



February 20, 2026

TL2026/0220/1A

Syed Murad Ali Shah
Chief Minister Sindh
CM House, Karachi

Subject: Complaint Against Violation of Sindh Public Procurement Rules 2010 in Construction of Flyover at Azeempura Intersection and Rehabilitation / Widening of Road Including Roundabout, Drainage & Electrification from Malir River Bridge up to Shama Shopping Centre, Shah Faisal Town, Karachi

Dear Sir,

Transparency International Pakistan has received a complaint against allegations of violation of Sindh Public Procurement Rules 2010 in Construction of Flyover at Azeempura Intersection and Rehabilitation / Widening of Road Including Roundabout, Drainage & Electrification from Malir River Bridge up to Shama Shopping Centre, Shah Faisal Town, Karachi (**Annex-A**).

The complainant has made the following allegations:

1. The Engineering Department, Karachi Metropolitan Corporation (KMC) invited tender for Construction of Flyover at Azeempura Intersection and Rehabilitation / Widening of Road Including Roundabout, Drainage & Electrification from Malir River Bridge up to Shama Shopping Centre, Shah Faisal Town, Karachi, via NIT No. CPC/ED/KMC/2025-26/64/Karachi, dated: 11-12-2025 (**Annex-B**).
2. The technical bids were opened on 01-01-2026 at 11:30AM under Single Stage – Two Envelope Procedure and KMC received a total of eight bids. Out of the total 08 bids 03 were declared “Responsive”, 02 “Non-Responsive” and 03 “Conditionally Responsive”
3. Under SPPRA Rules 2010, Sindh Stage – Two Envelope procedure, there is no provision of “Conditional Responsiveness”. The technical bids are either responsive or non-responsive. However, in clear violation of SPPRA Rules, the KMC went onto open the financial bids of “Conditionally Responsive” bidders on 28-01-2026 and recommended one of the conditionally responsive bidders for the award of work at the cost of Rs. 1,319,144,023.26
4. Under Single Stage – Two Envelope method, procuring agencies are required to verify eligibility to all requirements before the opening of the financial bids. However, in the subject tender, one of the key technical criteria i.e. similar nature of work, was declared “subject to verification” and yet the bidder is awarded the contract. It is clear that post award contract, a bidder can obtain required documents, undermining transparency and opening avenues for corrupt practices.

Transparency International Pakistan Comments and Recommendations

Transparency International Pakistan has reviewed the allegations of the complaint, prima facie, the allegations seem correct.

1. As per SPPRA Rule 46 (2), under Single Stage – Two Envelope Procedure, technical proposals are opened first in a manner prescribed in advance and technical evaluation report is communicated to bidders at least seven days in advance, quoted below;

SPPRA Rule 46 (2): Single Stage – Two Envelope Procedure: (e) procuring agency shall evaluate the technical proposal in a manner prescribed in advance, without reference to the price and reject any proposal which does not conform to the specified requirements; [and technical evaluation report shall be communicated to the bidders at least seven days prior to opening the financial bid]




(g) financial proposals of technically qualified bids shall be opened publicly at a time, date and venue announced and communicated to the bidders in advance,

2. Transparency International Pakistan requests the Chief Minister to examine the allegations of the complaint and if found correct, issue directives to re-invite tender in accordance with the SPPRA Rules to avoid mis-procurement.

Transparency International Pakistan is striving for across-the-board application of Rule of Law, which is the only way to stop corruption, and achieve Zero tolerance against corruption.

Regards,


Advocate Daniyal Muzaffar,
Trustee/Legal Advisor
Transparency International Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Secretary, Government of Sindh, Karachi.
2. Mayor Karachi, KMC, Karachi
3. Managing Director, SPPRA, Karachi
4. Registrar, High Court of Sindh, Karachi

Note:

This is to clarify that Transparency International Pakistan is not a complainant, it acts as a whistleblower and operate under Article 19-A, of the Constitution of Pakistan which gives the right to public to know how government is being run by public officers. Article 19-A makes the right to access of information pertaining to a public authority a fundamental right, and a three member bench in case of Mukhtar Ahmad Ali vs the Registrar, Supreme Court of Pakistan, Islamabad, headed by Chief Justice Qazi Faez Isa in the landmark judgment on 16 October 2023, in CP No. 3532/2023, has declared that

“What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution”

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Ref: Bid / KMC / Azeempura Flyover / CRC/ 02

Date: 12th Feb, 2026

To,

**Complaint Redressal Committee (CRC),
Karachi Metropolitan Corporation (KMC)**

Sub: COMPLAINT UNDER RULE 31 (3) OF THE SINDH PUBLIC PROCUREMENT RULES, 2010 for Bids for the work of "Construction of Flyover at Azeempura Intersection and Rehabilitation / Widening of Road i/c Roundabout, Drainage & Electrification from Malir River Bridge up to Shama Shopping Centre, Shah Faisal Town, Karachi (ADP # 1939/2025-26)" invited by Chairman Procurement Committee, KMC

**Ref: 1) Final Bid Evaluation Report for the subjected work received through EPAD email dated 11th Feb-2026 at 10:32 pm:
2) Your office letter # (CPC/ED/KMC/145-C/2025-26 dated 09-02-2026**

Respected sirs,

We are in receipt of your afore-referred letter through *email dated 12-02-2026* addressed to *M/s Fazal & Brothers*, and hereby formally lodge our complaint for Complaint Redressal Committee (CRC) under rule 31(3) of SPPRA within permissible period.

