

**PRELIMINARY ASSESSMENT / OBSERVATION / FINDINGS BY SPPRA DATED 19-11-2021 14:33:46 AT  
 PPMS FOR NIT-2/2021-22, SPPRA-PPMS SERIAL NO. T00514-21-0002 AND REPLIES BY SINDH SOLID  
 WASTE MANAGEMENT BOARD**

	Comments by SPPRA at PPMS	Replies of SSWMB
1.	It seems, NIT consists of OZ-works & PA posted bidding documents of each work separately by creating separate NIT I.D on PPMS, which is not appropriate because single option for uploading more than one bidding document is available on PPMS website. In this regard it is inform that PA should post bidding documents of all items in single serial number where NIT posted	It is submitted that since the Publication of tender in local and international newspapers cost to Procuring Agency, that's why Procuring Agency prefer to publish both works in one NIT with different date for issuance of bidding document, submission of bids, and opening of bids.  Since the schedule for purchase of RFP document, Submission of Bids and opening of technical bids were different therefore, SSWMB upload the RFP & other documents separately.
2.	The procuring agency is required to mention amount of bid security in NIT in terms of Rule-17(3)(d) read with Rule-37.	As per the provision of SPPAR Rules, 2010 (amended 2019), the tender fee and Bid Security is mentioned under NIT and RFP document respectively.
3	As per bidding documents bid validity period shall be minimum 90-days, whereas in PPMS details the bid validity period comes to 120-days. PA is required to rectify the same.	Due to typing mistake 120 days was mentioned in PPMS instead of 90 days. Therefore, it is requested that 90 days 'bid validity period' as mentioned under RFP document may be considered as final.
4	The PA has stated that "The Bid Security shall be an irrevocable, bank guarantee in the form attached as Bidding". PA is required to clarify whether Bid Security submitted in the form of Deposit at Call or Pay Order or Demand Draft will be accepted or not? Justification and rectification required.	It is submitted that Pursuant to Rule 37(2) of the SPPRA Rules 2010 (amended 2019), the Bid Security can be called in the form of Deposit at Call or Pay Order or Demand Draft or a Bank Guarantee. Therefore, SSWMB under ITB 49 'Bidding Data Sheet' Serial No. 11, of RFP document, has advised to Bidders to refer specific provision of Bid Security (Rule-37) of SPPRA Rules, 2010 (amended 2019).
5.	The PA has submitted that if a photocopy of original Bid Security is attached with the Bid In such case, the Employer in its sole discretion may also blacklist the Bidder. The insertion of Blacklisting due to non-submission of Original Bid Security requires legal provision and Justification is required.	There is no restriction or prohibition on the Procuring Agency under the law from blacklisting a bidder in such circumstances as Procuring Agency wants to ensure bidders follow utmost transparency in the Bidding Process.
6.	PA has maintained that "Contractor upon successfully implementing the revenue generation plan shall be highly encouraged" whereas the Scope of work and Key Performance indicators do not contain the details of Revenue Generation and its management. Justifications and details are required.	It is submitted that since revenue generation is encouraged and not central to the Company's Obligations, no monitoring mechanism and KPIs are required for revenue generation. The O&M Cost and O&M Fee to be paid to the Company are not linked to the revenue generating capability of the Company, but are instead linked to performance in terms of waste management, cleanliness and procurement related responsibilities under the O&M Agreement.

		Any revenue estimated by a bidder will be assumed adjusted from the quoted O&M Fee, at the time of bidding.
7.	<p>Procuring Agency has adopt 'Single Stage Two Envelope' procedure, therefore, Procuring Agency is required to ensure compliance of following amendment in SPP Rules, 2010 made vide vide SGA&amp;CD's notification No;SORI(SGA&amp;CD)2-30/2010 dated 11.08.2021 as under:</p> <p><b>Rule-2(x) 'Most Advantageous Bid means:</b></p> <p>A bid or proposal for goods, works or services that after meeting the eligibility or qualification criteria, is found substantially responsive to the terms and conditions as set out in the bidding or request for proposals documents; and</p> <p>Evaluated as the highest ranked bid or proposal on the basis of cost or quality or qualification or any combination thereof, as specified in the bidding documents or request for proposal documents which shall be in the conformity with the selection techniques to be issued by the Authority;</p> <p>In Rule-46(2)(3) and (4), for the words 'Lowest evaluated bid' wherever appearing the words 'most advantageous bid' shall be submitted respectively.</p> <p>In Rule-49, for the words 'lowest evaluated cost', the words 'most advantageous bid' shall be substituted.</p> <p>In Rule-52, for the words 'lowest evaluated bid', the words 'most advantageous bid' shall be substituted.</p>	<p>Since the P.A is requesting for services, which are consistent for all bidders, and has called upon bidders to submit their price for undertaking services, in accordance with the SOW as per the RFP, the bidder quoting the lowest bid price would be the most advantageous bid for the P.A.</p> <p>Please note that scope of work under the RFP and KPIs are consistent for all bidders. Additionally, all bidders must qualify technically for financial bid evaluation. In terms of quality of service provision, bidders who qualify technically are assumed to provide quality services for the purposes of the O&amp;M Agreement. The only differentiating factor is the financial proposal and the technically qualified bidder quoting the lowest financial proposal is assumed/deemed to have submitted the most advantageous bid.</p>
8.	Procuring Agency is advised to rectify the infirmities generated by system.	It is submitted that the infirmities/observation generated by PPMS System is not being shown at PPMS System, kindly forward the same to P.A so that rectification of same may be done timely.
9.	Procuring Agency is required to pay web-hosting charges.	It is requested that the Bill / Invoice to pay web hoisting charges may be submitted to P.A for payment.
10.	Procuring Agency is advised to constitute procurement committees and complaint redressal committees	All members of Procurement Committee-I of SSWMB have been issued necessary directions to complete the mandatory certified training of



	<p>comprising the officers / officials who have completed procurement certification course in terms of Government of Sindh Circular No. SO(C-IV)SGA&amp;CD/4-13/6 dated 20th April, 2017.</p>	<p>procurement. However, regarding outside members of the Procurement Committee-I, their departments have always been requested to depute a representative not below the rank of BS-18, possessing mandatory certified training of procurement to attend the meeting as and when required. Further in the instant procurement committee, one member of Sindh Solid Waste Management Board has completed procurement certification course.</p>
<p>11.</p>	<p>It is the responsibility of Procuring Agency (PA) to strictly observe the SPP Rules, 2010 in letter and spirit. Violation of any SPP Rule/Act/Instruction will tantamount to mis procurement.</p>	

  
**(TARIQ ALI NIZAMANI)**  
Executive Director (F&P)

Copy forwarded for information and necessary action to:

1. Commissioner, Sukkur, Division, Sukkur.
2. Managing Director (SPPRA), Karachi.
3. Deputy Commissioner, District Sukkur.
4. Administrator, Municipal Committee, Rohri.
5. Executive Director (Operations-III), SSWMB, Larkana.
6. Secretary (SSWMB) / Chairman, Procurement Committee-1), SSWMB, Karachi.
7. Deputy Secretary (Staff) Chief Secretary, Sindh.
8. Transparency International, Pakistan. Plot 72F/2, Floor 1, 9<sup>th</sup> Street, Jami Commercial, DHA, Phase-7, Karachi.
9. PS to Minister, Local Govt. Housing & Town Planning / Chairman (SSWMB)
10. PS to Secretary to Govt. of Sindh, Local Govt. Housing & Town Planning Department, Karachi.
11. PS to Managing Director (SSWMB), Karachi.
12. Master File