



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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31st December, 2016

TL16/3112/3A

Secretary,
Communication & Works Department,
Government of Punjab,
Lahore.

Sub: Violation of Punjab Procurement Rules 2014, Secretary District Tender Board, District Officer (Roads), Rajanpur's Short Tender Notice for Construction and Re-Construction Works.

Dear Sir,

This is with reference to Secretary District Tender Board, District Officer (Roads), Rajanpur's Short Tender Notice published in "Jang" on 30th December, 2016. It is observed that the advertisement is in violation of the Punjab PRA 2014.

As per advertisement, 15 days of response time is not given and the last date of submission of bids is on 07-01-2017, which is 6 days short. It is violation of Punjab Procurement Rules 2014, Rule No.14 (1):

Also, the bidding documents can be purchased up to 05-01-2017, which means tender documents are not available for the bidders for 15 days. The rule "Response Time" includes purchase of tender documents for the bidder from the date of publishing of advertisement till the date of submission of bids. Therefore, this is a violation of Punjab Procurement Rules 2014, Rule No.14 (1). Stated as under;

14. Response time:- (1) *The procuring agency may decide the response time for receipt of bids or proposals (including proposals for pre-qualification) from the date of publication of an advertisement or notice, keeping in view the complexity of the procurement, availability and urgency but, in no circumstances, the response time shall be less than fifteen days for national competitive bidding and thirty days for international competitive bidding from the date of publication of advertisement or notice.*

Also as per NAB instructions vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8th January (Copy enclosed), all procuring agencies should make available the bidding or prequalification documents and other related communication in downloaded format, for any interested bidder or party, at their website to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. NAB has also declared mis-procurement as liable for cognizance by NAB under relevant section of NAO 1999.

TI-P would like to point out that the subject tender is a routine work and it does not fall under the domain of "emergency" as defined by PPRA 2014. Stated as under;

(q) Emergency:- *'emergency' means natural calamity, disaster, accident, war and operational emergency which may give rise to abnormal situation requiring prompt and immediate action to limit or avoid damage to person, property or the environment;*



The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 69, 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. 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.



SHORT TENDER NOTICE

Sealed Tenders based on item rates are hereby invited, for the works mentioned below from the contractors / firms enlisted / renewed with C&W department / Works and Services Department & Punjab Revenue Authority Lahore for the current financial year (2016-17) in the field of Road works.

Tender documents can be obtained from any of the below mentioned offices, upon written request accompanied with attested copies of enlistment / upto date renewal letter, PEC license, Identity card of contractor / Managing partner / Director of the firm along with registered power of attorney and on payment of prescribed tender fee in the form of CDR / Bank Draft / Cashier's Cheque of any Scheduled bank in favour of District Officer (Roads), Rajanpur. As per PPRA rules:25(i), bidding documents are immediate available after the date of publication.

1. Executive District Officer, (Finance & Planning) Rajanpur.
2. Executive District Officer, (Works & Services) Rajanpur.
3. District Officer (Roads), Rajanpur.
4. District Officer (Planning), Rajanpur.
5. Assistant Commissioner, Rajanpur.

Tendered rates and amounts should be filled in figures as well as in words and tenders should be signed as per general directions given in the tender document. No rebate on tendered rates will be acceptable.

Tenders will be received in the Committee Room of District Coordination Officer, Rajanpur and will be opened on fixed date and time by the respective Tenders Opening Committee at the mentioned venue in the presence of intending contractors or their representatives.

Conditional Tenders and tenders without earnest money @ 2% of the bid cost in shape of CDR / Bank Draft / Cashier's Cheque of any Scheduled Bank in favour of District Officer (Roads), Rajanpur and attested copies of registered partnership deed and power of attorney in case of Firms will not be entertained.

Any of the total bids can only be rejected on the basis of evaluation criteria through procuring agency can reject all bids on any ground.

Sr No	Name of Work.	Estimated Cost. In Million	Earnest Money. (In Rs)	Tender Fee (In Rs)	Last date for submission of application to purchase tender	Last date and time for receipt/ opening of tenders.	Time limit.	T.S No & date.
District ADP for the year 2016-17								
1	Construction of Brick Pavement from Bangla Hidayat Road to Basti Rahem Ali Length=3300 Rft	2.628 (M)	52,600/-	10000/-	10-01-2017	12-01-2017 received upto 12.30 P.M & opened at 1:00 P.M	60 days	D.O (Roads) Rajanpur T.S No 5440 dated 21-12-2016
Maintenance & Repair to Roads (A-13602) for the year 2016-17								
1	Re-Construction of 12 No. Culverts in Highway Sub Division Rajanpur	1.100 (M)	22000/-	10000/-	05-01-2017	07-01-2017 received upto 12.30 P.M & opened at 1:00 P.M	60 days	D.O (Roads) Rajanpur T.S.No. 5451 dated 21-12-2016

Note. In case leave announced by Government on tender issuance opening date, the process will be followed on next working day. Every body is invited to see the tendering process on said date and time.

(Fida Hussain) Secretary District Tender Board

District Officer (Roads) Rajanpur.

IPL-15434



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. (lst attached)

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


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 prescribes 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 33C of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ
Ph: 051-9245537
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