



# TRANSPARENCY INTERNATIONAL-PAKISTAN

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12<sup>th</sup> April, 2018

TL18/1204/5A

Chairman,  
Oil and Gas Development Company Limited (OGDCL),  
Jinnah Avenue,  
Islamabad.

**Sub: Complaint Received Regarding Hiring Of Caravans For Nashpa Oil Field -  
Tender Inquiry No. PROC-SERVICES/CB/PE&FD-3172-A/2018.**

Reference: a. Bid submitted by the firm against the subject contract dated 12<sup>th</sup> March 2018.  
b. Technical Evaluation Report of the subject contract uploaded on OGDCL website.

Dear Sir,

Transparency International Pakistan has received has received complaint, from M/s Taha Enterprises dated 9<sup>th</sup> April, 2018 regarding 'Request for Redressal of Grievance under Rule 48 of the Public Procurement Rules- in Tender for Hiring of Caravans for Nashpa Oil Field -Tender Inquiry No. PROC-SERVICES/CB/PE&FD-3172-A/2018.

The Complainant has made the following allegations;

1. It is submitted that the firm participated in the bidding proceeds of the subject contract dated 12<sup>th</sup> March 2018. The bid was prepared strictly as per the instruction to bidders and was timely submitted in the prescribed matter. Also, the bid was prepared in a most professional manner and even architecture plans for each type of the porta cabin were drawn in AutoCAD Software and were submitted in the bid.
2. However, it was quite shocking for us when the Technical Evaluation Report of the subject contract was uploaded on OGDCL website with the firm's status as "Technically NON Responsive" with the following remarks / reason: "Original Bid Bond / Pay Order was submitted during technical bid opening at 11:00 Hours. Whereas, the time for submission of the along with original bond was 10:30 Hours."
3. In this regard, it is to apprise that the bid along with the bid security (the briefs of which are as under) was timely submitted and a copy of the bid security was attached with Technical (with both Original & Copy) & Financial Proposal. However, original bid security got mixed with our office copy of Technical Proposal (available to us at that time). While opening the Technical Proposal, Bid Opening Committee inquired about the original bid security, the same was traced from ours office copy (of Technical Proposal) and was immediately handed over to the committee there and then without leaving the bid opening venue / premises.

#### Briefs of Bid Security

Instrument / Ref No. Pay Order / No. 04187844

Issuance Date: 09-03-18 (got issued 3 days prior to bid submission deadline)

Amount: PKR 1,232,400/-

Issuing Bank: Standard Chartered Bank Chung Branch (124) Lahore

(scanned copy attached)



4. The Bid Security was accepted by the Bid Opening Committee and nothing adverse was announced by the Committee which concludes that the Bid was quite responsive during the initial scrutiny / opening of the technical bid. It may be conclude that the purpose of the bid security submission was perfectly served i.e., the procuring agency still has the assurance that the bidder will sign the contract or otherwise will got his bid security forfeited. The original Bid Security is still with OGDCL and the copies of which is annexed with the Technical (with both Original & Copy) & Financial Proposal.
5. However, the technical evaluation report has been drafted in a manner to give an impression that the bid security was arranged belatedly on the bidding day which is absolutely extraneous in the light of the aforementioned facts. Regretfully, we have been compelled to construe that the detailed technical evaluation has not been carried out impartially which tantamount to collusion / connivance / inclination. How-come a bidder is non-responsive if he has submitted the bid security the copy of which is annexed with Technical and Financial proposals submitted to OGDCL at 10:00 AM?
6. Foregoing in view and as per the provision of Rule-48 of the Public Procurement Rules (Redressal of Grievance by the procuring agency), we hereby request that the designated Grievance Committee of OGDCL may be allowed to investigate and decide upon the instant complaint and instruct the procurement section for suspension of the procurement proceeds, please.

TI Pakistan has examined the complaint and prima facie the bid of complainant is responsive on account of Bid Security submitted before tender opening time.

OGDCL is requested to allow the complainant's bid as responsive, or discharge the tender and re-invite the bids, in order to avoid violation charge of mis procurement under rule 50.

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

With Regards,

Justice Zia Perwez  
Former Judge of Supreme Court of Pakistan and High Court of Sindh  
Trustee- TI-Pakistan

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

1. Secretary to Prime Minister, Islamabad.
2. Director General, NAB, Rawalpindi.
3. Chairman, Prime Minister's Inspection Commission, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, PPRA, Islamabad.

**Bid Security**



*Handwritten signature*  
SHAFQAT ALI  
Managing Partner  
TAHA ENTERPRISES  
23-Km, Multan Road, Lahore

Account Payee Only

Standard Chartered  
124 CHINA ROAD, KARACHI

P.O. No. 04187844

Stationery/Ret No: 04187844

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Pay to OGDCL or Order

rupees ONE MILLION TWO HUNDRED THIRTY-TWO THOUSAND FOUR HUNDRED ONLY.

PKR 1,232,400.00\*\*

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V/C # 09-9016422-72  
BILLS PAY SCB CONSUMER

PAYABLE AT ANY BRANCH IN PAKISTAN.  
Please do not write below this line.

*Rashid Mehmood*  
1549282

Signatory  
PA/Attorney No

*1388976*

Signatory  
PA/Attorney No

0418784403800711

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