



OFFICE OF THE DIRECTOR DESIGN IRRIGATION IN SINDH HYDERABAD

NO. DD/CRC/ 201 of 2020
Hyderabad, dated: 13 / 08 /2020

To,

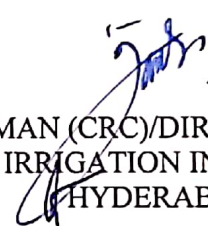
✓ The Assistant Director (Legal-II),
Sindh Public Procurement Regulatory Authority,
(SPPRA) Govt. of Sindh,
Karachi.

Subject:- **MINUTES OF MEETING.**

Reference:- M/S Shahid Builder letter No.SB/HYD/2020/027 dated 28th July, 2020 received on 07.08.2020.


With reference to above referred letters, a meeting was held on 12.08.2020 under the Chairmanship of undersigned, the Complaint Redressal Committee scrutinized the proceedings submitted by the Executive Engineer, Small Dams Division Kohistan-II, Jamshoro, in this regard the minutes of meeting are enclosed herewith for further necessary action.


This is for favour of your kind information.


CHAIRMAN (CRC)/DIRECTOR DESIGN
IRRIGATION IN SINDH
HYDERABAD

c.c to:-

1. The Secretary to Government of Sindh, Irrigation Department, Karachi.
2. The Chief Engineer, Small Dams, Hyderabad.
3. The P.S to Secretary to GOS, Irrigation Department Karachi.
4. The P.S to Special Secretary (Tech.) to GOS, Irrigation Department Karachi.
5. The Superintendent Engineer, Small Dams Circle, Hyderabad.
6. The Executive Engineer, Small Dams Division Kohistan-II. Jamshoro.


CHAIRMAN (CRC)/DIRECTOR DESIGN
IRRIGATION IN SINDH
HYDERABAD


Post the
CRC
their pub up
21/08/2020
ASD

SPPRA INWARD DIARY
NO : 820
DATED : 21/08/20

MINUTES OF MEETING OF COMPLAINT REDRESSAL COMMITTEE HELD ON
12-08-2020 TO HEAR THE GRIEVANCES AGAINST XEN SMALL DAMS
KOHISTAN-II DIVISION, JAMSHORO, NIT NO. TC/G-148/ DATED: 16-07-2020.

A meeting of Complaint Redressal Committee (CRC) constituted vide Irrigation Department Notification No. SO(RS)8-110/218-19 Dated 30th December, 2019 was held under the chairmanship of Director Design in Sindh, Irrigation Department Hyderabad @ 28-A, Civil Lines, Hyderabad on 12th August 2020 @ 11.30 a.m. in connection with complaint lodged by M/s Shahid Builders regarding Supply of Hiring of Machinery, Tractor, Datsun Pickup, Parts of Govt. Vehicles, Computer Parts, Electrical Materials, Civil Material, Office Equipment & Stationery Items etc. invited by Executive Engineer Small Dams Division Kohistan-II Jamshoro vide NIT No. XEN/SDO/K-II/SKP/200 Dated: 22-06-2020.

The CRC comprises as under:

- | | |
|---|----------|
| 1. Director Design in Sindh
Irrigation Department,
Hyderabad. | Chairman |
| 2. Superintending Engineer,
Small Dams Circle. | Member |
| 3. Divisional Accountant,
Small Dams Division Kohistan-II,
(Representative of AG Sindh) | Member |
| 4. Executive Engineer,
Small Dams Division Kohistan-II
Jamshoro. | Member |
| 5. Independent Professional | Member |

The CRC has formally examined the grievances/complaints of M/s Shahid Builder vide his complaint No. Nil Dated: 20-07-2020 in terms of Rule-31 of SPP Rules-2010 (amended up to date).

The chair briefed the participants about the agenda of the meeting.

Meeting started with recitation of verse of Holy Quran. Chair welcomed the participants and commenced the proceedings.

The Procuring Agency apprised the participants that

1. The instant NIT was invited from the bidders/firms registered with PEC having appropriate specialized codes and eligibility criteria given in NIT & bidding Document in accordance with SPP Rules-2010 (amended up to date) SPPRA Procurement Regulations (WORKS).

2. The NIT was well advertised in leading Newspapers and SPPRA websites @ID No: T00228-19-0014.
3. The technical bids/proposals will publicly be opened on 17-07-2020.

