



TRANSPARENCY INTERNATIONAL-PAKISTAN

5-C, 2nd Floor, Khayaban-e-Ittehad, Phase VII,
Defence Housing Authority, Karachi.
Tel: (92-21)-35390408, 35390409, Fax: 35390410
E-mail: ti.pakistan@gmail.com
Website: www.transparency.org.pk

9th February, 2016

TL16/0902/9A

Managing Director,
Rawalpindi Waste Management Company (RWMC),
135-D Satellite Town,
Rawalpindi.

Sub: Violation of Punjab Procurement Rules 2014, Bidding Documents for Hiring of Firm for Providing Skilled/ Unskilled Workers for RWMC.

Dear Sir,

Transparency International Pakistan has received complaints, from M/s Kabir Sons dated 25th January, 2016 against Tender of Rawalpindi Waste Management Company (RWMC) for 'Bidding Documents for Hiring of Firm for Providing Skilled/ Unskilled Workers for RWMC'. The complaints are enclosed for your ready reference (Annexure A & B).

The Complainant has made the following allegations;

1. That, as per PPRA Rules the lowest evaluated bidder shall be awarded the contract, but M/s RWMC in the Bid Evaluation Criterion assigns 70% weight-age to Technical Specification and 30% weight-age to Financial Bid.
2. That, the technical qualification criteria is not generalized rather it is very difficult for any firm doing the business of labor supply in Pakistan to fulfill the sub criteria under Mandatory Prerequisites: Registration with EOBI and Social Security Institution: Certification/ Registration and proof payment must be for at least 500 workers provided by the bidder in any other previous contract shown as experience; "Financial Soundness" and "firm Experience"

RWMC is wrong in its evaluation criteria as the tender should be awarded to the lowest evaluated bidder who has passed the technical evaluation.

MD is requested to kindly direct the concerned department to immediately scrap this tender and re-tender as per Punjab Procurement Rules 2014 otherwise it will be mis-procurement under Rule No. 69 of PPRA 2014.

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, Punjab.
3. Chief Secretary, Government of Punjab, Lahore.
4. Registrar, Lahore High Court, Lahore.
5. Managing Director, Punjab PRA, Lahore.

KABIR SONSReference No: KS/RWMC/2016/01-025-02 01/2Date: 25/01/16

To,

The Managing Director,
Punjab Procurement Regulatory Authority,
Lahore.

SUBJECT:- VIOLATION OF PUNJAB PROCUREMENT RULES 2014
CLAUSE-34 DISCRIMINATORY AND DIFFICULT CONDITIONS

BID DOCUMENTS FOR HIRING OF FIRM FOR PROVIDING SKILLED /
UNSKILLED WORKERS FOR RWMC

Dear Sir,

This refers to our presentation to M/s. Rawalpindi Waste Management Company (RWMC) regarding the procurement of a firm for supply of worker/labour for waste collection under the intimation to your good office vide letter Ref. No. KS/RWMC/2016-015-1; date: 08-01-2016.

2. According to the Bid Documents issued by the RWMC, technical qualification criteria is not generalized rather it is very difficult for any firm doing the business of labor supply in Pakistan to fulfill the sub criteria under Mandatory Prerequisites: registration with EOBI and Social Security Institution: certification/registration and proof of payment must be for at least 500 workers provided by the bidders in any other previous contract shown as experience"; "Financial Soundness" and "Firm Experience" (copy attached Annex A Bid Evaluation Criteria) except from two firms which are already supplying the labor to RWMC. We have reservations that the RWMC has deliberately and intentionally included such stringent and difficult conditions which specifically support to his blue eyed firms. We have sufficient information and evidences to prove this fact that the technical qualifying criteria is fabricated for M/s. Skills Hub (Pvt.) Ltd. and M/s Zohaib & Company (Pvt.) Ltd. and the RWMC has tried to restrict the other potential bidders to participate in the bidding process. One does not need divine knowledge to predict that only these two firms will be technically qualified under this "discriminatory and difficult criteria" and these "two firms" will "pool" the bids. This mala fide act is not only against the spirit of transparency and level play field in procurement process but also the violation of Clause-34 of Punjab Procurement Rule-2014.


KABIR SONS

Reference No: KS/PPRA/2016/25-02 02/2

Date: 25/01/16

"Discriminatory and difficult conditions:- Save as otherwise provided, no procuring agency shall introduce any condition, which discriminates between bidders or which is difficult to meet.

3. In view of above, it is requested that the discriminatory and difficult conditions mentioned in the bid document issued by RWMC shall be declared as Mis-Procurement under clause-69 of PPRA Rule

Thanking you.
fob  M/S KABIR SONS

C.C.

1. Mr. Sohail Muzaffar,
Chairman, Transparency International-Pakistan
5-C, 2nd Floor Khayaban-e-Ittehad, Phase-VII, Defense Housing Authority, Karachi.

Annexure - A.

G.S.T # 0309999929746

N.T.N # 2707661-0

KABIR SONS

Reference No: 128/PPRA/216/201-025-01/02

Date: 25/01/2016

To,

The Managing Director,
Punjab Procurement Regulatory Authority,
Lahore.

SUBJECT:- VIOLATION OF PUNJAB PROCUREMENT RULES 2014
CLAUSE-38(2)(A)(VIII) -PROCEDURES FOR SELECTION OF
CONTRACTORS.
CLAUSE-45(3)(D) - METHODS FOR SELECTION OF CONSULTANTS.
CLAUSE-31(3) - EVALUATION CRITERIA

BID DOCUMENTS FOR HIRING OF FIRM FOR PROVIDING SKILLED /
UNSKILLED WORKERS FOR RWMC

Dear Sir,

This refers to our presentation to M/s. Rawalpindi Waste Management Company (RWMC) regarding the procurement of a firm for supply of worker/labour for waste collection under the intimation to your good office vide letter Ref. No. KS/RWMC/2016-015-1; date: 08-01-2016.

3. According to the Clause 17.1 of Bid Documents issued by the RWMC, procedure for selection of contractor is Single Stage Two Envelope Bidding Procedure as per Rule-38(2)(a). Under the sub clause (viii) of the same clause, the lowest evaluated bidder shall be awarded the contract. But, M/s. RWMC tort this clause in Schedule -C, Bid Evaluation Criterion by assigning 70% weight-age to Technical Specification and 30% weight-age to Financial Bid. The formula in the Bid Document is reproduced as under (Annexure A);

Technical Specification weight-age

(Total Marks obtained by bidder) x (70/100) = A

Financial Bid weight-age

(Bid value of lowest bidder/bid value of that bidder) x 30 = B

Final Marks = A + B

