



22nd February 2013

Mr. Hamid Ali Khan,
Chairman,
National Highway Authority,
NHA HQ, 27, Mauve Area, G-9/1,
Islamabad.

Sub: **News on Award of Karachi Hyderabad Motorway M 9 Construction and
Consultancy Contracts to M/s FWO and Ms/ NESPAK.**

Dear Sir,

Transparency International Pakistan refers to following news on Award of Karachi Hyderabad Motorway M-9 Construction and Consultancy Contracts to M/s FWO and Ms. NESPAK.

“Information Minister told media after a cabinet meeting that contract for building M-9 would be given to Frontier Works Organization (FWO), adding that prime minister had issued directives for releasing funds for the project.

He said that the NESPAK (The National Engineering Services Pakistan) would be the consultant for the project.:

This is to inform NHA that according to Public Procurement Rules 2004, no Contract can be awarded without Open Bidding.

The same principle has been mentioned by the Supreme Court of Pakistan in its RPP Judgment of 30th March 2012.

These principles are;

- (1) upholding competition among firms
- (2) promoting best value for money
- (3) encouraging more firms to bid on work
- (4) maintaining openness and transparency in the bidding process
- (5) executing contracts quickly
- (6) ensuring quality of goods and services and
- (7) meeting other obligations required for federal procurement.

Transparency International Pakistan request the Chairman to observe across the Board compliance of Public Procurement Rules 2004 , and do not award any unsolicited Contracts od M 9 or any other Project.


Kindly note that if any benefit if provided to FWO or NESPAK in violation of Public Procurement Rules 2004, is a corrupt act under NAO 1999, Section 9 a (vi).which states “A holder of a public office, or any other person, is said to commit or to have committed the offence of corruption and corrupt practices if he has issued



any directive, policy, or any SRO (Statutory Regulatory Order) or any other order which grants or [attempts to grant] any [undue] concession or benefit in any taxation matter or law or otherwise so as to benefit himself or any relative or associate or a benamidar [or any other person]

Transparency International Pakistan is striving to have transparency in procedures and Rule of Law in Pakistan, which is the only way to eliminate corruption and have good governance in country.

Yours Sincerely,


Syed Adil Gilani
Adviser

Copy forwarded for action under the rules regulations to,

1. Chairman, Public Accounts Committee, Islamabad.
2. Minister of Communications, Islamabad
3. Chairman, NAB, Islamabad
4. Auditor General Pakistan, Islamabad,
5. Registrar, Supreme Court of Pakistan, Islamabad
6. Secretary Communications, Islamabad
7. Managing Director, PPRA, Islamabad - with a request to take action under section 5(2) (a) "monitor application of the laws, rules, regulations, policies and procedures in respect of, or relating to, procurement" and under section 5(2) (i) of the PPRA Ordinance 2002