

No. F. 1(76)/DD-II/PPRA/2010
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)




Islamabad, the November 29, 2010

SUBJECT: NHA IS VIOLATING PPRA RULES IN ALMOST ALL
PROCUREMENTS COLLUSIVE PRACTICE IN CONSTRUCTION
CONTRACTS PROCESSING

Reference your letter No. NIL dated 18.09.2010 received from the
Transparency International – Pakistan, on the subject cited above.

2. Your request was forwarded to NHA, Islamabad disposal under
Rule – 48 of PP Rules, 2004. Procuring Agency has given the comments on the
request and the same is being enclosed for your kind perusal.


(NAEEM AHMED)
Deputy Director – II

Syed Adil Gillani,
Chairman,
Transparency International – Pakistan,
5-C, 2nd Floor, Khayaban-e-Ittehad,
Phase – VII, Defense Housing Authority,
Karachi



NATIONAL HIGHWAY AUTHORITY

Office of General Manager (P&CA)
27-Mauve Area, G-9/1, Islamabad Tel: 9032704, Fax: 9260419

Ref: 2()/GM (P&CA)/NHA/10/1214

Dated 16th November, 2010

To:

Mr. Hafeez-ur-Rehman
Managing Director
Public Procurement Regulatory Authority
ISLAMABAD

Mr. Khizer Javaid,
Deputy Director (Roads),
Government of Pakistan, Ministry of Communications,
ISLAMABAD

Subject: **NHA IS VIOLATING PPRA RULES IN ALMOST ALL PROCUREMENTS COLLUSIVE PRACTICE IN CONSTRUCTION CONTRACTS PROCESSING.**

Reference: 1- Transparency International Pakistan's Letter No. Nil dt. 18th Sept 2010
2- MOC's Letter No. F.No. 9(2)/98-Roads dated 24th Sept 2010

The reply on the observations raised by TI-P vide above referred letter are as under:

▪ **REGARDIG PPRA RULE-2 (F)**

Transparency International Pakistan (TI-P) has misunderstood and misinterpreted the rule. The conditions imposed by NHA that "one firm will be eligible for award of only one package", is in the best interest of the project and for the reason that successful bidder could concentrate on only one work package with all its available resources to complete the project successfully in time. Further more advertisement in the widely circulated Newspapers and Websites, attract the attention of both National and International bidders which itself is enough proof for not restricting competition, rather it provides open and wide competition opportunity for prospective bidders.

▪ **REGARDIG CONTRACT AWARD PROFORMA**

The Closing date for submission of Prequalification applications for projects in question was 16th August-2010. The Prequalification of contractors is under process. Therefore to complete the contract award proforma as stated by TI-P was out of question at the stage of PQ notice.

▪ **QUERY REGARDING READVERTISEMENT ON 24th, 28th JUNE 2010 AND 1st AUGUST-2010**

Procuring Agency has been given the liberty by PPRA under rule-27 to extend the procurement process due to any reason which Procuring Agency find necessary.

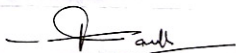
Office of M.D. (PPRA)
Public Procurement Regulatory Authority
By: Mr. Khizer Javaid (PPRA) 200
Dated: 16/11/10

By: Mr. Khizer Javaid (PPRA) 200
Dated: 25-11-10

Handwritten signature: *Khizer*
Date: 25/11/2010
DD-11

2- It may please be noted that TI-P is raising observations, probably based on some hearsay information, about NHA advertisement. The observations are raised without scrutinizing the advertisements which creates negative effects on the working of NHA.

3- NHA do appreciate your concerns, nevertheless, NHA will continue to adhere to rules and regulations currently enforced in the country in a diligent and prudent manner. Any healthy criticism on the part of any agency for the improvement of the working of NHA, is welcomed. NHA expect that above explanation will clarify the points raised by TI-Pakistan.



(ALTAF AHMED CHAUHDARY)
Chairman (NHA)

Copy for information to:

- Chairman, Public Accounts Committee, Islamabad
- Minister of Communications, Islamabad
- Auditor General Pakistan, Islamabad
- Registrar, Supreme Court of Pakistan, Islamabad
- Secretary Communications, Islamabad
- Member (Planning), NHA, Islamabad
- General Manager (P&CA), NHA, Islamabad
- Syed Adil Ali Gilani, Chairman, TI-Pakistan.