



12<sup>th</sup> February 2010

Brigadier S. Aslam Butt,  
Director General,  
Airport Security Force,  
Headquarters ASF,  
B 280, Old Area,  
Airport,  
Karachi-75200

**Sub: Complaint on the Violation of Public Procurement Rules 2004 by  
Airport Security Force in procurement of 155 Bullet Proof Jackets**

Dear Sir,

Transparency International Pakistan has received the complaint regarding violations in procurement process of the tender referred above.

TI Pakistan has been reported that the technical proposal of 7 out of 8 bidders which were opened on 27th January 2010, were rejected by AFP today, in the bid opening. The bidder were to be informed about their disqualification under the PPRA Rules, and PEC documents, prior to opening of the bids, and were also to be provided the evaluation report.

ASF attention is invited towards following Rules, which are mandatory on to be observed, and any violation of the PPRA Rules 2004 may render the procurement as mis-procurement.

**10. Specifications.-**

Specifications shall allow the widest possible competition and shall not favour any single contractor or supplier nor put others at a disadvantage.

**30. Evaluation of bids.-**

(1) All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the prescribed bidding documents. Save as provided for in sub-clause (iv) of clause (c) of rule 36 no evaluation criteria shall be used for evaluation of bids that had not been specified in the bidding documents.

**32. Discriminatory and difficult conditions.-** Save as otherwise provided, no procuring agency shall introduce any condition, which discriminates between bidders or that is considered to be met with difficulty. In ascertaining the discriminatory or difficult nature of any condition reference shall be made to the ordinary practices of that trade, manufacturing, construction business or service to which that particular procurement is related.



**35. Announcement of evaluation reports.-**

Procuring agencies shall announce the results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract.

Kindly clarify the complaint is correct or false, and provide the tender documents and evaluation report to TI Pakistan under provisions of Public procurement Rules 2004.

If the complaint is found to be true, it may fall under cartelization, and dealt with under Rule No 2 (f) quoted below:

*(f) "corrupt and fraudulent practices" includes the offering, giving, receiving, or soliciting of any thing of value to influence the action of a public official or the supplier or contractor in the procurement process or in contract execution to the detriment of the procuring agencies; or misrepresentation of facts in order to influence a procurement process or the execution of a contract, collusive practices among bidders (prior to or after bid submission) designed to establish bid prices at artificial, non-competitive levels and to deprive the procuring agencies of the benefits of free and open competition and any request for, or solicitation of anything of value by any public official in the course of the exercise of his duty;*

With Regards,

Syed Adil Gilani  
Chairman,

Copy forwarded for the information and necessary actions to

1. Chairman, PAC, Islamabad
2. Ch. Ahmad Mukhtar , Federal Minister for Defence, Ministry of Defence, Rawalpindi.
3. Mr. Tanwir Ali Agha, Auditor General Pakistan, Islamabad
4. Secretary, Defence Division, Pak Secretariat – II, Rawalpindi
5. Managing Director, PPRA, Islamabad.