

**OFFICE OF THE
PROJECT MANAGER PROJECT IMPLEMENTATION UNIT
HYDERABAD-MIRPURKHAS DUAL CARRIAGEWAY PROJECT HYDERABAD**
No: F-24/HMDCP/Complaint Redressal Committee/6800 Dated: - 31-08-2023

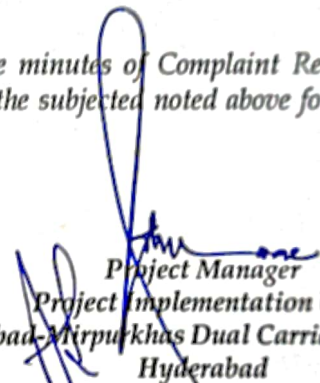
To,

The Chief Engineer,
(Highways) Hyderabad.

Subject: - MINUTES OF THE MEETING OF COMPLIANT REDRESSAL COMMITTEE (CRC) OF PROVINCIAL HIGHWAYS DIVISION, SHAHEED BENAZIRABAD IN RESPECT OF NIT NO: TC/G-55/ 2123 Dated 03-07-2023, AS PER RULE-31 OF SPPRA RULES 2010 (AMENDED-UPTO DATE) HELD ON MONDAY, 28TH AUGUST, 2023 @ 03:00 P.M. IN OFFICE OF THE OFFICE OF THE PROJECT MANAGER PROJECT IMPLEMENTATION UNIT-HYDERABAD-MIRPURKHAS DUAL CARRIAGEWAY PROJECT, HYDERABAD.

Please find enclosed herewith the minutes of Complaint Redressal Committee meeting held on MONDAY, 28TH AUGUST, 2023 on the subjected noted above for favour your kind information and further action.

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Project Manager
Project Implementation Unit
Hyderabad-Mirpurkhas Dual Carriageway Project
Hyderabad

Copy forwarded for information to the: -

- Executive Engineer, Provincial Highways Division, Shaheed Benazirabad.
- Assistant Director (Legal-II), Sindh Public Procurement Regulatory Authority, Government of Sindh, Karachi.

M/S Saeed Ahmed & Sons, Government Contractor, Akhuwat Nagar, Society Banglow # 228, Block-B, Sukkur, Cell No: 0345-3891143 - 0300-3148325.

M/S Haji Muhammad Saleh & Sons, Government Contractor, Post office, Hamayoun, Taluka & District Shikarpur, Cell No: 0300-3960419 - 0315-5589851

SPPRA INWARD DIARY
NO : 550
DATED 04.09.23

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for this thing
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MINUTES OF THE MEETING OF COMPLIANT REDRESSAL COMMITTEE (CRC) OF PROVINCIAL HIGHWAYS DIVISION, SHAHEED BENAZIRABAD IN RESPECT OF NIT NO: TC/G-55/2123 Dated 03-07-2023, AS PER RULE-31 OF SPPRA RULES 2010 (AMENDED-UPTO DATE) HELD ON MONDAY, 28TH AUGUST, 2023 @ 03:00 P.M. IN OFFICE OF THE OFFICE OF THE PROJECT MANAGER PROJECT IMPLEMENTATION UNIT-HYDERABAD-MIRPURKHAS DUAL CARRIAGEWAY PROJECT, HYDERABAD.

The Meeting of Complaint Redressal Committee (CRC) in order to redress the grievances / complaint of M/S Saeed Ahmed & Sons, Government Contractor & M/S Haji Muhammad Saleh & Sons, Government Contractor regarding Tenders invited for procurement of different works in office of the Executive Engineer, Provincial Highways Division, Shaheed Benazirabad, as per Rule-31 of SPPRA Rules 2010 (Amended up to date) was held on Monday, 28TH August, 2023 @ 03:00 P.M. in office of the Project Manager, Project Implementation Unit, Hyderabad-Mirpurkhas Dual Carriageway Project, Hyderabad. The following attended the meeting: -

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|---|--|
| 1. Engr: Khurram Mughal
Project Manager
Project Implementation Unit
Hyderabad-Mirpurkhas Dual Carriageway Project
Hyderabad | Chairman,
Complaint Redressal Committee |
| 2. Mr. Muhammad Ali Memon,
Retired-Executive Engineer | Member
Complaint Redressal Committee
(An Independent Professional) |
| 3. Mr. Qamaruddin Solangi,
Divisional Accounts Officer,
Sindh Provincial Road Improvement Project,
Hyderabad | Member
Complaint Redressal Committee |
| 4. Mr. Abdul Majeed Panhyar,
Executive Engineer, Provincial Highways Division,
Shaheed Benazirabad. | Executive Engineer/
Chairman Procurement Committee |
| 5. Saeed Ahmed & Sons
Government Contractor | Complainant |
| 6. M/S Haji Muhammad Saleh & Sons
Government Contractor | Complainant |



Complaint Redressal Committee Proceedings

The meeting was started with name of Almighty Allah. The Project Manager, Project Implementation Unit, Hyderabad-Mirpurkhas Dual Carriageway Project, Hyderabad / Chairman Complaint Redressal Committee welcomed all the participants for attending the meeting and narrated that the meeting was conveyed in terms of Rule No: 31 of Sindh Public Procurement Regulatory Authority Rules-2010 (Amended-up to date). He informed that above mentioned applicants have lodged complaint for redressal of their grievances regarding Tenders invited for procurement of different works in office of the Executive Engineer, Provincial Highways Division, Shaheed Benazirabad, vide NO: TC/G-55/2123 Dated 03-07-2023

The Chairman Complaint Redressal Committee requested the complainants to explain their position in respect to subjected NIT.

