



10th April 2010

Altaf Ahmad Chaudhry,
Chairman,
National Highway Authority,
NHA HQ, 27, Mauve Area, G-9/1,
Islamabad.

Fax: 051-9260404

Sub: NHA is violating PPRA Rules in almost all procurements.

Dear Sir,

Transparency International Pakistan has been objecting on NHA procurements which are mostly in violations of PPRA Rules. The Prequalification of Contractors Notice published in Dawn of 10th April 2010 is in gross violation of Rule No 16.

Public Procurement Rules, 2004 have eliminated all discretions in procurement process, and the Rule No. 16 has made it mandatory on NHA to provide Prequalification Documents to applicants which is not being given to applicants by NHA on these Project.

This document besides other mandatory requirements shall also include information on the detailed evaluation criteria, bid award method, signing of Integrity Pact, rights of bidders to complain on evaluation report prior to award and many other requirements, to applicants.

The detailed evaluation criteria is required to be prepared and included in the Prequalification Documents on how the applicants will be evaluated for relevant experience and past performance; capabilities with respect to personnel, equipment, and plant; financial position; appropriate managerial capability; and any other factor that a procuring agency may deem relevant, not inconsistent with these rules.

The prequalification process prescribed in Rule No. 16 is quoted below;

"16. Pre-qualification process.- (1) The procuring agency engaging in pre-qualification shall announce, in the pre-qualification documents, all information required for pre-qualification including instructions for preparation and submission of the pre-qualification documents, evaluation criteria, list of documentary evidence required by suppliers or contractors to



demonstrate their respective qualifications and any other information that the procuring agency deems necessary for pre-qualification.

(2) The procuring agency shall provide a set of pre-qualification documents to any supplier or contractor, on request and subject to payment of price, if any.

Rule No. 15 requires that A procuring agency while engaging in pre-qualification may take into consideration the following factors

- (a) relevant experience and past performance;
- (b) capabilities with respect to personnel, equipment, and plant;
- (c) financial position;
- (d) appropriate managerial capability; and
- (e) any other factor that a procuring agency may deem relevant, not inconsistent with these rules.

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

NHA has also been violating PPRA in Contracts Awarded to NLC and FWO, on which TIP has sent complaints to you as well as CJ Supreme Court of Pakistan.

Regards,

Syed Adil Gilani
Chairman

Copies forwarded for the information of;

1. Minister of Communication, Government of Pakistan, Islamabad.
2. Chairman, Public Accounts Committee, Islamabad.
3. Chairman, National Accountability Bureau
4. Managing Director PPRA for information please.



NATIONAL HIGHWAY AUTHORITY

Ministry of Communications
Government of Pakistan

Pre-Qualification of Contractors

National Highway Authority (NHA) invites applications for enlistment with NHA for the year 2010-11 from interested Contractors separately for the following categories of works.

