



Government of Sindh
Sindh Public Procurement Regulatory Authority



NO.AD (L-II)/SPPRA/CMS-3296/3223/2022-23/079

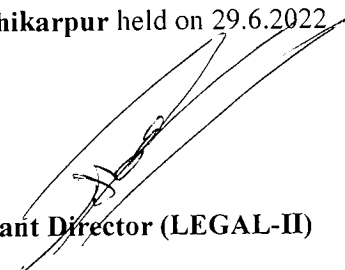
Karachi, dated 04th JULY, 2022

TO,

The Executive Engineer
Highway Division Shikarpur
Shikarpur

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 in the appeal preferred by M/S **Wazir Ali Mahar** & M/s **AR Enterprises Vs Executive Engineer Highways Division Shikarpur** held on 29.6.2022 for information & necessary action.


Assistant Director (LEGAL-II)

A copy is forwarded for necessary action to:

1. The Secretary to the Government of Sindh, Work & Services Department
2. Assistant Director I.T. SPPRA (with advice to post the decision on authority website in terms of Rule-32(11) of SPP Rules, 2010).
3. The PS to Chairman / Member of the Review Committee
4. The Appellants



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



No.AD (L-II) SPPRA/CMS-3296/3223/2022-23

Karachi, dated the 04th July, 2022

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

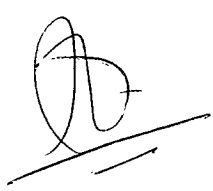
M/s Wazir Ali Mahar & M/s A.R Enterprises vs Executive Engineer Highways Division
Shikarpur NITs T00697-21-0003 & T00697-21-0004

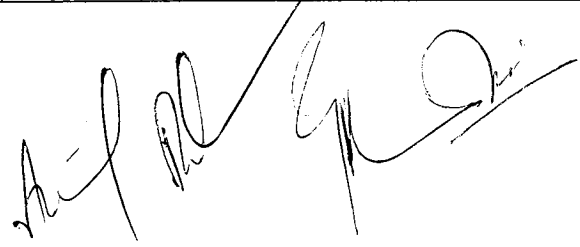
Decision of the Review Committee held on 29.06.2022

Name of Appellant	M/s Wazir Ali Mahar, M/s AR Enterprises
Procuring Agency	The Executive Engineer Highways Division Shikarpur
PPMS ID # Reference No.	T00697-21-0003 TC/G-55/276/2022 DATED: 25-02-2022 T00697-21-0004 TC/G-55/48/2022 Dated 21.03.2022 The Appellant M/s Wazir Ali Mahar filed the Review Appeal for both NIT's whereas M/s AR Enterprises filed Review Appeal for NIT No. T00697-21-0004 TC/G-55/48/2022 Dated 21.03.2022
Appeals Received in Authority Dated	19.05.2022, 15.06.2022 03.06.2022

Sr.	Appellant's Version	Procuring Agency's version	Remarks/ SPP Rules/Regulations
1.	The Appellants submitted that the Procurement Committee was not present at the time of bid opening meeting.	The Procuring Agency submitted that the Procurement Committee notification was modified by the competent Authority. Therefore, the newly notified members of the procurement committee open the bids and preceded the	

		procurement evaluation. The Procuring Agency submitted the modified Notification of procurement committee.	
2.	The appellants claimed that they went to the Procuring agency's office but the procurement committee was not present at the time of bidding.	The procuring agency informed that the bids were opened but the bidder did not participate in the bidding.	
3.	The appellants claimed that attendance sheet shows that the appellant had participated in the bidding process. M/S AR Enterprises submitted that he had submitted the bid and got receiving for bid submission	The procuring agency informed that the dropping was held on scheduled date, time and venue but bidder was not present. Neither he neither participated nor signed attendance sheet. Regarding MS AR Enterprises, the Procuring Agency submitted that he did not drop bid at the time of bid opening and maintained that he might have submitted the bid to the wrong place or person instead of dropping bid at the office of the procuring Agency at the time of bid opening.	
4.	The appellants said they signed the attendance sheet and showed the attendance sheet prepared by the procuring agency wherein the name of the appellant was has been shown.	The procuring agency denied such attendance sheet wherein and showed an attendance sheet wherein only other bidders had participated. It was submitted by the procuring agency that the attendance sheet shown by the appellants is fake and bogus.	
5.	The Appellants submitted that the Procuring Agency was under obligation not to sign the contract during the pendency of	The Procuring Agency submitted that the appellants were neither bidders nor their complaints were maintainable under the SPP	





	the appeal before the Review Committee.	Rules. Responding to a question regarding award of work, the procuring agency informed that the procurement contract had been signed with the successful bidders as per law.	
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Findings of the Committee;

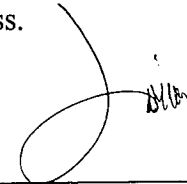
1. The Review Committee observed that the attendance sheet has not been signed by the appellants. It shows that the appellants had not participated in the bid opening meeting.
3. It was noted that the procuring agency has awarded the work to the successful bidders.

Decision of the Review Committee:

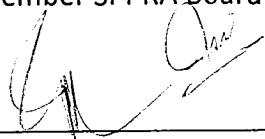
Given the proceedings, findings, observations and after due deliberation, in exercise of power conferred by the Rule 32(a), the Review Committee rejects the Appeals of the appellants as the appellants could not prove their participation in the procurement process.



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
(Atif Rehman)
Managing Director
(Sindh Public Procurement Regulatory Authority)