

September 4, 2023

ANNOUCEMENT

Procurement of Non consulting Services for Cleaning, Janitorial and Maintenance Services for Bank of Khyber Head Office Building Interior 6 Floors with Offices, Two Basements and Exterior at 24 The Mall Peshawar Cantt, and its offices branches city Wise Under framework contract, KPPRA Rules for Non-Consulting Services, Single Stage Two Envelope, under framework contract for three years

BOK/Proc/SQ/19/May/2023 was floated 28 May 2023, Procurement of Procurement of Non consulting Services for Cleaning, Janitorial and Maintenance Services for Bank of Khyber Head Office Building Interior 6 Floors with Offices, Two Basements and Exterior at 24 The Mall Peshawar Cantt, and its offices branches city Wise Under framework contract, KPPRA Rules for Non-Consulting Services, Single Stage Two Envelope, under framework contract for three years. Bid opening was held on 14 June 2023.

Following bidders participated:

- M/s. Khan & Sons Skilled Manpower & Janitorial Services Pvt Ltd.,
- M/s. Prime Human Resource Services Pvt Ltd.,
- M/s. AAA Facility Management Pvt Ltd.,

Above Bidders met eligibility criteria for the knockout round. Following is a summary of technical evaluation.

Summary of Technical evaluation:

Vendor Name	Part A		Part-B		Qualified/Non Qualified
	Total Mark 40	Mandatory Marks 30	Total Mark 60	Mandatory Marks 40	
M/s. Prime Human Resource Services Pvt Ltd.,	40	39	60	51.5	Qualified Technical Evaluation.
M/s. Khan & Sons Skilled Manpower & Janitorial Services Pvt Ltd.,	40	37	60	45.5	Qualified Technical Evaluation
M/s. AAA Facility Management Pvt Ltd.,	40	39	60	37.5	Did not obtain mandatory marks in demo section part-B of technical evaluation hence, bid was non responsive.

Technical disqualified bidder M/s. AAA Facility Management Pvt Ltd. has lodged a grievance to Managing Director. Grievance committee report attached as annexure-E. the Grievance committee has maintained marking allocated to M/s. AAA Facility Management Pvt Ltd by the by the Bank team (copy of decision is attached).



financial bid of those bidder that qualified knockout round and technical evaluation was opened on 17 August 2023. We have observed substantial amount difference between both bidders per resource bid. It was observed that minimum wages of Rs.32,000/- was claimed by the M/s. Primehr whereas, M/s. Khan & Sons claimed Rs.25,000/-. Since notification for revision of minimum wages still awaited therefore, M/s. Primehr minimum wages has been replaced with Govt announced minimum wages i.e. Rs.25,000/-

We have further observed that the major difference between both bids' total amount is GST amount due to different calculation methods. M/s. Primehr calculated GST on total invoice amount whereas M/s. Khan & Sons calculated GST on only services charges.

We have observed that M/s. Primehr is charging Gratuity as per standing order 12(6) of Industrial & Commercial Employment (standing order) ordinance 1968 of the country, whereas gratuity as per law of the Pakistan is not reflecting in M/s. Khan & Sons financial proposal.

It may be noted that as per Industrial & Commercial Employment Ordinance 1968, Provincial Employees Social Security Ordinance, 1965, EOBI Act 1976, Workmen's compensation act 1923 and Worker's Compensation Act, 2013 following are mandatory benefits for an employee and these benefits amounts/charges shall be part of the financial proposal.

- Minimum Wage
- EOBI
- ESSI
- Life Insurance
- Gratuity

Award of Contract

Contract shall be awarded on lowest total of part-A for HO Tower and other than minimum wages lowest total of Part-B for branches and other office two single vendor or one vendor as per lowest total of each part, and subject to fulfillment of all eligibility criteria knockout round and technical qualification mandatory marks. No effect of part-c on selection of vendors.

