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KARACHI PORT TRUST

No.S-18/ 2857

Date 02 DEC 2013

From: Khalid Mobin Arshad
Secretary

Mr. Syed Adil Gilani,
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SUB: COMPLAINT OF VIOLATION OF PPRA RULES IN TENDERING OF ROAD PROJECT IN MAI KOLACHI AREA.

Ref:- Your letter dated 11-11-2013 received on 18-11-2013

With reference to the Transparency International Pakistan's letter referred above, I am directed to forward the necessary comments on the Paras pertaining to the Project "Construction of Bund wall and Development of Road along Chinna Creek from Keamari to Clifton" as under:-

1. With reference to Para 4, Transparency International Pakistan (TIP) has mentioned the complaint of M/s Maqbool Associates on the Pre-Qualification process which was informed by M/s TIP letter No. Nil dated 29-05-2013. The said letter was replied by KPT vide letter dated 05-06-2013. Thereafter, no any observations / queries have been raised by M/s Transparency International Pakistan.
2. With reference to Para 5, the tendering procedure, as per PPRA Rule, has completely been followed and all the Codal formalities are completed from the invitation of Contractor for Pre-Qualification upto the opening of Technical & Financial Proposals and the same was witnessed by the Internal Committee of KPT comprising of all General Managers and Port Intelligence Officer, therefore, question does not arise about awarding the work to a chosen bidder. The three firms were qualified from the eight who had submitted their documents, on merit of criteria and therefore it was the sole responsibility of the firms to follow the Terms & Conditions specified in the tender documents and thereafter ensure submission of the Tender on Time. Since only two bidders submitted their tenders and therefore KPT has no right to discharge the tender due to either non-submission of the Tender by the Third firm or by non-complying the Terms & Conditions by the other firms. As mentioned above, any question does not arise for tempering the Tender by increasing the Prices from Rs. 800 to 900 Millions as alleged by the TIP. The tender procedure, therefore, has been carried out in a very transparent manner and the lowest bidder is being considered for the award of work. Also, this is pertinent to mention here that as PPRA Rule No.36 (b), the procedure for any bid of Single Stage-Two Envelope Method has already been clearly identified, and all steps as mentioned in the PPRA Rules have been followed.

3. With reference to Para 6 & 7, the Rule quoted by M/s TIP is not correct, the Rule of PPRA for Single Stage-One Envelope Method is Rule No.36 (a) and it is at the discretion of the organization as to which Rule / Method they are going to follow. Also, for this type of Mega Project, the commonly used Rule / Method is Signal Stage-Two Envelope Method (PPRA Rule No. 36 (b)), which has been adopted by the KPT in several previous projects.
4. With reference to Para 8, the whole tendering procedure has been done in crystal clear manner and there has been no any observation from any concerned in the subject matter.



SECRETARY