



OFFICE OF THE
SUPERINTENDING ENGINEER PROVINCIAL HIGHWAY CIRCLE SUKKUR

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No. BB(i)/ 512 /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. Al-Fatah Construction Company**, 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
22.3.23

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. Al-Fatah Construction Company, Government Contractor** Flat Registration No: 17 Solangi Muhalla Agha Badaruddin Colony New Pind Sukkur.

OFFICE INWARD DIARY
4059
22/3/23

Ph.
put up for
posting on
SPPRA website
AD(C-1)

SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR

MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE (CRC)
HELD ON 14-03-2023 REGARDING COMPLAINT MADE BY
M/S AL-FATAH CONSTRUCITON COMPANY 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. Al-Fatah Construction Company**, 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	Mr. Aamir Khan Sadhaya of representative M/S. Al-Fatah Construction Company	Representative

COMPLAINT REDRESSAL COMMITTEE PROCEEDINGS:

The Meeting 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. Al-Fatah Construction Company** 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. Complaint under Rule No: 31 of of SPP Rules 2010, against Procuring Agency, (The Executive Engineer Provincial Highway Division Khairpur) as the Executive Engineer has misused his Executive Powers by awarding the works on highest rates to his chosen Contractors & not issuing the qualification or Dis-Qualification letter not conducting the opening of (Financial Proposal) in Below mentioned NIT violated SPP Rules 2010.
- ii. That the procuring agency has imposed difficult and discriminatory conditions in the subject NIT just to avoid the wide competition and to make illegal settlements.
- iii. I participated on work No. 5 as lowest bid
- iv. So NIT may kindly be canceled and recall


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 complaint was well informed about rejection of Bid as the Bid of Complainant was rejected before all bidders.
- 3) On the behalf of the Contractor his representative appeared before Procuring Committee rejected his Technical Proposal.
- 3) According to terms & conditions mentioned in NIT Condition No. ix contractor has to submit Annual Income Tax Return of last Three years.
- 4) According to illegibility / mandatory criteria (ii) that at least 03 works having same specifications and nature having equal or more cost **OR** quantum (in terms of quantities) completed during past three years duly supported with completion certificate, certified copies detailed working estimate and SPPRA ID's showing Bid evaluation report. But Contractor failed to provide work order of same nature / amount.
- 5) 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
- 6) According to illegibility / mandatory criteria (v) that Annual audited reports of last three years from (ICAP) registered audit firm. Audit report issued other than (ICAP) registered audit firm will not be accepted. But contractor failed to provide audit report of three years.

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.


District Accounts Officer
Sukkur
(Member CRC)

Beena N. Perhi
Member


Superintending Engineer
Provincial Highway Circle
Sukkur
(Chairman CRC)


Executive Engineer
Barrage Division
Sukkur
(Member CRC)