



TRANSPARENCY INTERNATIONAL-PAKISTAN

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11th June 2010

Mr. Fazul ur Rehman
Administrator,,
CDGK,
Civic Centre,
Gulshan-e-Iqbal,
Karachi

Subject: Complaint against EDO (Works & Services) on the corruption in Tendering

Dear Sir,

Transparency International Pakistan refers to EDO Works & Services letter dated 9 June 2010, whereby the EDO has tried to mislead Director (CB) SPPRA.

Vide TIP letter dated 7 June 2010, TI Pakistan has informed the Administrator Karachi, about the decisions taken under the Administrators direction at the Office of TIP on 2 June 2010.

The Road Works, Building Works, Building Works are not covered under Single Stage Two Envelope Bidding Procedure as they are which are routine nature of Works. According to Pakistan Engineering Council, World Bank, Asian Development Bank, JAICA, all these procurements are to be made under the Single Stage One Envelope Bidding Procedure.

TI Pakistan refers to the following SBDs, of PEC, approved by PPRA Federal Government,

PEC Notified Documents June 11, 2007 (Revised)

Standard Form of Bidding Documents (Civil Works).

Standard Form of Tender Documents for Procurement of Works (E&M).

Standard Form of Tender Documents for Procurement of Works (For Smaller Contracts).

In all the three SBDs, the tender procedure is based on the Single Stage One Envelope Bidding Procedure, which proves that there is no provision of Single Stage Two Envelope Bidding Procedure under the Laws of PEC, which are mandatory on Government of Sindh under the Chief, Planning & Development Division, Government of Pakistan, letter No F. No. 1(780) PP&H/PC/2007/Vol-II dated 24 December 2009 (copy enclosed).

The Bid Opening procedure contained in the three SBDs, is quoted below, in which the bid prices are to be announced at the time of bid opening.

E. BID OPENING AND EVALUATION

IB.23 Bid Opening, 23.3 The bidder's name, total Bid Price and price of any Alternate Proposal(s), any discounts, bid modifications, substitution and withdrawals, the presence or absence of Bid Security, and such other details as the Employer may consider appropriate, will be announced by the Employer at the opening of bids.



TI Pakistan therefore suggest to the Administrator not to act against the SPPRA Rules and PEC Guidelines, as both are mandatory on CDGK.

Second issue which has not been responded by EDO Works in his reply of 9 June 2010, is about the advice given by TIP to CDGK about the mandatory requirement of examination of PEC License by EDO Works, at the time of bid opening, by asking the bidders to submit income record of last 12 months on the engineers mentioned in the PEC License of the firm. .

The relevant byelaw No. 8 of the PEC Byelaws Construction and Operation of Engineering Works Bye-laws, 1987, for information and compliance of CDGK.

8. Applications, renewals, fees and penalties, (12) The consulting engineer and where the consulting engineer is not appointed, the engineer incharge shall monitor the number of professional engineers employed by the constructor as per the relevant bye-laws made by the Council and inform the Council accordingly.

Kindly perform the legal obligations in processing the procurement for CDGK, \\

With Regards,


Syed Aftab Gilani
Chairman

Copy forwarded for the information and application of Rule of Law to,

1. Minister of Local Bodies, Government of Sindh, Karachi,
2. Registrar, Supreme Court, Islamabad
3. Chief Secretary, Govt of Sindh, Karachi,
4. Director General NAB, Sindh, Karachi
5. Managing Director Sindh PPRA, Karachi

Memorandum

GOVERNMENT OF PAKISTAN
PLANNING AND DEVELOPMENT DIVISION
Physical Planning & Housing Section
(Chughtai Plaza, Blue Area)

No 1 (780) PP&HPC/2007/Vol-II Islamabad, the 24th December, 2009

Subject: IMPLEMENTATION OF REVISED PAKISTAN ENGINEERING COUNCIL (PEC) STANDARD BIDDING/ CONTRACT DOCUMENTS

The Prime Minister of Pakistan constituted a two member committee comprising Secretary, Ministry of Housing and Works and Member (Implementation & Monitoring), Planning Commission to review the proposals made by a delegation of APCA in a meeting held with the Prime Minister of Pakistan on 7th May, 2008 and submit recommendations for consideration of the ECC.

A series of meetings were held under the chairmanship of Secretary, Ministry of Housing and Works with all the Stakeholders in the 3rd Meeting of Deliberation Committee held on 31st March, 2009 in the Committee Room of Ministry of Housing & Works, Pak Secretariat, Islamabad, the following decision was taken with reference to the implementation of PEC Standard Form of Bidding/ Contract Documents:-

"The dead line of 1st July, 2009 has been fixed for the departments to adopt the PEC bidding documents failing which Planning Commission and Finance Division shall not make the releases."

3. Planning Commission vide letter No 8(60)WRPC/2008 dated 12th February, 2009 has already circulated the Decision of ECNEC taken in its meeting held on 12th November, 2007 on the subject matter.

4. Besides, Planning Commission has requested the Ministries/Divisions and the Provincial Governments vide letter of even number dated 23rd February, 2009 to apprise about the implementation status in this regard.

5. It is once again requested that implementation status on the "Revised PEC Standard Bidding/ Contract Documents" for each and every project under execution in your Ministry/ Division as well as respective Province be intimated to this Division by 10th January, 2010.

6. The matter may be accorded priority, please.


(Joint Secretary) Federal
Chief
Ph. No. 991-9284356

1. All Federal Secretaries of Ministries/ Divisions
2. Chief Secretaries of Provinces
3. Chairman, P&D Board Punjab, ACS Development of Provinces