

OFFICE OF THE SUPERINTENDING ENGINEER
PUBLIC HEALTH ENGINEERING CIRCLE SUKKUR

PHONE NO: 071-9310134
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e-mail: sephecirclesukkur@yahoo.com

No: G/ 1897 /of 2011

Sukkur dated 18 / 05 / 2011

To,

The General Manager (Projects)
KSB Pumps Company Limited.
Lahore.

The General Manager
Siemens Pakistan Engg: company
Pvt: Ltd: B-72 state avenue site
Karachi.

SUBJECT: - CONSTITUTION OF COMMITTEE TO REDRESS GRIEVANCES/COMPLAINTS OF BIDDERS THAT MAY OCCURE DURING PROCUREMENT PROCEEDINGS UNDER MAY OCCURE DURING PROCUREMENT PROCEEDINGS UNDER RULES - 31 OF SPPRA,2010.

Ref: -

Chief Engineer PHED Govt: of Sindh letter No: GM/PHED/Khairpur-Filtration/1345 dated 17-05-2011, receive on dated 18-05-2011.

In the light of complaint made by your firm. The Secretary Public Health Engineering Department Government of Sindh constituted a grievance redressal committee vide letter No: SO(T)/PHE(KHP)2010 dated 05-05-2011.

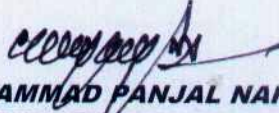
The committee held a meeting on 11-05-2011 at 12.00pm in committee room in office of Chief Engineer Public Health Engineering Department Government of Sindh Hyderabad where your representative also attended the meeting.

The decision of the committee was sent to the administrative department by Chief Engineer / Chairman.

Administrative Department advised to the Chief Engineer Public Health Engineering Government of Sindh Hyderabad vide letter No: SO(T)/PHE/8 Khairpur-2010 dated 16-05-2011 that convey the decision to bidder as per rule-5 of rule-31 PPRA 2010. In compliance Chief Engineer Public Health Engineering Department Government of Sindh Hyderabad vide letter No: GM/PHED/Khp/1345 dated 17-05-2011 has forwarded the decision to this office for intimating the decision of redressal committee to the bidders accordingly.

Continued P/ 2

Therefore decision of redressal committee is hereby conveyed to you for information (copy enclosed).


(MUHAMMAD PANJAL NAREJO)
SUPERINTENDING ENGINEER
PUBLIC HEALTH ENGINEERING CIRCLE
SUKKUR.

C. C to the: -

- ❖ Director A&F Sindh Public Procurement Regulatory Authority Government of Sindh Karachi for favour of his kind information.
- ❖ Additional Secretary Public Health Engineering Department Government of Sindh Karachi for favour of kind information, with reference to his letter No: SO(T)PHE/8(Khairpur)-2010 dated 16-05-2011.
- ❖ Chief Engineer Public Health Engineering Department Government of Sindh Hyderabad for favour of his kind information, with reference to his letter No: cited above.

SUBJECT:

DELIBERATION OF THE REDRESSAL COMMITTEE CONSTITUTED BY THE GOVERNMENT OF SINDH ON THE COMPLAINT OF BIDDERS PARTICIPATED IN THE BID FOR INSTALLATION OF ULTRA FILTRATION PLANT AT KHAIRPUR

1. The Secretary to Government of Sindh PHE Department, Constituted a Grievance Redressal Committee comprising of the following members vide Notification No. SO(T) / PHE/ (Khairpur)-2010, dated 5th May 2011 under rule 31 of SPRA Rules 2010. The terms of reference of the Committee were to redress the grievances/complaints of aggrieved bidders who participated in the bid for installation of Ultra Filtration Plant 4.5 MGD at Khairpur (Annexure-1).

Mr. Ghazanfar Ali Jatoi Chief Engineer Public Health Engineering Department	Chairman Committee
Mr. Ashique Hussain Mallah Engineer Planning & Development Division Karachi Port Trust	Member Committee
Mr. Mujahid Ali Sheikh Deputy Accountant General Accountant General Sindh	Member Committee

2. The Chief Engineer Public Health Engineering Department being Chairman of the Committee convened a meeting on 11th May 2011 at 12:00 noon in the committee room of PHED Hyderabad. The aggrieved parties were informed through letter bearing No. GM/PHED /Khairpur-Filtration 1244-/ of 2011, dated 7th May 2011 to appear before the committee along with relevant records substantiated with proof (Annexure-2). In compliance, Mr. Nadeem Butt, Director, KSB Pumps and Mr. Shani Hyder from M/S Siemens Pakistan Engineering appeared in person before the Committee on the scheduled date and time.

The following were present during the meeting

- a) Mr. Ghazanfar Ali Jatoi Chairman -Committee
- b) Mr. Ashique Hussain Mallah Member -Committee
- c) Mr. Mujahid Ali Sheikh Member -Committee
- d) Mr. Nadeem Butt, Director Representative of KSB Pumps
- e) Mr. Shabi Hyder Representative of Siemens

Absanpud

Mujahid

Ashique

3. The Committee gave sufficient time to each complaining party and they were extended every possible opportunity to freely express their view point and opinion. After hearing their view point, the Committee recorded the same separately, party wise observations were as follows:-

M/S KSB PUMPS Company Limited

Grievances

4. The representatives of M/S KSB Pumps Company Limited explained the substance of their grievances which are summarized as follows:-
- I. The Financial Proposals were opened publically in the presence of bidders and the prices were read out. The results thus announced by the Procuring Agency.
 - II. The Evaluation Report undertakes an altogether different evaluation criterion than what had been provided in the IOB.
 - III. The Evaluation Report being in grave violation of PPRA Rules 2010 and the IOB for the subject project should deem to be considered null and void and inadmissible.
 - IV. The Procuring Agency while changing the evaluation criteria after opening of the financial proposals shows a mal intent and needs.
 - V. The result should be based on the criteria for final evaluation as laid down in the Clause 4
 - VI. KSB Pumps with the highest combined technical and financial proposal scores of 84 should have been announced as the successful bidder on the final evaluation report as per clause 45 of PPRA 2010.

