.P.O/WS-04/2015-16/ 1220
Karachi, dated the 2nd February, 2017

REMINDER-II

TOP-PRIORITY

The Secretary (Planning),
Planning & Development Department,
Government of Sindh, Karachi.

The Additional Secretary (Resources),
Finance Department,
Government of Sindh, Karachi

SUBJECT: TERMINATION OF THE CONTRACT OF CONTRACT PACKAGE WS-04 (WATER DISTRIBUTION SYSTEM ZONE 1&2) @ JACOBABAD MSDP-USAID REMITTANCE OF BANK GUARANTEE/PERFORMANCE GUARANTEE

Kindly refer this office letter of even number dated 3RD January, 2017 & subsequent one reminder dated 24th January, 2017 on the subject cited above (Photo copy attached for ready reference).

2. The Sindh Municipal Services Delivery Program is in the process of **forfeiting & depositing the Bank/Performance Guarantee No. IGT225500059115** dated 19TH February, 2015 with validity upto **19TH February, 2017** (photo copy attached) amounting to **Rs.9,300,272/-** (Rupees Nine Million, three hundred thousand, Two hundred Seventy Two only issued by the **Habib Bank Limited** in favour of M/s Khan Mohammad Khan & Co, Contractor of Contract Package WS-04 in Treasury office in Government Account.

3. It is again requested the the Finance Department may kindly be moved to guideline whether the amount may directly be deposited in Non-Food Account **or** the Bank Guarantee/Performance Guarantee may be encashed/deposited to the Finance Department, Government of Sind, in the relevant head of account under intimation to this office/Program before 19th February, 2017.

DA/-As above



(ABDUL NABI MEMON)
DIRECTOR (F&C)
PMU-SINDH MSDP

Copy for information:

1. The Additional Chief Secretary (Dev), P&D Department, Government of Sindh
2. The Managing Director (SPPRA), Government of Sindh, Karachi
3. The Secretary, Finance Department, Government of Sindh, Karachi.
4. The Chief of the Party, Jacobabad MSP A&E Support Team, AA Associates-Techno-Consult
5. Mr. Z.A. Gorar, Development Assistance Advisor, USAID/PAKISTAN, Karachi
6. Mr. Latif-ur-Rehman, MSP Engineering Specialist, USAID/PAKISTAN, Karachi
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9. The Operation Manager, HBL Khayaban-e-Saadi Branch, Karachi **with a request that may not be released en-cashed to the Contractor i.e M/s Khan Mohammad Khan & Co. without prior permission of the PMU-Sindh MSDP.**
10. The Section Officer (Resources-V), Finance Department, Government of Sindh
11. P.S. to Program Director, PMU-Sindh MSDP
12. P.S. to Director General (Works), PMU-Sindh MSDP/Assistant Director (Execution) PMU-MSDP

House # D-18, Block-2 Kehkashan, Clifton, Karachi, Phone #021-3581 0016-18 Fax # 21-35810019

NO:
DATED

1097
3-2-17

AD (Sajjad SB) 3/2
20420
already on 25/01/17



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/Veri.P.O/WS-04/2015-16/1207
Karachi, dated the 24th January, 2017

REMINDER-I

The Secretary (Planning),
Planning & Development Department,
Government of Sindh, Karachi.

The Additional Secretary (Budget),
Finance Department,
Government of Sindh, Karachi

SUBJECT: TERMINATION OF THE CONTRACT OF CONTRACT PACKAGE WS-04 (WATER DISTRIBUTION SYSTEM ZONE 1&2) @ JACOBABAD MSDP-USAID REMITTANCE OF BANK GUARANTEE/PERFORMANCE GUARANTEE

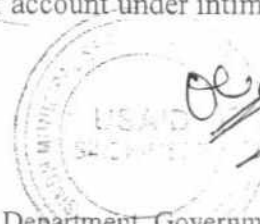
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DA/-As above

