

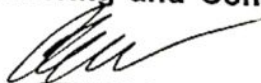
REPORT OF GRIEVANCE REDRESSAL COMMITTEE IN CONNECTION WITH
BIDDING FOR LEASE OF ROYAL PALM GOLF & COUNTRY CLUB, LAHORE.

1. The Technical Evaluation report for leasing/ licensing of Royal Palm Golf and Country Club was issued on 04-03-2023 after being duly signed by the nominated Technical Evaluation Committee and approved by Management Committee of Royal Palm Golf and Country Club, after the review of M/s A.F Fergusons & Co, Chartered Accountants and M/s NESPAK, as informed by Technical Evaluation Committee. All the stakeholders were informed on the same date, accordingly through letters and emails along with publishing the report on Pakistan Railways, PPRA and Royal Palm official websites.
2. The Management Committee of Royal Palm Golf and Country Club in its meeting dated 04-03-2023 constituted the Grievance Redressal Committee (GRC) for redressal of grievances of the bidders as per **PPRA Rule 48 (3) and ITB Clause No. 21 (a)** of the bidding documents.

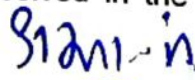
The Committee nominated is as under:-

- i. Mr Aamir Nisar Ch. Adl: General Manager / Infrastructure (Convener).
 - ii. Mr Nisar Ahmed Khan, Chief Engineer S&C, P.R , HQrs : Lahore (Member).
 - iii. Mr Mushtaq Ahmad, MD/CSF, P.R , HQrs : Lahore (Member).
 - iv. Dr. Hassan Tahir Bukhari, CMM, P.R , HQrs : Lahore (Member).
 - v. Mr Zia Ul Islam Niazi , FA&CAO , P.R , HQrs : Lahore (Member).
3. As per above mentioned provisions of PPRA and bidding documents, the response time for submission of grievances by the bidders was **7 working days** for which the deadline was **14-03-2023**. The grievances were received from following two bidders within the stipulated time frame.
 - i. **Joint Venture** of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited dated **13-03-2023 at 14:30 hrs**.
 - ii. **Joint Venture** of M/s Royal Developers & Builders (Pvt) Ltd, M/s Faldo Design Inc, USA – Golf partner, M/s Channel Desert JV, UAE – Golf partner dated **14-03-2023 at 14:05 hrs**

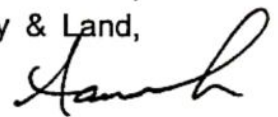
This was reported to GRC by DG/ P&L that a grievance of **M/s Zahir Khan & Brothers, Engineering and Constriction** was received in the Directorate of Property & Land,


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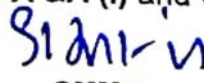

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Headquarters Office, Lahore on 18-03-2023 i.e well after the deadline of 14-03-2023. The same was referred to Chief Executive Officer, Pakistan Railways Headquarters office Lahore, who declared it non- maintainable in the light of **PPRA Rule 48 (3) and ITB Clause No. 21 (a)** of the bidding documents, legally vetted by Mr. Salman Kazmi , Legal Advisor Pakistan Railways Headquarters office Lahore.

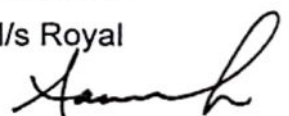
4. The preliminary meeting of Grievance Redressal Committee (GRC) among the members was held on 16-03-2023 at 11:00 hrs in the office of Additional General Manager / Infrastructure (Convener) wherein it was decided to call upon the bidders to give the opportunity for hearing of their grievances before the Grievances Redressal Committee. Accordingly, the above mentioned bidders were called vide letter No. 473-W/Bidding:Doc/RPGCC/P&L/Pt-I/SO dated 16-03-2023 to appear before the Grievance Redressal Committee on the scheduled date as under:-
- i. **Joint Venture** of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited on **18-03-2023 at 11:00 hrs.**
 - ii. **Joint Venture** of M/s Royal Developers & Builders (Pvt) Ltd, M/s Faldo Design Inc, USA – Golf partner, M/s Channel Desert JV, UAE – Golf partner on **18-03-2023 at 12:00 hrs.**
5. The preliminary meetings of Grievance Redressal Committee (GRC) with the above mentioned bidders were held as per scheduled date and time mentioned above. The Grievance Redressal Committee give patient hearing to both bidders and decided to give another opportunity to the bidders with the facility to establish their stance with necessary documents, and accordingly the bidders were requested in writing vide letter No 473-W/Bidding:Doc/RPGCC/P&L/Pt-I/SO dated 18-03-2023 and 22-03-2023, to appear before the Grievance Redressal Committee (GRC) on 22-03-2023 and 24-03-2023 respectively under intimation to M/s A.F Fergusons & Co, Chartered Accountants and M/s NESPAK.
6. The proceedings of Grievance Redressal Committee (GRC) with **Joint Venture** of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited are attached as **Annexure-A & A (i)** and with **Joint Venture** of M/s Royal


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Developers & Builders (Pvt) Ltd, M/s Faldo Design Inc, USA – Golf partner, M/s Channel Desert JV, UAE – Golf partner as **Annexure-B**.