Findings of Redressal Committee

5. The Redressal Committee has re-examined all the documents and re-evaluated all the bids (Annexure A) in order to resolve the grievances of M/S KSB Pumps Company Limited. The following are the findings of the Committee:-

Grievance of the Complaint M/S KSB Pumps	Findings of the Grievance Redressal Committee
The Financial Proposal were opened publically in the presence of bidders and the prices were read out. The results thus announced by the procuring Agency.	The complainant failed to produce any documentary evidence before the committee that the results were announced by the Procuring Agency at the time of opening of Financial bid.
The Evaluation Report undertakes an altogether different evaluation criterion than what had been provided in the IOB.	<p>The Committee re-examined the evaluation report and found that all the bids were evaluated as per the terms of bidding documents and SPRA Rule 42(1)</p> <p>The complaint itself in its complaint (from para 1 to para 11) confirmed that the bidding and evaluation process was carried out as per the terms of Bidding documents and SPPRA Rules 2010</p>

Sheanpreet

Omjahan

Shikha

<p>The Evaluation Report being in grave violation of PPRA Rules 2010 and the IOB for the subject project should deem to be considered null and void and inadmissible.</p>	<p>The committee requested the complainant to identify the criteria which was not followed by the Procurement Committee. However, the Committee read out the criteria on the basis of which the evaluation was carried out as already mentioned in the bidding documents. The response of the complainant was not convincing as they failed to identify any deviation during evaluation process. It was focused that Procurement Agency had followed the procedure laid down in the SPRA Rules 2010.</p>
<p>The Procuring Agency Changed the evaluation criteria after opening of the financial proposals, shows a mal intent and needs.</p>	<p>The complainant misrepresented the facts as no evidence was found nor any documentary proof was produced by the complainant before the committee substantiating the claim that the Procuring Agency showed mal intent and needs.</p> <p>The Committee observed that the Final Bid Evaluation Report submitted by the Procurement Committee was self-explanatory and clearly mentioned the merits and demerits of each bid. Furthermore, SPPRA Rules are very clear and allowing procuring agency to choose the bidder not on the basis of lowest submitted price Article 2(w) "Lowest submitted price" means the lowest price quoted in a bid, which is otherwise not substantially responsive:</p> <p>But to choose substantially responsive bid under SPPRA Rules 2010 Article 2(hh) "Substantially Responsive Bid" means the bid that contains no material differences or deviations from, or reservations, the terms, conditions and specifications given in the bidding documents in order to fulfill SPPRA Rule 2(jj) "Value for Money" means best returns for each rupee spent in terms of quality, timeliness, reliability, after sales service, upgrade ability, price, source, and the combination of whole life cost and quality to the procuring agency's requirements. After detailed evaluation The committee found that the complainant bid was not substantially responsive bid and has material differences, deviations and reservation as well as financial bid was conditional and some mandatory requirement of IOB were not fulfilled by the complainant and the bid was altogether not fulfilling the objectives of Procuring Agency, responsible to procure sustainable technology in order to provide desired quantity and quality of purified water free from bacteria and virus to whole city of Khairpur.</p>
<p>The result should be based on the criterion for final evaluation as laid down in the Clause 4</p>	<p>The committee re-examined the technical and financial proposal and found that offered UF Plant by the complainant was substantially less i.e. UF Filtration area</p>

Abasayyid

Onyab

Shirif

	<p>10080 square meter. Whereas M/S. Siemens offered 10800 square meter UF area and M/S Pak Oasis offered 17601 square meter UF area.</p> <p>The Committee re-checked and re-calculated the combined scores and found that the Procuring Committee has evaluated all the bids strictly in accordance with the Evaluation Criteria given in Clause 4 of Bidding documents</p>
<p>KSB Pumps with the highest combined technical and financial proposal scores of 84 have been announced as the successful bidder on the final evaluation report as per clause 45 of PPRA 2010</p>	<p>The Complainant secured 84 as combined technical and financial proposal scores which is not the highest marks as M/S Pak Oasis obtained highest combined scores 84.08 marks and their bid was declared as successful / Lowest evaluated bid by the Procurement Committee which was found correct. To test the substance of the complainant, the detailed re-evaluation of technical and financial bids were carried out by the Grievance Committee (details are given in the Annexure)</p>

Annexure (A)

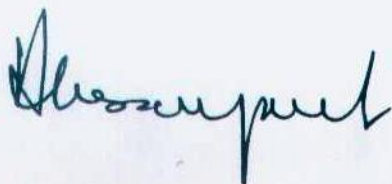
1. Calculation sheet given by the complainants
2. Calculation sheet worked out by the Committee
3. Comparison of Technical Specifications of UF Plant capacity 3.0 MIGD
4. Comparison of Technical Specifications of UF Plant capacity 1.5 MIGD
5. Summary for Final Evaluation of bids worked out by the Committee

M/S Siemens Pakistan

6. M/S Siemens Pakistan has sent a complaint No. nil dated 3rd May 2011 addressed to the Superintending Engineer/Project Director of Evaluation Committee, Public Health Engineering, Sukkur.

Grievances

7. The representatives of M/S Siemens Pakistan explained the substance of their grievances and are summarized as follows:-
 - I. The Financial Bid Evaluation made by PHED is based on assumptions and contrary to facts
 - II. It seems that M/S Pak Oasis has been given undue favor, which is the clear violation of the Financial Evaluation Criteria of Tender Document IOB and SPPRA Rules.
 - III. According to the evaluation criteria the following shall be the results of Final Evaluation







- IV. According to above results M/S Pak Oasis which was declared preferred Bidder by PHED is actually the least preferred bidder.
- V. If KSB is nonresponsive to the Bid then Siemens Pakistan must be declared as the successful bidder.
- VI. The technical deviations of M/S Siemens Pakistan mentioned in Final Evaluation are totally baseless and against the facts.
- VII. M/S Siemens Pakistan has earned 2nd highest points in Technical and our Financial deviations cost only few thousands of rupees and cannot be compared with 50 million PKR cost difference with M/S Pak Oasis.

