



TRANSPARENCY INTERNATIONAL-PAKISTAN

November 13, 2012

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Defence Housing Authority, Karachi.
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Mr. Wasim Shahid,
Cantonment Executive Officer,
Cantonment Board Faisal,
Main Shahrah-e-Faisal,
Near PAF Base Faisal,
Karachi.

Sub: Violation of Public Procurement Rules 2004, Cantonment Executive Officer, Cantonment Board Faisal's Tender Notice for Construction Work for Roads, Footpath, Sewerage line, Supply/Fixing of Turbine/Pump and Street Lights Work.

Dear Sir,

The Cantonment Executive Officer, Cantonment Board Faisal's Tender Notice for Construction Work for Roads, Footpath, Sewerage line, Supply/Fixing of Turbine/Pump and Street Lights Work, published in "Dawn" on November 13, 2012, is against the Public Procurement Rules 2004.

TI-Pakistan has observed that Cantonment Board Faisal in its captioned tender notice has mentioned in point 8 that "Cantonment Board Faisal can vary the estimated cost subject to management requirements for which the decision of Cantonment Board Faisal shall be final and the contractors shall have to comply with the same", which is in violation of Public Procurement Rules 2004. TI-Pakistan refers to Rule 42 (iv) that any change in the bid is only allowed to the extent that the substance of bid is not affected and Rule 30 (3). The Rules are quoted below for reference.

31. Clarification of bids.- (1) No bidder shall be allowed to alter or modify his bid after the bids have been opened. However *the procuring agency may seek and accept clarifications to the bid that do not change the substance of the bid.*

30. Evaluation of bids:- (3) A bid once opened in accordance with the prescribed procedure shall be subject to only those rules, regulations and policies that are in force at the time of issue of notice for invitation of bids.

TI-Pakistan also observed that Cantonment Board Faisal has made tender document available only for approved contractors of Cantonment Board Faisal, whereas as per Rule 23(5) procuring agency should provide bidding document to *any interested suppliers or contractors.*

23. Bidding documents:- (5) *The procuring agency shall provide a set of bidding documents to any supplier or contractor, on request and subject to payment of price, if any.*

TI-P would also like to point out that the Ministry of Defence has also taken serious notice of Public Procurement Rules 2004 violations. In this regard, TI-Pakistan refers to Ministry of Defence's letter No 2/2/D-18/2009 dated January 31st 2011 (enclosed), which states that "the PPRA Rules must be observed in their perspective in letter & spirit while making procurements. Violation of those rules will be viewed seriously and Head of Department/Organisation will be held responsible for the same."

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 tender under the prescribed procedures.

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

With Regards,


Syed Adil Gilani
Adviser

Copies forwarded for the information of:

1. Chairman, Public Accounts Committee, Islamabad.
2. Registrar, Supreme Court of Pakistan, Islamabad.
3. Chairman, NAB, Islamabad.
4. Auditor General, Islamabad.
5. Managing Director, PPRA, Islamabad - with a request to take action under section 5(2) (a) "monitor application of the laws, rules, regulations, policies and procedures in respect of, or relating to, procurement" and under section 5(2) (i) of the PPRA Ordinance 2002.



CANTONMENT BOARD

FAISAL

TENDER NOTICE

Sealed tenders are invited for the following original works on the basis of MES Schedule of Rates 2009 (as amended up to date) from the approved contractors of Cantonment Board Faisal who have deposited the Renewal Fee for the year 2012-13 to reach on 29-11-2012 at 12:30 p.m.

S. No.	Description of Works	Estimated Cost	Earnest Money	Cost of Tender Form (Each)
01	Construction works for Road, Footpath Raised Median in DOHS.	Rs.21.628 (M)	Rs.0.43 (M)	Rs.1000/-
02	Sewerage line works (R.C.C) in Phase-I & II, DOHS.	Rs.0.941 (M)	Rs.0.02 (M)	Rs.1000/-
03	Work of UPVC Pressure Pipe Dia 75mm, 100mm for Water Supply Network in Phase-II, DOHS.	Rs.2.006 (M)	Rs.0.04 (M)	Rs.1000/-
04	Supply/fixing of Turbine/Pump for Under Ground Water Tank in DOHS.	Rs.2.50 (M)	Rs.0.05 (M)	Rs.1000/-
05	Street Lights Work in Phase-I & II DOHS.	Rs.2.095 (M)	Rs.0.04 (M)	Rs.1000/-

Terms & Conditions:

1. Tender for the above-mentioned works should be submitted in a sealed envelope. The work for which tender is being given should be mentioned clearly on the envelope.
2. Rates should be submitted on above or below the MES Schedule of Rates 2009 (as amended up to date).
3. Prescribed forms/tender documents can be purchased from the office of Cantonment Board Faisal till 27-11-2012.
4. Tenders must be accompanied by the earnest money in shape of pay order in favor of Cantonment Executive Officer, Cantonment Board Faisal. All other conditions mentioned in the tender must be abided. No tender will be accepted without pay order.
5. Conditioned, over-written, marked and erased tenders will not be accepted. Further tenders by courier shall not be accepted.
6. Tenders will be opened on 29-11-2012 at 01:00 p.m. in the presence of contractors or their authorized representatives.
7. Cantonment Board is not liable to provide any sort of tool, material or plant.
8. Cantonment Executive Officer/Cantonment Board Faisal can vary the estimated cost subject to management requirements for which the decision of Cantonment Executive Officer/Cantonment Board Faisal shall be final and the contractors shall have to comply with the same.
9. No tender documents will be issued to those contractors who are indulged in litigation suits with the Cantonment Board Faisal or those against whom the Board has taken any decision or those who are engaged to resolve any claim or charge.
10. Tender documents will not be issued to those contractors who have been blacklisted by any government or semi-government department.
11. If tenders are cancelled for any reason on opening date, then tenders will be opened on the next working day.
12. Cantonment Executive Officer/Cantonment Board Faisal reserves the right to accept or reject any or all tenders.
13. Rates should be quoted separately for the execution of all works.

Cantonment Executive Officer
Faisal Cantonment

CBF | striving better living standards...

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