



**OFFICE OF THE
SUPERINTENDING ENGINEER
EDUCATION WORKS CIRCLE, LARKANO**

(Near Elem. College (Women), Waggan Road Larkano Phone No. 071-9410556 E-mail: ewclarkano@gmail.com)

No. SE(EWC)LRK/ **546**

Larkano dated **31/05/2022**

To,

✓
The Assistant Director (Legal-II)
SPPRA Govt. of Sindh
Karachi.

Subject: **MINUTES OF CRC MEETING.**

Please find enclosed herewith a copy of Minutes of CRC meeting held on 31.05.2022 at 4:30 p.m in the office of undersigned in connection with complaints made by the following complainants against the Procuring Agency/Executive Engineer, Education Works Division Jacobabad regarding the procurement process related to his office NIT No.XEN/EWD/TC/G-55/5681 dated 28.04.2022.

- M/S Nawab & Sons Construction Service.

RA INWARD DIARY
4489
31.05.2022

D.A as above

(Signature)
(Eng: Altarf Hussain Bhurgri)
SUPERINTENDING ENGINEER
EDUCATION WORKS CIRCLE
LARKANO

CC to:

- The Chief Engineer, Education Works Region Sukkur.
- The Executive Engineer, Education Works Division, Jacobabad.
- The Members of CRC
- The complainant

SUPERINTENDING ENGINEER

PCs.
put-up for
Hoisting
SPPRA Website
10/6
D.D.L
10/06

**MINUTES OF CRC MEETING HELD UNDER THE CHAIRMANSHIP OF SUPERINTENDING ENGINEER /
CHAIRMAN CRC, EDUCATION WORKS CIRCLE LARKANO ON 31.05.2022 @ 4.30 p.m.**

A CRC meeting was held under the chairmanship of Superintending Engineer/Chairman CRC, Education Works Circle Larkano in his office on **31.05.2022 at 4:30 p.m** to decide the complaints in terms of Rules-31(3) & (5) of SPP Rules, 2010 (Amended up to date). Following attended the meeting.

1. Mr. Altaf Hussain Bhurgri , SE/Chairman CRC.
2. Mr. Ghous Bux Mugheri, XEN, EWED Larkano / Member CRC.
3. Mr. Naveed Ali Unar, Sub-Accounts Officer D.A.O / Member CRC.
4. Mr. Syed Maqsood Ali Shah, XEN/Procuring Agency EWD Jacobabad.
5. Mr. Ghulam Hyder Gopang, Accounts Clerk/Tender Clerk.
6. M/S Nawab & Sons Construction Services, Complainant.

The chairman welcomed all the participants and subsequently informed the forum about the complaints made by above named Contractor/Complainant regarding procurement process related to NIT No. XEN(EWD)/TC/5681 dated 28.04.2022 issued by Procuring Agency/ Executive Engineer, Education Works Division, Jacobabad.

1. **M/S Nawab & Sons Construction Services, complainant** stated as under:
 - i. His firm applied for three works mentioned at Sr. # 1, 2 & 4 of instant NIT & submitted tender documents to the Procuring Agency through Courier Services vide Rec eipt # 1710009733201 dated 18.05.2022. He further stated that submission & opening of tenders was fixed on 18-05-2022 at 10:00 a.m & 2:00 p.m, but there was no any single Member of Procurement Committee available in the office to make the tendering process as required under SPP Rules, 2010, whereas the representative of the complainant and other contractors waited in the office of the Procuring Agency till office working hours (05:00 p.m), even the officer/official did not attend the office within office hours.
 - ii. In terms of Rule-47(1) of SPP Rules, 2010 "Single Stage One Envelope" bidding procedure shall be used as the standard bidding procedure for procurement of goods, works and services of simple and routine nature and where no technical complexity or innovation is involved. However, in the instant case, which seems to be simple and routine nature, but the Procuring Agency has used "Single Stage two Envelope" method which is against the Authority's Rules.
 - iii. Procuring Agency (PA) has uploaded the very old Notifications dated 28.04.2015 of Procurement Committee (PC) and Complaint Redressal Committee (CRC) issued by Secretary to Govt. of Sindh, Education and Literacy Department Karachi, which have been expired on 30.06.2015, but the Procuring Agency failed to get the Current Notifications issued.
 - iv. Procuring Agency absolutely failed to rectify the infirmities and observations as pointed by the SPPRA on its website on dated 18.05.2022 through system generated before the date of opening of bids.
 - v. Procuring Agency wants to award these all works to his specific and favourite persons in the darkness of night and do not make open competition in terms of Rule-15(1), prior to this most of the development works awarded to the blue eyes contractors.
 - vi. No transparency made by the Procuring Agency (PA) in the tendering process as required under Rule-4 of SPP Rules, 2010.
2. **The Procuring Agency i.e Executive Engineer, Education Works Division Jacobabad** stated as under:
 - i. He has also the additional charge of Education Works Division, Kamber-Shahdadiot. Due to the visit of Chief Minister's Inspection and Evaluation Team to District Kamber Shahdadkot on **18-05-2022**, the tenders were not opened on the scheduled date i.e 18.05.2022, but the same were opened on next date i.e **19.05.2022** at 2:00 p.m in the presence of Procurement Committee by intimating all the interested bidders available in the office on 18.05.2022 and by issuing a