Findings of Redressal Committee

8. The Redressal Committee has re-examined all the documents and re-evaluated all the bids (Annexure A) in order to resolve the grievances of M/S Siemens Pakistan. The following are the findings of the Committee:-

Grievance of the Complainant M/S KSB Pumps	Findings of the Grievance Redressal Committee
The Financial Bid Evaluation made by PHED is based on assumptions and contrary to facts	The Complainant did not produce any documentary evidence before the Committee to prove their claim that the Financial Bid Evaluation was carried out on assumption basis.
It seems that M/S Pak Oasis has been given undue favor, which is the clear violation of the Financial Evaluation Criteria of Tender Document IOB and SPPRA Rules.	The Committee observed that the final combined scores were calculated in transparent manner and strictly in accordance with the evaluation criteria of bidding documents under Clause 4.
According to the evaluation criteria the following shall be the results of Final Evaluation	The committee re-examined the technical and financial proposal and found that offered UF Plant by the complainant was lesser capacity i.e. UF Filtration area 10800 square meter. Whereas M/S KSB Pumps offered 10080 square meter UF area and M/S Pak Oasis offered 17601 square meter UF area and accordingly the combined score of technical and financial marks were announced (detail of technical and financial evaluation carried out by the Committee is annexed as Annexure A)
According to above results M/S Pak Oasis which was declared preferred Bidder by PHED is actually the least preferred bidder	The Committee observed that the successful bidder was declared by the Procuring Committee on the basis of final combined scores which were calculated strictly in accordance with the evaluation criteria of bidding

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	documents under Clause 4.
If KSB is nonresponsive to the Bid then Siemens Pakistan must be declared as the successful bidder.	The detailed evaluation report worked out by the Committee revealed that both the firms have secured less marks and not eligible to be declared as successful bidder.
The technical deviations of M/S Siemens Pakistan mentioned in Final Evaluation are totally baseless and against the facts	The complainant failed to explain the Committee about the specific technical deviations which were baseless and against the facts. The deviations mentioned in Final Evaluation Report by the procurement committee were substantiated from the information given in the Technical and Financial Bid of the Complainant.
M/S Siemens Pakistan has earned 2 nd highest points in Technical and our Financial deviations cost only few thousands of rupees and cannot be compared with 50 million PKR cost difference with M/S Pak Oasis	<p>The committee observed that the Complainant has offered conditional Financial Bid which was not firm and final and subject to change.</p> <p>The Complainant also asked unspecified additional cost of the mandatory technical process/equipment which was not included in their technical bid but mentioned in financial proposal.</p> <ul style="list-style-type: none"> a) Factory Acceptance Test, b) Electricity charges during installation and construction & O&M c) Variable Speed Drive for Feed Pumps, d) Back wash Tanks, e) Electricity Distribution Panel f) Miscellaneous. <p>The above factors if applied can create huge financial impact on their bid prices and will also increase their bid prices.</p>

Annexure (A)

1. Calculation sheet given by the complainants
2. Calculation sheet worked out by the Committee
3. Comparison of Technical Specifications of UF Plant capacity 3.0 MIGD
4. Comparison of Technical Specifications of UF Plant capacity 1.5 MIGD
5. Summary for Final Evaluation of bids worked out by the Committee

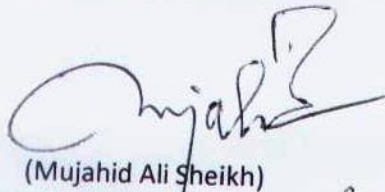
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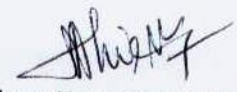
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OVERALL CONCLUSION AND RECOMMENDATION:

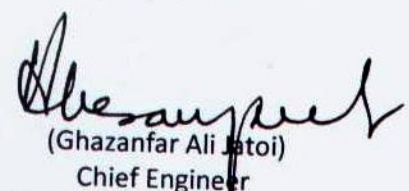
1. Based on documents produced by the Procuring Agency and the complainants received from the aggrieved bidders, the Committee after detailed deliberation and thread bear discussion, observed that the complaints lodged by M/S KSB Pumps Company Limited and M/S Siemens Pakistan against the "Final Evaluation Report for Ultra Filtration Plant 4.50 MGD at Khairpur", are speculative, concocted and found without any documentary evidences for change in evaluation criteria and did not find any discrepancy/ deviation during the course of evaluation process adopted by the Procurement Committee.
2. The recommendations made by the Procurement Committee in its Final Evaluation Report for successful bidder has been found correct and was in accordance with the criteria already announced in the bidding document under Clause 4.
3. Keeping in view the terms of reference (TOR) of the Committee under sub rule (4) and (5) of 31 of Sindh Public Procurement Rules 2010 and based on the facts and findings, the Committee hereby declared that the bid submitted by M/S Pak Oasis Industries (Private) Limited is found as the only substantially responsive bid and lowest evaluated bid.



(Mujahid Ali Sheikh)
Ex-Deputy Accountant General, Presently
Accountant General Sindh Dy. Dir: I Tax
Member Committee Audit



Ashique Hussain Mallah
Engineer
Karachi Port Trust (KPT)
Member Committee



(Ghazanfar Ali Jatoi)
Chief Engineer
Public Health Engineering Department
Chairman Committee

ANNEXURE A(1)

- a) In the complaint at Para 12 the complainant M/S KSB Pumps Company Limited submitted the following self made calculation (thus cannot be taken as official result) and claimed that the result should be calculated as per the evaluation criteria mentioned below

Bidding Firm	Technical Scores [Str]	Weighted Average Technical Scores [Stw=Str*0.8]	Financial Bid [Ff]	Financial Score Obtained [Sf=100*Fmin/Ff]	Weighted Average Financial Scores Sfw=Sf*0.2]	Total Obtained Scores Sw=stw+sfw
KSB	80	=80*0.8 =64	195	=100*195/195 =100	=100*0.2 =20	=64+20 84=
Siemens	83	=83*0.8 =66.40	355	=100*195/355 =54.93	=54.93*0.2 =10.986	=66.40+10.986 =77.386
Pak Oasis	84	=84*0.8 67.20	405	=100*195/405 =48.15	=48.15*0.2 =9.63	=67.20+9.63 76.83

- b) However, the Committee observed that each bidder has quoted financial prices for their offered UF Plant with the following Ultra Filtration/Surface Area (size of Plant).

