



14th May 2011

Administrator,
City District Government,
Karachi.

**Sub: Violation of Sindh Public Procurement Rules 2010 in the Notice Inviting
Tenders under MPA's Priority Programme, CDGK.**

Dear Sir,

Transparency International Pakistan has received a complaint from M/s M. D. Construction Co., against the tenders under Notice of Invitation of Tenders (NIT) under the "Tenders under MPA's Priority Programme, CDGK". The complaint along with annexure is enclosed for your ready reference.

The complainant has alleged that:

You have awarded the contract unlawfully to M/S "Insaf & Brother" though initially the complainant was announced as the "first lowest bidder" with rates of Rs. 1, 55, 58, 000 and Rs. 1, 54, 44, 000 respectively. This is a violation of Sindh Public Procurement Rules 2010. The Rule is stated below for your information;

42. Evaluation of bids.-

(1) All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the prescribed bidding documents.

Later on the contract was awarded to M/S "Insaf & Brother" after the submission of "illegal rebate letter" which was not a condition in tender. Rule 42(3) is stated below for your reference;

(3) A bid once opened in accordance with the prescribed procedure shall be subject to only those rules, regulations and policies that are in force at the time of issuance of notice for invitation of bids.

Rule 43 of Sindh Public Procurement Rules 2010 is also mentioned below for your information;

43. Clarification of bids.-

(1) No bidder shall be allowed to alter or modify his bid(s) after the expiry of deadline for the receipt of the bids;

Provided that the procuring agency may ask the bidder for clarifications needed to evaluate the bids but shall not permit any bidder to change the substance or price of the bid;

(2) Any request for clarification in the bid, made by the procuring agency shall invariably be in writing. The response to such request shall also be in writing.

Transparency International Pakistan requests you to look into this matter and reply us whether these allegations are true or false. Kindly note that public procurement in contravention of any provision of Sindh Public Procurement Act 2010, any rule, regulation, order or instruction made there under or any other law in respect thereof, or relating to, public procurement may render the procurement to be declared mis-procurement.

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

Regards,



Syed Adil Gilani
Chairman

Copies forwarded for the information of:

1. Managing Director, SPPRA, Karachi.
2. Director General, NAB Sindh, Karachi.
3. D.C.O Karachi.
4. Director Finance, CDGK.
5. D.O. (C.M), CDGK.

Encl: