



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

27th August 2010

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

Chairman,
Port Qasim Authority,
Port Qasim,
Karachi.

Sub: Complaint of violation of PPRA Rules by a bidder in Procurement of Pilot Boat on hire.

Dear Sir,

Transparency International Pakistan has received a complaint from M/s Bulk Shipping and Trading (Pvt) Ltd. Dated 25th August 2010, copy is attached.

Under Rule No 29, PQA shall formulate unambiguous Evaluation Criteria, and inform bidders, and under Rule 30 the bids will only be evaluated in accordance with the declared evaluation criteria.

This is to inform you that technical evaluation report if revised after opening of financial bids, by the consultant as alleged, after the firm was declared responsive is a serious charge and needs to be examined by PQA under the Rule No 29F), "corrupt and fraudulent practices"

TI Pakistan request the Chairman to examine the complaint, and if found correct resolve the issue in accordance with Rule No 48 (quoted below) by the Grievance Committee formed by PQA vide circular No PQA/LEG/D/17 dated 22 February 2010.

48. Redressal of grievances by the procuring agency.-

- (1) The procuring agency shall constitute a committee comprising of odd number of persons, with proper powers and authorizations, to address the complaints of bidders that may occur prior to the entry into force of the procurement contract.
- (2) Any bidder feeling aggrieved by any act of the procuring agency after the submission of his bid may lodge a written complaint concerning his grievances not later than fifteen days after the announcement of the bid evaluation report under rule 35.
- (3) The committee shall investigate and decide upon the complaint within fifteen days of the receipt of the complaint.
- (4) Mere fact of lodging of a complaint shall not warrant suspension of the procurement process.
- (5) Any bidder not satisfied with the decision of the committee of the procuring agency may lodge an appeal in the relevant court of jurisdiction.

The inquiry reports has to be sent for the final decision of the Secretary Ports & Shipping for the administrative review, to take action on the findings of the complaints in accordance with the conduct rules under the PPRA letter No 3(5)/DD-II/PPRA/2009 dated 10 February 2010.

Yours sincerely,

Syed Adil Gilani
Chairman

Copy forwarded for the information of Secretary Ports & Shipping, Islamabad.;



Bulk Shipping & Trading (Pvt.) Ltd.

Ref : 2508-43911-PQA
Dated : 25th August, 2010
Pages : 02 (incl. cover)

To
The Chairman,
Port Qasim Authority,
Bin Qasim.

Re : Port Qasim Authority Tender dated 19th March, 2010 for
One Pilot Boat and One ASD Tug.

**Complaint in respect of Pilot Boat "Atco Rania" offered by
our principals M/s. Lamnalco.**

Sir,

Kindly treat this is an official complaint under PPRA rules clause 48 and 30(1) & (3).

Our said pilot boat the "Atco Rania" was qualified both technically and financially.

We have just heard that the tender has either been scrapped or is being scrapped.

We believe that it is our right to get a report of the technical and financial evaluation under PPRA rule no: 35 which has not yet been provided.

In the meantime we would also like to take this opportunity to point out that:

- (a) Six parties had bought the tender documents and our principals M/s.Lamnalco made a **competitive** offer for the pilot boat.