KSB Pumps Company Limited Ultra Filtration (Surface) Area 10080 square meter

Siemens Pakistan Ultra Filtration (Surface) Area 10800 square meter

Pak Oasis Industries Ultra Filtration (Surface) Area 17601 square meter

- c) To resolve the grievance of the Complainant, recalculation was also done in the following table by the Committee in a similar manner suggested by the complainant and the results for combined technical and financial marks are given below:-

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ANNEXURE A(2)

RE-CALCULATION OF FINANCIAL BIDS BY THE COMMITTEE

Bidding Firm	Technical Scores [Str]	Weighted Average Technical Scores [Stw=Str*0.8]	Financial Bid [Ff]	Financial Score Obtained [Sf=100*Fmin/Ff]	Weighted Average Financial Scores [Sfw=Sf*0.2]	Total Obtained Scores Sw=stw+sfw
KSB	80	=80*0.8 =64	Rs 194,988,400 / 10080 square meter= Rs 19,344 per sq. meter ultra filtration area	=100*19344/19344 =100	=100*0.2 =20	=64+20 84
Siemens	83	=83*0.8 =66.40	Rs 355,050,000 / 10800 square meter =Rs 32,875 per sq. meter ultra filtration area	=100*19344/32875 =58.84	=58.84 *0.2 =11.77	=66.40+11.77 78.10
Pak Oasis	84	=84*0.8 67.20	403,350,000 / 17601 square meter =Rs 22,916 per sq. meter ultra filtration area	=100*19344/22916 =Rs 84.41	=84.41 * 0.2 =16.88	=67.20+16.88 84.08

d) The above result conforms that the Final Combined Scores calculated by the Procurement Committee were correct and the bids were evaluated as per the evaluation criteria given in the Bidding documents and as per SPPRA Rule 42(1).

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ANNEXURE A(3)

COMPARISON OF TECHNICAL SPECIFICATIONS OF UF PLANT CAPACITY 3.0 MIGD OFFERED BY THE BIDDERS

OFFERED PLANT PROCESS/EQUIPMENTS BY THE BIDDER	KSB Pumps	Pak Oasis	Siemens	Committee Observation
DESIGN BASIC FEED WATER PARAMETERS The UF Plant with maximum tolerant value would be considered as best to work with variable quality of water in order to provide consistent quality of purified water	TSS < 10 Turbidity < 05 BOD < 16	TSS < 30 Turbidity < 20 BOD < 35	TSS < not given Turbidity < 10 BOD < 10	Pak Oasis offered UF Plant with maximum removal of contamination
DESIGN PRODUCT WATER PARAMETERS	TSS <0.1, Turbidity <0.2	TSS <0.1, Turbidity <0.2	TSS <0.1, Turbidity <0.2	
UF Plant Surface Area	6720 sq meter	11734.40 sq meter	7200 sq meter	Pak Oasis offered maximum Ultra-Filtration area
UF MODULE OFFERED BY THE BIDDERS	112	152	120	Pak Oasis offered maximum equipments and standby equipments
SKID FOR MOUNTING OF UF PLANT AND OTHER EQUIPMENT		5 sets	2 sets	" " "
FEED PUMP FOR UF PLANT	03	06	05	" " "
SELF CLEANING FILTERS (STRAINERS)	03	06	03	" " "
BACK WASH STATION	03	06	03	" " "
COAGULATION /FLOCCULATION	03	04	03	" " "
BREAK WATER TANK	-	01	-	" " "
AIR COMPRESSOR STATION	-	04	01	" " "
CLEAN IN PLACE SYSTEM (CIP) PUMP/FILTER/TANK	-	04	01	" " "
CLEAN IN PLACE -pH CORRECTION	-	06	-	" " "
CLEAN IN PLACE -HYPOCHLORITE DOSING	-	06	02	" " "
CHEMICAL ENHANCED BACKWASH- NaOH DOSING	03	06	02	" " "
CHEMICAL ENHANCED BACKWASH- ACID DOSING	03	06	02	" " "
CHEMICAL ENHANCED BACKWASH- HYPOCHLORITE DOSING	-	06	02	" " "
CONTROL PANEL /ELECTRICAL PANEL	01	02	01	" " "
DIESEL GENERATOR SETS (300 KVA)	-	01	-	" " "
INSTRUMENTATION	1 lot	1 lot	1 lot	
CABLE AND ELECTRICAL WORKS	Limited scope	Complete scope with material	Limited scope	Pak Oasis offered complete scope
PIPE AND PLUMBING WORKS	" "	" "	" "	" " "
MECHANICAL WORKS	" "	" "	" "	" " "
CIVIL WORKS	60'x 40'	241' x 75'	Not given	Pak Oasis civil work larger as plant is larger
OPERATION AND MAINTENANCE COMPREHANSIVE WARRANTY	1 YEAR MANUF. DEFECTS	1 YEAR 7 YEARS COMPREHANSIVE PROVIDED	1 YEAR 12 months Manf. defects	Pak Oasis offered 7 years comprehensive
CERTIFICATE OF LITIGATION & BLACK LISTING	NOT PROVIDED FOR LITIGATION	PROVIDED	PROVIDED	

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ANNEXURE A(4)

COMPARISON OF TECHNICAL SPECIFICATIONS OF UF PLANT CAPACITY 1.5 MIGD OFFERED BY THE BIDDERS

OFFERED PLANT PROCESS/EQUIPMENTS BY THE BIDDER	KSB Pumps	Pak Oasis	Siemens	Committee Observation
DESIGN BASIC FEED WATER PARAMETERS The UF Plant with maximum tolerant value would be considered as best to work with variable quality of water in order to provide consistent quality of purified water	TSS < 10 Turbidity < 05 BOD < 16	TSS < 30 Turbidity < 20 BOD < 35	TSS < not given Turbidity < 10 BOD < 10	Pak Oasis offered UF Plant with maximum removal of contamination
DESIGN PRODUCT WATER PARAMETERS	TSS <0.1 , Turbidity <0.2	TSS <0.1 , Turbidity <0.2	TSS <0.1 , Turbidity <0.2	
UF Plant Surface Area	3360 sq meter	5867.20 sq meter	3600 sq meter	Pak Oasis offered maximum Ultra-Filtration area
UF MODULE OFFERED BY THE BIDDERS	56	76	60	Pak Oasis offered maximum equipments and standby equipments
SKID FOR MOUNTING OF UF PLANT AND OTHER EQUIPMENT		5 sets	2 sets	" " "
FEED PUMP FOR UF PLANT	02	04	03	" " "
SELF CLEANING FILTERS (STRAINERS)	02	04	01	" " "
BACK WASH STATION	02	04	01	" " "
COAGULATION /FLOCCULATION	02	04	02	" " "
BREAK WATER TANK	-	01	-	" " "
AIR COMPRESSOR STATION	-	03	01	" " "
CLEAN IN PLACE SYSTEM (CIP) PUMP/FILTER/TANK	-	03	01	" " "
CLEAN IN PLACE -pH CORRECTION	-	04	-	" " "
CLEAN IN PLACE -HYPOCHLORITE DOSING	-	04	02	" " "
CHEMICAL ENHANCED BACKWASH-NAOH DOSING	02	04	02	" " "
CHEMICAL ENHANCED BACKWASH-ACID DOSING	02	04	02	" " "
CHEMICAL ENHANCED BACKWASH-HYPOCHLORITE DOSING	-	04	02	" " "
CONTROL PANEL /ELECTRICAL PANEL	01	02	01	" " "
DIESEL GENERATOR SETS (300 KVA)	-	01	-	" " "
INSTRUMENTATION	1 lot	1 lot	1 lot	
CABLE AND ELECTRICAL WORKS	Limited scope (Battery limit)	Complete scope with material	Limited scope (Battery limit)	Pak Oasis offered complete scope
PIPE AND PLUMBING WORKS	" "	" "	" "	" " "
MECHANICAL WORKS	" "	" "	" "	" " "
CIVIL WORKS	1600 sq. feet	5419 sq. feet	Not given	Pak Oasis area is larger as plant is larger
OPERATION AND MAINTENANCE	1 YEAR	1 YEAR	1 YEAR	
COMPREHANSIVE WARRANTY	MANUF. DEFECTS	7 YEARS	18 MONTHS	Pak Oasis offered 7 years comprehensive
CERTIFICATE OF LITIGATION & BLACK LISTING	NOT FOR LITIGATION	PROVIDED	PROVIDED	Committee Observation