TYPE OF MAINTENANCE	NHA PRE-QUALIFICATION CRITERIA FOR MAINT. WORKS	PAKISTAN ENGINEERING COUNCIL ENLISTMENT MINIMUM LIMIT	MINIMUM FINANCIAL CAPACITY	WORK EXPERIENCE WITH OTHER ROAD AGENCY	WORK EXPERIENCE WITH NHA
Routine Maintenance	RC-4	C-6 (Enlisted for Road works more than Rs.10 Million Worth)	Financial Statement showing at least credit or Financial capacity of Rs.20 Millions	At least Three years as Category "A" contractor	Nil
Periodic Maintenance (Functional)	RC-4, BC-4	C-3 (Enlisted for Road works more than Rs.100 Million Worth)	Financial Statement showing at least credit or Financial capacity of Rs.100 Millions	At least Three years as Category "A" contractor	At least Three years work experience
Periodic Maintenance (Structural)	RC-1, RC-2 BC-1, BC-2	C-2 (Enlisted for Road works more than Rs.200 Million Worth)	Financial Statement showing at least credit or Financial capacity of Rs.200 Millions	At least five years as Category "No" Limit Contractor	At least five years work experience
Rehabilitation	RC-1, RC-2 BC-1, BC-2	C-1 (Enlisted for Road works at No Limit Contractor)	Financial Statement showing at least credit or Financial capacity of Rs.500 Millions	At least five years as Category "No" Limit Contractor	At least Ten years work experience
Highway Safety	RC-4	C-4 (Enlisted for Road works more than Rs.50 Million Worth)	Financial Statement showing at least credit or Financial capacity of Rs.50 Millions	At least Three years as Category "A" contractor	At least Three years work experience
Geometric Improvement	RC-4	C-3 (Enlisted for Road works more than Rs.50 Million Worth)	Financial Statement showing at least credit or Financial capacity of Rs.50 Millions	At least Three years as Category "A" contractor	At least Three years work experience
Toll Plaza & Weigh Station Contracts	RC-4, BC-4	C2 (Enlisted for Road works more than Rs.200 Million Worth)	Financial Statement showing at least credit or Financial capacity of Rs.200 Millions	At least Three years as Category "A" contractor	At least Three years work experience
Emergency Maintenance	RC-4, BC-6	C-6 (Enlisted for Road works more than Rs.10 Million Worth)	Financial Statement showing at least credit or Financial capacity of Rs.10 Millions	At least Three years as Category "A" contractor	At least Three years work experience
Construction of Bridges / Structural	RC-4	C-2 (Enlisted for Bridge Works (CS-01 & CS-02) more than Rs.200 Million)	Financial Statement showing at least credit or Financial capacity of Rs.200 Millions	At least five years as Category "No" Limit Contractor	At least Five years work experience
Expansion Joints	RC-4	C-3 (Enlisted for Road works more than Rs.50 Millions)	Financial Statement showing at least credit or Financial capacity of Rs.50 Millions	At least five years as Category "No" Limit Contractor	At least Five years work experience

2. All interested contractors are required to submit the following details in 2 sets separately for enlistment purposes on the prescribed Questionnaire to be obtained from Director (Maintenance) NHA-Karachi from **15th April 2010 to 26th April 2010** on production of Demand Draft/Pay Order for amount of **Rs.500/-** (non-refundable) in favour of National Highway Authority / (RMA) Retention Money Account. The Questionnaires can also be obtained by post on submission of Bank Draft/Pay Order for amount of **Rs.600/-** (non-refundable) in favour of National Highway Authority / (RMA) Retention Money Account.

- Value of single project(s) falling in the range as categorized above completed during last 10 years supported with documentary evidence.
 - Approximate value of work in hand supported with recognized documentary evidence.
 - Certificate from the bank(s) showing confirmed line of credit along with bank references.
 - Financial statement for the last 3 years.
 - List of major projects with NHA (a) Completed (b) On-going
 - List of plants and equipments owned by the company supported by documentary evidence of ownership.
 - List of permanent / temporary technical and non-technical staff employed by the company.
 - Valid registration with Pakistan Engineering Council.
 - Litigation with Government Department (if any).
- The Competent Authority shall pre-qualify contractors based on bidding capacity at the time of invitation of bids depending upon magnitude and complexity of the projects.
 - All the firms must submit a fresh application, as no consideration will be given to any application submitted earlier.
 - It is further clarified that earlier Pre-qualification/Enlistment shall be given no consideration in NHA future bidding competition if they do not file a fresh application on prescribed Questionnaire within scheduled period.
 - The firms interested in Road Maintenance works may coordinate with respective NHA Regional General Managers who had been entrusted this assignment pursuant to NHA revised enlistment policy.
 - Firms interested in enlistment may submit the above information duly substantiated to the office of Director (Maintenance) NHA-Karachi latest by **05th May 2010**.
 - Certificate from Income Tax Department and Pakistan Engineering Council confirming the proprietorship of the company.
 - Applicant will be required to submit undertaking on Judicial Paper confirming that information given by him are correct. In case of wrong statement, applicant will be liable for black listing as well as legal action.
 - NHA reserves the right to reject any or all applications without assigning any reason therefor.

(SYED SHABIB ALI SHAH)
General Manager (Sindh)

NHA Complex Near Drig Road Railway Station, Shara-e-Faisal Karachi
Tel: 9248921, Fax: 9248925, www.nha.gov.pk