



TRANSPARENCY INTERNATIONAL-PAKISTAN

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24th November, 2015

TL15/2411/6A

Divisional Superintendent,
Pakistan Railways,
P.R, Sukkur.
Ph. No. 071- 9310056

Sub: Violation of Public Procurement Rules 2004, DME for Divisional Superintendent, Pakistan Railways, Lahore's Tender Notice for Supply Two Suzuki Pickups.

Dear Sir,

This is with reference to DME for Divisional Superintendent, Pakistan Railways, Sukkur's Tender Notice, published in the "Dawn" on 19th November, 2015. It is observed that the advertisement is in violation of the Public Procurement Rules 2004.

1. As per the advertisement, it has restricted the bidders to supply Suzuki Pickups only and has not added "or equivalent" with it, which is not allowed under PPRA Rules 2004, Rule No. 10. Stated as under;

10. Specifications: - Specifications shall allow the widest possible competition and shall not favour any single contractor or supplier nor put others at a disadvantage. Specifications shall be generic and shall not include references to brand names, model numbers, catalogue numbers or similar classifications. However if the procuring agency is convinced that the use of or a reference to a brand name or a catalogue number is essential to complete an otherwise incomplete specification, such use or reference shall be qualified with the words "or equivalent".

2. Also, it is mentioned that "Pakistan Railways Administration is competent to reserve the right to reject any or all offers without assigning any reasons". It is a violation of PPRA Rules 2004, Rule No.33 (1). Stated as under;

33. Rejection of bids. - (1) The procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The procuring agency shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals, but is not required to justify those grounds.

3. Also, it is stated that "Pakistan Railways Administration is competent to modify quantity of tender." Any change in tender conditions, specifications and quantity after bid opening by procuring agency is not allowed under Rules. However according to Public Procurement Rules 2004, Rule No. 42 (c) (iv), repeat orders cannot exceed more than 15% of the original quantity. Stated as under;

42. Alternative methods of procurements.- A procuring agency may utilize the following alternative methods of procurement of goods, services and works, namely:-

(c) direct contracting: a procuring agency shall only engage in direct contracting if any of the following conditions exist:

(iv) repeat orders not exceeding fifteen per cent of the original procurement;

The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 50, 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. Secretary to Prime Minister, Islamabad.
2. Director General, NAB, Rawalpindi.
3. Chairman, Prime Minister's Inspection Commission, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, PPRA, Islamabad.



Government of Pakistan

PAKISTAN RAILWAYS

Tender Notice

Sealed Tenders are invited by the Divisional Superintendent Pakistan Railways Sukkur, from the interested parties/reputed transporters to supply two Suzuki Pick Ups (Model 2014-2015) on monthly hire basis. The earnest money will be Rs. 50,000/- and the cost of Tender form will be Rs. 1000/- only (non refundable). Tender documents can be obtained from Divisional Superintendent Office (R.S Mechanical Branch) Pakistan Railways Sukkur, upto **02-12-2015** during office hours, which will be accepted upto **12:00 hours**, and will be opened on **03-12-2015** at **12:30 hours**, in presence of tenderers. The tender form will however be issued to those tenderers who will produce cash deposit, call deposit or Banker's Guarantee from any scheduled Bank.

Note: Pakistan Railways Administration is competent to reserve the right to reject any or all offers without assigning any reasons, modify quantity of tender, or period of validity of contract.

This has the approval of Divisional Superintendent /Sukkur.

PID(K)1683/15

JAWWAD ALI SOOMRO, DME
for Divisional Superintendent, P.R, Sukkur,
Ph: 071-9310056