

GHULAM SARWAR CHANDIO

ADVOCATE HIGH COURT

Room 75, 6th Floor Fareed Chamber,
Abdullah Haroon Road, Karachi.

0332-2090531, 0314-7936860

Date: 15.02.2020

1. Mr. Zain-ul-Abidin Ansari,
Procurement Specialist
Municipal Services Delivery Program (MSDP).
2. Mr. S.M Shukaib
Director General (Works)
MSDP.
3. Mr. Yahya Noor Ansari
Assistant Director Procurement
MSDP.
Planning & Development Department
Government of Sindh
Bungalow No.D-18, Block-2,
Kahakashan, Clifton Karachi.

Subject: MIS Procurement for the USAID funded Projects vide
Tender Enquiry Ref:PMU/MSDP/P&D/VT/2019-
2020(NIT INF-KRY No.4270/19).

The undersigned is by profession an Advocate and citizen of Islamic Republic of Pakistan as such it is responsibility of every citizen to point out / raise voice against any corruption, misappropriation of public funds and misuse of power /authority by the functionaries in the departments of Federal / Provincial Governments. The undersigned accordingly point out the violations in the process of above NITs and non-transparency in the said process.

That on 30.07.2019, the Assistant Director Procurement, MSDP sent a letter to the Director Information (Advertisement) Sindh Press Information Department, Government of Sindh, Karachi along with "Notice re-inviting Tender" for publication in three leading English (Dawn), Urdu (Jang), Sindhi (Kawish) disclosing therein that the Program Management Unit (PMU), Sindh MSDP, P&D Department, Government of Sindh has received a grant from the USAID towards the cost of improvement of Water Supply, waste Water & Solid waste infrastructure at Jacobabad, leading to measurable improvement of governance and health outcomes and it is



intended that part of the proceeds of the grant will be applied to eligible payments under the contract for the six contract packages mentioned in the said letter. It is necessary to clarify that previously same publication was made in the newspapers and the instant was Notice for re-inviting Tender.

That the criteria of qualification for participating in the above mentioned Tenders amongst other conditions, valid registration with the Pakistan Engineering Council (PEC) was mandatory.

That following firms were shown to have participated in the above bids as appear from Bid Evaluation Report available on SPPRA website to whom valid registration certificates of PEC were not available on the date of opening of technical bid i.e on 22.08.2019:

Sr. No.	Name of Firm	PEC Reg: No.	Category	Date of Certificate by PEC	Date of opening Tech: Bid
1.	Muhammad Hasni Builders	181	CB	22.09.2019	22.08.2019
2.	M/s. NK & Company	1135	C1/E	----do----	---do----
3.	M/s. Tamzeer Construction Co	1242	C1	10.10.2019	---do----
4.	M/s. Kaimkhani Brothers	148	CA	26.11.2019	---do----

That there is gross violation of SPPRA Rules and Procurement Laws in the process of bidding, which are engineered one as the above contractors / companies / participants had no valid Registration Certificate from Pakistan Engineering Council on 22.08.2019 when opening was made of technical bidding. The record shows that the above participants were issued valid Registration Certificates by the PEC on the dates mentioned in the second last column of above chart.

That the attendance sheet for Member, CSC (Procurement Committee for bid opening of waste water & water supply components of MSDP-Sindh dated 22.08.2019 at 2:30pm) available on website of SPPRA shows your names and signatures but you deliberately and with malafide intention to extend undue favor to the companies / participants disclosed in the above mentioned chart did not point out regarding non availability of valid registration certificates of PEC with them.

That you violating the SPPRA Rules and misusing your official position awarded contracts to the persons who were not eligible and qualified at the time of participation in the Tenders



resulting huge losses to the national funds apart from creation of bad reputation before the International Donors (USAID).

That it is also an admitted fact that due to corruption, corrupt practices and misuse of official positions, investigation agencies are already investigating the matters at various places and the instant matter is also a fit case to be referred to the National Accountability Bureau for investigation.

In view of above and just for transparency, it is immediately required to cancel all the works awarded on the strength of technical bid opened on 22.08.2019 and fresh free, fair and transparent process in accordance with SPPRA Rules be initiated for awarding the contracts.



Ghulam Sarwar Chandio
Advocate

Copy for similar action to:-

1. The Chief Secretary, Government of Sindh.
2. Chairman, Planning & Development, Govt. of Sindh.
3. Secretary, Planning & Development, Govt. of Sindh.
4. Managing Director, SPPRA, Karachi.
5. Principal Secretary to Chief Minister Sindh.
6. Program Director, MSDP (PMU) Sindh.
7. Deputy Commissioner, Jacobabad.
- ✓ 8. Transparency International (Pak) Karachi.
9. USAID.