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ANNEXURE A(5)

SUMMARY OF FINAL BID EVALUATION REPORT

	Filtration (Surface) Area (Sq. Mtr)	Plant Capacity based on 18 Hours daily Production in MGD	Rate of UF Plant per Sq. Meter (Filtration Area) In PKR	Nature OF Financial Bid	Electrical Mechanical Plumbing Works	Civil Works offered by the Bidder	Bid Declared by the Committee
M/S. KSB Pumps Pakistan	10080	3.149 MGD against desired capacity of IOB=4.5 MGD	Rs 194,988,400 / 10080 square meter= Rs 19,344 per sq. meter ultra filtration area	Conditional and subject to change	Limited Scope With Limited Warranty covering only manufacturing defects	2 Plants Rooms with lighting and fans (4000 sq. feet total construction area)	Not Substantially responsive
M/S. Pak Oasis Industries	17601	4.515 MGD against desired capacity of IOB= 4.5 MGD	403,350,000 / 17601 square meter =Rs 22,916 per sq. meter ultra filtration area	Firm and Final	Complete Scope With 7 Years comprehensive warranty	2 Plant Room, D. Gen Room with Generators, Control Panel Room, Engineer Room, Chemical Room, Tranches / Channels, Feed Pump Station, Water testing laboratory, lighting and fans allied civil works, external development work, foundation of UF skids, foundation of Feed Pumps, foundation for Air Compressor Station , Back Wash Station, drain sump (13000 sq. Feet construction area)	The Only substantially Responsive Bid
M/S. Siemens Pakistan	10800	3.40 MGD against desired capacity in IOB= 4.5 MGD	Rs 355,050,000 / 10800 square meter =Rs 32,875 per sq. meter ultra filtration area	Conditional and subject to change	Limited Scope Warranty for manufacturing defects only for 12 months	No details given in the bid	Not substantially responsive bid

OFFICE OF THE SUPERINTENDING ENGINEER
PUBLIC HEALTH ENGINEERING CIRCLE SUKKUR
PHONE NO: 071-9310134
FAX NO: 071-9310134

e-mail: sephecircle@sukkur.gov.pk

No: G/ 1449 /of 2011

Sukkur dated 21 / 04 / 2011

To,


The Director (CB)
SPPRA Government of Sindh
Karachi.

SUBJECT: - FINAL EVALUATION REPORT FOR WORK OF UF FILTRATION PLANT 4.50 MGD AT KHAIRPUR.

The subjected report was sent to the higher authorities for the concurrence. The authority has desired for hoisting of evaluation report on website of SPPRA as well as the same may be communicated to the bidder under the clause of 45 2010.

The necessary report is hereby hoisted on the website for further necessary action.

DA/AS ABOVE


(MUHAMMAD PANJAL NAREJO)
SUPERINTENDING ENGINEER-PROJECT DIRECTOR
EVALUATION COMMITTEE
4.5 MGD WATER SUPPLY SCHEME KHAIRPUR
@ SUKKUR.

C. C to the:-

- ❖ Secretary Public Health Engineering Department Government of Sindh Karachi for favour of his kind information.
- ❖ Chief Engineer Public Health Engineering Department Government of Sindh Hyderabad for favour of his kind information.
- ❖ General Manager Products KSB company pvt: ltd: Lahore.
- ❖ M/s Siemens Pak Engg: co. Ltd: Karachi
- ❖ M/s Pak Oasis Industries pvt: ltd: I.I Chandrigarh Road Karachi

Final Bid Evaluation Report

Under the rule of Singh Public Procurement Rules 2010

Substantially Responsive Bid" means the bid that contains no material differences or deviations from, or reservations to, the terms, conditions and specifications given in the bidding documents

Evaluation Report of KSB Pumps, Pakistan

Deviations

- 1- As per IOB a certificate to the effect that bidder has never been black listed and involved in litigation was to be provided and whereas the firm has only provided no black listing certificate.
- 2- Comprehensive Warranty for seven years was required to be provided whereas firm has provided limited warranty in terms of manufacturing defects. This does not cover a comprehensive warranty as demanded.

Material Differences

- 1- As per IOB there was a demand for UF Plants with capacities of 1.5 MGD and 3.0 MGD respectively. The firm has quoted the plants in m³/hr term, in violation of conditions of IOB /Bid Document. The Comprehensive calculation in term of MGD and m³/hr term has accordingly been worked out, details whereof are as follows:

- i) If the plant is operational on the basis of 24 hours x 265 m³/hr x 220 IGD the total output would be =1.399 MGD. Whereas the output requirement demanded is 1.5 MGD this proved that the offer does not match with the requirement"

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designed on 8 hours production basis. The perusal of certificate that these membranes will not in any case suitable for bulk water filtration on 24 hours basis. Moreover, the firm has failed to submit a certificate from the UF technology provider for the project of Khairpur. Since the bidder is not UF technology manufacturer therefore, it creates different doubts that who or from whom the warranty for seven years period with regard to membranes, quality/performance of the equipment would be provided which is inevitable as mentioned in the IOB/Bid Document.

d) The Bidder has submitted test report of feed Water from SGS Laboratory. The report reveals that Chemical Oxygen Demand (COD) is 16 mg/l and Total Suspended Solids (TSS) is 10 mg/l in feed water collected from settled water tanks in Khairpur.

i. The design parameter offered by the bidder in the technical proposal requires that COD should be zero percent and thus the offered plant will not be suitable for the feed water that contains COD beyond zero percent.

ii. As regard to TSS, the bidder in the technical proposal has offered UF Plant which is designed on TSS less than (<) 10 mg/l whereas in the water test report it was 10 mg/l. This means that the quoted UF Plants are under design and will not meet feed water parameters given in the test report.

