

OFFICE OF THE PROJECT DIRECTOR / SE
CHOTIARI RESERVOIR PROJECT CIRCLE

Sanghar Phone No. 0235 - 541054, Fax No. 0235 - 541253
Hyderabad Phone No. 022 - 9210074, Fax No. 022 - 9210089

No.Suptt:/PD/CRPC/

58

Sanghar, Dated: 01/2/2022

To.

The Executive Engineer,
Chotiari Reservoir (I) Division,
Sanghar.


Subject:

MINUTES OF COMPLAINT REDRESSAL COMMITTEE (CRC)
MEETING HELD ON 1ST FEBRUARY 2022 UNDER THE
CHAIRMANSHIP OF THE PROJECT DIRECTOR CHOTIARI
RESERVOIR PROJECT CIRCLE, SANGHAR, HYDERABAD.
LEFT BANK BARRAGE COLONY, HYDERABAD.

Enclosed please find herewith Minutes of Meeting of Complaint Redressal Committee (CRC) held on 01-02-2021 under the Chairmanship of the undersigned Chairman Complaint Redressal Committee (CRC) is sent herewith.


You are therefore directed to please upload the minutes of the meeting on SPPRA website.

D.A/As Above


Project Director / SE
Chotiari Reservoir Project Circle,
Sanghar

Copy forwarded to the:-

- The Chief Engineer Irrigation Development Region-II Hyderabad for kind information.
- M/s.Ameer Ali Chandio Government Contractor.
- M/s. Khalil-ur-Rehman Memon & Brothers.
- M/s. Agha Shoib& Brothers Construction Company.


Project Director / SE
Chotiari Reservoir Project Circle,
Sanghar

MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE (CRC) MEETING HELD ON 1st FEBRUARY, 2022 UNDER THE CHAIRMANSHIP OF THE PROJECT DIRECTOR CHOTIARI RESERVOIR PROJECT CIRCLE SANGHAR AT CAMP OFFICE LEFT BANK BARRAGE COLONY HYDERABAD.

A meeting of Complaint Redressal Committee (CRC) held today on dated 01.02.2022 to redress the grievances/complaints received in this office against the tenders invited by Executive Engineer Chotiari Reservoir (I) Division Sanghar for the scheme "Improvement of Farash Complex Existing Irrigation Network for Ensured Water Saving for Thar Coal and the Safety of Thar Coal Carrier Channel".

2/ The complaints were lodged by the following contractors.

- i. M/s.Ameer Ali Chandio Government Contractor.
- ii. M/s. Khalil-ur-Rehman Memon & Brothers.
- iii. M/s. Agha Shaib & Brothers Construction Company

3/ Pursuant to Rule-31 of Sindh Public Procurement Rules-2010 (Amended upto date) the complaints were formally examined and the CRC meeting was called-up vide No. Supdt:/PD/CRPC/51-53 dated: 31/01/2022 under intimation to Procuring Agency. The complainants were advised to attend the meeting and express their concerns in person.

4/ The meeting started at 12:30 pm with the recitation of Holy QURAN. The Chair welcomed the participants and briefed about the agenda of the meeting. The Chair proposed to examine the complaints and to discuss them one by one to clear the vague and the participants agreed to the proposal.

i. **M/s. Ameer Ali Chandio GC.**

5/ The complainant apprised that the Executive Engineer Chotiari Reservoir (I) Division Sanghar invited tenders vide No.TC/G-66/CRDS/34 dated 18.01.2021 from the prequalified contractors of year 2016 which is sheer violation of SPPRA Rules. The chance of participation has been restricted to some favorite contractors whereas the works of NIT are of routine nature. It is also stated that the prequalification can only be valid for 1 to 3 years therefore, the stated NIT may be cancelled.

6/ Mr. Anwer Ali Siyal, Executive Engineer/Chairman Procurement Committee Chotiari Reservoir (I) Division Sanghar explained that there is no violation of SPPRA Rules. The prequalification carried out for the project in 2016 is valid and there is no time frame in Sindh Procurement Rules-2010. Makhi Farash Link Canal Project (Chotiari Phase-II) is in its completion phase and these are the remaining works of the project. In support, he portrayed S.P.P.Rule-27 in detail. He further added that there are 23 prequalified firms of the said project and the apprehension of complainant for limiting participating firms to some extent of favorite contractors is baseless.

7/ The Committee acceded to the explanation given by the Procuring Agency. The complainant also expressed his satisfaction over the explanation given by Procuring Agency and the complaint set aside.

ii. **M/s. Khalil-ur-Rehman Memon & Brothers.**

8/ The firms alleged that list of prequalified firms was not published along-with the NIT to divert minds of participants. The tenders have been invited based on prequalification of 2016 and how the current capability, competence and resources of those prequalified firms can be justified of those prequalified firms. It is requested that the stated NIT may be cancelled. The list of prequalification may be invited.

9/ Mr. Anwer Ali Siyal, Executive Engineer/Chairman Procurement Committee Chotiari Reservoir (I) Division Sanghar apprised that SPPRA Rules are being followed by his office in letter in spirit. He explained that being high-cost and complex nature works, the prequalification procedure was adopted for the project in 2016. There is no time limit for prequalified firms in SPP Rules and nothing is irregular. The tenders from prequalified firms may be invited at any time subject to the condition that the work or works pertain to the similar project. With regards to current capability or competence, he explained that the SPPRA bidding documents have been used for tendering and in the general condition to bidders at item number 11.1(b) it is clearly mentioned that each bidder shall update the information indicated and listed in bidding data and previously submitted with the application for prequalification and continue to meet the minimum criteria set out in the prequalification documents. Therefore, the participants are required to submit evidence of their financial and technical soundness and nothing is beyond the rules.

iii M/s. Agha Shoib & Brothers Construction Company.

