

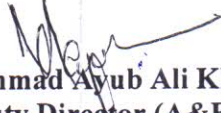


No. DD (A&F)/SPPRA/Review Committee/16-17/10605
**SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY**
GOVERNMENT OF SINDH
Karachi, dated the 15th February, 2017

- Syed Adil Gilani,
Advisor,
Transparency International, Pakistan,
Member SPPRA Board /
Review Committee
- Mr. Asadullah Soomro
Member SPPRA Board /
Review Committee
- Mr. Mujahid Ali Shaikh,
Director (Audit)
(Representative of D.G Audit, Sindh)
Member Review Committee
- Dr. Muhammad Shafqat Ejaz
Professor, Dept. of Civil Engineering,
NED University, Karachi
Member Review Committee

**SUBJECT: MINUTES OF THE MEETING OF REVIEW COMMITTEE OF SINDH
PUBLIC PROCUREMENT REGULATORY AUTHORITY (SPPRA)-
SUIT NO. 2445 OF 2016 FILED BY M/S SINOTEC CO. LTD V/S
PROVINC OF SINDH AND OTHERS**

I am directed to refer to the subject cited above and to enclose herewith minutes of the meeting of Review Committee of Sindh Public Procurement Regulatory Authority (SPPRA) held on 8th February, 2017, for your kind information, please.


(Muhammad Ayub Ali Khan)
Deputy Director (A&F)

CC to:

1. The Secretary, Irrigation Department, Government of Sindh, Karachi.
2. The Project Director, Sindh Barrages Improvement Project, Karachi.
3. The PS to Minister for Food & Parliamentary Affairs / Chairman, SPPRA Board.
4. M/s Sinotec Company Limited, 33-A, Block-G, Gulberg-III, Lahore.
5. The Staff Officer to Managing Director, SPPRA.



**GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT
REGULATORY AUTHORITY**

**SUBJECT: MINUTES OF THE MEETING OF THE REVIEW COMMITTEE
OF SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY (SPPRA)-SUIT NO. 2445 OF 2016 FILED BY M/S
SINOTEC CO. LTD V/S PROVINCE OF SINDH AND OTEHRS**

In compliance of the orders of Honorable High Court of Sindh, Karachi dated 23.11.2016 in Suit No. 2445 of 2016 filed by M/s Sinotec Company Ltd vs. Province of Sindh & Others, a meeting of Review Committee of Sindh Public Procurement Regulatory Authority was held on Wednesday, 8th February 2017 at 2:30 PM under the Chairmanship of Managing Director, Sindh Public Procurement Regulatory Authority. The following attended the meeting (**Annexure-A**). One of the member SPPRA Board / Review Committee (Mr. Asadullah Soomro) could not attend due to his pressing assignments in Court.

S.No. Name / Designation

1. Mr. Akhter Hussain Bugti,
Managing Director / Chairman Review Committee
Sindh Public Procurement Regulatory Authority,
2. Syed Adil Gilani,
Member SPPRA Board / Review Committee
3. Dr. Muhammad Shafqat Ejaz,
Professor, Dept. of Civil Engineering,
NED University, Karachi,
Independent Professional / Member Review Committee
4. Mr. Mujahid Ali Shaikh,
Director (Audit),
Representative of D.G. Audit Sindh / Member Review Committee
5. Mr. Aijaz Shaikh,
Project Director,
Sindh Barrages Improvement Project,
Irrigation Department,
Government of Sindh.
6. Mr. Abdul Razzaque Memon,
Deputy Director (Procurement),
Irrigation Department,
Government of Sindh.

7. Mr. Aayatullah Khowaja,
Advocate
for P.D Sindh Barrages Improvement Project
8. Chris Hall,
PIC
9. John Postherch,
PIC
10. Mr. Hussain Idris,
Lawyer
11. Mr. Mohammad Vawda,
Advocate for Sinotec Co. Ltd.
12. Ms. Chen Wan,
M/s Sinotec Co. Ltd.
13. Mr. Asim Bilal,
Representative of Sinotec Co. Ltd.

Meeting started with recitation from the Holy Quran, thereafter the Chair welcomed all the participants in the meeting.

The participants were informed that the "Review Committee" constituted under Rule-32(2) of SPP Rules-2010 is for the appeals received from the bidder(s) on all those procurements which come under the domain of SPPRA, whereas, the instant procurement has been carried out under the World Bank Guidelines where neither the SPP Rules nor its Redressal Grievance mechanism would apply.