corrigendum vide No. XEN(EWD)/TC/G-55/5743 dated 18.05.2022. He further stated that it is clearly mentioned in instant NIT, if the Head of Procuring Agency or any member of Procurement Committee remains out of headquarters on the date of opening of tenders due to any reason, the tenders will be opened on next day.

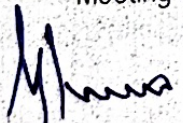
- ii. He clarified that building work being typical and critical contains numerous items of work. The complexity, technicality and particularity are determined by the nature and objectives of the works. Merely low cost is not the standard for some work to be considered as simple or complex. Moreover, the Procuring Agency is empowered to choose any method as per Rule-3391) and 46(2) of SPP Rules, 20210. He also stated that Rule-33 stipulates that selection method adopted by the procurement committee shall not be subject to the appeal or review.
- iii. He stated that Procurement Committee (PC) and CRC Notifications have issued by the competent authority i.e worthy Secretary, Education & Literacy Department Govt. of Sindh Karachi on 28.04.2015. It is not clearly mentioned in the said Notifications that the same expires on 30.06.2015.
- iv. He clarified that rectification of the infirmities and observations as pointed by the SPPRA on its website on dated 18.05.2022 through system generated was made on 23-05-2022. Copy of such compliance is also uploaded on the authority's PPMS system and can be seen by the complainant, if possible.
- v. He stated that the evaluation of Bids is still under process by the Procurement Committee and Evaluation Reports (BERs) are yet to be hoisted on the website. How did the complainant observe that the works were awarded to the favourite persons.
- vi. The procuring agency narrated that he had fulfilled all the codal formalities as required under SPP Rules, 2010 and further stating that allegations leveled by the complainant are not based on facts and beyond the truth.

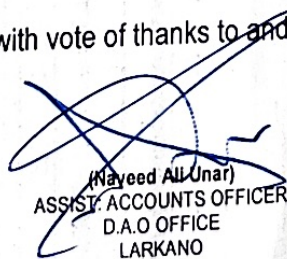
CRC forum verified all documentary evidences presented by the Procuring Agency/ Executive Engineer, Education Works Division, Jacobabad and observed no any violation of SPP Rules 2010 (Amended up to date) on the part of procuring agency in connection with procurement process of the instant NIT.


Decision:

After verification of all the documentary evidences provided by the Procuring Agency and discussion in detail, the Complaint Redressal Committee (CRC), in the exercise of powers delegated under Rules-31(3) & (5) of SPP Rules, 2010 (Amended up to date) dismisses the complaint and allows the Procuring Agency/Executive Engineer, Education Works Division Jacobabad to continue the procurement process as per Rules.

Meeting was ended with vote of thanks to and from chair.


(Ghous Bux Mugheri)
EXECUTIVE ENGINEER
EDUCATION WORKS (E) DIVISION
LARKANO
(Member CRC)


(Naveed Ali Unar)
ASSIST. ACCOUNTS OFFICER
D.A.O OFFICE
LARKANO
(Member CRC)


(Altarf Hussain Bhurgri)
SUPERINTENDING ENGINEER
EDUCATION WORKS CIRCLE
LARKANO
(Chairman CRC)