



OFFICE OF THE DIRECTOR DESIGN IRRIGATION IN SINDH HYDERABAD

NO. DD/CRC/ 194 of 2020
Hyderabad, dated: 10 / 08 /2020

To,

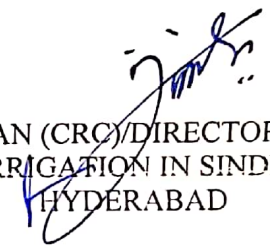
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The Assistant Director (Legal-II),
Sindh Public Procurement Regulatory Authority,
(SPPRA) Govt. of Sindh,
Karachi.

Subject:- **MINUTES OF MEETING.**

Reference:- M/S Haji Habibullah Khan letter No. Nil dated 22.07.2020.

With reference to above referred letters, a meeting was held on 07.08.2020 under the Chairmanship of undersigned, the Complaint Redressal Committee scrutinized the proceedings submitted by the Executive Engineers, Kalri Baghar Division, Thatta, in this regard 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 Kotri Barrage Region, Hyderabad.
3. The Superintendent Engineer, Baghar Circle, Hyderabad.
4. The Executive Engineers, Kalri Baghar Division, Thatta.

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CHAIRMAN (CRC)/DIRECTOR DESIGN
IRRIGATION IN SINDH
HYDERABAD

SPPRA INWARD DIARY
NO : 703
DATED 17-08-20


17/8
DD/legal:

Post-
then decision/Pur-up
Amman
17/08/20
ASST

**MINUTES OF MEETING OF COMPLAINT REDRESSAL COMMITTEE HELD ON
07.08.2020 TO HEAR THE GRIEVANCES AGAINST XEN KALRI BAGHAR DIVISION,
NIT NO. TC/G-148/525 DATED: 16-07-2020.**

A meeting of Complaint Redressal Committee (CRC) constituted vide Irrigation Department Notification No.SO(RS)8-110/218-19 Dated 30th November, 2019 was held under the chairmanship of Director Design in Sindh, Irrigation Department Hyderabad @ 28-A, Civil Lines, Hyderabad on 07th August 2020 @ 11.30 a.m. in connection with complaint lodged by M/s Haji Habibullah Khan regarding procurement of ADP scheme namely "CC Lining of Ghar Massan Minor from RD 0.00 to RD 24.280" invited by Executive Engineer Kalri Baghar Irrigation Division vide NIT No. TC/G-148/525 Dated: 25-07-2020.

The CRC comprises as under:

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|---|----------|
| 1. Director Design in Sindh
Irrigation Department,
Hyderabad. | Chairman |
| 2. Superintending Engineer,
Baghar Irrigation Circle. | Member |
| 3. Divisional Accountant,
Kalri Baghar Division,
(Representative of AG Sindh) | Member |
| 4. Executive Engineer,
Kalri Baghar Division. | Member |
| 5. Independent Professional | Member |

The CRC formally examined the grievances/complaints of M/s Haji Habibullah Khan vide his complaints Dated: 24-07-2020 in terms of Rule-31 of SPP Rules-2010 (amended up to date).

The chair briefed the participants about the agenda of the meeting.

Meeting started with recitation of verse of Holy Quran. Chair welcomed the participants and commenced the proceedings.

The Procuring Agency apprised the participants that:

1. The instant NIT was invited from the bidders/firms registered with PEC having appropriate specialized codes and eligibility criteria given in NIT & bidding Document in accordance with SPP Rules-2010 (amended up to date) SPPRA Procurement Regulations (WORKS) under Single Stage Two Envelope procedure with date of opening of Technical Proposals/bids as 11-08-2020.
2. The NIT was well advertised in leading Newspapers and SPPRA websites @ ID No.T00933-20-0001.

3. Since the last date of submission & opening of Technical proposals is 11-08-2020, therefore, the number of bidders is not clear as yet.
4. The technical bids/proposals will publicly be opened on 11.08.2020.

The Complaint Redressal Committee heard the bidder/complainant as under:

Mr. Aamir Aftab, authorized representative of the firm, confirmed about his complaint lodged by him. He was heard about the contents of his complaint along with replies of Procurement Committee as under:

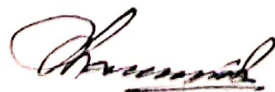

S. No:	Contents of bidder/complainant	Reply of Procuring Agency
1	Sir it is submitted that same nature of works were previously procured through Single Stage Single Envelope, whereas, the instant work has been advertised to be procured through Single Stage Two Envelope, which is violation of SPP Rules.	It is apprised that there is no restriction on the Procuring Agency whether to procure the Works through Single Stage Two Envelope for the same nature of works earlier procured through Single Stage Single Envelope in SPP Rules. Moreover, there remains a risk that few of the contractors, even not having relevant experience & capabilities, submit very low rates in order to jeopardise the process.
2	Sir, it is submitted that the Procuring Agency did not announce the date of opening of Financial Bids, which is violation of SPP Rules.	It is apprised again that SPP Rules do not obligate the Procuring Agency to announce the date of opening of Financial Bids in NIT, however, the Procuring Agency ensures to announce the date of opening of Financial Bids at the time of opening of Technical Bids.

Further more


- The Complainant has so far neither purchased the Tender Documents nor shown any proof of CDR in favour of Executive Engineer Kalri Baghar Division.

CONCLUSION/DECISION:

- The complaint of the bidder/complainant is **not maintainable** as he has neither purchased the Tender Documents nor shown any proof of CDR in favour of Executive Engineer Kalri Baghar Division, however, the Committee examined all the contents of complaint & concluded that the procurement regime is in accordance with SPP Rules-2010 (amended up to date) SPPRA Procurement Regulations (WORKS). Therefore the CRC unanimously reject the complaint lodged by M/S Haji Habibullah Khan taking into account the contentions of the complainant & procuring agency in accordance with SPP Rules-2010 (amended up to date). However, this Committee allows the bidder for any of his grievances after opening of Technical Bids, if he applies for.

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 Chairman CRC / Director Design
