OFFICE OF THE
SUPERINTENDING ENGINEER PROVINCIAL HIGHWAY CIRCLE SUKKUR

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No. BB(i)/ 526 /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. Ashfaque Ahmed Khilji & Brothers,** 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. Ashfaque Ahmed Khilji & Brothers, Government Contractor** Khairpur Sallar Mohalla Pir Jo Goth District Khairpur Mir's Cell No# 0304-4499502.

SPPRA INWARD DIARY
NO: 4044
DATED: 22/3/23

Ph. Host on SPPRA Website
AD(L-II) 28/3

SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR

MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE (CRC) HELD ON 14-03-2023 REGARDING COMPLAINT MADE BY M/S ASHFAQUE AHMED KHILJI & BROTHERS 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. Ashfaque Ahmed Khilji & Brothers**, 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. Ashfaque Ahmed Khilji & Brothers**	Complainant

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. Ashfaque Ahmed Khilji & Brothers,** 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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SION 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: 660000/- For Serial No: 6 and Rs: 915000/- for serial No. 29 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) 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.

4) According to illegibility / mandatory criteria (iii) Bio data of Engineering and technical staff working with the firm. But contractor failed to provide list of technical staff.

5) According to illegibility / mandatory criteria (iv) Annual turnover at-least twice per annum, to the estimated cost of the work applied, in last 3 years (turnover will be evaluated from annual returns and audit reports) .

6) According to illegibility / mandatory criteria (v) Annual audited reports of last three eyars from (ICAP) registered audit firm. Audit report issued other than (ICAP) registered audit firms will not be accepted. But failed to provide Audit report.

7) According to illegibility / mandatory criteria (iv) of machinery and equipment available with documentary evidence of its ownership/rented. But failed to provide list of machinery.

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8) According to illegibility / mandatory criteria (vii) 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 failed to provide.

9) According to illegibility / mandatory criteria (ix) Annual Income Tax returns of last three years. But failed to provide income Returns for three year.

10) According to illegibility / mandatory criteria (xi) Each page of the technical proposal must be numbered and attested by the owner of firm / company alongwith its stamp.

11) According to Term & Condition No. (10) fresh affidavit with effect that all the documents / particulars / machinery information furnished are true and correct in case of Bogus / Tempered or false information / certificates providing by the company / firm shall be liable to be black listed at any stage. But contractor failed.

12) According to Term & Conditions No. (13) undertaking on stamp paper that firm is not involved in any kind of litigation with, any departmental rift, abandoned or unnecessary delay in completion of any work.

13) According to Term & Condition No. (14) Fresh affidavit to this effect that the Firm / Contractors have not been black listed previously by any executing agency.

SION OF COMPLAINANT REDRESSAL COMMITTEE (CRC):-

After hearing the both parties in depth, going through the relevant rules, grievances of Complainant, it is unanimously decided that the complainant failed to fulfill the terms & conditions ıe 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)

Executive Engineer
Barrage Division
Sukkur
(Member CRC)

Being a Non-Tech. Member

Superintending Engineer
Provincial Highway Circle
Sukkur
(Chairman CRC)