	Description	Charges (without tax)
Part-A	HO	823,995
Part-B	Per Resource	34,817

After considering all mandatory charges in financial of bidders without tax financial quotes against part-A and part-B, the bidders M/s. Khan & Sons Skilled Manpower & Janitorial Services Pvt Ltd., and M/s. Prime Human Resource Services Pvt Ltd., qualified the tender in respective lowest part (A and B) for Procurement of Non-Consulting Services for human resource outsourcing for Bank of Khyber branches and Head Office under framework contract for three years, single stage two envelope. GST will be charged according to prevailing provincial governments and federal government rates at time of payment of invoices, which is Bank liability.



Office of the Grievance Redressal Officer,
The Bank of Khyber, BOK Tower,
24-The Mall, Peshawar Cantt

Complainant: AAA Facility Management (Pvt) Ltd on Tender for Non-Consulting Services for Cleaning, Janitorial and Maintenance Services through its GM Operations & Controls, Mr. Sheikh Tabish Mairaj. (hereinafter referred to as "aggrieved bidder")

**Order under Khyber Pakhtunkhwa Public Procurement
Grievance Redressal Rules, 2017**

1. Brief facts of the case:

In order to procure Non-Consulting Services for Cleaning, Janitorial and Maintenance Services (here in after referred to as Services) for Bank of Khyber Head office interior 6 floors with offices, two basements and exterior at 24 the Mall Peshawar Cantt and its offices/branches city wise, the Bank of Khyber (here-in-after referred to as "the BOK") issued tender bearing Tender No. BOK/PROC/SQ/19/May/2023 on May 28, 2023 (here-in-after referred to as Tender), copy of Tender Notice attached at **Annexure – A**.

The technical evaluation criteria, mentioned in the bidding documents, comprised of Part A & B having total allocated marks of 40 and 60 with mandatory marks to be obtained by a prospective bidder as 30 and 40 respectively. The total marks were further split into sub-criteria pertaining to the bidder's details in Part A whereas to the presentation/demo of company related to scope of work, policies & procedures, methodology used in Part - B. Copy of bid documents attached at **Annexure – B**.

A pre – bid meeting was held on June 6, 2023, for clarification of the bid.

In response to the tender, the following three (3) prospective bidders including aggrieved bidder participated:

- 1) M/s. AAA Facility Management (Pvt) Ltd
- 2) M/s. Prime Human Resources (Pvt) Ltd
- 3) M/s. Khan & Sons

On 14th June 2023; Technical proposals were opened, in the presence of representatives of all the three bidders including aggrieved bidder and the representatives of the BOK Procurement; in which all the bidders qualified for the next step of the technical evaluation process that is demo of the services. On 22nd & 23rd June 2023, the demo sessions of the respective work were conducted in which all the three vendors including aggrieved bidder through their representatives along with the work force were participated in branches and head office building as per pre-assigned locations; details are given in below table.

Date of the Demo Session	Details of Locations Assigned for the Demo Session		
	AAA FM	Bidder # 2	Bidder # 3
22 nd June 2023	Main Branch, Peshawar (Ground Floor & Wash Rooms at 1 st Floor)	IBB Asamai Gate, Peshawar	Dalazak Road Branch, Peshawar
23 rd June 2023	Head Office Building (Ground & 2 nd Floor)	Head Office Building (Basement – II & 6 th Floor)	Head Office Building (Basement – I & 3 rd Floor)

The demo work at both branches and head office building were separately scored and average of total score of both the demo was compared with the required passing score (i.e. 60).

Results of the technical evaluation have been announced by uploading on the BOK websites on July 6, 2023, and were also shared with the bidders. Copy of the announcement is attached herewith at **Annexure – C**. As per results of technical evaluation, the aggrieved bidder's bid has been declared as non-responsive as they did not obtain required marks in the demo session.

The aggrieved bidder lodged a complaint through letter dated July 10, 2023, and email dated July 11, 2023, on the BOK tender for awarding them the lowest marks to the demo session. Copy of the complaint is attached herewith at **Annexure – D**.

