



# TRANSPARENCY INTERNATIONAL-PAKISTAN

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01<sup>st</sup> November 2011

Mr. Muhammad Ali Gardezi,  
Chairman,  
National Highway Authority,  
28-Mauve Area, G-9/1, Islamabad.

Sub: Violation of Public Procurement Rules 2004, National Highway Authority, General Manager (MCH/G-KB), Gallop Tender Notice for emergency maintenance works in Makran Coastal Highway Region.

Dear Sir,

The General Manager (MCH/G-KB), National Highway Authority, Gwadar's gallop tender notice for emergency maintenance works in Makran Coastal Highway region, published in daily "Dawn" on 31<sup>st</sup> October 2011, is against the Public Procurement Rules 2004. A minimum period of 15 days is mandatory to submit applications from the date of publication of advertisement notice in press, whereas the National Highway Authority has given only 05 days, which is a violation of Public Procurement Rules 2004. The rule is quoted below for your reference;

**13. Response time.-** *The procuring agency may decide the response time for receipt of bids or proposals (including proposals for pre-qualification) from the date of publication of an advertisement or notice, keeping in view the individual procurement's complexity, availability and urgency. However, under no circumstances the response time shall be less than fifteen days for national competitive bidding and thirty days for international competitive bidding from the date of publication of advertisement or notice.*

TI-P would like to point out that the subject tender is a routine work and it does not fall under the domain of "emergency" as defined by the Public Procurement Rules 2004. The rule is stated below for your reference;

**(g).Emergency.-** *"emergency" means natural calamities, disasters, accidents, war and operational emergency which may give rise to abnormal situation requiring prompt and immediate action to limit or avoid damage to person, property or the environment.*

The above information is forwarded for the purpose of avoiding the mis-procurement charge under Rule No 50, and with request to re-invite the tender under the prescribed procedures.

TI Pakistan is striving to have Rule of Law in Pakistan.

With Regards,

Syed Adil Gilani  
Adviser

Copies forwarded for the information of:

1. Chairman, Public Accounts Committee, Islamabad.
2. Chairman, NAB, Islamabad.
3. Registrar, Supreme Court.
4. Auditor General, Islamabad.
5. Managing Director, PPRA, Islamabad.



## NATIONAL HIGHWAY AUTHORITY

Ministry of Communications  
Government of Pakistan

### GALLOP TENDER NOTICE

Sealed Tenders/ Bids are invited from NHA's Pre-qualified Contractors of **Makran Coastal Highway Region** in the category of **Emergency Maintenance Works** for the Financial Year 2011-12.

2. Brief Description of works is give as under, other details can be obtained from the Director (Maintenance) NHA, Gwadar Office.

S. No.	Contract No.	Location KM-KM	Estimated Cost (RS)	Earnest Money (Rs.)	Period of Completion
1	EM-MCH-002-12	133 - 139	4,176,868/-	84,000/-	3-Months
2	EM-MCH-003-12	144 - 146	3,180,328/-	64,000/-	3-Months
3	EM-MCH-004-12	400 - 530	1,424,700/-	29,000/-	1-Month

3. The Tender Documents for above mentioned works can be purchased from the office of the Director (Maint) NHA, Gwadar, during the office hours from **3rd November, 2011** by submitting an application with Tender Fee in the shape of Demand Draft / Pay Order of **Rs.1000.00** Per Set (Non-refundable) in favour of **"NATIONAL HIGHWAY AUTHORITY (RMA)/ROAD MAINTENANCE ACCOUNTS**.
4. The Earnest Money in the shape of Demand Draft / Pay Order in favour of **"NATIONAL HIGHWAY AUTHORITY (RMA) / RETENTION MONEY ACCOUNT"** is to be shown at time of purchase of tender documents and Original CDR shall be attached with the tender documents. The contractor whose progress is slow / un-satisfactory on the already awarded work shall not be eligible to purchase the tender.
5. The sealed tenders can be inserted in the sealed tender box on **4th November, 2011** at **11:00 hours** which will be opened on the same day at **11:30 hours** by the committee.
6. National Highway Authority reserves the right to accept or reject any or all the tenders.

**SHAM SUNDAR**  
General Manager (MCH/G-KB)  
NHA, Gwadar.