



1st October 2010

Director Roads (North),
Capital Development Authority
Old Naval Headquarter, near Melody Market,
G-6, Islamabad

Sub: Violation of Public Procurement Rules, 2004

Pre-Qualification of Firms, Islamabad

Dear Sir,

The Prequalification Notice for CDA published in Dawn on 30 September 2010, for pre-qualification of firms for the construction of 11th Avenue from Khayaban-e-Margalla to I-J Principal Road, widening of Garden Avenue up to Murre Road and Construction of Grade separated intersection at Karal Chowk and Dhoke Kala Khan, is against the Public Procurement Rules 2004, as the set of Prequalification Document is not provided, which is a mandatory requirement. The Rules are available on PPRA website www.ppra.gov.pk and www.transparency.org.pk.

This has been brought to your knowledge in the past also, but it seems that CDA is in the habit of not providing the pre-qualification documents, which is a collusive practice and considered misprocurement under Rule No 2 F (Fraud and Corruption).

(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;

Public Procurement Rules, 2004 have eliminated all discretion in procurement process, and the Rule No 16 requires you to prepare a set of prequalification documents, and provide detailed evaluation criteria to applicants, which is not being given to applicants on this project. Rule is quoted below for your information;



16. Pre-qualification process.-

(1) *The procuring agency engaging in pre-qualification shall announce, in the pre-qualification documents, all information required for pre-qualification including instructions for preparation and submission of the pre-qualification documents, evaluation criteria, list of documentary evidence required by suppliers or contractors* to demonstrate their respective qualifications and any other information that the procuring agency deems necessary for prequalification.*

(2) *The procuring agency shall provide a set of pre-qualification documents to any supplier or contractor, on request and subject to payment of price, if any.*

Explanation.- For the purposes of this sub-rule price means the cost of printing and providing the documents only.

* 2 (d) "contractor" means a person, consultant, firm, company or an organization who undertakes to supply goods, services or works;

The evaluation criteria shall include a detailed criterion on how each mark will be awarded in each category, which makes these rules discretion free. Bidders must be informed how the scoring will be done for each category and what is the passing score in each category and overall score.

Transparency International Pakistan again request CDA to comply to Public Procurement Rules 2004 and re-advertise this prequalification and provide set of prequalification documents under rule 16 (2).

With Regards,

Syed Adil Gilani

Chairman

Copies forwarded for the information of;

1. Chairman, Public Accounts Committee, Islamabad.
2. Auditor General Pakistan, Islamabad.
3. Registrar Supreme Court of Pakistan, Islamabad.
4. Managing Director, PPRA, Islamabad.

30 September Dawn



Capital Development Authority Pre-Qualification Notice



The CDA intends to undertake the following projects on Design Build and negotiated schedule of payment basis:

1. Construction of 11th Avenue from Khayaban-e-Margalla to I-J Principal Road, Islamabad. Estimated amount: Rs. 1.50 billion.
2. Widening of Garden Avenue upto Murree Road, Islamabad. Estimated amount: Rs. 500 million.
3. Construction of Grade separated intersection at Karai Chowk and Dhoke Kala Khan, Islamabad. Estimated amount: Rs. 500 million.
2. The interested firms are invited to submit their expression of interest for pre-qualification either in their own rights or as joint venture / consortium. The applicant should include in its pre-qualification application evidence relating to the following minimum information:
 - The projects it has undertaken, in the last 10 years, of similar nature.
 - Proof to finance a project of this magnitude.
 - The technical capability to undertake a project of this size; and
 - The key personnel and that of its contractors and their operational experience in the relevant activities of the project.
3. Applications should be received at the following address not later than 18-10-2010.

Director Roads (North), CDA
Old Naval Headquarter, near Melody Market, G-6, Islamabad

4. Incomplete applications and those received after the stipulated time will not be entertained. The CDA reserves the rights to reject any or all applications without assigning any reason.
5. Director Roads (North), CDA may be contacted for any clarification at 051-9205413.

Director Roads (North)
CDA, Islamabad