Handwritten signature and date 24/1/17



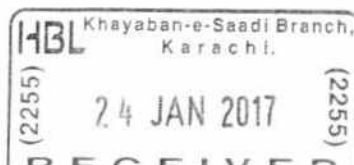
ABDUL NABI MEMON
DIRECTOR (F&C)
PMU-SINDH MSDP

Copy for information:

1. The Additional Chief Secretary (Dev), P&D Department, Government of Sindh
2. The Managing Director (SPPRA), Government of Sindh, Karachi
3. The Secretary, Finance Department, Government of Sindh, Karachi.
4. The Chief of the Party, Jacobabad MSP A&E Support Team, AA Associates-Techno-Consult
5. Mr. Z.A. Gorar, Development Assistance Advisor, USAID/PAKISTAN, Karachi
6. Mr. Latif-ur-Rehman, MSP Engineering Specialist, USAID/PAKISTAN, Karachi
7. M/s Khan Mohammad Khan & Co, Contractor, Contract Package WS-04.
8. The Head-FX Operations Support Department, Habib Bank Limited, 03-HB Plaza I.I. Chundriger Road, Karachi with a request that may not be released en-cashed to the Contractor i.e M/s Khan Mohammad Khan & Co. without prior permission of the PMU-Sindh MSDP.
9. The Operation Manager, HBL Khayaban-e-Saadi Branch, Karachi with a request that may not be released en-cashed to the Contractor i.e M/s Khan Mohammad Khan & Co. without prior permission of the PMU-Sindh MSDP.
10. P.S. to Program Director, PMU-Sindh MSDP
11. P.S. to Director General (Works), PMU-Sindh MSDP/Assistant Director (Execution)PMU-MSDP

Handwritten notes: AL 24/1, 24/1/17, RECEIVED P&D Finance Department Govt of Sindh

House # D-18, Block-2 Kehkashan, Clifton, Karachi, Phone #021-3581 0016-18 Fax # 21-35810019





MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/Veri.P.O/WS-04/2015-16/ 1187
Karachi, dated the 3rd January, 2017

RECEIVED R&I
Finance Department
Govt of Sindh

04/11/17

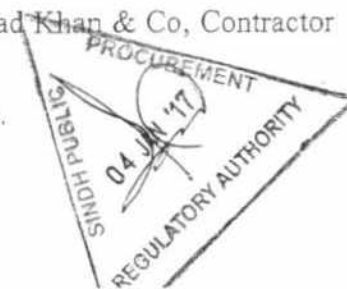
The Secretary (Planning),
Planning & Development Department,
Government of Sindh, Karachi.

The Additional Secretary (Budget),
Finance Department,
Government of Sindh, Karachi

SUBJECT: TERMINATION OF THE CONTRACT OF CONTRACT PACKAGE WS-04 (WATER DISTRIBUTION SYSTEM ZONE 1&2) @ JACOBABAD MSDP-USAID REMITTANCE OF BANK GUARANTEE/PERFORMANCE GUARANTEE

It is to inform that the Letter of Termination of Contract in respect of Contract Package WS-04 under clause 15.2(c) (i) of the Condition of Contract was issued to M/S Khan Mohammad Khan & Co, Contractor of Contract Package WS-04 (Water Distribution System Zone 1 & 2) @ Jacobabad on 4th October, 2016 vide No.PMU/MSDP/JCB/WS-04/2015-16/1085 dated 4th October, 2016(photo copy attached)upon failure on fulfillment of contractual obligations. The said decision was endorsed by the Program Steering Committee (PSC) of MSDP during its meeting held on 7th September, 2016.

2. The Sindh Municipal Services Delivery Program is in the process of **forfeiting & depositing the Bank/Performance Guarantee No. IGT225500059115 dated 19TH February, 2015 with validity upto 19TH February, 2017** (photo copy attached) amounting to **Rs.9,300,272/-** (Rupees Nine Million, three hundred thousand, Two hundred Seventy Two only issued by the **Habib Bank Limited** in favour of M/s Khan Mohammad Khan & Co, Contractor of Contract Package WS-04 in Treasury office in Government Account.





Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/Ter.Cnt.WS-04/2016-17/12/19
Karachi, dated the 9th January, 2017

✓ The Managing Director,
Sindh Public Procurement Regulatory Authority (SPPRA),
Karachi.

SUBJECT:- TERMINATION OF CONTRACT PACKAGE WS-04 (WATER SUPPLY DISTRIBUTION NETWORK ZONE 1 & 2) @ JACOBABAD MSDP-USAID UNDER CLAUSE 15.2 OF CONDITION OF CONTRACT

I am directed to refer to the subject noted above and directed to enclosed herewith a copy of letter No.WD/MSDP/JCD/1085 dated 4th October 2016 and letter No.PMU/MSDP/WS-04/2016-2017/1190 dated 6th January 2016, for your information and further necessary action.

DA/-As Above.



[Signature]
**ASSISTANT DIRECTOR
(EXECUTION)
PMU-Sindh MSDP**

1. The Additional Chief Secretary (Dev.), Planning & Development Department, Govt. of Sindh.
2. The Secretary, Planning & Development Department, Govt. of Sindh, Karachi.
3. Mr. Zulifkar A. Gorar Assistance Specialist-USAID/Pakistan, Karachi
4. Mr. Latif Ur Rahman, Senior Program Engineer OIE-USAID/Karachi, Pakistan.
5. Program Director, PMU-Sindh MSDP
6. Director General(Works), PMU-Sindh MSDP
7. Procurement Specialist PMU- Sindh MSDP
8. Director (F&C) PMU-Sindh MSDP
9. Project Manager PSU-Sindh MSDP
10. The Chief of Party, AAA-ICI Consultant. *(You are requested to evaluate the damages, losses & expenses (including legal fees & expenses))*
11. Project Manager/Deputy Director PSU MSDP.
12. The Head-FX Operation Support Department, HBL, 03-HB Plaza. *(The said contractor has defaulted in fulfilling said obligations of the contract, therefore the Performance Security of amounting Rs.9, 300,272 of Bank Guarantee No.IGT225500059115 issued by you in favour of Khan Muhammad Khan & Co. as performance Guarantee with validity upto dated 19th February 2017, to pay the Procuring Agency's designated Bank & Account Number).*
13. The Operation Manager, HBL Khayaban-e-Sadi Branch. *(The said contractor has defaulted in fulfilling said obligations of the contract, therefore the Performance Security of amounting Rs.9, 300,272 of Bank Guarantee No.IGT225500059115 issued by you in favour of Khan Muhammad Khan & Co. as performance Guarantee with validity upto dated 19th February 2017, to pay the Procuring Agency's designated Bank & Account Number).*

House No. D-18, Block -2, Kallashan Canton, Karachi. Tel # 021 3581 0016-18; Fax # 021 3581

1142
6-2-17

For file p12
AD (Sajjad SB)



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/WS-04/2015-2016/1085
Karachi, dated the 4th October, 2016

M/s Khan Muhammad Khan & Co.
Contractor Contract Package WS-04
House No. 2, Street No.1
Khayaban-e-Sehar, Phase-VI, DHA
Karachi.

**SUBJECT:-TERMINATION OF THE CONTRACT PACKAGE WS-04 (WATER SUPPLY
DISTRIBUTION NETWORK ZONE-1 & 2) @ JACOBABAD MSDP-USAID
UNDER CLAUSE 15.2 OF CONDITION OF CONTRACT.**

1. Engineers vide Letter No. WD/MSDP/JCD/101 dated 18th March 2016 issued a Notice in terms of Clause 15.1 of Conditions of Contract for rectification of defects but you have failed to improve state of affairs at site in positive manner with in specified period, which clearly proves failure on your part to fulfill contractual obligations for progressing the work in accordance with the contract agreement. Even after lapse of more than 4 months of extended completion time, the progress of work is merely 24%, which is too miserable to complete the Contract Works.

