



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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28th November, 2017

TL17/2811/1A

Secretary,
Agriculture, Livestock & Cooperative Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Complaint against Gomal Zam Dam Command Area Development Project for Titled "Gomal Zam Dam's Command Area Development and On Farm Water Management for High Value and High Efficiency Agriculture Project."

Dear Sir,

Transparency International Pakistan has received a complaint from M/s Veer Development Orgnaization, against Gomal Zam Dam Command Area Development Project for Titled "Gomal Zam Dam's Command Area Development and On Farm Water Management for High Value and High Efficiency Agriculture Project." dated 20-11-2017 (Copy Encl).

The complainant has following allegations;

1. That EOI Solicitation documents / Bidding documents were not open in presence of organization representatives/ nominees.
2. That initially it was described in EOI that estimated duration of assignment is 08 months while after opening bids, proposal (technical/ financial) is asked for two years (24 months), which is question mark on project.
3. That KPPRA Rules 2014 were not followed in evaluation rather committee has developed their own rules, which is against law and is injustice. Furthermore in solicitation documents section criteria is erroneously defined, only 05 specific/ relevant project experience was asked having 04 marks for each project, which accumulates 20 marks, while in selection criteria it has been described total 40 marks which is incorrect and question arise is that where the additional 20 marks are adjusted.
4. That proposed assignment purely relates to social mobilization and doesn't required infrastructure and engineering experience, than how well established engineering firms are shortlisted, which has no mobilization/ capacity building of COs experience and have no presence in the project area.
5. That EOI were invited from individual firms, most of the shortlisted firms have submitted their bids in joint venture (JV), Partnership or Consortium, which is not mention in EOI and is clear violation of KPPRA Rules 2014 and devised criteria. Further on during evaluation maximum weight-age is given to those firms who have submitted bids in JV mode, this show clear discrimination with local organizations and violation of criteria.



Secretary, Agriculture Livestock & Cooperation Department is requested to kindly examine the complaint and if allegations are correct direct the concerned department to re-tender the entire process so healthy competition may take place and take administrative action against all the responsible officers.

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, Khyber Pakhtunkhwa.
2. Director General, NAB, Khyber Pakhtunkhwa.
3. Chief Secretary, Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court.
5. Managing Director, KPPPRA, Peshawar.
6. Project Director, GZDCAD Project, D.I Khan, Peshawar.

F.No: VEER / DIK / Legal / 2017 / 103

Date: 01 / 11 / 2017

PROJECT DIRECTORGomal Zam Dam Command Area Development Project
Dera Ismail Khan
Khyber Pakhtunkhwa**SUBJECT:**

**CANCELLATION OF EOI BIDDING "GOMAL ZAM DAM
COMMAND AREA DEVELOPMENT & HIGH EFFICIENCY
AGRICULTURE PROJECT " AND ANNOUNCEMENT OF RE-
BIDDING UNDER RULE-47**

With reference to aforementioned subject, it is intimated that Khyber Pakhtunkhwa . Agriculture , Livestock & Cooperation Department has published Expression of Interest (EOI) dated 06-September-2017 (Annex-A) , regarding invitation of services from experience firms for " Gomal Zam Command Area Development and High Efficiency Agriculture Project" funded by Govt of Khyber Pakhtunkhwa and USAID.

2. It is pertinent to mention that services required in published EOI purely pertains to the scope and mandate of Civil Society Organizations (CSOs) / Non Government Organization (NGOs) , which have presence at grassroots level , close interaction with local communities and have ability to built capacity of water user Association in operation and maintenance of water courses and horticulture and livestock management.

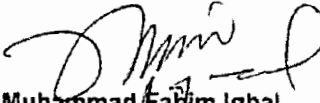
3. Further relevant to mention that being as local organization of the proposed project area , having more than 17 years of experience in community driven projects especially in formation , registration and capacity building of Water User Groups / Associations in districts Tank & DIKhan we apply for the aforesaid project.

but unfortunately having so much vast relevant experience our organization has not been shortlisted for further process , which not only creates ambiguous situation , rather definitely rise finger on entire selection process adopted for short-listing of different firms for aforesaid assignment .