10/ The contentions are that the Executive Engineer Chotiari Reservoir (I) Division Sanghar has invited tenders from prequalified firms then what about other contractors. The complainant alleged the Executive Engineer for nepotism.

11/ Mr. Anwer Ali Siyal, the Executive Engineer and Chairman Procurement Committee, Chotiari Reservoir (I) Division Sanghar apprised that SPPRA Rules are being followed by his office in letter in spirit and in compliance with Rule 27 of the Procuring Agency Regulations. Prequalification of contractors for the large, complex and high-cost works. This is an important scheme of national interest for estimated cost of Rs.4000 million and multiple discipline of civil engineering are involved. The prequalification was public and if the complaining firm/complainant has the capacity or capability to fulfill eligibility criteria for this type of large and complex work, he should have to participate in said process.

12/ The Complaint Redressal Committee, upon hearing to the explanation given by the Executive Engineer concerned, reached to the decision that complaint is unjustified and baseless. The procedure adopted by the Procuring Agency is lawful and within the ambit of Sindh Public Procurement Rules-2010. The complainant also agreed to the decision of CRC and the grievances stood resolved.

13/ The meeting ended with thanks to and from the Chair.



CHAIRMAN
COMPLAINT REDRESSAL COMMITTEE/
PROJECT DIRECTOR/S.E
CHOTIARI RESERVOIR PROJECT CIRCLE
SANGHAR

Attendance sheet

NIT No.

TC /G-66/CRDS/34 dated 18-01-2022 and NIT No.TC/G-66/CRDS/35,
dated 18-01-2022


Date:

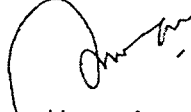
01-02-2022 at 12:30 PM


Name of Works:

Notice of Invitation for Prequalification of Contractors/Firms "Makhi Farash
Link Canal (Chotiari Phase-II) for water supply to Thar Coal Project.

| S. No | Name | Firm/Contractor | Mobile No | Signature |
|-------|--|---|--------------|--|
| 1 | M/S Khalil-ur Rehman Memon & Brothers, | M/s Khalil-ur Rehman Memon & Brothers, Government Contractor. | 0333-7091812 |  |
| 2 | M/s Agha Shoaib & Brothers | M/s Agha Shoaib & Brothers Construction Company. | 0300-3077320 |  |
| 3 | M/s Ameer Ali Chandio, | M/s Ameer Ali Chandio, Government Contractor. | 0300-3015973 |  |
| 4 | Mr. Anwar Ali Siyal | Executive Engineer Chotiari Reservoir (I) Division, Sanghar. | 0333-7155598 |  |
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Divisional Accounts Officer
Concerned Division
Member /Secretary CRC


Imran Hussain Memon
NESPAK
Member CRC


Project Director /SE
Chairman CRC
Chotiari Reservoir Project Circle
Sanghar

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6/ Mr. Anwer Ali Siyal, Executive Engineer/Chairman Procurement Committee Chotiari Reservoir (I) Division Sanghar explained that there is no violation of SPPRA Rules. The prequalification carried out for the project in 2016 is valid and there is no time frame in Sindh Procurement Rules-2010. Makhi Farash Link Canal Project (Chotiari Phase-II) is in its completion phase and these are the remaining works of the project. In support, he portrayed S.P.P.Rule-27 in detail. He further added that there are 23 prequalified firms of the said project and the apprehension of complainant for limiting participating firms to some extent of favorite contractors is baseless.

7/ The Committee acceded to the explanation given by the Procuring Agency. The complainant also expressed his satisfaction over the explanation given by Procuring Agency and the complaint set aside.

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8/ The firms alleged that list of prequalified firms was not published along-with the NIT to divert minds of participants. The tenders have been invited based on prequalification of 2016 and how the current capability, competence and resources of those prequalified firms can be justified of those prequalified firms. It is requested that the stated NIT may be cancelled and afresh NIT or prequalification may be invited.

9/ Mr. Anwer Ali Siyal, Executive Engineer/Chairman Procurement Committee Chotiari Reservoir (I) Division Sanghar apprised that SPPRA Rules are being followed by his office in letter in spirit. He explained that being high-cost and complex nature works, the prequalification procedure was adopted for the project in 2016. There is no time limit for prequalified firms in SPP Rules and nothing is irregular. The tenders from prequalified firms may be invited at any time subject to the condition that the work or works pertain to the similar project. With regards to current capability or competence, he explained that the SPPRA bidding documents have been used for tendering and in the general condition to bidders at item number 11.1(b) it is clearly mentioned that each bidder shall update the information indicated and listed in bidding data and previously submitted with the application for prequalification and continue to meet the minimum criteria set out in the prequalification documents. Therefore, the participants are required to submit evidence of their financial and technical soundness and nothing is beyond the rules.

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11/ Mr. Anwer Ali Siyal, the Executive Engineer and Chairman Procurement Committee, Chotiari Reservoir (I) Division Sanghar apprised that SPPRA Rules are being followed by his office in letter in spirit and nothing is irregular. According to Rule-27 ibid, the Procuring Agency may engage in Prequalification of contractors for the large, complex and high-cost works. This is an important scheme of national interest for estimated cost of Rs.4000 million and multiple discipline of civil engineering are involved. The prequalification was public and if the complaining firm/complainant has the capacity or capability to fulfill eligibility criteria for this type of large and complex work, he should have to participate in said process.

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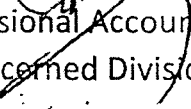
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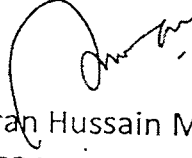
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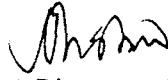
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