



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.AD (L-II)/SPPRA/CMS-3190/2021-22/1101

Karachi, dated the 25th April, 2022

To,

- The Executive Engineer,
Provincial Highway Division,
Khairpurmir's.

Subject: DECISION OF THE REVIEW COMMITTEE OF SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY.

The undersigned is directed to refer to the subject cited above and to enclose herewith a copy of the Authority's Review Committee decision (**M/s Abdul Hafeez Kolachi v/s The Provincial Highway Division Khairpurmir's** held on 20.04.2022, for information & necessary action.

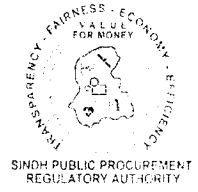
ASSISTANT DIRECTOR (Legal-II)

A copy is forwarded for information and necessary action to:

1. The Secretary to Government of Sindh, (Works & Services) Department, Karachi.
2. The Superintending Engineer, Highway Division Concerned Sukkur.
3. Assistant director (I.T), SPPRA (**with advice to post the decision on the Authority's website in terms of Rule-32(11) of SPP Rules, 2010**)
4. The P.S to the Chairman / Members Review Committee.
5. The Appellant.



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



No.AD (L-II) SPPRA/CMS-3190/2021-22

Karachi, dated, 22nd April, 2022

BEFORE REVIEW COMMITTEE OF SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY
UNDER RULE-32 OF SPP RULES 2010.

Decision of the Review Committee Meeting held on 20.04.2022

Appellant	M/s Abdul Hafeez Kolachi
Procuring Agency	XEN PROVINCIAL HIGHWAY DIVISION KHAIRPUR MIRS (51-Works and Services Department)
PPMS ID # Reference No.	T01740-21-0010 NIT No.TC/G-384/2022, Dated:10.03.2022
Appeal Received in Authority Dated	14.04.2022
Complaint of the Appellant Addressed to the Superintending Engineer, Provincial Highway Circle Sukkur (CRC) Chairman	Dated:30.03.2022
Dated of Posting Notice Inviting Tender	0 = 16-03-2022
Date of Opening of Bids Opening Technical Date of Opening of Bids Financial	30.03.2022,14.4.2022
Date of Posting Bid Evaluation Report	Not posted as yet
SPPRA Observations communicated on	22.03 2022
Date of Posting Contract Documents	Not posted as yet
Estimated Cost of NIT Total	Around 140 Million
Total works in NIT	21 Works
Appellant Related work	Not mentioned in the appeal
Issue involved	Non-acceptance of Bid
Complaint of the Appellant Addressed to the Superintending Engineer, Provincial Highway Circle Sukkur (CRC) Chairman	Dated:30.03.2022
CRC Decision	Not Yet Received

The Appellant's Version

1. The appellant submitted that the dropping of tenders went on fairly. However, when the bid opening time started the Chairman Procurement Committee along with members suddenly disappeared and left the office without opening of bids and did not read aloud the rates

submitted by the bidders. The appellant complained that non-opening of bids by the procuring agency violated the SPP Rules 7 and 41.

2. The appellant requested the Review Committee to direct the procuring agency to terminate the procurement process.
3. The appellant was asked for which work he had applied for. The appellant did not answer clearly.

The procuring agency's Version

1. The procuring agency submitted that the appellant had participated in the bidding process and the evaluation of bids is still pending
2. The procuring agency also informed that the appellant's representative was present at the time of bid opening.
3. The procuring agency submitted that the opening was made transparently before all bidders or their representatives who wished to be present.
4. The procuring agency denied any kind of violation of Rules during the procurement process
5. The procuring agency submitted that the claim of the appellant was baseless which could not be substantiated with proofs.

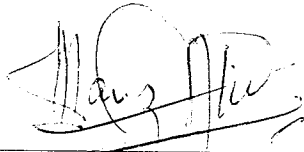
Observations of the Review Committee:-

1. The Review Committee observed that the perusal of record and statement of the procuring agency shows that the bids were opened on time before all bidders or their representatives who wished to be present there. The appellant could not substantiate his claim with sound evidence and proofs.
2. The Review Committee also observed that the appellant's representative was present at the time of opening of bids who signed the attendance sheet. Interestingly, the signatures of the representative were similar to the appellant's signature. Such matching of signature can mislead the institutions. The appellant was advised to refrain from such misleading activities in future.
3. The Review Committee also observed that the bid evaluation process is under way which a confidential process is. The procure agency will announce the Bid Evaluation Report as per rules and the appellant must wait for the announcement of Bid Evaluation Reports. If appellant becomes the aggrieved with the announcement of Bid Evaluation Report, he may avail the remedies available for Complaint Redressal as per SPP Rules.
4. The Review Committee also observed the appellant could not prove any violation of Rules during the procurement process.



Decision of the Review Committee:-

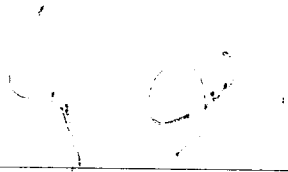
Given the proceedings, findings, observations and after due deliberation, in exercise of power conferred by the Rule 32(7)(a) of the SPP Rules, the Review Committee rejects the appeal of the appellant as the appellant could not prove any kind of violation in the bidding process.



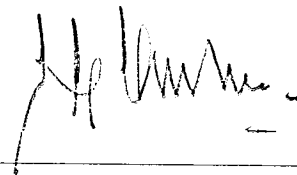
Member
(Manzoor Ahmed Memon)
Member SPPRA Board



Member
(Munir Ahmed Shaikh)
Independent Professional



Member
(G. Mohiuddin Asim)
Representative of P & D Board ,P& Development
Department Karachi



Chairman
(Abdul Haleem Shaikh)
Managing Director
(Sindh Public Procurement Regulatory
Authority)