

**OFFICE OF THE DIRECTOR DESIGN IRRIGATION IN SINDH HYDERABAD**



NO. DD/CRC/ 163 of 2020  
Hyderabad, dated: 02/07/2020

To,

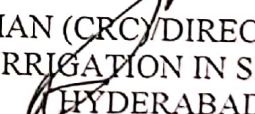
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The Assistant Director (Legal-II),  
Sindh Public Procurement Regulatory Authority,  
(SPPRA) Govt of Sindh,  
Karachi.

Subject:- **MINUTES OF MEETING.**

- Reference:- M/S F.B. Enterprises letter No.FB/TFWSDM/01 Dated 19.06.2020 received on 22.06.2020.
2. M/S Qalander Bux Abro & Co. No. Nil Dated 19.06.2020 received on 22.06.2020..
  3. M/S Ghulam Murtaza Enterprises letter No GME/122
  4. M/S MBK Construction letter No.MBK/109
  5. M/S Khalil ur Rehman letter No.300 Dated 22.06.2020.
  6. M/S Indus Construction Company letter No.102 Dated 22.06.2020.
  7. M/S Agha Shoaib & Brothers letter No.1203 Dated 22.06.2020.
  8. M/S Muhammad Alam Baloch No.MAB/DAY/2020/141 Dated 22.06.2020
  9. M/S Mehran Enterprises No.ME/HYD/2020/029 Dated 23.06.2020
  10. M/S Asif Ali Baloch No.AAM/HYD/2020/139 Dated 22.06.2020
  11. M/S SSD Enterprises No.61/ Dated 26.06.2020
  12. M/S S & Sons No.1769 Dated 23.06.2020.

With reference to above referred letters, a meeting was held on 30.06.2020 under the Chairmanship of undersigned, the Complaint Redressal Committee to scrutinize the procurement proceedings submitted by the Executive Engineer, Thar Fresh Water Supply Division, Mirpurkhas, the minutes of meeting are enclosed herewith for further necessary action.

This is for favour of your kind information.

  
CHAIRMAN (CRC)/DIRECTOR DESIGN  
IRRIGATION IN SINDH  
HYDERABAD

c.c to:-

1. The Secretary to Government of Sindh, Irrigation Department, Karachi.
2. The Chief Engineer, Irrigation Development Region-II, Hyderabad.
3. The Superintending Engineer, Fresh Water Supply Arid Zone Sindh, Hyderabad.
4. The Executive Engineer, Fresh Water Supply Division, Mirpurkhas.
5. Government Contracts (All).

Post the  
CRC decision  
New put up  
06/07/20  
2357

**MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE (CRC)**  
**MEETING HELD ON 30.06.2020 TO HEAR THE COMPLAINTS /**  
**GRIEVANCES AGAINST NOTICE INVITING SEALED BIDS FROM OLD**  
**PRE QUALIFIED CONTRACTORS THROUGH NIT NO. TC/G-55/ TFWSD/81**  
**MIRPURKHAS DATED 16/06/2020 CALLED BY THE EXECUTIVE**  
**ENGINEER THAR FRESH WATER SUPPLY DIVISION MIRPURKHAS,**  
**COMPLAINT AS PER VIOLATION OF RULE-31 OF SPP RULES-2010.**

**Bidders/ Complainants:-**

1. M/S Indus Construction.
2. M/S Mehran Enterprises.
3. M/S Agha Shoaib.
4. M/S Asif Ali Mugheri.
5. M/S M. Alam Baloch.
6. M/S Qalandar Bux Abro.
7. M/S FB Enterprises.
8. M/S Khalil ur Rehman.
9. M/S SSD Enterprises.
10. M/S MBK Construction.
11. M/S Ghullam Murtaza Enterprises.

**Background:-**

1. Government of Sindh constituted Complaint Redressal Committee vide Notification No.SO(R&S)8-110/2018-19/254, dated 30.12.2019 in terms of Rule 31(b) of Sindh Public Procurement Rule 2010.
2. The Complaint Redressal Committee meeting was convened for hearing of grievances / complaints of above cited / mentioned bidder/ complainant in connection with the NIT invited by Executive Engineer, Thar Fresh Water Supply Division, Mirpurkhas vide No.TC/G-55/TFWSD/81 dated 16.06.2020.

**Proceeding / Decision:-**

After hearing the grievances of the complainants, going through the relevant record/ documents produced by the Procuring Agency & referring the relevant rules / regulations of SPP Rules-2010, Complaint Redressal Committee (CRC) observed that the said NIT No.TC/G-55/TFWSD/81 Dated the 16<sup>th</sup> June, 2020 was scheduled to be opened on 02-07-2020. It was further

apprised by the Procuring Agency that the bids are received from the Pre-Qualified bidders. On an objection of a Complainant regarding splitting of works or packages, the procuring Agency explained it referring the SPP Rule-12 that the splitting has been made to minimize the execution time with no deviation or shortening of the approval process, the explanation of the Procuring Agency is upheld.

On an another objection regarding the scope of Pre-Qualification, the Procuring Agency referred the concluding para of SPP Rule-27(2), which is reproduced below:

*“Provided that pre-qualification may be carried out for specific procurement contract and shall be applicable only to that particular assignment.”*

The above provision of the SPP Rule was discussed in detail with reference to the objection raised. The Committee after detailed deliberations unanimously agreed that the phrase “particular assignment” refers to the goals / assignments mentioned in PC-I. Thus the works may be carried out by the bidders already pre-qualified.

Another objection regarding applicability of Pre-Qualification Process instead of Open Competitive Bidding, SPP Rule-27 was discussed so as to ascertain the need of Pre-Qualification. The Committee observed that providing & laying MS / HDPE pipes of a specific grade / specification in a desert area of Thar with different elevations & pumping it to a length of more than 95 kilometers is a specialized job which needed skilled labor & equipment.

Keeping in view the above, the Committee, therefore declares the procurement process as Valid.