



20<sup>th</sup> February, 2012

Engineer Farkhand Iqbal  
Chairman,  
Capital Development Authority,  
Islamabad.

Sub: Violation of Public Procurement Rules, 2004-Colliusive practice between CDA and  
& Contractors on over Rs 3 Billion Park Enclave Infrastructure Work and TIP Letters  
dated 29<sup>th</sup>December 2011, 18<sup>th</sup> January 2012 and 07<sup>th</sup> February 2012.

Dear Sir,

This is with reference to TI-Pakistan's letter dated 29<sup>th</sup> December 2011 sent in response to Park Enclave Project's Letter No. CDA/PD-PE/10/170 dated 15<sup>th</sup> December 2011 on the above subject and subsequent letters dated 29<sup>th</sup> December 2011, 18<sup>th</sup> January 2012 and 07<sup>th</sup> February 2012. However no reply has been received by TI-P even after a lapse of 60 days.

This is a serious matter, where CDA has awarded a Consultancy Contract for Park Enclave Infrastructure Work on unsolicited basis to M/s Disaster Management and Reconstruction Division of NESPAK, against the Public Procurement Rules 2004, which may have caused millions of rupee loss to exchequer. A copy of the Contract requested by TIP has not been provided, nor posted on PPRA website along with the evaluation report as per PPRA directives issued to all procuring agencies.

This Consultants has reported to have eliminated many renowned Contractors, even NLC, which may confirm that M/s Disaster Management and Reconstruction Division of NESPAK have also colluded in this chosen bidders to disqualify other experience firms. The detailed evaluation report prepared by consultants, along with evaluation criteria given in the prequalification documents.

Complainant has informed TIP that the sealed financial bids have also changed which are under custody of CDA, to change tendered costs of chosen bidders, and to award the contract not to M/s Maksons, as they have been exposed by press, but now to M/s M/s. Habib Rafiq (Pvt) Ltd., who was awarded MNA Hostel Contract a by CDA in a dubious manner in 2011.

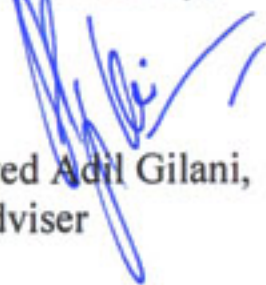
This is again to remind CDA that the act of non-provision of the documents may also be termed as "corrupt and fraudulent practices" under Rule 2(f), whereas such violations may also be gross misconduct on the part of CDA and such procurements maybe deemed as mis-procurement under Rule 50.



Transparency International Pakistan recommends CDA to follow the application of PPRA Ordinance 2002 and Public Procurement Rules 2004 all in procurements, and to proceed with actions against the officers who have illegally awarded Consultancy Contract to t M/s\_Disaster Management and Reconstruction Division of NESPAK, who seems to be responsible for this fiasco in procurement of Enclave Infrastructure Work. If the complaint is correct, CDA may process the tenders by rejecting all bids, and re-invite the tenders with new prequalification.

TI Pakistan is striving for the Rule of Law.

Your sincerely,



Syed Adil Gilani,  
Adviser

Copies forwarded for the information of,

1. Chairman Public Accounts Committee, National Assembly, Islamabad
2. The Registrar, Supreme Court of Pakistan, Islamabad
3. Chairman, NAB, Islamabad
4. Managing Director PPRA for information please.
5. Auditor General Pakistan, Islamabad