2. You have, without reasonable causes, failed to proceed with the work in accordance with Clause 8 of the contract and you have also failed to achieve given targets although various notices were issued including the following:

- a. Meeting held at DC office Jacobabad on 14th January 2016, in which you were given targets to be achieved by the end of February 2016. You were also informed during the meeting that if you failed to achieve set targets then necessary action will be initiated against you as per contract agreement.
- b. A short term work plan for the month of February 2016 submitted by you vide Letter No. WS-04/KMK/MSDP/JCD/177 dated 29th January 2016 was not adhered to.
- c. In Letter No. MSP/JAC/WS-04/4.60/545 dated 16th February 2016 "Extremely Slow Progress of Works" was pointed out by the Engineer.
- d. Your undertaking submitted alongwith the work plan on 25th January, 2016 that you will complete the work within the given time and period and in case of failure your performance Guarantee/Bank Guarantee may be forfeited.
- e. In Letter No. MSP/JAC/WS-04/4.60/551 dated 23rd February 2016 "Slow Progress upto 3rd week of February 2016" was communicated by the Engineer.
- f. Notice of Slow Rate of Progress issued vides Letter No. WD/MSDP/JCD/84 dated 4th March 2016 under Clause 8.6 of the Conditions of Contract.
- g. In Letter No. WD/MSDP/JCD/113 dated 1st April 2016 "Notice to Correct Failures under Clause 15.1 of Conditions of Contract" was issued by the Engineer.
- h. In Letter No. MSP/JAC/WS-04/4.60/613 dated 14th May 2016 "Slow Progress of Works" was pointed out by the Engineer.
- i. Letter No. MSP/JAC/WS-04/4.60/667 dated 16th August 2016 stating "No Progress at Site" was brought to your notice by the Engineer.

3. You have also failed to comply with the commitments for improvement made by you during various progress review meetings.



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P & D Department, Government of Sindh



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4. Upon your continued failure and on the recommendations of Engineer, M/s. AAA-Techno Consult International vide their letter No:WD/MSDP/JCD/147 dated 14th April, 2016, we, the Employer (Program Monitoring Unit, USAID-Sindh-MSDP), are terminating your Contract, for the execution of works under Contract Package WS-04, under Conditions of Contract Clause 15.2 (c) (i), without thereby, releasing you from any of your obligations or liabilities under the contract, or affecting the rights and powers conferred upon us. We may ourselves complete the work or may employ any other contractor to complete the work. We (the Employer) or such other contractor may use for such completion so much of yours equipment, temporary works and material as we may think proper.
5. The effective date of termination of the Contract is the date of receipt of this letter by you.
6. On account of this termination, you will not be allowed to remove any material / equipment including material proposed to be incorporated in permanent works from the site, without prior approval of the Employer.
7. You are also instructed to proceed with recording of measurement of work done at site along with material brought for incorporation in permanent works, jointly with Employer's / Engineer's Representative.
8. Mr. Ali Shah (Deputy Director/Project Manager PSU-MSDP) will act as nominee from our side to look after the affairs at site arising on account of this termination.
9. This may also be treated as a notice under Clause 4.2 of Conditions of Contract for Claims under Performance Security.
10. This issues with the approval of competent authority.



