



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

District Coordination officer,  
District Government,  
Sukkar

Subject: Violation of Public Procurement Rules, 2004 Expression of Interest for Hiring of Consultants for Automation of Various Public facilities

Dear Sir,

The Invitation of Expression for Interest advertised for for Automation of Various Public facilities appearing in "Business Reorder " on 17<sup>th</sup> Nov. 2009, is lacking Transparency and violating the "Public Procurement Rules, 2004" notified by the Govt. of Sindh vide letter No. SO(C-I) SGA&CD/4-80/2006 dated 1st November 2006.

Public Procurement Rules, 2004 have eliminated all discretions in procurement process, and it is mandatory to provide a set of Prequalification/Tender Documents under Rules No. 15,16, 23 & 24 to applicants, which shall include Evaluation Criteria.

Rule No. 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 pre-qualification.

Kindly note that according to Rule No 2, Consultant is also defined as " Contractor".

(d) "contractor" means a person, consultant, firm, company or an organization who undertakes to supply goods, services or works;

(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.

Rule No. 36. Procedures of open competitive bidding.- In single stage – two envelope procedure PROCUREING AGENCY shall evaluate the technical proposal in a manner prescribed in advance, without reference to the price and reject any proposal which do not conform to the specified requirements. The financial proposals of bids shall be opened publicly at a time, date and venue announced and communicated to the bidders in advance. **After the evaluation and approval of the technical proposal the procuring agency, shall at a time within the bid validity period, publicly open the financial proposals of the**



technically accepted bids only and the bid found to be the lowest evaluated bid shall be accepted.

22. **Submission of bids.**- (1) The bids shall be submitted in a sealed package or packages in such manner that the contents are fully enclosed and cannot be known until duly opened.

(2) A procuring agency shall specify the manner and method of submission and receipt of bids in an unambiguous and clear manner in the bidding documents.

23. **Bidding documents.**- (1) Procuring agencies shall formulate precise and unambiguous bidding documents that shall be made available to the bidders immediately after the publication of the invitation to bid.

Rule No 35. **Announcement of evaluation reports.**- Procuring agencies shall announce the results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract.

Rule No 47. **Public access and transparency.**- As soon as a contract has been awarded the procuring agency shall make all documents related to the evaluation of the bid and award of contract public:

Transparency International Pakistan request the you to make all its procurement Transparent, and in accordance with the requirements of Public Procurement Rules 2004, and prepare Prequalification Documents required under Rule 23, including the evaluation criteria.

The above information is forwarded for the purpose to avoid the mis-procurement charge under Rule No 50, and to re- invite the Expression of Interest, which shall be based on the procedures prescribed by Public Procurement Rules, 2004

With Regards,



Syed Adil Gilani  
Chairman,

Copy forwarded for the information and appropriate action on the violation,

1. Chief Secretary, Government of Sindh, Karachi
2. Managing Director Sindh PPRA, Karachi

**REMINDER**

No.F.1(75)DD-IMP/PRA/2009  
 GOVERNMENT OF PAKISTAN  
 PUBLIC PROCUREMENT REGULATORY AUTHORITY  
 (CABINET DIVISION)

◀-◀-◀

Islamabad, the November 12, 2009.

Subject: **PROCUREMENT OF PROPERTY IN UAE, BY PASSING PUBLIC PROCUREMENT RULES.**

Please find enclosed herewith a copy of Transparency International-Pakistan's letter No. nil, dated 10<sup>th</sup> November, 2009 on the subject cited above.

2. Transparency International Pakistan stated that no comments have been received so far from National Insurance Company Limited (NICL). It is stated that PPRA is empowered under Section 5(2) clause (j) of Public Procurement Regulatory Authority Ordinance, 2002 to seek assistance of Procuring Agencies in its functions and call for any information from such agencies in pursuance of its objectives and functions.

