



12th January, 2015

Mr. Muhammad Akbar Khan Hoti, PSP
Director General,
Federal Investigation Agency Headquarters,
Islamabad.

Sub: Violation of Public Procurement Rules 2004, PSP, Director/Administrator, FIA HQrs,
Islamabad's Tender Notice for Renovation, Extension and Construction Works.

Dear Sir,

This is with reference to TI- Pakistan's letter dated 26-12-2014 and Director/ Administration, Federal Investigation Agency (FIA) HQ, Islamabad's reply 7-1-2015, received in the office on 09-01-2015, on the cited subject.

Reference given by your good office is that of the Government of KPK Communication & Works Department, Notification of No. SOG/C&W/11-129/Contractor/ Vol -IV/2010 dated 05-01-2015, however all your procurements come under the federal government and they should comply with the Public Procurement Rules 2004, which supersedes all other Rules and Notifications. The Rule is quoted below for your reference;

***51. Overriding effect.-** The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any other rules concerning public procurements:*

Provided that the prevailing rules and procedures will remain applicable only for the procurement of goods, services and works for which notice for invitation of bids had been issued prior to the commencement of these rules unless the procuring agency deems it appropriate to re-issue the notice for the said procurement after commencement of these rules.

As per Public Procurement Rules 2004, Rule 23(5), the procuring agency shall provide a set of bidding documents to any supplier or contractor that should not exceed the printing cost of that document. The Rule is quoted below for your reference;

***25. Bidding documents.- (5)** The procuring agency shall provide a set of bidding documents to any supplier or contractor, on request and subject to payment of price, if any.*

Explanation.- For the purpose of this sub-rule price means the cost of printing and providing the documents only.

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 or issue a corrigendum and extend date accordingly.



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

With Regards,


Sohail Muzaffar
Chairman

Copies forwarded for the information with request to take action under their mandate to:

1. Secretary to Prime Minister, Islamabad.
2. Mr. Khurshid Shah, Leader of Opposition & Chairman, PAC, National Assembly, Islamabad.
3. Chairman, NAB, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, PPRA, Islamabad.