



TRANSPARENCY INTERNATIONAL-PAKISTAN

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5th April, 2019

TL19/0504/1A

The President,
National Bank of Pakistan,
Karachi.

Sub: Violation of PPRA Rules and Labour Laws by National Bank of Pakistan.

Transparency International Pakistan has received a complaint from M/s All Pakistan Security Agencies Association objecting on the NBP Tender for Security Guards Services (Copy Encl).

TI- Pakistan has observed that the tender documents are violating the National Labour Laws, regarding the maximum working hours. The tender is also violating the minimum wage laws of federal government viz a viz provincial government, which are different to each other.

The President is requested to examine the complaint in light of the following suggestions, and if the President agrees, the tender document maybe amended accordingly, to comply with Labor Laws.

1. For each security post, 3 and a half security guards should be procured, as the maximum weekly working hours are 48 hours, and one guard can only perform 8 hours service for 6 days i.e from Monday- Saturday. On Sunday, 24 hours service is to be provided by additional guard, which makes half guard.
2. The minimum wages of labour by the federal government is Rs 15, 000/- per month. whereas, Sindh governments minimum wage is Rs 16, 200/- per month, Punjab governments minimum wage is Rs 15, 546/- per month while Balochistan and Khyber Pakhtunkhwa governments minimum wage are Rs 15, 000/- per month.

The tender should specify the security guard requirement province wise.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

Justice Zia Perwez
Former Judge of Supreme Court of Pakistan
Trustee- TI-Pakistan

Copies forwarded for the information and for action under rules to:

1. PSPM, Prime Minister Office, Islamabad.
2. Chairman PAC, Islamabad.
3. Chairman, NAB, Islamabad.
4. Register, Supreme Court of Pakistan, Islamabad.
5. MD, PPRA, Islamabad.



Since 1992



All Pakistan Security Agencies Association

Date: February 12, 2019

To: ✓ THE DIRECTOR
Transparency – International Pakistan
4-C, Mezzanine Floor,
Khayaban-e-ittihad, Ph. VII,
DHA, Karachi.

Subject: VIOLATION OF PPRA RULES AND LABOUR LAWS BY NATIONAL BANK OF PAKISTAN

Dear Sir,

It is to bring to your notice that some of our members have reported that National Bank of Pakistan has called a Tender for Security guards Service dated 5th January, 2019 through various news papers.

Interestingly they have put in a clause to comply with all labour laws regarding minimum wages prescribed by the government but have given in writing to bid for 12 hours daily duty which in itself is a big violation of labour law, Factories Act 1934 sections 34 and Shop and establishment act 1969 section 8 and Public Procurement rule 2004, Rule # 38.

Same reservation was communicated to procuring agency in pre bid meeting dated 29th January, 2019, however National Bank of Pakistan did not bother to rectify.

The bank is admitting to break the law which should be taken into notice. Copy of Financial Bid showing 12 hours duty is attached.

Keeping in view the violation of sections 34 of factories act 1934 and Section 8 of shop & Establishment Act 1969 procurement of NBP is violating Public Procurement Rule 38 and going to commit "mis-procurement" as per Public Procurement rule 50.

It is requested to stop this procurement of National Bank of Pakistan to avoid mis-procurement Under PPRA rule 50.

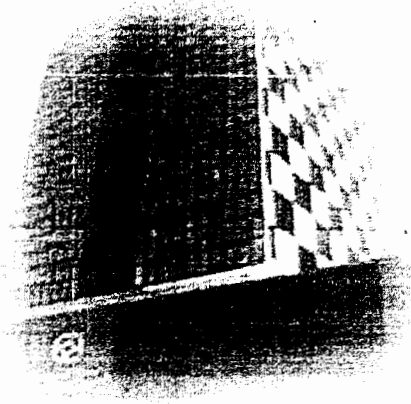
Thanking You and Best Regards

Col. Tauqir-ur-Islam (R)
Chairman APSAA

CC: 1. President of National Bank
2. Governor State Bank of Pakistan

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BIDDING DOCUMENT
FOR
SECURITY GUARDS SERVICES



Wing Head
Stationery, Transport
& Engineering Procurement Wing
Property & Procurement Division
Logistics Support Group
National Bank of Pakistan,
Head Office,
Karachi.
021-990220331 / 38902435



FINANCIAL PROPOSAL & CONDITIONS

- a. The financial proposals shall be called only from pre-qualified bidders for the regions/offices for which they are pre-qualified. During preparation of the financial proposal, the Service Provider needs to provide total cost of services (per head) on “Lump Sum Basis” inclusive of Minimum Wage (as notified), Regulatory Payments (EOBI, ESSI, GLI/Insurance etc.), uniforms, training, weapon, taxes etc for each region/office separately. The Agency should express its prices/bids for services per month in Pak Rupee.
- b. All duties, taxes, and other levies payable by the Security Agency under the Contract, or for any other cause shall be included in the total Bid price submitted by the Bidder. Any new/increase tax or duty levied promulgated by the Government during the bidding process shall be adjusted/ included in the bid price after the approval from Bank Management.
- c. The Security Agency must submit copies of paid challans of regulatory payments (EOBI & Social Security) alongwith a summary report of resource wise contribution to each user Region and Security Wing, LSG, NBP, Head Office on monthly basis separately.
- d. The Financial Proposal shall be quoted separately for each group of Regions on the below format alongwith annexure 3.

PROPOSAL 1: FOR NBP BRANCHES/OFFICES/BUILDINGS

Name of Group	Name of Region/ Office	Security Guards (With Arms)	Security Guards (With Out Arms)	Lady Guards 8 Hours	Supervisor 12 Hours
		12 Hours	12 Hours		

PROPOSAL 2: FOR NBP PRESIDENT PROTOCOL (FOR KARACH AND ISLAMABAD OFFICE)

Services	Shift Basis Charges / Rates
	12 Hours
Security Guard (SSG)	
Armed Escort Supervisor	
Armed Escort Guard	
Escort Driver	

- e. Successful bidder shall be required to submit the Performance Guarantee for each region separately that shall be 5% of the gross payments to be made (salaries).

Formula for calculating Bid Security & Performance Guarantee:

(Bid Price * Number of Resources) * (Total Contract Period)* % of Bid Security / Performance Guarantee

Example:

- Step 1: 18,000 (monthly salary) * 20 (number of resources) = 360,000
- Step 2: 360,000 (total salary) * 22 (contract period) = 7,920,000
- Step 3: 7,920,000 (total amount) * 5% (guarantee rate) = 396,000

- f. If the contract is extended for further period, after completion of the 3 years the appropriate performance guarantee shall have to be given for that extended period.
- g. The Performance Security shall be in the form of a "Bank Guarantee" only from the reputable 'A' rated bank of Pakistan. The performance security amount shall be in Pakistan Rupees (PKR). Discharge of the Performance Security shall take place, within ninety (90) days after the completion of the contract.
- h. Contract shall only be awarded upon submission of Performance Guarantee bonds. In case of non-submission within 15 days of the award of the contract, the contract may be awarded to the next lowest bidder.
- i. The selected Security Agency MUST be required to open & maintain their main account with NBP so that the timely payment to the resources can be ensured. If not the contract may be awarded to the next lowest bidder.
- j. Responsibilities of the Security Agency: as per bidding document /service contract to be executed.