



KARACHI WATER & SEWERAGE BOARD

* **MD SECRETARIAT** *

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No. MD/KW&SB/2016/ 66

Dated: // February 2016

The Project Director (K-IV)
Karachi Water & Sewerage Board

Sub: K-IV Project, Minutes of Meeting of SPPRA, dated: December 18, 2015
[Supply & Fixing of Boundary Pillars and Walls for K-IV Project]

Reference: Your letter No. P.D/K-IV/KW&SB/2016/462, dated: January 29, 2016, read with MD KW&SB letter No. MD/KW&SB/2016/13/L dated: 11-01-2016 addressed to MD SPPRA.

The full report on the work contract for supply & fixing of Boundary wall Pillars and Walls for K-IV Project, as submitted by you does not commensurate with the actual events that occurred during the procurement proceedings of the subjected work contract as evident from the facts. The importance of the project is already well known to the relevant competent forums.

However to keep the record straight, it is necessary to highlight the facts which you have left to mention in your lengthy reply.

You have written at Para 09 that a meeting was held with Transparency International at SPPRA office on June 30, 2015 and has also mentioned the decision of the meeting, however you forgot to mention that another meeting was held with Transparency International at SPPRA Office on October 09, 2015 which was attended by you with K-IV Team, the K-IV consultant, representative of M/s. SPPRA and M/s. TIP. As an outcome of the meeting it was decided by the Chair that the minutes of previous meeting were issued wrongly, therefore its corrigendum was issued.

The Chair also did not agreed to the evaluation report proposed by the PA/consulting firm and decided that since the evaluation of bids is not done as per criteria mentioned in the bidding documents therefore, the tender shall be discharged and re-invited. (refer Minutes of Meeting dated 18 December 2015) copy attached.

- Please also refer to M/s. TIP's letter dated 17th June 2015 addressed to MD-KW&SB wherein M/s. TIP recommended that :-
 - i) This tender shall be discharged.
 - ii) KW&SB shall invite this tender according to SPPRA Rule No. 46(a) Single Stage One Envelope procedure for this procurement.
 - iii) And for other K-IV procurements, consultants should be advised to issue prequalification for all further packages, and the process shall be completed within a period of 90 days.
 - iv) The bids then shall be invited as per SPPRA Rules No. 46(1).

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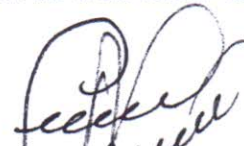
- Please refer to the meeting held in MD, KW&SB's committee Room on July 31, 2015 under the chairmanship of the then MD-KW&SB.
- During the meeting the team leader of consultant informed that while reevaluating the tender it was observed that according to mandatory requirement of prequalification documents, Registration with SBR and Blacklisting / litigation on separate stamp paper have not been submitted by the bidders, however you informed the meeting that the requirement of registration with SBR and requirement of separate stamp paper for blacklisting / litigation history are already waived by the procurement committee.

This needs to be clarified by the SPPRA that whether procurement committee has the competency to waive such kinds of mandatory requirements imposed on the procurement procedures by M/s. SPPRA. However in my opinion only a forum higher than the regulatory body i.e. M/s. SPPRA, has the authority to grant such kind of waiver.

Reference to M/s. TIP's letter No. TL15/2018/16A dated 28th December 2015 addressed to MD-KW&SB, wherein M/s. TIP has again advised to take action in accordance with the decision taken by SPPRA vide point 09 of Minutes of Meeting, dated 18-12-2015.

Facts mentioned in the foregoing Paras requires that the procurement procedure adopted should in no way construe any issue which leads to misprocurement.

While the importance and significance of K-IV Project for Karachi city cannot be undermined, the transparency in procurement process holds equal importance to bring the project on ground and cannot be compromised in any respect, hence you are advised to follow the decision of Ms/. SPPRA / M/s. TIP in its true letter and spirit in the best interest of K-IV Project.



[Misbahuddin Farid]
Managing Director, KW&SB

Copy to :-

1. Managing Director, M/s. SPPRA
2. Mr. Adil Gilani, Advisor, Transparency International Pakistan
3. Consultant, M/s. Osmani & Co. Pvt. Ltd.