2. Grievance Redressal Proceedings:

Upon receipt of the subject complaint under Section 35 of the KPPRA Act, 2012 read with Grievance Redressal Rules 2017 (here in after referred to as GR rules), the Managing Director, Bank of Khyber (here in after referred to as Grievance Redressal Officer, GRO) constituted a Grievance Redressal Committee under section 5 of the GR Rules, with the following members:

- Mr. Mudassar Iqbal, Chief Internal Auditor
- Mr. Khalid Abdul Aziz, Chief Compliance Officer
- Mr. Muhammad Sufyan Zaibi, Divisional Head, Internal Audit (Also acted as secretary to the committee for assistance in related matters).

Summon dated July 21, 2021, was duly serviced under GR rules to the aggrieved bidder and bank relevant staff to appear with relevant records and other pertinent documents for hearing of the complaint as per GR rules on July 23, 2023, at 3:00 PM at the Bank of Khyber, Internal Audit Group, 1st Floor, BOK HO Tower 34 The Mall Peshawar Cantt. However, upon request of the aggrieved bidder, the meeting was rescheduled on July 31, 2023. Following authorized representatives of the aggrieved bidder attended the hearing on the given date and time:

- Mr. Sheikh Tabish Mairaj – GM Operations & Controls
- Mr. Iftikhar Rasool – GM Project
- Mr. Ajmal Khan – Supervisor

Opportunity for explanation was also provided to the Head procurement of the BOK Mr. Allah Bukhsh & Head Service Quality Assurance Mr. Muhammad Hassan Khan. To respond to the grievances of the Aggrieved bidder, they submitted pertinent documents / evidence during the grievance redressal proceedings.

In support of its ground of complaint, the aggrieved bidder included in its complaint email following contentions / grievances that:

- a) *AAA FM takes every assignment very seriously and always deploys dedicated trained professionals to execute the job. AAA FM participated in subject bid and was rightly awarded maximum marks in Technical Evaluation – Part A which bears testimony to our above claims.*
- b) *In Part – B of Technical Evaluation, we deputed our best professionals who's professionalism is well recognized to execute the demonstration at designated BOK*

locations. AAA FM team executed the demonstration to the best of their abilities and exactly in line with the international practices and according to the desired requirements of BOK. It is unimaginable that AAA FM would display any laxity and callousness in conducting the demonstration of services which is one of the strongest maintenance area of AAA FM.

- c) It was of our utter surprise and shocking when we learnt that AAA FM had been awarded the lowest of marks in comparison to other competitors which has demoralized us to great deal especially when we as one of the leading facility management company of the country is running maintenance, operations of Top MNC's and Financial Institutions in Pakistan. It is therefore very difficult and hard for us to absorb the stated results.

Proceedings and Evidence:

The office of GRC examined the complaint, relevant records and supporting documents and after hearing the Aggrieved bidder in adequate detail and the concerned employees of the BOK before reaching the decision on the complaint.

Since the demo session was managed by the Service Quality Assurance (SQA) Department of the bank, the members GRC asked below questions from Head – SQA and obtained the below responses:

Questions	Head SQA Response
Were the criteria for selection of locations similar for all the three bidders	Yes. The locations, both in branches and Head Office level, were selected on basis of area and were assigned to all the three bidders after balloting.
How about the covered area assigned to all the bidders.	Yes, it was the same. As our main branch (assigned to the aggrieved bidder) have wide area, therefore we assigned only ground floor plus washrooms at first floor to the aggrieved bidder.
Did they deploy equal workforce / janitorial staff in the demo sessions	All the bidders were invited for the demo to present their work performance without any specification regarding the number of staff.
Was the demo scheduled at the same time and date.	Yes, all of them were invited for the demo at branches and HO building on 22 nd June 2023 and 23 rd June 2023 respectively at 9:00 am.
Did you specify details about the material being used in the demo	Yes.
Any extra time allocated	Yes, both in branches and HO. In HO there was some entry clearance issue in the morning due to which they started their work in late by an hour and thus extra time was provided.
During the inspection of work, did you follow the same parameters for all the bidders.	Yes, it was a check list which was adopted for all the bidders.
Did you share / highlight the cleanliness issues / gaps to the vendor staff / supervisor.	Yes, it was categorically mentioned to the supervisor of all the bidders including the aggrieved bidder supervisor Mr. Ajmal Khan.