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After examining the proposal furnished by M/S KSB Pumps Pakistan and M/S Siemens Pakistan it has been observed that both the firms offering similar type of UF Technology Patent # XL 0.9 MB 60 m² (645 ft²) filtration area, with substantial difference in the financial offer of Rs 160.062 million. While perusal of technical specification, following deficiencies have been observed which are illustrated as follows?

Description	KSB Pumps Pakistan	Siemens Pakistan
Offered Bid	Rs 194.988 (M)	Rs 355.050 (M)
Surface Area	10080 sq meter	13680 sq meter
Clean in Place System (CIP)	Not offered	Offered
Air Compressor Stations	Not offered	Offered
CEB -Hypochlorite	Not offered	Offered
Skids for UF module and equipments	Not offered	Offered
VFD (variable frequency drive)	Not offered	Not offered

The above comparison shows that the bidder M/S KSB offered incomplete UF Plant with less financial cost and client has to bear the cost of additional equipments to be required in future to operate and maintain the set standard in order to get purified water free from bacteria and virus. Furthermore it may be difficult in future to modify the UF Plant as warranty terms for offered UF Plant will become void in case of any alteration, upgrading to be done by other parties and also the performance of the UF Plant would be again questionable as which party would be responsible for quality and warranty.

- a) As per IOB /Bid Document the bidder M/S KSB Pumps Pakistan is required to carry out complete scope of work including electrical, mechanical as well as plumbing works and whereas the bidder has submitted offer for limited /specific scope of works and does not fulfill the tender requirements.
- b) As per IOB /Bid Document the bidder M/S KSB Pumps Pakistan is required to supply the design capacity of the plant 1.5 MGD and 3.0 MGD. Whereas the bidder in the Technical as well as in Financial

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Proposals mentioned different terms viz. IMGD, IMDG and MDIG repeatedly. The term MGD universally used for "million imperial gallons per day" and bidder who claims that they are pump manufacturer quoted terms i.e. IMGD, IMDG, MDIG are not the universally acceptable terms as measurement units and which can be termed to be suspicious and could easily create confusion in future during designing, installation and commissioning of the UF plant.

- c) The bidder claims to be local manufacturer of Ultra Filtration Plants and has furnished a certificate from Engineering Development Board, Federal Ministry of Industries for manufacturing of UF Plants for CDWA Project. Whereas the UF Plants required for Khairpur Project is altogether different in nature and specifications and appears to have no manufacturing experience of sophisticated UF plants of bulk water filtration.
- d) The bidder in their offer has mentioned that they were awarded a contract for supply and installation of 796 Filtration plant in the province of Punjab during the year 2009 by the CDWA with tentative period of 9 months. They have mentioned that they are capable of execution of big projects awarded by CDWA. However execution certificate have not been provided to substantiate their version supporting to have completed successfully the project nor present status in writing has given to estimate the bidder strength to undertake and complete the project.
- e) It has been noticed that the financial bid submitted by M/S KSB Pumps is not firm and final as in terms and conditions article 1 on page 3/3 the bidder quoted that

Prices include all taxes and duties at the time of bidding. In case, any new tax is introduced by the government like VAT or RGST it will be charged to employer as per actual

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- f) The bidder offered 10080 square meter (168 UF module x 60 m²) surface (filtration) area which is the less Filtration/surface area as compared with the other bidder such as M/S Siemens offered 13680 sq. meter (180 UF module x 60m²) and Pak Oasis Industries offered 17601.6 sq. meter (228 module x 77.2 m²).
- g) In the IOB/Bid Document complete scope of electrical, mechanical and plumbing works were required but the bidder has offered limited electrical, mechanical and plumbing works which is subject to battery limit.
- h) *In the light of above facts it is found that the offered bid is not fulfilling the tender specifications and deviated from IOB terms and conditions and could not be considered as substantially responsive bid and is recommended to be rejected as the offered UF Plant is not capable to provide desired capacity and quality of water.*

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Final Bid Evaluation of M/S SIEMENS PAKISTAN

Evaluation of Bid submitted by M/S Siemens Pakistan

Deviations

- i) In the IOB/Bid Document, seven year comprehensive warranty was required but the bidder has offered seven years warranty only for membrane fiber breakage and 12 months warranty for manufacturing defect.
- ii) The financial bid of M/S Siemens is not firm and final and subject to change based on the following factors;
 - a) As quoted by the bidder in the Commercial Proposal, Page 1 Article 6.

"Further we have considered the prevailing metal rates, exchange rates of USD and Euro as minimum in our offer and in case of any increase in the metal rates and increase in exchange rates during the currency of contract the impact for the same shall be compensated by the customer to Siemens and accordingly the Contract Price shall be revised in the above cases".

The above clause in the Financial Bid submitted by M/S Siemens Pakistan confirms that the quoted Financial Bid is subject to change and cannot be considered as firm and final therefore the Client will have to bear the escalated cost which will be over and above the quoted price submitted in the Bid.

- iii) In addition to the above the following cost will be incurred as the bidder M/S Siemens Pakistan will not bear the cost of the following mandatory requirements.