The Complaint Redressal Committee heard the bidder/complainant as under:

Mr. Taj Muhammad Soomro, authorized representative of the firm, confirmed about his complaint lodged by him. He was heard about the contents of his complaint along with replies of Procurement Committee as under:

S. No:	Contents of bidder/complainant	Reply of Procuring Agency
1.	<p>Sir, the rate quoted / offered by the contractor at Rs.22,452,620/- against the estimated cost of Rs.54,000,000/- which comes out to be (58.42% below) the estimated cost / Engineer's Estimate, the same is not acceptable / considerable as per requirement of SPP Rules, 2010.</p> <p>There are some over writings & cuttings found in the bid against various items while quoting the item-wise rates in the bid by the bidder, which is against Clause # 7.5 (viii) (Rule-41) of SPPRA Regulations for procurement of works.</p>	<p>Sir, as per SPP Regulation No.11.3.4, it is the discretion of the Procuring Agency to either accept or reject the bids below 30% of estimated cost.</p> <p>The over writings are being initialled by the bidder.</p>
2.	<p>Sir, the bid security of Rs.2.00 (M) was found not attached with the Tender / bid offered by the contractor, which is against Clause # 6.4 (Rule-37) of SPPRA Regulations for Procurement of Works, under which the bid is "non-compliant" and therefore not "eligible" to go forward to the evaluation stage.</p>	<p>The bid security was attached with the bid and was prepared prior to last date of submission of bids.</p>
3.	<p>Sir, that the date and time for opening of tenders fixed by the Procuring Agency in the schedule of NIT during the duration of Prayer and lunch break i.e. 17th July, 2020 (Friday), at 01.00 PM and 02.00 PM due to incompetence of concerned Executive Engineer and his Tender Clerk, which is absolutely against the existing rules, regulation of the Government.</p>	<p>Sir, the time of submission of bids was 1:00 PM therefore the bidder could have submitted it before 1:00 PM if he feels convenient.</p>
4.	<p>Sir, that incomplete bidding documents posted / uploaded at the website of SPPRA-PPMS by the Procuring Agency, wherein the column of quantity has been left blank in over all the items and it is very difficult how to calculate the amount of bid to be offered by the bidder, which is clearly shows negligence on the part of the Procuring Agency and clear violation of Rule-21(4) of Sindh Public Procurement Rules, 2010 (Amended 2019).</p>	<p>Sir, the bidding documents are complete in all respect and the complete documents downloaded from the website are submitted herewith for ready reference.</p>

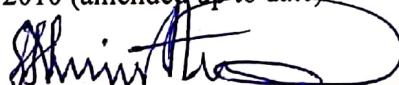
5.	Sir, that there was no authorization letter from owner of the firm / company available with the representatives of the contractors related with M/s N.K.Z, M/s Sheraz Traders and M/s Farhan H Enterprises, as such the Attendance Sheet got signed from the unauthorized persons through illegal way, which is clear violation of SPP Rules, (Amended 2019).	Sir, the bidder namely M/s N.K.Z himself attended the bidding process. Attendance sheet is available.
6.	Sir, that there are also some observations / preliminary assessment (Serial # 1 to 8) raised by the Authority through system generated at the website of SPPRA-PPMS on dated 01.07.2020, which have not been rectified / followed by the Procuring Agency prior to opening of tenders / bids.	Sir, the compliance have been made.
7.	Sir, that besides this the Procuring Agency / XEN Small Dams Division Kohistan-II Jamshoro absolutely failed to make necessary arrangement of social distance in his office due to covid-19 as per orders / instructions of the Government, there was no sanitizer, gloves surgical masks etc available in the office for the safety purpose.	Sir, necessary arrangements were made but since our office is a public office therefore, it is not possible to restrain anybody from sitting in the procurement process.

Further more

- The Complainant has not participated in the bidding process as he arrived late.

CONCLUSION/DECISION:


- The complaint of the bidder/complainant is **not maintainable** as he has not participated in the Tendering Process, however, the Committee examined all the contents of the complaint & concluded that the procurement regime is in accordance with SPP Rules-2010 (amended up to date) SPPRA Procurement Regulations (Works). Therefore the CRC unanimously **reject** the complaint lodged by M/S Shahid Builder taking into account the contentions of the complainant & procuring agency in accordance with SPP Rules-2010 (amended up to date).


 Superintending Engineer
 Small Dams Organization in Sindh
 Hyderabad.


 Chairman CRC / Director Design




 EXECUTIVE ENGINEER
 Small Dams Division Kohistan-II
 Jamshoro


 (Fazal Ahmad)
 DIVISIONAL ACCOUNTS OFFICER
 Small Dams Division Kohistan-II
 Jamshoro