



TRANSPARENCY INTERNATIONAL-PAKISTAN

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25th June, 2013

Mr. M. Fazal Khan,
Deputy Collector (Headquarters),
Model Customs Collectorate of Appraisalment,
Custom House, Karachi.

Sub: Violation of Public Procurement Rules 2004, Deputy Collector, Model Customs Collectorate of Appraisalment, Custom House's Tender Notice for Supply of UPS, Laser Jet Printers, HP Scan Jet Digital Flatbed Scanner, Air conditioners, CCTV Camera and DVR with Complete Installation

Dear Sir,

The Deputy Collector, Model Customs Collectorate of Appraisalment, Custom House's Tender Notice for Supply of UPS, Laser Jet Printers, HP Scan Jet Digital Flatbed Scanner, Air conditioners, CCTV Camera and DVR with Complete Installation, published in daily "Express" on 25th June 2013, is against the Public Procurement Rules 2004.

Transparency International Pakistan would like to point out that Model Customs Collectorate of Appraisalment has restricted the bidders to supply Laser Jet Printer and Scan Jet Digital Flatbed Scanner of make HP only, which is not allowed under the following rule;

10. Specifications:- *Specifications shall allow the widest possible competition and shall not favour any single contractor or supplier nor put others at a disadvantage. Specifications shall be generic and shall not include references to brand names, model numbers, catalogue numbers or similar classifications. However if the procuring agency is convinced that the use of or a reference to a brand name or a catalogue number is essential to complete an otherwise incomplete specification, such use or reference shall be qualified with the words "or equivalent".*

Transparency International Pakistan would also like to bring into your kind knowledge that according to Public Procurement Regularity Authority Regulation 2008, Bid Bond/Earnest Money and Performance Security Guarantee is allowed at the option of the bidders, even from AA Rated Insurance Companies, whereas Ministry of Information & Broadcasting has restricted the bidder to provide bank draft only, which is in violation of PPRA Regulation 2008, also PEC SBDs are mandatory for use in tendering, which contains following rules for guarantees.


IB. 15 Bid Security:

15.2 *The Bid Security shall be, at the option of the bidder, in the form of Deposit at Call or a Bank Guarantee issued by a Scheduled Bank in Pakistan or from a foreign bank duly counter guarantee by a Schedule Bank in Pakistan or an insurance company having at least AA rating from PACRA/JCR in favour of the Employer valid for a period 28 days beyond the bid Validity date.*

The above information is forwarded for the purpose of avoiding the mis-procurement charge under Rule No 50, and with request to re-invite the tender under the prescribed procedures.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,


Syed Adil Gilani
Adviser

Copies forwarded for the information of:

1. Chairman, NAB, Islamabad.
2. Auditor General, Islamabad.
3. Registrar, Supreme Court of Pakistan, Islamabad.
4. Managing Director, PPRA, Islamabad - with a request to take action under section 5(2) (a) "monitor application of the laws, rules, regulations, policies and procedures in respect of, or relating to, procurement" and under section 5(2) (i) of the PPRA Ordinance 2002.

