



26th May, 2014

Secretary,
Works & Services Department,
Government of Sindh,
Karachi.

**Sub: Violation of Sindh Public Procurement Rules 2010, Executive Engineer, Highways Division
Kandhkot's Tender Notice for Construction of Roads.**

Dear Sir,

This is with reference to Executive Engineer, Highways Division Kandhkot's Tender Notice, published in daily "Express" on 16th May, 2014. It is observed that the advertisement is in violation Sindh Procurement Rules 2010.

1. As per TI-Pakistan's observation this advertisement appears to be in violation of Sindh Procurement Rules 2010, by the procuring agency for not hoisting its tender documents on SPPRA website.

According to Sindh Procurement Rules 2010 Amendments made in Rule 21 sub-rule (4) & Rule 24 sub-rule (2):-

"Rule 21(4) All procuring agencies shall hoist the bidding documents on Authority's website as well as on the website of procuring Agency, in case the procuring agency has its own website."

"Rule 24(2) The Bidders may submit bids on the bidding documents issued by the procuring agency or downloaded from the Authority's website along with tender fee if any by mail or by hand."

Also as per NAB instructions vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8th January (Copy encl), all procuring agencies should make available the bidding or prequalification documents and other related communication in downloaded format, for any interested bidder or party, at their website to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. NAB has also declared mis-procurement as liable for cognizance by NAB under relevant section of NAO 1999.

2. Also, it is mentioned that, "the undersigned reserves the right to reject any or all tenders without assigning any reason", which violation of Sindh Public Procurement Rules 2010 Rule No. 45. The Rule is quoted below for your reference:

45. Announcement of evaluation reports - Procuring agencies shall announce the results of bid evaluation in the form of a report giving reasons for acceptance or rejection of bids. The report shall be hoisted on website of the Authority and that of the procuring agency if its website exists and intimated to all the bidders at least seven (07) days prior to the award of contract.

The above information is forwarded for the purpose of avoiding the mis-procurement charge under Rule No 56, and with request to re-invite the tender under the prescribed procedures or issue a corrigendum and extend date accordingly.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,


Sohail Muzzafar
Chairman



Copies forwarded for the information with request to take action under their mandate to:

1. Chief Minister, Government of Sindh, Karachi.
2. Chief Justice, Sindh High Court, Karachi
3. Chairman, NAB, Islamabad.
4. Chief Secretary, Government of Sindh, Karachi.
5. Managing Director, SPPRA, Karachi.



ٹینڈرز طلبی نوٹس

01 ایگزیکٹو انجینئر ہائی ویز ڈویژن کشمور واقع کندھ کوٹ کو SPPRA رول (2010) کے مطابق شرکت کنندگان کے معیار اہلیت پر پورا اترنے والی دلچسپی کی حامل پارٹنر/فرمز سے سربمہر ٹینڈرز مطلوب ہیں۔
کام کی فہرست

نمبر شمار	کام کا نام	تخمینی لاگت (ملین میں)	زریعہ	ٹینڈر فیس	مدت تک
-----------	------------	------------------------	-------	-----------	--------

پاکستان پیٹرولیم لمیٹڈ کی جانب سے فنڈڈ ورکنگ

1	انڈس ہائی وے تا مصری خان سہریائی روڈ سیکل 0/0-1/7 کی ری کنڈیشننگ/تعمیر نو	20.000	400000	3000	12 ماہ
2	مصری خان سہریائی روڈ تا دلچ کا یو خان، بنکو اروڈ سیکل 1/7-3/5 روڈ کی ری کنڈیشننگ	20.000	400000	3000	12 ماہ
3	RD-151 B.S فیڈر تا PPL پیڈ روڈ سیکل 3/5-5/3 روڈ کی تعمیر	20.000	400000	3000	12 ماہ

02 اہلیت: مندرجہ بالا سے متعلق کیٹیگری میں پاکستان انجینئرنگ کونسل سے رجسٹریشن برائے سال 2014
03 کوالیفیکیشن:

- گزشتہ 7 سالوں میں اسی طرح کے انجام دیئے گئے دو کاموں کی فہرست
- فرم/کنٹریکٹری اپنی ملکیت میں ایکویٹنس مشینریز اور ڈرائیو پورٹ کی تفصیل
- گزشتہ 3 سالوں کیلئے فنانشل اسٹیٹمنٹ (سری) اور آگم ٹیکس ریٹرن
- مقدمہ بازی (آکر کوئی) کی فہرست اور مقدمہ بازی کی نوعیت
- حلف نامہ کہ فرم کبھی بلیک لسٹ نہیں کی گئی
- فرم کے ساتھ کام کرنے والے تکنیکی عملے کے نام، تعلیمی قابلیت اور تجربہ

04 پروکیورمنٹ کا طریقہ: سنگل اسٹیج سنگل اینو بیس

05 قواعد و ضوابط

- مندرجہ ذیل صورت میں بولی مسترد ہو جائے گی۔
- مشروط اور ٹیلی گرافک بولیاں/ٹینڈرز
- مطلوبہ رقم اور فارم کی بڈ سیکورٹی کے بغیر بولیاں
- مجوزہ تاریخ اور وقت کے بعد موصولہ بولیاں
- بلیک لسٹ فرمز
- زیر دستخطی کو بلا اظہار وجوہ کسی یا تمام ٹینڈرز کو قبول/مسترد کرنے کا حق حاصل ہے

ٹینڈرز کھلنے کی تاریخ	ٹینڈرز جمع کرانے کی آخری تاریخ	درخواست کی وصولی اور ٹینڈر دستاویزات کے اجراء کی آخری تاریخ	پہلی تاریخ
03-06-2014	03-06-2014	03-06-2014 سے	اشاعت کی تاریخ سے دن 11:00 بجے تک
20-06-2014	20-06-2014	20-06-2014 سے	اشاعت کی تاریخ سے دن 11:00 بجے تک

ایگزیکٹو انجینئر
ہائی ویز ڈویژن
کشمور واقع کندھ کوٹ

زندگی جیتی ہے۔۔۔۔۔
اسے نشیات لے کر ختم نہ کریں۔

INF-KRY:No. 1779/14



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
ATTA TURK AVENUE, G-5/2
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices
(Section 33B & C of NAO 1999)

5-2(75)Pre/A&P/NABHQ/2013
January 08, 2014 /40

All Ministries / Divisions /
Departments / Regulatory Bodies
and Corporation etc. (Ist attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT PROCESS FOR TRANSPARENCY AND
MERCITOCRACY

To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in *downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribes by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)*
- e. Mis-procurement declared and falling within Rule 50 of PP Rules 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.

2. The above information be communicated to all subordinate offices responsible for procurement processes.

3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 33C of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ
Ph: 051-9245537
Fax: 051-9245908

Copy for info to:-

- a. PS to Chairman NAB
- b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
- c. Addl. Directors Staff, All Regional NABs
- d. Director A&P, All Regional NABs
- e. MD, Punjab Public Procurement Regulatory Authority, Lahore