The GRC also provided opportunity to the aggrieved bidder's representatives to share their views about responses of Head SQA. In response, following remarks were shared between the members GRC, Head SQA and the representatives of aggrieved bidder.

Response of the aggrieved bidder's representatives	Response of Head SQA/GRC
The area assigned for the demo was too wide and usually a limited space is provided for the demo purpose.	<p>The area was equally allotted and sufficient time were provided to all the vendors to show their performance.</p> <p>Member GRC inquired from the supervisor Mr. Ajmal Khan that how you assessed the whole workload especially while deploying the janitorial staff / work force in the demo sessions. In response, he said that the area was too wide and total 8 staff were deployed.</p>
Our performance in the branch was good and even the staff of branch also appreciated our work.	<p>You have already got passing marks in the branch demo; but your work performance in the Head Office was not up to the mark.</p> <p>Member GRC inquired from the supervisor Mr. Ajmal Khan that did our quality assurance team highlight the anomalies and its concern in your demo work to you during the inspection of your work. Initially, he said that they showed to me certain pictures and 2 to 3 places.</p> <p>However, after his response, GRC showed some CCTV Videos of few of the instances to him in which the SQA team was inspecting the work performance and discussing/ highlighting the anomalies / cleanliness issues to Mr. Ajmal Khan.</p>

The GRC, further inquired about the status of the work force / janitorial staff from the aggrieved bidder and asked as to whether they brought their own trained staff in the demo sessions. In response, Mr. Ajmal Khan stated that all the janitorial staff were outsourced and hired for conducting the demo sessions. He further briefed that the supervisor Mr. Faizan is known to me for almost 10 years, while two of the other staff Mr. Sadiq and Mr. Zabair are working in PC Peshawar. Head SQA informed that Mr. Faizan, who was supervising the demo work, is currently working with another janitorial company M/s. Shahzaib Enterprises.

Mr. Tabish (representative of Aggrieved Bidder) informed that nothing was disclosed in the bid document for conducting demo either through own staff or outsourced staff. In responses, Secretary GRC showed the relevant page of bid document in which it is clearly mentioned that *"Demo must cover equipment and skills of their trained staff working in cafeteria"* and also showed the copy of invitation email sent by SQA Department to all the bidders for the demo session in which it was also informed to the bidder to *"schedule your work force for the demo evaluation process"*.

Copies of relevant page of bid document and email are attached as Annexure – E (i) & E (ii). Moreover, the other bidders brought their permanent staff for the demo session.

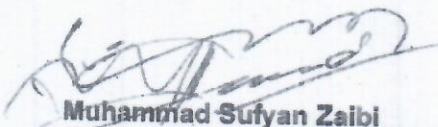
Conclusion:

Based on above details and discussion, it has been concluded that:

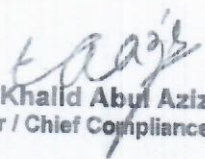
- The aggrieved bidder work during the branch demo was satisfactory and therefore attained the passing marks, however they were unable to perform in the head office and therefore did not meet the required benchmark score.
- The criteria for assessment of the demo work were same for all the bidders where equal time and opportunity was given to them for completion of their work.
- During the checking/inspection of their demo work, all the anomalies / gaps were highlighted to the representative of aggrieved bidder.
- The janitorial staff, brought by the aggrieved bidder in demo sessions, were outsourced and not their own trained staff even the supervisor, whereas the other two bidders conducted the demo sessions through their permanent staff, which was deviation of the bid document.

Therefore, the bank's representative justified the scores assigned to the aggrieved bidder as per the defined parameters and proved that they discussed the gaps/anomalies with the representative of aggrieved bidder during the inspection stage of the demo. On other hand the aggrieved bidder has been unable to provide any convincing justification and/or evidence to the GRC to prove their complaint; and thus, their appeal of aggrieved bidder has not been acceded further.


Members Grievance Redressal Committee


Muhammad Sufyan Zaibi
Member / Divisional Head BRR


Mudassar Iqbal
Member / Chief Internal Auditor


Khalid Abul Aziz
Member / Chief Compliance Officer

Grievance Redressal Officer


Muhammad Ali Gulfaraz
Managing Director - Bank of Khyber