



TRANSPARENCY INTERNATIONAL-PAKISTAN

3rd October 2013

Mr. Muneer Kamal,
Chairman (BOD),
National Bank of Pakistan
NBP Building, I.I. Chundrigar Road
Karachi.

5-C, 2nd Floor, Khayaban-e-Ittehad, Phase VII,
Defence Housing Authority, Karachi.
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Sub: Complaint against Violation of Public Procurement Rule 2004, for Tender
NBP/ITD/PW/PC/17022013.

Dear Sir,

Transparency International Pakistan has received a complaint dated 30th September 2013, from M/s Science & Computer Link, against the tender no. NBP/ITD/PW/PC/17022013. The complaint (annexure) is enclosed for your ready reference.

The complainant has alleged that National Bank of Pakistan has rejected the bid of the complainant due to technical grounds, though the complainant fulfilled the criteria.

Transparency International Pakistan would like to inform you that it has been receiving hundreds of similar complaints since last five years, and would like to request the Chairman to take up this matter with the President of NBP for further inquiry and compliance of Public Procurement Rules 2004.

Transparency International Pakistan request you also to kindly examine the complaint, and if the allegation is found to be correct, then terminate the process of this procurement, and re-invite the tender according to Public Procurement Rules 2004, and award the contract to the bidder who is fully compliant in technical bid, and is lowest in financial bid.

Also evaluation criteria of this tender and the revised tender should be sent to TI-Pakistan for scrutiny under Article 19A of Constitution of Pakistan, which has been interpreted by Justice Syed Mansoor Ali Shah in his landmark Judgement Ataullah Malik v. Federation of Paksitan (PLD 2010 Lahore 605) as under:

"Right to information is another corrective tool which allows public access to the working and decision making of the public authorities. It opens the working of public administration to public scrutiny. This necessitates transparent and structured exercise of discretion by the public functionaries. Article 19-A empowers the civil society of this county to seek information from public institutions and hold them answerable"

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

With Regards,


Syed Adil Gilani
Adviser

Encl: Complaint

Copies forwarded for the information with request to take action under their mandate to:

1. Secretary to Prime Minister, Islamabad.
2. Director General, NAB (A&P), Islamabad.
3. Director General, FIA, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, PPRA, Islamabad

SCL-002348/2013

26-September-2013

The Honorable President

National Bank of Pakistan

Karachi

Subject : Complain for Tender NBP/ITD/PW/PC/17022013

Respected Sir,

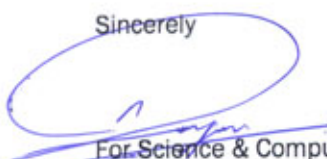
This is in reference to above mentioned tender to purchase 1500 desktop computers, of which, we had submitted on 03rd April 2013, since then we were following to find the status of the tender, every time your IT department give us lame excuses that tender is in process and the Consultant not yet hired to evaluate the bids. Our several telecommunications with NBP IT Procurement staff, regarding the updates of tender, they told us that whenever we will finalize the tender, we will inform the bidders as per PPRA rule 16 (4), we were expecting their email or call but no one bothered to inform us the status. The longer period for tender process has created doubts of favoritism and corruption.

There were many irregularities in the tender but as a good faith we ignored and tried to cooperate with your IT team. NAB has taken the notice of irregularities in tenders specially in IT procurement, so they have issued a letter to all Govt Departments reference no. 5-2(10)Misc/A&P/NABHQ/2013 issued on 02nd September, 2013 (copy enclosed). When we saw the evaluation report ref no.NBP/ITD/PW/PC/20032013 (copy enclosed), we are sure about that, there were melafied conditions and pre selected bidder as per evaluation report, we were the only bidder who has been rejected due to technical grounds. Your procurement committee was afraid about that if they qualify us in technical and open our financial, we may come lowest bidder and their plan to give tender to pre assigned bidder would be failed.

We request your kind interference to stop this possible corruption and a big loss to National Bank. We have all rights to take this matter to legal authorities such as NAB, FIA banking circle or Honorable Court. We expect your prompt action and positive response in this regard and assure you our full support and cooperation to you or your assigned committee by providing sufficient proofs and references. We request you to kindly cancel this tender and re tender with clean and clear competition with latest specifications, which will be benefited for National Bank.

Thank you

Sincerely



For Science & Computer Link

Director Operations

Copy to : MD PPRA Islamabad

✓ Director Transparency International

Head Office:

Mezzanine Floor, D-MKT, D-28,
P.E.C.H.S Block 6, Shahrah-e-Faisal,
Karachi. Tel: 021-34530800
www.sclpk.net , info@sclpk.net

Branch Office Islamabad:

Flat No. 01, United Plaza,
96-E Fazal-e-Haq Road,
Blue Area, Islamabad.
Tel: 051-2804222

Branch Office Lahore:

F-8-9 Shadman Plaza,
Shadman Market,
Lahore.
Tel: 042-37550123



ISO 9001-2008 CERTIFIED

EVALUATION REPORT
(As Per Rule 35 of PP Rules, 2004)

1. Name of Procuring Agency: National Bank of Pakistan
2. Method of Procurement: 36 (b) Single Stage - two envelop procedure
3. Title of Procurement: Procurement of Desktop PCs
4. Tender Inquiry No.: NBP/ITD/PW/PC/20032013
5. PPRA Ref. No. (TSE):
6. Date & Time of Bid Closing: April 03, 2013 at 11:30 a.m.
7. Date & Time of Bid Opening: April 03, 2013 at 11:00 a.m.
8. No of Bids Received: 04 (Four)
9. Criteria for Bid Evaluation: Attached
10. Details of Bid(s) Evaluation:


Name of Bidder	Marks		Evaluated Cost	Rule/Regulation/SBD*/Policy/ Basis for Rejection/Acceptance as per Rule 35 of PP, 2004.
	Technical (If applicable)	Financial (If applicable)		
Megaplus Pakistan	N/A	N/A	PKR 124,684,500.00	Bid accepted as bidder technical proposal conforms with the specified requirements
Mushko Electronics (Pvt) Limited	N/A	N/A	PKR 127,681,500.00	Bid accepted as bidder technical proposal conforms with the specified requirements
Science & Computer Link	N/A	N/A	-	Bid rejected as bidder technical proposal did not conform with the specified requirements
Shahnawaz (Pvt) Limited	N/A	N/A	PKR 129,091,500.00	Bid accepted as bidder technical proposal conforms with the specified requirements

Lowest Evaluated Bidder: Megaplus Pakistan

11. Any other additional / supporting information, the procuring agency may like to share.

- Annexure II - Bid Evaluation Criteria
- Annexure III - Technical Requirements
- Bid Opening Meeting dated April 03, 2013
- Financial Proposal(s) Opening Meeting dated July 17, 2013

Signature: 

Official Stamp: 

*Standard Bidding Documents (SBD).

~~NBP~~ NBP 58. P7

PM