3. It is requested that a comprehensive report alongwith comments may kindly be sent to PPRA, immediately.

  
 (Naeem Ahmed)  
 Deputy Director-II

Chairman, & CEO,  
 National Insurance Company Limited,  
 3<sup>rd</sup> Floor, NIC Building,  
 Abbasi Shaheed Road,  
 Karachi.

CC: Syed Adil Gilani, Chairman, Transparency International-Pakistan,  
 5-C, 2<sup>nd</sup> Floor, Khayaban-e-Istehad, Phase-VII, Defence Housing  
 Authority, Karachi

*Sawal*  
 12/11/09

16

No.F.1(75)DD-IMP/PRA/2009  
 GOVERNMENT OF PAKISTAN  
 PUBLIC PROCUREMENT REGULATORY AUTHORITY  
 (CABINET DIVISION)

◀-◀-◀

Islamabad, the October 12, 2009.

SUBJECT: **COMPLAINT AGAINST NATIONAL INSURANCE CORPORATION REGARDING REPLACEMENT OF EXISTING HVAC EQUIPMENTS WITH NEW EQUIPMENT.**

Reference complaint received from M/s Transparency International-Pakistan letter No.nil, dated 8<sup>th</sup> October, 2009 on the subject cited above and find enclosed the copy of the complaint.

2. It is requested that a comprehensive report and comments on the contents of complaint may kindly be sent to PPRA at the earliest. This information is being called by PPRA under the powers vested in this Authority under Section 5(2)(j) of Public Procurement Regulatory Authority Ordinance, 2002.

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Deputy Director-

Chairman,  
National Insurance Company Limited,  
3<sup>rd</sup> Floor, NIC Building,  
Abbasi Shaheed Road  
Karachi.

C.C: Syed Adil Gilani, Chairman, Transparency International-Pakistan, S.C,  
2<sup>nd</sup> Floor, Khayaban-e-Istehad, Phase-VII, Defence Housing Authority,  
Karachi.

*Received*  
*12/1/09*



**NATIONAL INSURANCE COMPANY LIMITED**  
(OWNED BY THE GOVERNMENT OF PAKISTAN)

November 12, 2009

Ref No. TIP/2009-01

Syed Adil Gilani,  
Chairman,  
Transparency International Pakistan,  
5-C/2<sup>nd</sup> Floor, Khyban-e-Ittehad,  
Phase VII, DHA,  
Karachi.

Subject: PROCUREMENT OF PROPERTY IN DUBAI AND AWARD OF HVAC CONTRACT BY PASSING PUBLIC PROCUREMENT RULES.

Dear Sir,

With reference to your letter dated November 10, 2009 we wish to inform you that HVAC contract is awarded by following all the prevailing procedures prescribed by PPRA and figures reported about the contract in your letter are incorrect. Before awarding the contract, the NICL has hired the services of a renowned consultant to evaluate the bidders and also to recommend the best evaluated bid. After execution of a detailed and comprehensive process of bidding in a transparent way, M/s Roma Business Machines joint ventured with M/s Mecatech Pvt. Limited was recommended by the Consultants to award of contract. Moreover all the Government / PPRA rules were fully followed while awarding the said contract.

Furthermore regarding the purchase of property in Dubai, the management of NICL has proper approval of the Board of Directors and the investment is completely aligned with the policies /rules of investment of the National Insurance Company limited. The acquiring cost of the subject property mentioned in your above referred letter is also incorrect.

Forwarded as desired, please.

Sincerely,

Naem Azhar  
Executive Director (CS)

Dir-II  
Laga  
11/11/2009

Copy forwarded for the information of:-

1. Chairman Public Accounts Committee, National Assembly Islamabad.
2. Auditor General Pakistan, Islamabad.
3. Chairman NAB, Islamabad.
- ✓ 4. Managing Director PPRA, Islamabad.

ND #

11/11/09

Dy.No. 214...D.O. 11/11/2009  
 Dated: 16-11-09

Office of I.A.D. (PPRA)  
 Public Procurement Regulatory Authority  
 By No. 214...D.O. 11/11/2009  
 Dated: 16-11-09

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 Dated: 16-11-09

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