



TRANSPARENCY INTERNATIONAL-PAKISTAN

5-C, 2nd Floor, Khayaban-e-Ittehad, Phase VII,
Defence Housing Authority, Karachi.
Tel: (92-21)-35390408, 35390409, Fax: 35390410
E-mail: ti.pakistan@gmail.com
Website: www.transparency.org.pk
Advisory Committee

05th September 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, Sindh Region,
Gallop Tender Notice for emergency maintenance works

Dear Sir,

The General Manager (Sindh-South), National Highway Authority, Karachi's gallop tender notice for emergency maintenance works in Hyderabad and Karachi, published in daily "Dawn" on 05th September 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 11 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
Advisor

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.

September 5, 2011



NATIONAL HIGHWAY AUTHORITY

Ministry of Communications
Government of Pakistan

GALLOP TENDER NOTICE

Sealed Tenders/Bids are invited from NHA's Pre-qualified Contractors of Sindh Region in the category **Emergency Maintenance Works** for the F.Y. 2011-12.

2. Brief description of work is also given as under, other details can be obtained from the Director (Maintenance) NHA, Karachi office.

Route	Contract No.	Maintenance Unit	Location Km-Km	Amount	Earnest Money	Completion Period	Defect Liability Period
N-5/KTH	EM-SDS-12-5008	Hyderabad	179-180	2,890,426.00	58,000	03 Months	06 Months
M-9	EM-SDS-12-5009	Karachi	21-22	989,454.00	20,000	01 Month	06 Months

3. The tender documents mentioned above can be obtained from the office of the Director (Maintenance) NHA, Karachi, during the office hours from **14th September 2011**, by submitting an application with Tender Fee in the shape of Demand Draft/Pay Order of **Rs.3,000-00 Per Set (Non-refundable)** in favour of **"NATIONAL HIGHWAY AUTHORITY (RMA) / ROAD MAINTENANCE ACCOUNT"**.

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 **15th September 2011** at **11:00 hours** which will be opened on the same day at **11:30 hours** by the committee.

General Manager (Sindh-South)

NHA Complex Drig Road Railway Station,
Shara-e-Faisal Karachi Tel: 99248921, Fax: 99248925
www.nha.gov.pk

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