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No. L&M(PPRA) 3-35/2011
PUNJAB PROCUREMENT REGULATORY
AUTHORITY, S&GAD
3rd Floor, Al-Falah Building, The Mall Lahore.

Dated Lahore, 7th May, 2024

The Administrator,
Municipal committee,
Okara.

Subject: **ADVICE ABOUT FINANCIAL EVALUATION REPORT: PACKAGE-1 SEWERAGE SYSTEM IN OKARA UNDER PCP.**

I am directed to refer to your letter No. 1077/MO(I&S) dated 06.04.2024 whereby an advice has been sought regarding financial evaluation report prepared by Consultant i.e. M/s. MM Pakistan Pvt. Ltd. and meeting held on 29.04.2024 in the office chamber of Managing Director PPRA.

2. Contents of the subject letter reveal that Consultant prepared financial evaluation report of the subject procurement and (on account of blank rates of Manholes and Chambers in rate analysis portion by the bidder i.e. M/s. HMS Enterprises JV Suleiman Traders) consultant considered the rates as "zero" and did not consider the quoted rates in summary/sub summary. Now, the procuring agency has approached PPRA as to whether rates of above said bidder should be considered from the summary or otherwise.

3. In order to decide the matter as per Law / Rules, parties (concerned bidder, consultant, PMDFC and Procuring Agency) were afforded with an opportunity of personal hearing on 29.04.2024 in the office Chamber of Managing Director, PPRA. Hafiz Talat Mahmood (MO/I&S) appeared on behalf of the Procuring Agency. Mr. Affan Munir (Project Coordinator) appeared on behalf of M/s. MM Pakistan Pvt. Ltd./Consultant. Mr. Arslan Idrees (Program Officer/Procurement) appeared on behalf of PMDFC. Mr. Farrukh Rafique (JV Representative) appeared on behalf of M/s. HMS Enterprises JV Suleiman Traders/Complainant.

4. During the hearing, the representative of the consultant and PMDFC unanimously argued that the rate of manholes and chambers was rightly considered as "zero" due to blank entries in rates analysis portion by the bidder. However, representative of the procuring agency argued that bidder has left the rate analysis portion "blank", therefore, it should be considered as an incomplete bid. The representative of bidder apprised the chair that M/s. HMS Enterprises JV Suleiman Traders filed grievance before procuring agency and requested that the rates of manholes and chambers may be considered from the summary/sub-summary rates.

5. The case has been examined in the light of Punjab Procurement Rules 2014 (PPR-14). PPRA is of the view that in all such bids, where bidders do not quote the rates in bill of quantities and rate analysis portion, carry a tendency for arbitrary/discretionary evaluation by the procuring agency which may result into an undue advantage of some bidders over the others. This kind of practice seems to be a manipulative tactic used by the bidders for achieving undue advantages/ulterior motives and defeating the principles of procurement i.e. fairness, transparency and healthy competition. Therefore, an incomplete bid should not be considered for financial evaluation. In a likewise case, PPRA has already advised Municipal Committee Khanewal that such kind of financial bids should not be considered for financial evaluation.

6. The procuring agency is advised to proceed in the subject as well as future cases, accordingly. The procuring agency is also advised to incorporate a clear clause in the "instructions to bidders" that incomplete financial bid (i.e. blank Bill of quantities and entries in rates analysis etc.) shall be declared as non-responsive.


07/05/2024
(WAISS SAFDAR)
Assistant Director (L&M)
PPRA S&GAD

Cc:

1. Secretary to the Govt. of the Punjab, LG&CD Department, Lahore
2. PSO to Chairman PPRA / Chief Secretary Punjab.
3. PS to MD PPRA.

Hearing Notice

<http://ppra.punjab.gov.pk>



No. L&M(PPRA)3-35/2011
GOVERNMENT OF THE PUNJAB
PUNJAB PROCUREMENT REGULATORY
AUTHORITY, S&GAD
304-T, 3rd Floor, Alfalah Building, The Mall Road, Lahore

Tel: 042-99204572

Tel: 042-99205593

Dated Lahore, the 24th April, 2024

To,

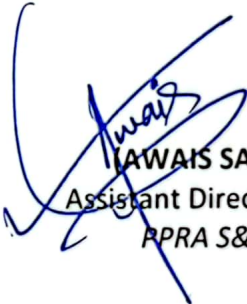
The Administrator,
Municipal Committee
Okara.

