



19<sup>th</sup> November, 2009

Chairman,  
Capital Development Authority (CDA)  
Main CDA Secretariat, G7/4,  
Islamabad

Tel: 9253003

Sub: Violation of Public Procurement Rules, 2004  
Prequalification of Contractors, Islamabad

Dear Sir,

The prequalification notice published in Dawn dated 19 November, 2009, for prequalification of contractors for Construction of Additional Family Suits for Member of Parliaments along with 500 Servent Quarters at Parliament Lodges Sector G-5/2, Islamabad, is lacking Transparency and violating the Ministry of Finance S.R.O.432 (I)/2004 on 9th June 2004, notifying "Public Procurement Rules, 2004". The Rules are available on the PPRA website [www.ppra.org.pk](http://www.ppra.org.pk) and [www.transparency.org.pk](http://www.transparency.org.pk).

This is to bring to your knowledge that CDA officers have to process all tenders under the Public Procurement Rules 2004, and provide a set of prequalification Documents to the applicant, which is not being done by CDA. Why CDA is violating rules again and again is beyond TI Pakistan comprehension.

Public Procurement Rules, 2004 have eliminated all discretions in procurement process and avenues of corrupt practices in tendering, by making the following Transparent Steps mandatory to eliminate manipulation in tenders;

- Provide prequalification Documents which includes all relevant information including the detailed evaluation criteria, bid award method,
- Signing of Integrity Pact ( no bribery pact and declaration of Agent's Agreement),
- Evaluation Report to be provided to bidders 15 days before award for filing objections,
- Rights of bidders for complain on evaluation report and reply by department,
- Declaration of Contract and Evaluation Report on the website after the Award on Contract.
- The bidder with the lowest evaluated bid, if not in conflict with any other law, rules, regulations or policy of the Federal Government, shall be awarded the procurement contract, within the original or extended period of bid validity
- Contract for Supply, Works and Consultants to be awarded only to the lowest responsive Evaluated Bidder. The system of scores awarded to bidders, and the highest scoring firm to be awarded Contract on his tendered cost has been banned.

According to PP Rule No 40, negotiations are not allowed with the bidder having submitted the lowest evaluated bid or with any other bidder. It is heartening to note that CDA Tender Documents are prepared exactly according to this PPRA requirements.



The declared evaluation criteria included in the tender documents of CDA clause 31.2 states that no negotiations with the bidder having evaluated as the lowest responsive or any other bidder shall be permitted.

Transparency International Pakistan request the Chairman to direct th concerned department to response to Transparency International Pakistan whether the Newspaper Report is correct or not, and also to observe the compliance of Public Procurement Rules, 2004 as well as the evaluation criteria 31.2 of CDA Tender Documents.

Yours sincerely,

  
Syed Adil Gilani,  
Chairman,

Copies forwarded for the information of,

1. Chairman Public Accounts Committee, National Assembly, Islamabad
2. Auditor General Pakistan, Islamabad
3. Managing Director PPRA for information please.



## PRE-QUALIFICATION OF FIRMS / CONTRACTORS



Capital Development Authority intends to pre-qualify good and reputable contractors/ firms having vast experience with sound and compatible resources for execution of Building/infrastructures works - upto the limit of Rs. 2000.00 million as mentioned below:-

### "CONSTRUCTION OF ADDITIONAL FAMILY SUITES FOR MEMBERS OF PARLIAMENT ALONG WITH 500 SERVANT QUARTERS AT PARLIAMENT LODGES, SECTOR G-5/2, ISLAMABAD".

All interested firms/ contractors are requested to apply to Director Works CDA, Room # 20, Old Naval Complex G-6, Islamabad latest by 09.12.2009 with the following information and documents.

1. Name of company/Firm with memorandum and articles of association & letter of incorporation along with latest renewal in "No Limit" category with various departments worked with.
2. List of Major and Minor works executed during last ten years with specific details whether the work was completed within the stipulated time period. Reasons for delay in completion of work(s) be also specified duly verified by respective departments.
3. Performance certificates regarding completed works be also provided. In case of big projects completed by the firm cost over run factor, if any, be also intimated.
4. Proof of Registration with the Pakistan Engineering Council in the CA category, specialization in CE 10 and renewal for the current year.
5. List of Machinery and equipments with make and model in good working condition owned by the Company with ownership documents and the place where the machinery is presently engaged or stationed. The company/ Firm must have their own tower cranes, concrete batching plant, concrete pump, transit mixers, compressors, excavators, dumpers and bowlers.
6. The detail of existing Engineers/ Technical staffs with documentary proof that the individual is employee of the company/firm including their CVs.
7. Annual Construction Turn over should not be less than Rs. 2.0 Billion.
8. High Rise Building Construction experience with documented proof.
9. Proof of the financial soundness of the firm supported with bank statement/ credit worthiness and audited balance sheets for the last three years duly verified by Chartered Accountant.
10. Upto date Income Tax Registration Certificate.
11. Non relationship certificate on stamp paper worth Rs. 50/- duly attested by Oath Commissioner.
12. Detail of Litigation/ Arbitration cases, if any, in which the firm had been or is involved.
13. An undertaking by the firm/contractors that:
  - a. Neither the firm/contractor nor the Director/Share holder as whole or part of any company/Organization has been black listed, defaulted, debarred or penalized in any manner by CDA or any other Government Agency/Department.
  - b. The information supplied by the firm/contractor is correct.
14. The firm/contractor shall participate in tenders in case it is pre-qualified. CDA reserve the right to reject any or all applications without assigning any reason thereof. Client reserves the right to verify financial capabilities of the firm from the concerned financial institutions and also to visit running projects for verification of provided information.

(Tanvir Hussain Shah)  
Director Works CDA  
Room #20, Old Naval Complex G-6, Islamabad  
Tele: 051-9203773