



16th January, 2015

Chairman,
Securities and Exchange Commission of Pakistan,
Islamabad.

Sub: Violation of Public Procurement Rules 2004, Assistant Director (Admn), SECP, Islamabad's Pre-Qualification Notice for Construction of Six- Storey Building in G-8/1, Islamabad.

Dear Sir,

This is with reference to SECP, Islamabad's Prequalification published in daily "Dawn" on 15th January, 2015. It is observed that the advertisement is in violation of the Public Procurement Rules 2004.

As per TI-Pakistan's observation pre-qualification documents was not being uploaded on SECP website, whereas as per NAB new directives, vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8-1-2014 all procuring agencies should make available the bidding or prequalification documents and other related communication in downloaded format, for any interested bidder or party, at their website to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribes by procuring agency (Copy Enclosed).

The above information is forwarded for the purpose of avoiding the mis-procurement charge under Rule No 50, and with request to re-invite the Pre-qualification Notice under the prescribed procedures, or issue a corrigendum and download pre-qualification document, and extend date accordingly.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

Sohail Muzaffar
Chairman

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

1. Secretary to Prime Minister, Islamabad.
2. Chairman, NAB, Islamabad.
3. Mr. Khurshid Shah, Leader of Opposition & Chairman, PAC, National Assembly, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, PPRA, Islamabad.



Securities and Exchange Commission of Pakistan

INVITATION FOR PRE-QUALIFICATION

T# 10/14-15

The Securities and Exchange Commission of Pakistan intends to pre-qualify constructors for:

Construction of G-8 Building

1. The construction of a six-storey building in G-8/1, Islamabad on a plot measuring approximately 14,000 square feet.
2. Pre-qualification is open to constructors/joint ventures of constructors who are registered with PEC in respective category for construction and operation of engineering works, mentioned above. Applications may be submitted for pre-qualification for the above work.
3. Appropriate category PEC registered constructors may obtain the pre-qualification documents from the below mentioned office/officer.
4. Applications for pre-qualification must be delivered in sealed envelopes by hand or through registered mail to below mentioned officer not later than:

Date: February 4, 2015, Time: 1500 Hr and be clearly marked "Application for Pre-qualification for Construction of G-8 Building"

5. The Securities and Exchange Commission of Pakistan reserves the right to accept or reject late applications.
6. Applicants will be informed, in due course, of the result of the evaluation of applications. Only the firms of constructors and joint ventures pre-qualified under this process will be invited to bid.

M. Ubaidullah Khalid, Assistant Director (Admn)
Securities and Exchange Commission of Pakistan
4th Floor, NICL Building, 63 Jinnah Avenue, Blue Area, Islamabad
Tel: 051-9207091-4 (Ext-107)



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
ATTA TURK AVENUE, G-5/2
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices
(Section 33B & C of NAO 1999)

5-2(75)Pre/A&P/NABHQ/2013

January 08, 2014 /40

All Ministries / Divisions /
Departments / Regulatory Bodies
and Corporation etc. (lst attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT PROCESS FOR TRANSPARENCY AND
MERITOCRACY

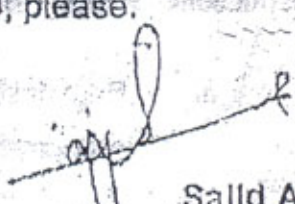
To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive/limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribes by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)
- e. Mis-procurement declared and falling within Rule 50 of PP Rules 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.

2. The above information be communicated to all subordinate offices responsible for procurement processes.

3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 33C of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ

Ph: 051-9245537
Fax: 051-9245908

Copy for info to:-

- a. PS to Chairman NAB
- b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
- c. Addl. Directors Staff, All Regional NABs
- d. Director A&P, All Regional NABs
- e. MD, Punjab Public Procurement Regulatory Authority, Lahore