4. Our major grievances on short-listing process are as under...
- I. EOI Solicitation Documents / Bidding documents were not open in presence of organization representatives / nominees.
 - II. Initially it was described in EOI that estimated duration of assignment is 08 months while after opening bids , proposal (technical /financial) is asked for Two years (24 months) , which is question mark on project.
 - III. KPPRA rules 2014 were not followed in evaluation rather committee has developed their own rules, which is against law and is injustice. Furthermore in solicitation documents section criteria is erroneously defined , only 05 specific / relevant project experience was asked having 04 marks for each project , which accumulates 20 marks , while in selection criteria it has been described total 40 marks which is incorrect and question arise is that where the additional 20 marks are adjusted (Annex-B).
 - IV. Proposed assignment purely relates to social mobilization and doesn't required infrastructure and engineering experience, than how well established engineering firms are shortlisted, which has no social mobilization / capacity building of COs experience and have no presence in the project area.
 - V. EOI were invited from individual firms, most of the shortlisted firms have submitted their bids in joint venture (JV) . Partnership or Consortium , which is not mention in EOI and is clear violation of KPPRA rules 2014 and devised criteria.

Further on during evaluation maximum weight-age is given to those firms who have submitted bids in JV mode, this show clear discrimination with local organizations and violation of criteria.

5. In view of the above, we have serious concerns thereof about the criteria and procedure followed / adopted during evaluation, as no space is left for local organization to qualify for next stage , it is therefore requested that under Rule – 47 , the competent authority may cancel the bid and announced re-bidding to ensure transparency in the process.
6. Looking forward for your prompt action.


Muhammad Fahim Iqbal
Executive Director
VEER Development Org

Copy To:

1. SPS to Minister for Agriculture , Livestock & Cooperatives Department , Peshawar , KP
2. PS to Secretary Agriculture , Livestock & Cooperatives Department , Peshawar , KP
3. Additional Secretary , Agriculture , Livestock & Cooperatives Department , Peshawar , KP

PROJECT IMPLEMENTATION UNIT

Gomal Zam Dam Command Area Development Project

Khyber Pakhtunkhwa, Agriculture,
Livestock & Cooperatives Department



EXPRESSION OF INTEREST

Expression of Interest are invited from the interested experienced firms for the following assignment under the project titled "Gomal Zam Dam's Command Area Development and On Farm Water Management for High Value and High Efficiency Agriculture Project" (funded by the Govt. of Khyber Pakhtunkhwa and USAID)

1. Organization, registration and Social mobilization of Water Users Association (WUA) in accordance with the provisions of Khyber Pakhtunkhwa WUA Ordinance, 1981.
2. Organization of Interest Groups for specified commodities
3. Fixing Warabandi (rotation) on each outlet (Moga)
4. Imparting training to the WUAs (farmers) in the following areas/fields:
 - a. Operation & maintenance of watercourses (male)
 - b. Multiple use of water including stock water (female)
 - c. Field and horticultural crops and management of livestock

The project area comprises 69 villages in two Tehsils of district D.I Khan and one Tehsil of district Tank in Khyber Pakhtunkhwa. The estimated duration of the assignment is eight months from the award of the contract. The project envisages the development of command area which includes construction watercourses, water ponds, earthen roads, precision land levelling, and installation of drip/sprinkler/furrow irrigation system, etc.

The procurement process will be strictly in accordance with the KPPRA Rules 2014. The interested firms should be duly registered with and Income Tax Department and Khyber Pakhtunkhwa Revenue Authority for Sales Tax. The firm will have to establish its office in D.I Khan. The EOI documents can be obtained from the office of the undersigned on payment of PKR 2,000/= (Pak rupees two thousand only) during office hours.

The EOI application strictly on the prescribed format (five copies) along with the relevant valid documents must reach the office of the undersigned during office hours by 18th September, 2017. Late application will not be entertained.

Project Director

Gomal Zam Dam Command Area Development Project
Water Management Training Centre, Banam Road, Shaikh Yousof Abda
D.I Khan, Khyber Pakhtunkhwa

Ph: 0966-730091, 9280387

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Selection Criteria

1. The Firm

a) General Experience (30 projects)	=	20 Marks (2 marks for each project)
b) Specific/Relevant Experience (25 Projects)	=	40 marks (4 marks for each project)
Total (a+b)	=	60 marks

2. Key Management (five professionals)

a) Qualification	=	10 marks (Ph.D=10, M.Phil/Master (18 years)=08, Bachelor (16 years)=06, Bachelor (14 years)=04)
b) General Experience (10 years)	=	10 marks (one mark for each year)
c) Specific/Relevant Experience (5 years)	=	20 marks (4 marks for each year)
Total (a+b+c)	=	40 marks
Grand Total (1+2)	=	100 marks

Approved by the Procurement Committee:

<u>Name</u>	<u>Designation</u>	<u>Signature</u>
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2.	-----	-----
3.	-----	-----
4.	-----	-----
5.	-----	-----
6.	-----	-----