During the meeting an advocate representing himself as a legal advisor was brought by the complainants with themselves who produced the authority but the same was rejected in light of the SPPRA Rules as there is no provision of legal advisor in SPPRA Rules, the complainants were asked to explain their position themselves.

The complainants informed that they had participated in the bidding process for the works mentioned @ S.No: 13 & 16, but their names were not included in the list of participants and all the works were awarded on the basis of relationship rather than merit, which shows clear violation of rules.

In this connection, Executive Engineer, Provincial Highways Division, Shaheed Benazirabad was asked to explain his position in light of the allegation levelled by the complainants.

Version of Executive Engineer

The Executive Engineer, Provincial Highways Division, Shaheed Benazirabad / Chairman Procurement Committee submitted his written statement that the applications of M/S Saeed Ahmed & Sons, Government Contractor & M/S Haji Muhammad Saleh & Sons, Government Contractor are not based on any specific allegation which may be redressed. Moreover, he further stated that the both complainants did not submit their sealed bids by hand or through any courier within due date and time.



In addition to above, the Executive Engineer, further informed that that the tenders were invited according to SPPRA Rules 2010 (Amended-up-to-date) and got published in the leading newspapers and hoisted on SPPRA's website for wide publicity and healthy competition. The bids were opened in presence of the contractors as well their authorized representatives, attendance sheet was signed by the contractors present on the occasion and bids were loudly announced. Evaluation process of the bids was started immediately by the Procurement Committee and the contractors whose bids were lowest and fulfilling the eligibility criteria mentioned in the NIT were recommended for award of the contracts after getting approval from the competent authority.

The above-mentioned entire process of procurement completed clearly proves that neither any violation of SPPRA Rules was made nor any act of favoritism, bias, relationship and misprocurement was committed but all out efforts were taken to ensure transparency and fairness at each step.

Decision of Complaint Redressal Committee

After hearing the both parties, detailed discussion, the Complaint Redressal Committee on one hand rejected the representation of Legal Advisor as it was in contravention to SPPRA Rules, but on other hand given full chance to the complainants to prove their allegations. But the complainants failed to submit any solid documentary proof regarding their allegations. Besides this, the allegation of the complainants were itself controversial. On one hand they were saying that they had participated in the technical bid opening process of NIT No: TC/G-55/21223 Dated 03-07-2023, which was held on 24-07-2023, but their signatures were not available on the attendance sheet of technical bid opening, which negates their claim of participation on one hand and on other hand they were failed to produce any authentic proof for sending the bids through courier.

The financial bids of the work @ S.No: 16 (the work on which complainants were claiming that they participated) was hoisted on SPPRA website on 08-08-2023 and the financial bid of work @ S.No: 13 was hoisted on 10-08-2023 respectively. The SPPRA Rule 45-Annoucement of evaluation report reproduce as under: -001



"Procurement agencies shall announce the results of bid evolution in the form of a report giving reasons for acceptance or rejection of bids. The report shall be hoisted on website of the Authority and that of the procuring agency if its website exists and intimated to all the bidders at least (Three-03 working days) prior to award of contract".

Whereas the complaints of the complainants were received on 23-08-2023, more interestingly the date on the complaints was mentioned 17-08-2023 and dispatched them on 22-08-2023 and the same were received to the Chairman CRC on Dated 23-08-2023, which clearly proves the malafide intention of the complainants

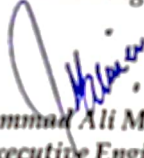
The SPPRA Rule-31-3 re-produce as under: -


"Any bidder being aggrieved by any action or decision of the procuring agency after the issuance of notice inviting tenders may lodge a written complaint".

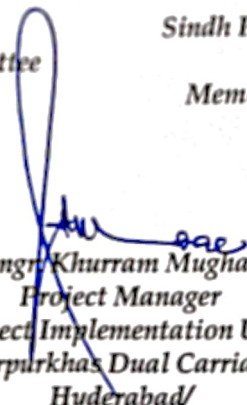
In light of the subject SPPRA Rule the complainants had not submitted their bids within due date and time, hence they do not fall under the category of aggrieved bidder.

Keeping in view the above stated position and after hearing the both parties, the Complainant Redressal Committee unanimously decided that the, allegations leveled by the complainants are baseless, as the complainants failed to prove their participation in the instant NIT. Hence the complaints stand dismissed.

The meeting ended with the vote of thanks to and from the chair.


(Engr. Muhammad Ali Memon)
Retired: Executive Engineer
(An Independent Professional)
Member Complaint Redressal Committee


(Qamruddin Solangi)
Divisional Accounts Officer,
Sindh Provincial Road Improvement Project,
Hyderabad
Member Complaint Redressal Committee


(Engr. Khurram Mughal)
Project Manager
Project Implementation Unit
Hyderabad-Mirpurkhas Dual Carriageway Project
Hyderabad/
Chairman, Complaint Redressal Committee