7. The **Joint Venture** of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited again submitted further supporting documents vide letter No. JV PSL-WWA-PCL/PR-006, dated March 27, 2023 containing, agreements with M/s Chinar Golf Club and FORE Management Group, schedules, certificates, brochures, media coverage report, presentations by the bidders are attached as **Annexure A/2, A/3, A/4, A/5, A/6 & A/7**.
8. The **Joint Venture** of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited again submitted an undertaking between Chinar Golf Club and PC Bhurban (PSL) through email, issued by Chinar Golf Club vide letter No. JV PSL-WWA-PCL/PR-007, dated March 28, 2023, attached as **Annexure-A/8**.
9. The **Joint Venture** of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited once again submitted a copy of cheque for organizing a golf championship at Chinar Golf Club Bhurban in October 2022, vide letter No. JV PSL-WWA-PCL/PR-008, dated March 29, 2023, attached as **Annexure-A/9**.
10. The final prayer of the bidders / JVs and decision of Grievance Redressal Committee is attached as **Annexure-1 & 2**.


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Decision of the Grievance Redressal Committee

1. Joint Venture of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited

The final prayer of the Joint Venture of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited is as under:-

“The contractual relationship with interconnected and interdependent Chinar Golf Club, events organized by Pakistan Services Ltd and the commercial arrangements with FORE Management Group of Thailand by the JV should be considered as minimum experience of 5 years by virtue of its longstanding commercial experience related to Golf Club Business and to declare the evaluation of the JV as “Responsive” and their financial bid be opened for further proceedings as per PPRA Rule.”

The Grievance Redressal Committee thoroughly examined the record already available while the course of Technical Evaluation of the Bid and record provided by the bidder during grievance, and observed as under:-

- i. *Thrashing out of the agreements executed between Chinar Golf Club and PC Bhurban (PSL) reveals that the utilization of the Chinar Golf Club is merely a commercial arrangement in the capacity of sponsorship of golf club events and not for the management and operation of the club so the minimum experience requirement as per bidding documents is not fulfilled as no financial statements are available, indicating the financial transactions between PC Bhurban (PSL) and Chinar Golf Club. The undertaking provided by JV, issued by M/s Chinar Golf Club further indicates the long lasting relationship as claimed by PC Bhurban (PSL) is not substantiated, being without any financial statements / transactions between PC Bhurban (PSL) and Chinar Golf Club, despite repeatedly demanded by the GRC, however the same were not provided.*


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- ii. *The claim of Joint Venture of Pakistan Services Limited – Warm Water Advisory– Platinum Construction Limited for organizing Golf tournaments does not establish the experience for operation and management of golf club on the part of PC Bhurban (PSL)..*
- iii. *The commercial arrangement with FORE Management Group cannot be included in the experience of the Joint Venture rather it is shown as sub-contractor and not as a JV member.*
- iv. *The bidder was asked to clarify whether they have any role in maintenance/ operation, human resource, purchase of material/ machinery for maintenance of golf club (CGC) or any sharing in the revenue related to operation & maintenance of CGC, but the bidder could not satisfy the GRC, neither they could provide any supporting documents.*
- v. *The Joint Venture of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited could not qualify the **ITB Clause 18 (a) (iii)** of the bidding documents, furthermore **ITB Clause 20.1** of the bidding documents also restricted the Technical Evaluation Committee to make grading of the submitted technical bid.*

DECISION

2. After considering all the documentary evidences provided by Joint Venture of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited and after thorough deliberations on the matter, the GRC unanimously concluded that the bidder is **NON-REPONSIVE**. The GRC, therefore, upholds the decision of the technical committee.


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Decision of the Grievance Redressal Committee

3. Joint Venture Of M/S Royal Developers & Builders (Pvt) Ltd, M/S Faldo Design Inc, USA – Golf Partner, M/S Channel Desert JV, UAE – Golf Partner

The final prayers of the Joint Venture M/S Royal Developers & Builders (Pvt) Ltd, M/S Faldo Design Inc, USA – Golf Partner, M/s Channel Desert JV, UAE – Golf Partner is as under:-

“The alteration in letter of technical proposal may be considered as omission, the Net Worth of HRL Group may be taken for the evaluation of the bid instead of RDBL (lead partner), the hospitality experience of Amin Sons Pvt Ltd should be considered for evaluation, in case of JV it is not mandatory that each member should be legal and on active tax payer list.”

