



25 November 2010

Director Municipal Administration,
Capital Development Authority,
Fire Headquarter Building,
Khayaban-e-Suharwardi, Sector G-7/1,
Islamabad

Sub: Violation of Public Procurement Rules, 2004 EOI for Prequalification of Firms
For the construction of Flower Markets cum Sit out Areas

Dear Sir,

The Capital Development Authority notice inviting EOI for prequalification of firms, for the construction of Flower Markets Cum Sit out Areas published in Daily Dawn on 25 November 2010 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

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.

The above information is forwarded for the purpose of avoiding the mis-procurement charge under Rule No 50, and to re-advertise this prequalification notice under the prescribed procedures.

TIP would like to quote Supreme Court Order given on 28th April 2010, in the case of award of multibillion dollar LNG contract to GDF-Suez, in which the SC has announced that it is the duty of the Court to ensure the application of Public Procurement Rules 2004.

TI Pakistan is striving to have Rule of Law in Pakistan, which is the only way to eliminate corruption and have good governance in country.

With Regards,

Syed Adil Gilani
Chairman

Copies forwarded for the information of:

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

25th November Dawn 2010



Capital Development Authority



EXPRESSION OF INTEREST

FOR CONSTRUCTION OF
FLOWER MARKETS CUM SIT OUT AREAS
IN DIFFERENT SECTORS OF ISLAMABAD ON
SPONSORSHIP BASIS

Capital Development Authority (CDA) as part of beautification of Islamabad and to provide out door recreational facilities for the public intends to establish Flower Markets cum Sit out Areas at prominent locations in G-6, G-7, G-8, G-9, G-11, F-8 and F-11 sectors of Islamabad on **Sponsorship basis/against advertisement rights at site.** Qualified and well reputed firms are invited to submit their site specific Expression of Interest (EOI) alongwith Concept Designs, Art work, Layout, Theme and the following supporting documents;

- Site specific Proposal (s) in sealed envelope indicating the name of the site on the envelope.
- Complete Company's Profile with contact details
- NTN Registration
- Proof of firm's financial strength in shape of financial statements and bank certificates
- List of construction projects of similar nature undertaken in past
- Site specific Concept and Design
- Detail of facilities to be provided in the Market
- Specification of Material to be used in construction
- Desired terms and conditions of sponsorship with branding requirements/scope.

The private party will construct the Market at its own cost, as per approved architectural and structural designs within the stipulated time and handover it to CDA for further licensing against which CDA would offer the private party attractive branding/sponsoring space at site. The firm should also intimate time required to complete the project. The detail of available sites may be obtained during the office hours.

CDA reserves the right to accept or reject any or all submittals at its discretion, without assigning any reason. After evaluation of the proposals, CDA will short list the interested parties and inform them accordingly for further processing of their proposals. Any EOIs received with incomplete details shall be treated as disqualified without any further processing.

The last date of submission is **20th December, 2010**

For further inquiries and details contact:

Director Municipal Administration
Fire Headquarter Building,
Khayaban-e- Suharwardi
Sector G-7/1, Islamabad. Tel: 051-9252838

www.cda.gov.pk