

Date: July 7<sup>th</sup>, 2009

Advocacy and Legal Advice Centre  
Pakistan

Attn: Syed Adil Gilani –  
Chairman, Transparency International Pakistan

Sub: Project Management Consultancy Services in Implementation of  
Core Banking Application at National Bank of Pakistan-  
Tender ID:NBP/ITG/PU/30012009.

Dear Sir,

This is with reference to your letter dated 24.06.2009 on the above subject. You have raised certain queries in relation to a letter dated 22.06.2009 received by you from Mr. Kamran Hafeez, Partner, Anjum Asim Shahid Rehman on the alleged cancellation of NBP Tender ID:NBP/ITG/PU/30012009 for Project Management Consultancy Services in implementation of Core Banking Application at National Bank of Pakistan.

Our response to the issues raised by you in your letter is as follows:

1. The announcement of Anjum Asim Shahid Rehman (“AASR”) as the successful bidder was posted on the Website of National Bank of Pakistan. A copy of the posting on the Website is attached herewith for your information. AASR was also requested to provide a draft agreement relating to the consultancy services for the consideration of NBP.
2. We will deal with your contentions relating to the CBA hardware tender in a separate letter in the matter.
3. With regard to your observation that Rule No.48 of the Public Procurement Rules 2004 requires NBP to investigate the complaint of Mr. Kamran Hafeez, we wish to state as follows:
  - (a) The question of redressal of grievances or investigation of the complaint of Mr. Kamran Hafeez contained in his letter dated 22.06.2009 does not arise in view of the letter dated 24.06.2009 addressed to NBP by the Managing Partner of AASR. Relevant extracts from the letter of the Managing Partner of AASR are reproduced hereinbelow for your information.

**“I on behalf of the firm would like to state categorically and unequivocally that there is no complaint by the firm in this matter and of any action or intimation which implies wrong doing on account of National Bank of Pakistan, its management or employees. Likewise the firm confirms that it does not desire to initiate any inquiry against anyone or seek any compensation in this regard. Regrettably, the action of writing the complaint was undertaken by one of the partners in his own capacity and without any knowledge or concurrence by the firm’s management and mainly on a misunderstanding of the process.”**

- (b) In the circumstances, the earlier grievance/complaint of Mr Kamran Hafeez stands superseded by the letter dated 24.06.2009 of the managing partner of AASR and the letter of Mr. Kamran Hafeez dated 22.06.2009 is of no relevance or consequence. We also wish to state that Rule No.48 of the Public Procurement Rules 2004 states that a procuring agency shall constitute a committee to address the complaints of bidders that may occur prior to entry into force of the procurement contract. Rule 48 may only be invoked if a bidder has a complaint or grievance against the procuring agency. In the present case, the bidder in question, AASR has categorically and unequivocally stated that they have no complaint in regard to the above matter and that Mr. Kamran Hafeez's letter was based on a misunderstanding of the procurement process.

Kindly note that our response herein is in good faith and in a spirit of co-operation. You will appreciate that the Public Procurement Regulatory Authority Ordinance, 2002 and rules framed thereunder have statutory force in Pakistan and we endeavour to comply with the same to the extent that may be applicable to the National Bank of Pakistan.

Yours Faithfully,



Mohammad Shahid Razzaq  
SVP – Head Procurement and IW  
For & on behalf of  
National Bank of Pakistan

CC:

1. MD PPRA for Information.
2. P.S to President , National Bank of Pakistan