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- a) Cost of Factory Acceptance Test
- b) Electricity charges during installation ,
construction and O&M period
- c) Variable Speed Drive for Feed Pumps
- d) Backwash Tanks
- e) Electricity Distribution Panel
- f) Miscellaneous

It shows that M/S Siemens Pakistan submitted incomplete technical and financial bids as above factors were not considered in the Technical bid and the client will have to bear additional cost thus the bid submitted is to be considered as incomplete technically and from the financial perspective.

iv) As per Commercial Offer on page 1 clause 7 , the bidder M/S Siemens Pakistan will not be responsible and the client will have to bear the consequences :

"M/S Siemens shall not, in any event and under any circumstances whatsoever , be liable for any claims because of loss of use or production, for interruption of production, unavailability of the works, for loss of profit, interests, revenue, loss of information and data, loss of production , interruption of operation , cost of capital or contracts, or for any indirect , special , incidental, punitive , exemplary , or consequential damage(s) or losses whatsoever including customer's property , regardless whether such liability arises out of contract, tort or out of any other legal theory.

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- v) In financial proposal page 1 Article (3) Mode of Payment:
"100% payments made to Siemens Pakistan through cross cheque."

The Client will have to pay 100% advance payment through cross cheque to M/S Siemens Pakistan on awarding the Contract.

- vi) The bidder submitted the Bid without Catalogues covering neither detailed specifications of each and every equipment nor membrane projection for the Client to compare the equipments of various bidders participating in the Tender Bid.

The catalogue will clearly define the equipment that will be supplied by the Bid and will be placed as a record for future comparison against actual supplies.

- vii) The Bidder submitted the bid without valid layout /construction plan showing the detail of civil and scope of work to be accomplished for the UF Plant is to be installed.

Material Differences

- 1- The Tender document was for 1.5 and 3.0 millions imperial gallon per day whereas the UF plants are offered in m³/hr term.
 - a) For working purpose 24 hours x 283 m³/hr x 220 IGD = 1.494 MIGD will produce whereas the UF Plant required is 1.5 MIGD.
 - b) The normal time required to backwash, Chemical Enhanced Backwash (CEB), Clean in Place (CIP) and switchover from grid to generator, etc in case of electric shutdown will consume minimum 2 hours per day and based on the above the daily production will be 22 Hours x 283 m³/hr x 220 IGD = 1.369 MIGD.
- 2) In 3 MIGD UF Plant M/S Siemens Pakistan will supply two skids of 1.5 MIGD, each skid is designed on 298 m³/hr input flow.
 - a) Two Skids x 1.5 MIGD x 150 m³/hr x 3 pumps = 450 m³/hr whereas to overcome the requirement two Skids x 1.5 MIGD x 150 m³/hr x 4 Feed

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Pumps =600 m³/hr thus due to lack of one feed pump (150m³/hr) the UF Plant capacity will be substantially reduced.

The above calculation proves that the UF plant offered is far less than the desired capacity

Reservations to, the terms, conditions

- i) The design parameters of feed water is incomplete as the acceptable limit of Total suspended solid (TSS) is not given in the technical bid which is one of the most important parameters to evaluate the performance and cost of UF Plant
- ii) Country of Origin of UF Plant is not given by the Bidder and it is assumed that the UF Plant is Pakistan Origin.
- iii) The bidder M/S Siemens Pakistan did not submit with the bid, documents to prove that they supplied similar plant to any institution, nor any proof that confirms they are reliable manufacturers and suppliers of UF Plants.
- iv) Bidder M/S Siemens Pakistan submitted UF Project Reference of CDWA (Clean Drinking Water for All).
 - a) The PHED, Sindh being a stakeholder in CDWA project is well aware of the fact that M/S Siemens Pakistan was never prequalified for CDWA projects in any category or for any province /packet nor a single UF /RO Plant was awarded to M/S Siemens Pakistan.

The reference provided by M/S Siemens Pakistan is incorrect and no documents were submitted confirming the authenticity of the reference and may consider it as misrepresentation.

In the light of above facts it is found that M/S Siemens Pakistan has furnished conditional and incomplete financial bid which is not to be considered as firm and final therefore the bid is may be treated as non responsive bid and may be rejected.

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Evaluation of bid submitted by M/S PAK OASIS

Deviations

No deviation was found

1. Seven Year comprehensive warranty was offered in the bid
2. Certificate to the effect that the firm has never been black listed or in litigation was provided

Material Differences

No material difference was found

- 2- In the IOB/ Tender document the required capacity of the UF Plants were 1.5 and 3.0 millions imperial gallon per day. Pak Oasis has offered 1.5 MIGD UF Plant based on 2 Skids will be operated in 18 hours daily production and 3.0 MIGD UF Plant based on 4 Skids will be operated in 18 hours daily operation.

c) For working purpose 24 hours x 190 m³/hr x 2skids x 220 IGD = 2.006 MIGD will produce and for 3.0 MIGD , 24 hours x 190 m³/hr x 4 skids x 220 IGD=4.012 MIGD will be produced.

d) The normal time required to backwash , Chemical Enhanced Backwash (CEB), Clean in Place (CIP) and switchover from grid to generator, etc in case of electric shutdown will consume minimum 2 hours per day and based on the above the daily production will be 22 Hours x 190 m³/hr x 2 skids x 220 IGD =1.8392 MIGD.

The above calculation proves that the UF plant offered is meeting the criteria given in tender documents and has tendency to produce desired capacity in 18 hours production time.

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P.O.A. M. K. J. A.

Reservations to, the terms, conditions

No reservation is found as;

- a) The design parameters of feed water are covering maximum limits as compare with the other bidders.
- b) The Bidder is executing similar type and size of UF projects in Pakistan and documentation with relevant proofs have given.
- c) The bidder has submitted documents substantiating its technical and financial strength to undertake and complete the projects of similar type and size of UF Plants.
- d) The bidder has submitted firm and final bid with complete scope of work
- e) The bidder has not asked any advance in its bid
- f) The bidder offered Diesel Generator Sets for the project
- g) The bidder offered 6 months as completion period
- h) The bidder offered imported UF Plant with complete material
- i) The bidder submitted certificate from the UF Technology provider confirming that the technology is for Khairpur project with warranty and back up support.
- j) The bidder offered maximum removal of suspended solids, Turbidity and BOD as well as offered the largest filtration area for production of 4.5 MIGD purified

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water in 18 hours with more civil works , more standby equipments and with maximum process such as backwash, CIP , Air Compressor Stations, Break Water Tank, Back wash Tanks, CEB Hypochlorite , VFD and other allied equipments.

