



OFFICE OF THE
SUPERINTENDING ENGINEER PROVINCIAL HIGHWAY CIRCLE SUKKUR

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No. BB(i)/ 525 /2023

Dated: 14 / 03 /2023

To

The Chief Engineer
Highway Sukkur

Subject: **MINUTS OF THE MEETING OF COMPLAINT REDRESSAL COMMITTEE
HELD ON 14-03-2023**

The Decision / Minutes of the meeting of Complaint Redressal Committee, complaint made by **M/S. Abdul Khalique Phulpoto**, Government Contractor against NIT called by the Executive Engineer Provincial Highway Division **Khairpur** vide NIT No: TC/G-55/ 1640 Dated: 28-12-2022, is submitted herewith for favour of kind information.

DA/As...Above

**SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR**

Copy (alongwith copy of above minutes of the meeting) forwarded with compliments

- 1 ✓ The Assistant Director (Legal-II) Government of Sindh, Sindh Public Procurement Regulatory Authority Karachi
- 2 The District Accounts Officer Sukkur
- 3 The Executive Engineer Barrage Division Sukkur
- 4 The Executive Engineer Provincial Highway Division **Khairpur**.
- 5 **M/S. Abdul Khalique Phulpoto, Government Contractor Khairpur**

Ph.
Hoist on
SPPRA Website
AA/C2
28/3

**SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR**

NO: 4003
DATED: 22/3/23

MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE (CRC)
HELD ON 14-03-2023 REGARDING COMPLAINT MADE BY
M/S ABDUL KHALIQUE PHULPOTO GOVERNMENT CONTRACTORS

The meeting of Complaint Redressal Committee (CRC) was held on 14-03-2023, in terms of Rule No: 31 of SPPRA Rules 2010 (Amended to date) in order to redress the grievances of **M/S. Abdul Khaliq Phulpoto**, Government Contractor regarding tenders invited for procurement of different work in office of the Executive Engineer Provincial Highway Division Khairpur NIT No: TC/G-55/ 1640 Dated: 28-12-2022

The following members attended the meeting:-

1	Superintending Engineer Provincial Highway Circle Sukkur	Chairman
2	District Accounts Officer Sukkur	Member
3	Executive Engineer Barrage Division Sukkur	Member
4	Executive Engineer Provincial Highway Division Khairpur	Executive Engineer Chairman Procurement Committee
5	M/s. Abdul Khaliq Phulpoto	Complainant

COMPLAINT REDRESSAL COMMITTEE PROCEEDINGS:

The Meeting was started with the name of Almighty Allah. The Superintending Engineer Provincial Highway Circle Sukkur / Chairman Complaint Redressal Committee (CRC) welcomed all the participants for attending the Meeting and narrated that the Meeting was conveyed in terms of Rule No: 31 of SPPRA Rules 2010 (Amended to date). The participants were informed that **M/s. Abdul Khaliq Phulpoto**, has lodged complaint for redressal of their grievances regarding tenders invited by the Executive Engineer Provincial Highway Division Khairpur vide NIT No: TC/G-55/ 1640 Dated 28-12-2022. The chairman asked the complainant to present their case / version on the instant NIT before the committee.

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VERSION OF THE COMPLAINANT MENTIONED IN THE COMPLAINT:-

The Executive Engineer Provincial Highway Division Khairpur has committed the following irregularities:-

- I I applied on two works at NIT serial number 15 and 32 and their tender documents collect from the tender clerk one day before and then both tender bids filled and financial proposals and relevant documents if tenders alongwith original two call deposits amount in Rs: 100000/- FOR SERIAL No: 15 and Rs: 2283000/- for serial No. 32 with two CDs of tender fee Rs: 3000/- each attached. The both bid documents in sealed envelopes inserted in tender box before Executive Engineer in his presence, but unfortunately there was no committee member available. After that on same day at 11:30 am. The Executive Engineer did not open the tender box and nicked the tender box and went away.
- II My bids both tender's serial number 5 and 32 are very lowest below rates filed by me. The Executive Engineer sold both works to others on above premium rates from my below bid offered, which is violation of SPPRA and transparency in tenders.

PROCURING AGENCY'S VERSION:-

Mr. Zain-ul-abdin Morio Executive Engineer Provincial Highway Division Khairpur / Chairman Procurement Committee replied as under:-


- 1) The bidding process was completed in a transparent manner and works were awarded to the successful bidders in terms & conditions of NIT and bidding documents
- 2) The complainant was well informed about rejection of Bid as the Bid of the Complainant was rejected before all bidders.
- 3) D.R / Pay order not attached with Technical Proposal, hence Procurement Committee rejected Technical Proposal.
- 4) According to illegibility / mandatory criteria (v) that Annual audited reports of last three years from (ICAP) registered audit firm. Audit report issued others than (ICAP) registered audit firm will not be accepted. But contractor failed to provide audit report of three years.
- 5) According to terms & conditions mentioned in NIT conditions No.ix contractor has to submit Annual income Tax Return Last three years, but contractor submitted income Tax Return for the year 2019 only.
- 6) According to condition No. xi, each page of technical proposal must be numbered and attested by the owner of firm of company alongwith stamp, but contractor did not signed technical proposal.
- 7) According to Terms & conditions No. 14 That fresh Affidavit to this effect that the firm / contractor have not been black listed by any executed agency, but contractor submitted photocopy of affidavit for the year 11, 12, 2019.

- 8) According to condition No. vii that certificate of Bank showing credit worthiness of at-least 15% (average balance per year for the last three years) of the estimated cost of work alongwith Bank Statement must be provided separately for each year starting from 1st July to 30th June for the last three years and recent bank certificate must be attached showing the available balance, but contractor only submitted bank statement of one year starting from 01-01-2021 to 05-01-2022.


DECISION OF COMPLAINANT REDRESSAL COMMITTEE (CRC):-

After hearing the both parties in depth, going through the relevant rules, grievances of the Complainant, it is unanimously decided that the complainant failed to fulfill the terms & conditions of the procurement agency in this NIT, hence the complaint stands dismissed.

The meeting ended with a vote of thanks from the Chair.

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District Accounts Officer
Sukkur
(Member CRC)

Beera Noni Tachi
Member


Executive Engineer
Barrage Division
Sukkur
(Member CRC)


Superintending Engineer
Provincial Highway Circle
Sukkur
(Chairman CRC)