



**ALAC**  
Pakistan

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24<sup>th</sup> June 2009

Mr. S. Ali Raza  
President,  
National Bank of Pakistan,  
NBP Head Office Building,  
I.I. Chundriger Road,  
Karachi.

**Sub: Violation of Public Procurement Rules 2004 in NBP**  
**Complaint of one bidder for assignment of Project Management Consultancy**  
**Services in implementation of Core Banking Application at NBP Tender ID:**  
**NBP/ITG/PU/30012009**

Dear Sir,

Transparency International Pakistan has received a copy of the complaint dated 22<sup>nd</sup> June 2009, from Mr. Kamran Hafeez, Partner, Anjum Asim Shahid Rehman, on alleged cancellation of Tender of Project Management Consultancy Services in implementation of Core Banking Application at NBP Tender ID: NBP/ITG/PU/30012009 on 20<sup>th</sup> June 2009.

This is to remind that under the MOU signed with NBP on 1<sup>st</sup> March 2006 for the implementation of "Integrity Pact" in NBP, TI prepared the "NBP Procurement Manual", which is fully compliant to Public Procurement Rules 2004. The "NBP Procurement Manual" is available with NBP since last three years and it is assumed that it is being utilized.

The allegations of Mr. Kamran Hafeez are of very serious nature, and according to the Rule number 33 of Public Procurement Rules 2004, NBP has to inform the grounds of discharge or cancellation of all proposals.

**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.

The following allegations made by Mr. Kamran Hafeez, Partner, Anjum Asim Shahid Rehman needs to be confirmed by NBP.

*"After approval from related departments and in accordance with the PPRA Rules the announcement as "Qualified and Successful Bidder" was put onto the website on April 23, 2009. AASR team was invited for the kick off meeting for project planning on April 20, 2009 and was also asked to submit the draft contract on April 25<sup>th</sup>, 2009 for legal vetting and onsite and offsite teams were mobilized as requested"*





*"On May 03, 2009, copy of the CONFIDENTIAL Customer Environment Analysis (CEA) report issues by the Fidelity Information Systems (FIS), the CBA vendor, was issued to us by Mr. Atif H. Khan to review, assess gaps and make the necessary recommendations. Despite stringent timelines a summary of our Preliminary findings of the CEA gap analysis was submitted on May 18, 2009, where we submitted our reservations on the completeness of the CEA report. Mr. Khan subsequently ignored these reservations and despite that facilitated the approval of the CEA document as it is a billing milestone for FIS."*

*We were also issued a copy of the highly confidential CBA hardware tender and our comments were forwarded on April 25, 2009, where we ensured that the procurement specifications for hardware are fair and vendor neutral. However these specifications were not followed and changes were made to ensure that only one vendor may qualify and therefore none of the other vendors participated in protest.*

1. Was the announcement of successful bidder posted on NBP website as per requirement of Rule No 35, and the firm was asked to submit Draft Contract Agreement.
2. What is the clarification of NBP on the issue of draft tender documents of hardware objected by them to be tailor made for a specific product, objected by the complainant. It is assumed that the hardware tender will cost more than US \$ 5 million.

The Rule No 48 Redressal of grievances by the procuring agency, requires NBP to investigate this complain, and we request NBP to comply with the process described therein, and after the inquiry is completed provide a copy of the decision taken by NBP and the Committee formed by NBP.

With Regards,

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Transparency International Pakistan  
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Copy forwarded to MD PPRA for information .