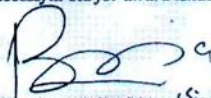
In the light of above facts it is concluded that M/S Pak Oasis has submitted technical offer strictly in accordance with the terms and conditions of IOB /Bid document and meets all technical parameters including civil, electrical, mechanical, plumbing and allied works with maximum standby equipments as compare with other bidders. Furthermore the offered UF Plants have tendency to produce filter water free from bacteria and virus in 18 hours daily operation and also the financial bid is firm and final. After evaluating the financial and technical bid of all the bidders (Detail Financial Comparison of the bidders is attached) it is found that the bid submitted by M/S Pak Oasis, Industries (Private) Limited is found as the only substantially responsive bid and may be consider as the successful bid for award tender.



(Ahmed Khan Abro)
Executive Engineer/Secretary
Engineer/member
Public Health Engineering Division-1 Khairpur
Division Badin



(Bashir Ahmed Shaikh) *(Signed with Remarks)*
Executive



Public Health Engineering
Div. No. 3 Hyderabad

(Janib Ali Bhambhro)
Executive Engineer/member
(Roads)/member
Provincial Highways Naushahro Feroze @ Khairpur

(Abdul Ghaffar Shaikh)
District Officer (Roads)

(Manzoor Hussain Panhyar)
Project Director (SCARP)/member Khairpur

Khairpur
(Ghulam Murtaza Sahito)
Executive Engineer/member
Public Health Engineering Department

(Ramchand P. Sanjra)
Director Technical /member
Public Health Engineering Department
Hyderabad

(Abdul Majeed Surahio)
Superintending Engineer/member
Public Health Engineering Circle
Larkana

(Mushammad Panjal Narejo)

Financial Bid Evaluation

The bidders offered UF Plant based on their proposed methodology and technical specifications and different Filtration/Surface Area with different numbers of UF Modules per skid along with different scope of civil works, electrical works, mechanical works and plumbing works.

Particular	KSB Pumps	Pak Oasis	Siemens Pakistan
Filtration Area (square meter)	10080	17601.6	13680
Number of UF Modules (Nos.)	96+112=168	$60+120=180$ $76+152=228$	$76+112=188$ $60+120=180$
Offered Financial Bids (Rs.)	Rs 195 M	Rs 403 M	Rs 355 M
UF Plant cost per square meter	Rs 195 M / 10080 sq. mtr = Rs 19344/ sq.mtr	Rs 403 M / 17601.6 sq. mtr = Rs 22916/ sq.mtr	Rs 355 M / 13680 sq. mtr =Rs 25954/ sq.mtr

To synchronize the evaluation process for all the bids in order to ascertain the result/marks, Average Surface (Filtration) Areas has taken as a factor to financially evaluate all the bids

Particular	KSB Pumps	Pak Oasis	Siemens Pakistan	Total Surface Area Square meter
Filtration Area (square meter)	10080	17601.6	13680	41361.60
Calculation of Average Filtration Area (m2) of UF Plant in order to evaluate financial bids	Average Surface (Filtration Area) of UF Plant =13787.20 square meter			41361.60 / 3 = 13787.20 Sq. meter

Evaluation of Financial Bid of All Bidders

Particular	KSB Pumps	Pak Oasis	Siemens Pakistan
Filtration Area (square meter)	13787.20	13787.20	13787.20
UF Plant cost per square meter	Rs 19344/ sq.mtr	= Rs 22916/ sq.mtr	=Rs 25954/ sq.mtr
Cost of UF Plant for 13787.20 surface (Filtration) area in square meter	Rs 266.700 m	Rs 315.941 m	Rs 357.832 m


The final scores and marks obtained by each bidder after evaluating technical and financial bid as per criteria given in the Tender document.


Consortium	Str	Tech. Score	Fin. Bid	Str	Financial	Technical	Combined	
K.S.B. Pumps	84.00	0.80	67.20	315.94	84.41	0.20	16.88	84.08
Siemens	82.83	0.80	66.26	357.83	74.53	0.20	14.91	81.17
KSTP	80.00	0.80	64.00	266.70	100.00	0.20	20.00	84.00

The above scores shows that M/S Pak Oasis Industries (Private) Limited has secured slightly higher marks as compare with M/S KSB Pumps secure nearly equal marks but edge goes to M/S Pak Oasis as they offered firm and final bid without describing any factor for escalation of cost in future while the other bidders offered conditional bids and their bids subject to change. Pak Oasis also offered complete scope of electrical, mechanical and plumbing works while other bidders offered limited scope of electrical, mechanical and plumbing works and are subject to battery limit which is not the required term of IOB/Bid document and also need additional budget for completion of job. Pak Oasis has offered seven years comprehensive warranty for performance, quality and unconditional replacement of equipment during seven years period while other bidders offered limited warranty covering manufacturing defects only. Pak Oasis has offered additional equipments such as Two Diesel Generator Sets each 300 KVA, Air Compressor Station, CIP Station, CEB Hypochlorite, Variable Frequency Drive, Break Water Tank, Reject Water Disposal, complete scope of civil works with layout plan for UF Plant Room, Diesel Generator Room, Control Panel Room, Engineer Room, Chemical Room, Tranches/Channels Feed pump station, water testing laboratory, lighting and fans, allied civil work, external development work, foundation of UF Skids, Foundation of Feed Pumps, Foundation for Air Compressor station, back wash station and drain sump altogether is covering 13000 square feet civil works area while M/S KSB offered UF Plant Room with Lighting & Fans covering altogether 4000 square feet area and M/S Siemens has not given any size and details of civil works. Pak Oasis offered Standby Equipments more than other bidders and design the plant of 1.5 MGD on 2 skids basis while other bidders design is based on single skid basis and for 3.0 MGD Pak Oasis UF plant is based on 4 skids while other bidders offered 2 skids.

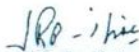
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After detail evaluation of technical bid and financial bid submitted by all the bidders it is concluded that the bid of M/S Pak Oasis Industries (Private) Limited is found as the Substantially Responsive Bid among all the bids and secure highest marks and fulfilling all the criteria given in the IOB/Tender documents and may be declare as Successful Bidder by declaring the Lowest Evaluated Bid and contract may be awarded to Pak Oasis.

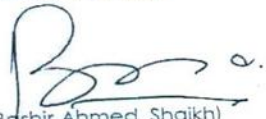

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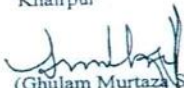

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Director Technical /member
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Superintending Engineer/Chairman
Public Health Engineering Circle Sukkur


(Bashir Ahmed Shaikh)
Executive Engineer/member
Public Health Engineering
Division Basin NO. II Hyderabad
(Signed with following remark)


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