We offered our bid for the afore-mentioned work, ensuring compliance with all mandatory requirements and meeting the Evaluation Criteria outlined in the tender document. Furthermore, we present and submit our following grievances in writing to the competent authority and the Complaint Redressal Committee (CRC) for redressal purposes under SPRRA rule No.31(3) :-

- 1) In sheer violation of SPPRA Rule# 46(2)(g), three bidders were unlawfully declared as "Conditionally responsive" and their Financial Proposals were illegally opened against para-7.9.2 (a)(VII) of Guidelines / Regulations for Procurement of works.

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- 3) As per interpretation of afore-related clauses 11.3.4 (a) & (c), our quoted **Bid Price** amounting to Rs.1,181,911,303 has been worked out to be calculated as - 19.9999993%, which is clearly not more than 20% Below of the **Engineer's Estimate of Rs. 1,477,389,116**. Though we have quoted our premium in (03) three different components of the project work more than 20% below the estimated cost of that component, our overall **Bid Price (Rs.1,181,911,303)** is NOT higher than 20% below the overall Estimated Cost / Engineer's Estimate (1,477,389,116) in accordance with the **Guidelines / Regulations for Procurement of Works** vide para-11.3.3 : *Acceptance of Tenders when the amount exceeds the Engineer's Estimate by 20% (Its copy is enclosed for ready reference)*.

As such, the **Procurement Committee** has wrongly pointed out that our Bid is liable to be disqualified in the light of afore-reproduced clauses of SPPRA Notification No. DD(HRF&CB)/SPRRA/2025-26 dated 20th October-2025, which can further be read and understood with the given examples / explanations of Comparative Statement (Option A & Option B) enumerated in the **Guidelines / Regulations for Procurement of Works** under its para-11.3.3.

We trust, our concerns will be addressed in light of Rule#4 (Principles of Procurements) with fair & transparent manner, and we look forward to a pre-emptive response on above-narrated grievances, which necessitate to be redressed to declare us as the Lowest Evaluated Bid & the Successful Bidder under SPPRA rule No.42(1), which may kindly be accepted and notified under SPPRA rule No.45 accordingly.

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Annex-B

BID EVALUATION REPORT

1 Name of Procuring Agency	OFFICE OF THE CHAIRMAN PROCUREMENT COMMITTEE ENGINEERING DEPARTMENT, KARACHI METROPOLITAN CORPORATION.	Work # 01
2 Tender Reference No	NIT No. CPC /ED/KMC/2025-26/64/Karachi, Dated: 11-12-2025	
3 Tender Description/Name of Work/Item:	NAME OF SCHEME: CONSTRUCTION OF FLYOVER AT AZBEMPURA INTERSECTION AND REHABILITATION / WIDENING OF ROAD INCLUDING ROUNDABOUT, DRAINAGE AND ELECTRIFICATION FROM MALIR RIVER BRIDGE UP TO SHAMA SHOPPING CENTRE, SHAH FAISAL TOWN, KARACHI. (ADP#1939/2025-26).	
4 Method of Procurement:	SINGLE STAGE TWO ENVELOPE PROCEDURE	
5 Tender Published:	SPPRA (EPADS)-S-25120646794 (Dated 13-12-2025) Newspaper: Daily Leading Newspaper (Sindhi, Urdu & English) Dated: 13-12-2025.	
6 Total Bid Received:	08 Nos.	
7 Technical Bid Opening Date: (if applicable)	01/01/2026	
8 No. of Bid Technically Qualified (if applicable):	05 Nos.	
9 Bid(s) Rejected:	03 Nos.	
10 Financial Bid Opening Date:	28/01/2026	
11 Bid Evaluation Report		

S No	Name of Firm or Bidder	Cost offered by the Bidder (as per Calculation)	Ranking in Terms of Cost	Comparison with Estimated cost	Reasons for Acceptance/ Rejection	Remarks
				1,477,389,116.00		
0	1	2	3	4	5	6
1	M/S. Niaz Muhammad Construction Contractor	-	-	0.0000000%	Non-Responsive Qualified as per Minimum Qualification / Eligibility Criteria	Disqualified due to unjustified required documents
2	M/S. Fazal & Brothers	1,181,911,303.00	-	-19.9999993%	Responsive Qualified as per Minimum Qualification / Eligibility Criteria	Disqualified in the light of Sppra Notification vide No # DD(HRF&CB)SPPRA2025-26/289 Dated 20-10-2025, detail of component : 23.20% Below on Road Work, 22.10 % Below on Drainage Work & 20.3916% Below on Ancillary Work of Composite Schedule rate
3	M/S. Shamsher Khan & Co	1,319,144,023.00	1st	-10.7111316%	Responsive Qualified as per Minimum Qualification / Eligibility Criteria	Recommended for award of work
4	M/S. Sherjan Mosakhail & Sons	1,387,178,400.00	2nd	-6.1060905%	Responsive Qualified as per Minimum Qualification / Eligibility Criteria	Not Recommended Due to Higher Rate
5	M/S. JN & Co	1,403,509,665.00	3rd	-5.0006765%	Responsive Qualified as per Minimum Qualification / Eligibility Criteria	Not Recommended Due to Higher Rate
6	M/S. Maqbool Associates (PVT) Limited	1,416,103,899.00	4th	-4.1482109%	Responsive Qualified as per Minimum Qualification / Eligibility Criteria	Not Recommended Due to Higher Rate

The Bid of M/s. Shamsher Khan & Co, amounting to Rs. 1,319,144,023.00 i.e. 10.7111316% Below the estimated cost of Rs. 1,477,389,116.00 is recommended for award of work.


Feruz Hassan Siddiqui
Secretary Procurement
Committee
KMC


Zawaar Hussain
Member Procurement
Committee
KMC


Ahmed Dawar
External Member
Procurement Committee
KMC


Muhammad Ali Soomro
External Member
Procurement Committee
KMC


Amanullah Sangi
Chairman Procurement Committee
KMC