



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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1st December, 2015

TL15/0112/1A

Director General
Agricultural Engineering Department,
Quetta.

Sub: Complaint against Enquiry No. 7748 for Procurement of 25 Track Type Tractor (Bulldozers).

Dear Sir,

Transparency International Pakistan has received a complaint against Enquiry No. 7748 for Procurement of 25 Track Type Tractor (Bulldozers).

The Complainant has made following discrepancies in tender documents that needs clarification/amendments as per BPPRA Rules 2014;

1. In clause 2.1 of Section I (Instruction to Bidders/Tenderers), companies registered with either SECP or Registrar Joint Stock Companies are eligible. Whereas, in clause 8.1(p) same section a certificate from SECP is required to bid. You are requested to amend clause 8.1 to allow either SECP certificate or certificate from Registrar Joint Stock Companies.
2. In clauses 14.3 & 33.1 of Section I (Instruction to Bidders/Tenderers), condition of bank guarantee from an A+ bank only must be omitted as all public sector tender accepted bank guarantee from a schedule Bank, it is important to mention that as per the BPPRA rules/guidelines, the bid bond / bank guarantee can be from a "schedule Bank".
3. The tender requirement as per the schedule of technical data is totally in contradiction to the guidelines of BPPRA, the complainant clarified it as follows;
 - i. As per the Clause C Country of Origin are USA, UK, EU and Japan, this cannot be restricted as per Rule 13 of BPPRA;

***Rule 13: 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.*

- ii. Your specifications require engine model Komatsu, Caterpillar, New Holland (FIAT), John Deer and Case, this requirement is completely biased, as because CNH (Case New Holland) is one manufacturer and they use FPT as their engine, so your reference to 2 of their brands is not justified. Furthermore, one of the biggest manufacturers of engine worldwide Cummins has been missed out, which is not understandable.
 - iii. Make of Undercarriage: Undercarriage is also limited to CAT, Komatsu, John Deer, as per complainant these are not undercarriage manufacturers, while BERCO and ITM are.

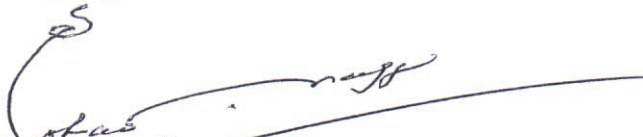
So, these specifications are in complete violation of Rule 4 and 13 of BPPRA.



DG, Agricultural Engineering Department, is requested to kindly examine the complaint, and direct the concerned department to amend the bidding documents as per Balochistan Public Procurement Rules 2014 in order to have a fair and open competition. For objection pertaining to 3 i, ii, iii the word "or equivalent" should be added.

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. Chief Minister, Government of Balochistan, Quetta.
2. Director General, NAB, Quetta.
3. Principal Secretary to Chief Minister of Balochistan, Quetta.
4. Registrar, Balochistan High Court, Quetta.
5. Managing Director, BPPRA, Quetta.