



21 October, 2009

Mohammad Ahmad Mian
Secretary /Chairman /Director General,
Pakistan Post Office,
Government of Pakistan,
G-8/4,
Islamabad

Subject: Violation of Public Procurement Rules, 2004 Prequalification of Firms for Centralize Software Solution

Dear Sir,

The Invitation of Prequalification of Firms for Centralize Software Solution published in "The Dawn" on 21 October 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 Documents under Rules No. 15 and 16, to applicants, which shall include Evaluation Criteria.

Kindly note that the Public Procurement Rules, has eliminated avenues of corrupt practices in tendering and forbidden all discretions in the procurement process and

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.

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 Prequalification, 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, National Assembly, Islamabad
2. Managing Director, PPRA, Islamabad,

