



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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8th March, 2019

TL19/0803/2A

Mr. Sardar Usman Buzdar,
Chief Minister Punjab,
Government of Punjab,
Lahore.

Sub: Violation of Rule 25(7) of Punjab Procurement Rules 2014.

Dear Sir,

We are forwarding a serious issue of violation of Punjab Procurement Rules 2014 being committed by most of the Punjab Government Departments in fixing of the cost of tender documents.

The C&W Department Punjab has issued a notification (attached) fixing the cost of tender fee for different types of work. This notification is in violation of Punjab Procurement Rules 2014, Rule 25(7).

This Rule is provided for the purpose of inviting wider competition, and clearly means that the procuring agency may charge cost of printing and provision of the documents.

The Rule is quoted below for your reference;

25. Bidding documents.– (7) The procuring agency shall, on payment of such fee as the procuring agency may determine keeping in view the cost of printing and provision of the documents, provide a set of bidding documents to the prospective bidders.

This provision is kept to avoid cartelization, which is reportedly being done by most of the departments all over Pakistan.

Further according to the NAB letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8-1-2014, all procuring agencies should upload tender documents on their website, so that any bidder can download, and submit tender, with admissible tender fee (at the cost of printing of the documents only), as mentioned in Punjab Procurement Rules 2014, Rule 25(7).

Chief Minister is requested to kindly take serious note of this common violation, and issue directives to the C&W Department, Govt. of Punjab, that Punjab Procurement Rules 2014 is to be followed and to charge fees for the bidding documents, in accordance with the Punjab Procurement Rules 2014, Rule 25(7).



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

Justice Zia Perwez
Former Judge of Supreme Court of Pakistan and High Court of Sindh
Trustee- TI-Pakistan

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

1. Chief Minister, Government of Punjab, Lahore
2. Director General, NAB, Lahore.
3. Chief Secretary, Government of Punjab, Lahore.
4. Registrar, Lahore High Court, Lahore.
5. Managing Director, Punjab PRA, Lahore.



*Change Name
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No. SE/LG&CD/455/2015

**DIRECTORATE GENERAL
LOCAL GOVT. & COMMUNITY DEV.
PUNJAB LAHORE**

Dated Lahore the 31st August, 2015



To

All the Executive Engineers,
LG&CD, Circles in the Punjab.

D.G. Khan

Subject:

**NOTIFICATION REGARDING RE-FIXATION OF TENDER FEE
IN LOCAL GOVERNMENT & COMMUNITY DEVELOPMENT
DEPARTMENT IN TERMS OF CLAUSE 25(7) PPRA RULES 2014**

I am directed to refer to the subject noted as above and to enclose herewith a copy of Notification bearing No. No.B-III(C&W)2-11/78 Procurement (2014) dated 25.05.2015 issued by the Government of the Punjab, Communication & Works Department containing tender form fee re-fixed as under:-

Sr. No.	Type of Work	Tender Fee
i.	For Original Works as well as M&R works (Buildings & Highways), upto Rs.0.5 (M)	Rs.0.05% of the cost of work involved.
ii.	For Original Works (Buildings & Highways), beyond Rs.0.5(M)	Rs.10,000/-
	For M&R Works (Buildings & Highways), beyond Rs.0.5(M)	Rs.2,000/-

Note: The above mentioned tender fees will be applicable to all types of projects of LG&CD Deptt.

You are requested to please ensure to collect tender form fee from the contractors as per above said rates instead to determine the cost of tender form at your own level. Compliance may be ensured in letter & spirit.

DA/As above

31.08.2015
**SUPERINTENDING ENGINEER
LG&CD PUNJAB LAHORE**

C.C.

1. The Deputy Secretary to the Chief Minister Punjab w.r.t. his letter No. DS(ASSEM)CMO/15/OT-47/(B) dated 31.07.2015
2. The Director (C&I) Punjab Local Govt. Board, Lahore w.r.t. his letter No. LCS(Eng)-5(211)/2015 dated 26.08.2015
3. PS to the Secretary Govt. of the Punjab, LG&CD Department.
4. PS to the Secretary Govt. of the Punjab, Communication & Works Department.
5. PA to Director General, LG&CD Punjab.

Office of The Executive Engineer, LG&CD, D.G.Khan Circle.

*Endst No: CG&CD/KEN/DSK/ 1994 Dated: 4-9-2015.
A copy alongwith its enclosures is forwarded to All ADCC'S/AE'S, working in D.G.Khan circle for information and to ensure compliance for letter and spirit.*

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XED

For
**Executive Engineer
Local Govt. & Community Dev.
D.G. Khan Circle**



GOVERNMENT OF THE PUNJAB
COMMUNICATION & WORKS DEPARTMENT

NOTIFICATION

No B-III(C&W)2-11/78 Procumbent(2014). Tender Fee at the following rates is hereby relaxed by Communication & Works Department in terms of Clause 35(7) PPRA Rules 2014 with immediate effect:-

Sr. No.	TYPE OF WORK	TENDER FEE
i.	For Original Works as well as M&R works (Buildings & Highways), upto Rs.0.5(M)	Rs.0.05% of the cost of work involved.
ii.	For Original Works (Buildings & Highways), beyond Rs.0.5(M)	Rs.10,000/-
iii.	For M&R Works (Buildings & Highways), beyond Rs.0.5(M)	Rs.2,000/-

Dated Lahore the
May 25th, 2015.

SECRETARY

Ersl.No.B-III(C&W)2-11/78/Procumbent(2014)

Dated May 25th, 2015

A copy is forwarded for information to the:-

1. Chief Secretary, Government of the Punjab, Lahore.
2. Chairman, Planning & Development Board, Punjab, Lahore.
3. Accountant General, Punjab, Lahore.
4. Chairman, CMIT, Government of the Punjab, Lahore.
5. Managing Director, Government of the Punjab, PPRA, S&GAD 2-E, Gulshan-e-Ravi, Lahore.
6. All Administrative, Secretaries Government of the Punjab, Lahore.
7. Director General, Audit (Works), Lahore.
8. Director General, Accounts (Works), Lahore.
9. Director General, Anti Corruption (Establishment), Punjab, Lahore
10. Chief Engineer, Punjab Buildings Department (North / South Zone, Lahore.
11. Chief Engineer, Punjab Highways Department (North / South Zone, Lahore.
12. Chief Engineer, Punjab District Supports & Monitoring Department, Lahore
13. Director Road Research & Material Testing Institute, Lahore.
14. Director Building Research Station, Lahore.
15. Transparency International Pakistan, 5, G. 2nd Floor, Scheme 33, Block, Phase VII, Defence Housing Authority, Karachi.

25/5/15

PA

(H.J.)

(B)

(Signature)

(Name)



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
ATTA TURK AVENUE, G-5/2
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices

(Section 33B & C of NAO 1999)

5-2(75)Pre/A&P/NABHQ/2013

January 08, 2014 /40

All Ministries / Divisions /
Departments / Regulatory Bodies
and Corporation etc. (1st attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT PROCESS FOR TRANSPARENCY AND
MERITOCRACY


To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive/limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)
- e. Mis-procurement declared and falling within Rule 50 of PP Rules 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.

2. The above information be communicated to all subordinate offices responsible for procurement processes.

3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 330 of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ
Ph: 051-9246537
Fax: 051-9245908

Copy for info to:-

- a. PS to Chairman NAB
b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
c. Addl. Directors Staff, All Regional NABs
d. Director A&P, All Regional NABs
e. MD, Punjab Public Procurement Regulatory Authority, Lahore