



21<sup>st</sup> November, 2009

Mr. Shafiq A Shazad,  
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Pakistan Institute of Trade & Development,  
State Life Building No 7,  
Blue Area, Islamabad

Fax 051- 9202146

Subject: Violation of Public Procurement Rules, 2004 in the Hiring of Consultants for formation of a holistic and feasible" Services Sector Master Plan 2010-2020 for Pakistan

Dear Sir,

The Invitation for Expression of Interest for Hiring of Consultants for formation of a holistic and feasible" Services Sector Master Plan 2010-2020 for Pakistan, published in Dawn on 21 November, 2009 is lacking Transparency and violating the "Public Procurement Rules, 2004 .

Public Procurement Rules, 2004 have eliminated all discretions in procurement process, and it is mandatory to provide a set of Prequalification under Rules No. 15,16, 23 & 24 to applicants, which shall include Evaluation Criteria. PITAD is not following these Rules.

**Rule No. 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.

Kindly note that according to Rule No 2, Consultant is also defined as " Contractor".

(d) "contractor" means a person, consultant, firm, company or an organization who undertakes to supply goods, services or works;

(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. Explanation.- For the purposes of this sub-rule price means the cost of printing and providing the documents only.

Rule No. 36. Procedures of open competitive bidding.- In single stage – two envelope procedure PROCUREING AGENCY shall evaluate the technical proposal in a manner prescribed in advance, without reference to the price and reject any proposal which do not conform to the specified requirements. The financial proposals of bids shall be opened publicly at a time, date and venue announced and communicated to the bidders in advance.



After the evaluation and approval of the technical proposal the procuring agency, shall at a time within the bid validity period, publicly open the financial proposals of the technically accepted bids only and the bid found to be the lowest evaluated bid shall be accepted.

**22. Submission of bids.-** (1) The bids shall be submitted in a sealed package or packages in such manner that the contents are fully enclosed and cannot be known until duly opened.

(2) A procuring agency shall specify the manner and method of submission and receipt of bids in an unambiguous and clear manner in the bidding documents.

**23. Bidding documents.-** (1) Procuring agencies shall formulate precise and unambiguous bidding documents that shall be made available to the bidders immediately after the publication of the invitation to bid.

**Rule No 35. Announcement of evaluation reports.-** Procuring agencies shall announce the results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract.

**Rule No 47. Public access and transparency.-** As soon as a contract has been awarded the procuring agency shall make all documents related to the evaluation of the bid and award of contract public:

Transparency International Pakistan request the you to make all its procurement Transparent, and in accordance with the requirements of Public Procurement Rules 2004, and prepare Prequalification Documents required under Rule 23, including the evaluation criteria.

The above information is forwarded for the purpose to avoid the mis-procurement charge under Rule No 50, and to re- invite the Expression of Interest, which shall be based on the procedures prescribed by Public Procurement Rules, 2004

With Regards,

Syed Adil Gilani  
Chairman,

Copy forwarded for the information and appropriate action on the violation,

1. Chairman Public Accounts Committee, Islamabad
2. Auditor General Pakistan, Islamabad
3. Managing Director PPRA , Islamabad



# PAKISTAN INSTITUTE OF TRADE AND DEVELOPMENT

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## REQUEST FOR EXPRESSION OF INTEREST

### Background

Pakistan Institute of Trade and Development (PITAD) is the Policy Think Tank of the Government of Pakistan. It provides policy support to the Ministry of Commerce and other business support institutions through policy research and policy outreach activities and builds trade related capacity for Government agencies and private sector enterprises. On behalf of the Ministry of Commerce, Government of Pakistan, PITAD plans to hire the services of an international strategy consultant to support the formulation of a holistic and feasible 'Services Sector Master Plan 2010-2020' for Pakistan that will guide government's efforts in broadening and deepening Pakistan's services sector and the exports.

### Scope of Work

Formulation of a holistic and feasible 'Services Sector Master Plan 2010-2020' for Pakistan and supporting plans and documents.

### Task Details

#### Deliverables

Services Sector master Plan 2010 document

A framework of coherent objectives and guidelines that will guide and facilitate decisions and actions by both public and private sector

Plan/documents for accelerating investment in the services sector, both local and foreign

Plan/document to structure PPD Task Forces to support the development strategies

Plan/document containing detailed implementation plan to achieve the targets of the developed master plan

PITAD invites Expression of Interest for the above assignments from consultants/firms/institutions. The consultants/firms/institutions must provide documentary evidence that they are qualified to undertake the assignment which shall include:

- List of similar assignments in the past five years.
- Reference of past clients in the last five years.

The Consultants/firms/institutions can submit their EOI to the undersigned within **15 days** of the publication of this EOI.

### Shafiq A. Shahzad

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