(MUHAMMAD NAEEM WAHEED)
PROCUREMENT SPECIALIST
PMU-Sindh MSDP

cc;

1. The Secretary, Planning & Development Department, Govt. of Sindh, Karachi.
2. Mr. Zulifikar A. Gorar Assistance Specialist-USAID/Pakistan, Karachi
3. Mr. Latif Ur Rahman, Senior Program Engineer OIE-USAID/Karachi, Pakistan
4. Program Director PMU-Sindh MSDP
5. The Chief of Party, AAA-TCI Consultant, (You are requested to evaluate the damages, losses & expenses (including legal fees & expenses)).
6. Director General (Works) PMU-Sindh MSDP
7. Project Manager/Deputy Director PSU MSDP (will act as nominate from our side to look after the affairs at site arising on account of this termination)



MSDP

Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
FROM THE AMERICAN PEOPLE

No. PMU/MSDP/P&DD/WS-04/2016-2017/1190
Karachi, dated the 6th January, 2017

M/s Khan Muhammad Khan & Co.
Contractor Contract Package WS-04
House No. 2, Street No.1, Khayaban-e-Sehar, Phase-VI, DHA Karachi.

SUBJECT:-REQUEST/APEAL FOR GIVING THE CHANCE FOR COMPLETION OF WATER DISTRIBUTION NETWORK ZONE 01 & 02 (WS-04)

Reference to your letter No. WS-04/KMK/MSDP/JCD/211 dated 19th October 2016, received through email on 19th October, 2016 at 7:40pm and by post on 20th October, 2016 in response to the "contract Termination Notice vide No. PMU/MSDP/WS-04/2015-2016/1085 dated 4th October 2016 received by you on 5th October, 2016 as per TCS shipment list, wherein you mentioned the reasons for delay and requested for giving another chance to complete the works after getting.

2. In this contest, it is to inform you that your request was sent to M/s AAA-TCI Consultant for comments being the "USAID Engineer", who reviewed the reasons furnished by you and gave para wise comments on each reason vide their letter No. WS/MSDP/JCD/379 dated 29th November 2016 (Photo copy attached).

3. M/s AAA-TCI Consultant further revealed that the reasons had already been considered in first extension of time, which was granted 243 days at the initial completion time (300 days) ending on 17th September 2015, and overall progress was less than 15%. By the end of extended period (243days) on 17th May 2016 the overall progress of the project was 21%. However, they are unable to find any proper justification for the reasons of delay cited in the above Appeal

4. Whereas, the decision to terminate the subject contract was taken on continued unsatisfactory performance, without reasonable causes, failure to proceed with the work in accordance with Clause 8 of the contract and have also failure to achieve given targets although various notices were issued including the following:

- a. Meeting held at DC office Jacobabad on 14th January 2016, in which you were given targets to be achieved by the end of February 2016. You were also informed during the meeting that if you failed to achieve set targets then necessary action will be initiated against you as per contract agreement.
- b. A short term work plan for the month of February 2016 submitted by you vide Letter No. WS-04/KMK/MSDP/JCD/177 dated 29th January 2016 was not adhered to.
- c. In Letter No. MSP/JAC/WS-04/4.60/545 dated 16th February 2016 "Extremely Slow Progress of Works" was pointed out by the Engineer.
- d. Your undertaking submitted alongwith the work plan on 25th January, 2016 that you will complete the work within the given time and period and in case of failure your performance Guarantee/Bank Guarantee may be forfeited.
- e. In Letter No. MSP/JAC/WS-04/4.60/551 dated 23rd February 2016 "Slow Progress upto 3rd week of February 2016" was communicated by the Engineer.
- f. Notice of Slow Rate of Progress issued vides Letter No. WD/MSDP/JCD/84 dated 4th March 2016 under Clause 8.6 of the Conditions of Contract.
- g. In Letter No. WD/MSDP/JCD/113 dated 1st April 2016 "Notice to Correct Failures under Clause 15.1 of Conditions of Contract" was issued by the Engineer.
- h. In Letter No. MSP/JAC/WS-04/4.60/613 dated 14th May 2016 "Slow Progress of Works" was pointed out by the Engineer.
- i. Letter No. MSP/JAC/WS-04/4.60/667 dated 16th August 2016 stating "No Progress at Site" was brought to your notice by the Engineer.

