



3rd January, 2015

Federal Secretary,
Minister for Ports & Shipping,
Islamabad.

Reminder

Sub: Violation of PPRA Ordinance and Public Procurement Rules 2014 in Inviting Tender of Four Tugs of 75 Tons- 85 Tons Bollard Pull, and Investment and Attempts to Delay the Procurement to Favour Few.

Dear Sir,

This is with reference to TI-Pakistan's letter dated 19-7-2014 to PQA and dated 2-10-2014 and 31-10-2014 to you.

Port Qasim Authority (PQA) has cancelled the said tender and has re-invited the tender on 2nd January, 2014 based on following conditions:

1. Charter/ wet lease of not more than 10 years old tugs for 02 years.
2. Lease/ Purchase of New Tugs over 5 years and provisioning of similar Tugs on Hire during the construction periods. Provisional tugs to be available on 1st March 2015 and new Tugs by 1st March 2017.

The Second tender of Lease/ Purchase of New Tugs over 5 years and provisioning of similar Tugs on Hire during the construction periods, issued is an apparently is not a doable project, as it requires the manufacturer of the tug should also have an experience of operating of the tugs of more than 5 years, and should also have an experience of Lease/ Purchase for more than 5 years of similar LNG Tugs.

There is not a single manufacturer who fits this qualification, and this particular tender also nullifies the credibility of the 1st tender of the Charter/ wet lease for more than 2 years.

The Port authorities and its consultants are trying to facilitate either a single pre-selected bidder, or trying to delay procurement of the tugs in order to allow penalty of more than \$ 12 Billion monthly to terminal operator for non-availability of 4 mandatory tugs incorporated in to the agreement of terminal operator by Port Qasim Authority (PQA).

The earlier complain of illegally award the contract for 30 years period instead of tenure period of 15 years is also illegal under PPRA Rules. As the pre-bid conditions can't be changed after tender opening, which has been decided in the Rental Power Project (RPP) case adjudicated by the Supreme Court of Pakistan.

Immediate action is requested in this case also.

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 action under rules to address this manipulation by PQA:

1. Secretary to Prime Minister, Islamabad.
2. Mr. Khurshid Shah, Leader of Opposition & Chairman, PAC, National Assembly, Islamabad.
3. Chairman, NAB, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, PPRA, Islamabad.