



11th May, 2015

Executive Engineer,
Office of the Executive Engineer,
Jamrao Division,
Justice Allah Dino Road,
Opposite Gama Stadium,
Mirpurkhas, Sindh.
Ph. No. 0233-9290152

Sub: Violation of Sindh Public Procurement Rules 2010, Executive Engineer, Jamrao Division, Mirpurkhas, Irrigation & Power Department's Tender Notice for De-silting/ Rehandling of Dim Branch.

Dear Sir,

This is with reference to Jamrao Division, Mirpurkhas' Tender Notice, published in daily "Nawaiwaqt" on 5th May, 2015. It is observed that the advertisement is in violation of the Sindh Public Procurement Rules 2010.

1. As per the advertisement 15 days of response time is not given and the submission of tender is on 12-01-2015, which is 7 days short, and is a violation of Sindh Public Procurement Rules 2010, Rule No 18. The Rule is stated as under:

18. Response Time (1), the response time shall not be less than fifteen calendar days from the date of publication of Notice Inviting Tender in the newspapers or hoisting in the website, as the case may be, in case of National Competitive Bidding, and shall not be less than forty five days from the date of publication of Notice Inviting Tender in the newspapers or hoisting on the website, as provided in Rule 17 (6), in case of International Competitive Bidding;

2. Also, the tender documents are issued to bidders only for 2 days, that is, from 18-5-2015 to 19-5-2015, from the publication of the tender notice, which is violation of Sindh Procurement Rules 2010, Rule No. 18(3). The Rule is stated as under;

18. Response Time (3), Procuring Agency shall ensure that bidding documents are available to the interested bidders from the first day of publication of Notice Inviting Tender in the newspapers or hoisting on the website, as the case may be.

3. Also, this advertisement appears to be in violation of Sindh Procurement Rules 2010, by the procuring agency for not hoisting its tender documents on SPPRA website.

According to Sindh Procurement Rules 2010 Amendments made in Rule 21 sub-rule (4) & Rule 24 sub-rule (2):-

"Rule 21(4) All procuring agencies shall hoist the bidding documents on Authority's website as well as on the website of procuring Agency, in case the procuring agency has its own website."



“Rule 24(2) The Bidders may submit bids on the bidding documents issued by the procuring agency or downloaded from the Authority’s website along with tender fee f any by mail or by hand.”

Also as per NAB instructions vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8th January (Copy encl), 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.

The above information is forwarded for the purpose of avoiding the mis-procurement charge under Rule No 56, 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 Sindh, Karachi.
2. Chief Justice, Sindh High Court, Karachi
3. Director General, NAB, Sindh.
4. Chief Secretary, Government of Sindh, Karachi.
5. Managing Director, SPPRA, Karachi.