House No. D-18, Block -2, Kehkashan Clifton, Karachi. Tel # 021 3581 0016-18; Fax # 021 35810019





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Municipal Services Delivery Program
P & D Department, Government of Sindh



USAID
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FOR TYPE-A WORK

Dated: 15th May, 2014

Grant No. _____

Bid Reference No.WS-04 & WS-06

1. M/S. Muhammed Iddress, Karkhana Shaikh Salah-Uddin Chown Shahdra, Bahawalpur
2. M/S. Matracon Pakistan(Pvt) Ltd, House No.276-B, Main Double Road, F-10/4 Islamabad
3. M/S. Samad Khan Babar & Co, H.# C-225, Block-A, North Nazimabad, Karachi
4. M/S. Muhammad Ayoub & Brothers, Civil Engineering Contractors, 815/C, Block-2, PECHS, Karachi.
5. M/S. RMG Gulistan Engineering & Contractors, F-104, Block-F, Allama Rasheed Turabi Road, North Nazimabad, Karachi.
6. M/S. Shaikh Baz Khan & Brothers, Civil Engineer & Contractors, B-40,G.Floor, Block-T,North Nazimabad Karachi.
7. M/S. Crescent Construction Co.& KSB, Engineers & Contractors,SA-23, 2nd Floor, Shahnaz Arcade, Shaheed-E-Millat Road Karachi.
8. M/S.Mohammad Iqbal Shaikh & Co. Government Contractor, F/1248, Aziz Nest Near Ibrat Press, Gari Khata, Hyderabad.
9. M/S. Khan Mohammad Khan & Co. Government Contractor, Regional Office: House #2 , Street# 1, Khyaban-E-Sehar, Phase-VI, DHA, Karachi.
10. M/S Al-Mansoor (Pvt) Ltd & M/S Alam Engineering (J.V) Head Office: A-7, 3rd Floor, Islamic Plaza, Block- 13/B-2, Gulshan-E-Iqbal, Karachi.
11. M/S Salman Enterprises Contractors Builders Banglow# 141, Block-B, Unit# 3, Latifabad, Hyderabad.
12. M/S. ZLMS-AHCS (J.V) Office# 3469/4, Barrage Road, Teer Chowk, Sukkur.

SUBJECT: LETTER OF INVITATION

In continuation of this office Letter of Invitation of even number dated 14th May, 2014, it is to inform you that due to an official meeting, the **Pre-bid meeting** will be held on **Thursday the 29th May, 2014 at 12.00 noon** instead of **May 28, 2014 in the Committee Room of PMU office**. All other terms and conditions of the above Letter of Invitation shall remain the same.

2. Inconvenience caused if any is very much regretted.

(MUHAMMAD NAEEM WAHEED)
PROCUREMENT SPECIALIST

Copy for information to:

1. Secretary (Planning) Planning & Development Department, Government of Sindh
2. Managing Director, SPPRA, Karachi.
3. Manager(CB),SPPRA, Karachi **with a request that the same may kindly be hoisted on the website of the Authority.**
4. The Deputy Commissioner, District Jacobabad, Jacobabad.
5. Chief (PP&H), P&D Department, Government of Sindh, Karachi.
6. Mr. Gufran Shafi, MSDP Engineering Specialist-USAID/Pakistan, Karachi **with the request to please attend the pre-bid meeting and opening of bids meeting.**
7. P.S. to ACS (Dev.), Planning & Development Department, Government of Sindh, Karachi
8. The Executive Engineer, Public Health Engineering Division, Jacobabad **with a request to attend the bid opening meeting as Member Procurement Committee.**
9. The Chief Municipal Officer, Jacobabad.
10. Chief of the Party AAA+TCI, **with a request to please attend the pre-bid meeting and opening of bids meeting.**
11. P.S. to Program Director, PMU-Sindh MSDP
12. P.S. to Director General (Works), PMU-Sindh MSDP

PROCUREMENT SPECIALIST