



# TRANSPARENCY INTERNATIONAL-PAKISTAN

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**Advisory Committee**

07<sup>th</sup> July 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,  
Gallop Tender Notice for the Emergency Maintenance Works in Sindh Region.

Dear Sir,

The General Manager (Sindh), National Highway Authority, Karachi's gallop tender notice published in daily "Jang" on 05<sup>th</sup> July 2011, is against the Public Procurement Rules 2004, as minimum period of 15 days is mandatory to submit applications from the date of publication of advertisement notice in press, whereas you have given only 12 days, which is a violation of Public Procurement Rules 2004. The Rule is quoted below for your information;

**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;

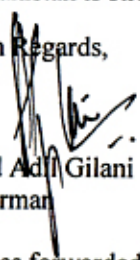
**(g).Emergency.-** *"emergency" means natural calamities, disasters, accidents, war and operational emergency which may give rise to abnormal situation requiring prompt and immediate action to limit or avoid damage to person, property or the environment.*

TI-P has been informing NHA about such violations in past, but unfortunately NHA never complied with these violations and continued to violate the Public Procurement Rules 2004.

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  
Chairman

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.