Subject:

**ADVICE ABOUT FINANCIAL EVALUATION REPORT: PACKAGE-1 SEWERAGE SYSTEM
IN OKARA UNDER PCP.**


I am directed to refer to your letter bearing No. 1077/MO(I&S) dated 06.04.2024 on the subject cited above whereby MC Okara sought an advice as to whether rates of bidder i.e. M/s. HMS Enterprises JV Suleiman Traders may be considered from the main summary of the financial proposal in a situation where rate analysis of the work was left blank by the bidder.

2. I am further directed to apprise that before tendering any conclusive advice the personal hearing in the above said case has been fixed on **29.04.2024 (Monday) at 12:30PM** in the office Chamber of Managing Director, PPRA at 304-T, 3rd Floor, Alfalah Building, The Mall Road, Lahore. It is therefore requested to depute an officer from the Administration side well conversant with the facts of the case (**not below the rank of BS-18**) along with concerned officers / officials and **entire record** of the subject matter so that the matter may be decided in accordance with Law / Rules.


(AWAIS SAFDAR)
Assistant Director (L&M)
PPRA S&GAD
24/04/2024

No. & Date Even.

- 1 M/s. MM Pakistan Pvt. Ltd. 27 Empress Road, Garhi Shahu Lahore (the Consultant) with the direction to appear to attend the subject personal hearing on said date, time and venue along with the **entire record** of the subject matter.
- 2 M/s HMS Enterprises JV Suleiman Traders Mehmood Park Usman Street No. 3 Near Main Road Shahdara Town Lahore with the direction to appear to attend the subject personal hearing on said date, time and venue along with the **entire record** of the subject matter.


(AWAIS SAFDAR)
Assistant Director (L&M)
PPRA S&GAD
24/04/2024

CC:

- 1 PA to Senior Law Officer.
- 2 PS to MD PPRA.



**OFFICE OF THE
MUNICIPAL COMMITTEE,
OKARA**

No.1077 / MO(I&S)

Dated : 06 / 04 / 2024

To

The Managing Director
Punjab Procurement Regulatory Authority,
3rd Floor Alfalah Building Mall Road,
Lahore.

SUBJECT: - ADVICE ABOUT FINANCIAL EVALUATION REPORT.
PROJECT: - PACKAGE-1 SEWERSGE SYSTEM IN OKARA UNDER PCP.

Please refer to this office letter of even number dated 02-04-2024 on the subject cited above.

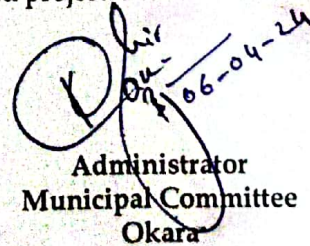
It is submitted that MC Okara advertised the tender for the civil work of "comprehensive sewerage system in okara city package-I: sewer line and manhole" which was open on 27.02.2024. Total 06 numbers of bidder participated in the subject tender. Five (05) bidder were declared technically responsive. Financial bids of the technically responsive bidders were opened on 08.03.2024. Financial evaluation report of the above referred project was received through email from design/ supervision consultant MM Pakistan (Pvt.) Ltd on 25-03-2024.

As per financial evaluation report submitted by the design/ supervision consultant, it has been noticed that rates of lowest evaluated bidder's (i.e. HMS Enterprises JV Suleiman Traders) items (i.e. Manholes and Chambers) have not been considered by the consultant. Perusal of the bid of the lowest evaluated bidder reveal that the lowest evaluated bidder quoted the rate in main summary but in rate analyses he left blank which was considered as zero by consultant, whereas total cost has been mentioned in the description of item rates (copy enclosed).

It is pertinent to mention here that lowest evaluated bidder i.e. M/s. HMS Enterprises JV Suleiman Traders also filed a grievance on 02.04.2024 and requested that cost of manholes and chambers may be considered from main summary/total summary cost (copy enclosed).

Foregoing in view, it is requested that Municipal Committee, Okara may please be advised as to whether rates of above said bidder should be considered from the main summary of the bidder for financial evaluation or otherwise.

An early response is requested; it is a world bank funded project.


Administrator
Municipal Committee
Okara

CC:

- 1- The Chief Officer, Municipal Committee, Okara.
- 2- The Municipal Officer (I&S), Municipal Committee, Okara.
- 3- Office File.