The Grievance Redressal Committee thoroughly examined the record previously available, the grievances submitted and patiently heard the grievances in the meetings and observed as follows:-

- i. *The alteration in the letter of technical proposal cannot be considered as omission or typing mistake.*
- ii. *The Net Worth of HRL Group cannot be taken for the evaluation of the bid as the firm RDBL applied for the bid as lead partner and financial of RDBL will be considered for the same purpose.*
- iii. *The Channel Deseret Group JV is a JV of “Chanel Desert FZ –LLC and Desert Landscape LLC”, hence it is not a legal entity and JV inside a JV cannot be considered for the bid being not a legal entity.*
- iv. *If The JV explained in Point No. iii is not a legal entity so its active status on taxpayer list is also not available.*
- v. *The experience of M/s Amin Sons Pvt Ltd was considered, however the bidder is otherwise nonresponsive due to the above reasons shown at (i) to (iv)*

DECISION

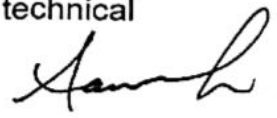
4. After thoroughly examining the grievances submitted by Joint Venture Of M/S Royal Developers & Builders (Pvt) Ltd, M/S Faldo Design Inc, USA – Golf Partner, M/S Channel Desert JV, UAE – Golf Partner and after thorough deliberations on the matter, the GRC unanimously concluded that the bidder is **NON-REPNISIVE**. The GRC, therefore, upholds the decision of the technical committee.


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FINAL REPORT OF GRIEVANCE REDRESSAL COMMITTEE

After detailed deliberations with the bidders and among the members of Grievances Redressal Committee and the previously available record and scrutiny of the grievances submitted by the bidders, the opinion / decision of Grievances Redressal Committee is as under:-

Sr. No	Name of the bidder	Basis of Technical Rejection by Technical Evaluation Committee.	Reference Rule	Opinion / Decision of Grievances Redressal Committee	Result	Remarks
1	Joint Venture of Pakistan Services Limited – Warm Water Advisory – Platinum Construction Limited	The bidder could not qualify the (mandatory) eligibility criteria regarding minimum experience of Golf Club Business.	Clause ITB-18 & 20, Qualification Requirements (E), SECTION-III, BIDDING DATA SHEET	The Grievance Redressal Committee agreed with the evaluation of Technical Evaluation Committee.	The bidder stands Non-Responsive .	The Grievance of the bidder is attached as Annexure –A/1 . The, agreements, schedules, certificates, brochures, media coverage report, presentations by the bidders are attached as Annexure A/2, A/3, A/4, A/5, A/6 & A/7 .
2	Joint Venture of M/s Royal Developers & Builders (Pvt) Ltd, M/s Faldo Design Inc, USA – Golf partner, M/s Channel Desert JV, UAE – Golf partner	<ol style="list-style-type: none"> 1. Alteration in the letter of Technical proposal. 2. The bidder could not qualify the (mandatory) eligibility criteria regarding minimum financial soundness (Net Worth). 3. One of the JV members is not a legal entity. 4. One the JV members is not an active tax payer. 5. The bidder could not meet with the eligibility requirement regarding hospitality business. 	<ol style="list-style-type: none"> 1. Clause 14.4 of the ITB and Clause ITB-18.1 (b) (v). 2. Clause ITB-18 and 20, Qualification Requirements (D), SECTION-III, BIDDING DATA SHEET. 3. Qualification Requirements (A) vide BDS Clause ITB 18 and 20. 4. Qualification Requirements (B) vide BDS clause ITB 18 and 20. 5. BDS Clause No. ITB-18 & 20, BDS, E. Minimum Experience. 	The Grievance Redressal Committee agreed with the evaluation of Technical Evaluation Committee	The bidder stands Non-Responsive .	The Grievance of the bidder is attached as Annexure –B/1 .


(Mr Nisar Ahmed Khan)
Chief Engineer S&C, P.R , HQrs : Lahore


(Dr. Hassan Tahir Bukhari)
CMM, P.R, HQrs : Lahore


(Mr Aamir Nisar Chaudhry)
Additional General Manager / Infrastructure


(Mr Mushtaq Ahmad)
MD/CSF, P.R , HQrs : Lahore


(Mr Zia Ul Islam Niazi)
FA&CAO , P.R , HQrs