



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.AD (L-II)/SPPRA/CMS-3833/2022-23/1090

Karachi, dated the 01st June, 2023

To,

The Deputy Director Procurement,
Benazir Bhutto Shaheed Human Resources,
Research Development Board
KARACHI.

Subject: DECISION OF THE REVIEW COMMITTEE OF SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY.

The undersigned is directed to refer to the subject cited above and to enclose herewith a copy of the Authority's Review Committee decision (M/s Strategic Engineering Solutions V/s Deputy Director Procurement Benazir Bhutto Shaheed Human Resources, Research Development Board Karachi) held on 31.05.2023, for information.


ASSISTANT DIRECTOR (LEGAL-II)

A copy is forwarded for information and necessary action to:

1. To the Secretary to Government of Sindh, Board & University Department Karachi.
2. The PS to Chairman / Members of the Review Committee.
3. Assistant Director I.T. SPPRA (with advice to post the decision on authority website in terms of Rule-32(11) of SPP Rules, 2010).
4. The Appellant.



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



No.AD (L-II) SPPRA/CMS-3833/2022-23 1090

Karachi, dated, 30th May, 2023

BEFORE REVIEW COMMITTEE OF SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY
UNDER RULE-32 OF SPP RULES 2010.

Decision of the Review Committee held on 31.05.2023

Appellant	M/s Strategic Engineering Solutions
Procuring Agency	Deputy Director Procurement BBSSHRDB, Karachi
SPPRA PPMS Reference ID #	T00528-22-0004
NIT Reference No.	Not mentioned in NIT
Estimated Cost of NIT Total	15 Million
Total works in NIT	03 works in NIT
Dated of Posting Notice Inviting Tender	27.02.2023
Date of Opening Technical Bids	16.03.2023
Date of Opening Financial Bids	16.03.2023
Date of Posting Bid Evaluation Report	Various bids were uploaded from 30.03.2023
SPPRA Observations	Not posted as yet
Work on which appellant complained	Work No. 02, Supply of IT Equipment
CRC letter submitted by the complainant	15.05.2023
CRC Decision	Not received as yet
Review Appeal dated	22.05.2023

Appellant's Version

The appeal was listed for the maintainability of the Appeal.

1. The appellant submitted that procuring agency signed contract for the supply of goods. However, after signing contract, the procuring agency has cancelled the bids under Rule-25 of the SPP Rules.
2. The committee observed the procuring agency has awarded contract to the appellant. As the contract has been signed, the remedies of complaint Redressal Committee and the Review Committee cannot be accessed in terms of Rule-31 (1). The Rule-31(1) is as under:-
 - (1) The Procuring Agency shall constitute a committee for Complaint Redressal Committee odd number of person, with appropriate powers and authorizations, to address the complaints of bidders that may occur during the procurement proceedings (Prior to award of contract).

3. The Rule clearly shows that CRC can be approached only prior to the award of contract. Once contract is awarded CRC and Subsequently Review Committee cannot be approached. Hence the appeal is not maintainable under the SPP Rules.

Decision of the Review Committee.

4. Given the proceedings, findings, observations and after due deliberation, in exercise of power conferred by the Rule 32(7)(a) of the SPP Rules, the Review Committee rejects the appeal as the appeal is not maintainable under the SPP Rules.



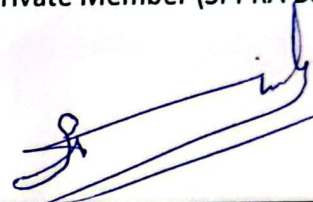
Member
(Khair Muhammad Kalwar)
Representative of Planning & Development
Department Karachi



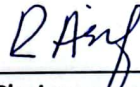
Member
(Syed Adil Gillani)
Private Member (SPPRA Board)



Member
(Manzoor Ahmed Memon)
Member SPPRA Board



Member
(Eng: Syed Muhammad Shakaib)
Independent Professional



(Chairperson)
Rubina Asif
Managing Director
Sindh Public Procurement Regulatory Authority