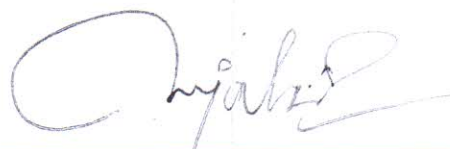
Attention of the participants was further drawn towards Rule-5 of SPP Rules, 2010 which stipulates that **"In the event that these rules are inconsistent with, or in conflict with, any obligation or commitment of Government arising out of an international treaty or an agreement with a foreign country or countries, or any international financial institution, the provisions of such international treaty or agreement shall override the provisions of these rules to the extent of that inconsistency or conflict as the case may be"** therefore; the instant procurement does not come under the ambit of SPPRA, however, in order to comply the orders of honourable High Court of Sindh, this meeting has been convened.

Decision:

“The Committee after hearing the arguments of the complainant (M/s Sinotec Co. Ltd) and all others present in the meeting has decided that the Sindh Public Procurement Rules pertaining to Review Committee is not applicable in the instant procurement and the same has to be decided / redressed in the light of the World Bank Procurement Procedure / Guidelines”



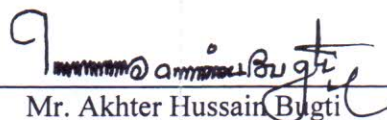
Dr. Muhammad Shafqat Ejaz
Professor, Dept. of Civil Engineering,
NED University, Karachi,
Independent Professional / Member
Review Committee



Mr. Mujahid Ali Shaikh
Director (Audit),
Representative of D.G. Audit Sindh /
Member of Review Committee



Syed Adil Gilani
Member SPPRA Board / Review
Committee


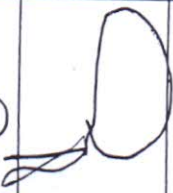

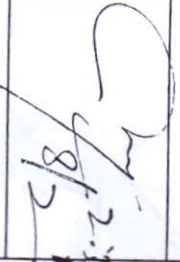







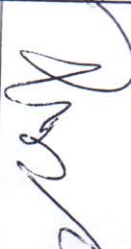
Mr. Akhter Hussain Bugti
Managing Director /
Chairman Review Committee
Sindh Public Procurement Regulatory Authority

ATTENDANCE SHEET

MEETING OF REVIEW COMMITTEE ON APPEAL OF M/S SINOTEC CO.LTD ON THE CONTRACT SBIP/G-2
BUILDING WORKS AT GUDDU BARRAGE, KASHMORE AND SUKKUR BARRAGE, SUKKUR AND
REHABILITATION WORKS AT GUDDU BARRAGE, KASHMORE UNDER IDA CREDIT-5684.

DATED: 08.02.2017

Sr. No	Name	Designation	Department	Contact No & E-Mail	Signatures
1.	Sgt. Adil Sieni	Senior Inspector	TIP	0300-8229086	
2.	Ahmed Shafiq Fize	Professor	Dept. of Civil Engineering NUED University	9926126178 X-2656	
3.	Akhter Hussain Bughthi	MD, SPPRA	SPPRA	0300-2628505	
4.	Mujahid Ali Shaukhan	Director, DG Audit Sindh	DG Audit Sindh	0334-354968	
5.	Ahmed Shaukhan	P.D P.M.D	C.O.S.	0300-8375557	
6.	A. Raza Khan Memon	D.P. Present	C.O.S. Sindh	0333-2741609	
7.	Advocate Asgharullah Khan	Advocate	Fu P.D.	0300-3573841	

Sr. No	Name	Designation	Department	Contact No & E-Mail	Signatures
8.	Chris Hall	CRÉ Grndpn	PIC	0306 1230358 llaymans@aol.com	
9.	John Rutherford	TEAM LEADER	PIC	0305 251 4066 john.rutherford@nubank.com	
10.	MUSAMMID IS	lawyer.		03244795074	Musamir
11.	MOTHAMED WABDA	ADVOCATE FOR SIMOTEC	MCAS & CO LAW REPRESENTATIVES	0301-8272922	Mohamed
12.	ELLEN WAB	Simtee-ZZAPC	→ noprosecuting	03018440266	
13.	Asum Bikat	~ ~		03018441540	Asum
14.					
15.					
16.					