



**T R A N S P A R E N C Y
I N T E R N A T I O N A L - P A K I S T A N**

Plot 72-F/2, 1st Floor, 9th Street, Jami Commercial,
Phase VII, Defence Housing Authority, Karachi
Phone: +92-21-35390408, 35311898
Fax: +92-21-35390410
Email: ti.pakistan@gmail.com
Website: www.transparency.org.pk

6th September, 2023

TL2023/0906/3A

Mr. Masroor Khan,
Chairman,
Oil & Gas Regulatory Authority (OGRA),
Islamabad.

Subject: Violation of PPRA Rules 2004, Senior Executive Director (OSC), Oil & Gas Regulatory Authority (OGRA), Islamabad's Request for Expression of Interest for Selection of Consultant Firms for Undertaking Study on Strategic Storage/ Stocks.

Dear Sir,

This is with reference to your tender notice published in daily 'Dawn' newspaper on 29th August, 2023. The said advertisement is in violation of Public Procurement Regulatory Authority (PPRA) Rules 2004, Rule 33(1) 'Rejection of bids'.

In the said tender notice, it is stated under p. 10 that; "OGRA reserves the right in its sole discretion to accept or reject any bid without assigning any reason thereof."

As per PPRA 2004, Rule No. 33, the procuring agency shall upon request communicate to any bidder who submitted a bid or proposal, the grounds for its rejection but is not required to justify those grounds. Hence, it is a violation PPRA Rule No 33.

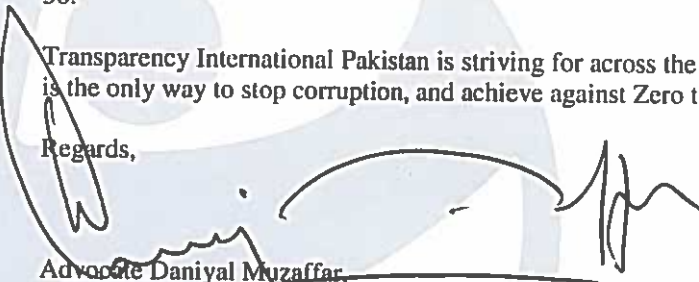
The Rule is quoted below for your reference;

33. Rejection of bids.- (1) The procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The procuring agency shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals, but is not required to justify those grounds.

Chairman is requested to kindly notify Senior Executive Director (OSC), OGRA to rectify the given mistake and issue corrigendum in accordance with PPRA 2004 to avoid 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, and achieve against Zero tolerance against corruption.

Regards,


Advocate Daniyal Muzaffar,
Trustee/Legal Advisor
Transparency International Pakistan

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

1. Principal Secretary to Caretaker PM, PM House, Islamabad
2. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad
3. Chairman, NAB, Islamabad
4. Managing Director, PPRA, Islamabad



Note:

TI Pakistan act as whistleblower and operate under Article 19-A, of the Constitution of Pakistan which gives the right to public to know how government is being run by public officers. Article 19-A makes the right to access of information pertaining to a public authority a fundamental right, Justice Syed Mansoor Ali Shah in his landmark judgment in case of Ataulah Malik v. Federation of Pakistan includes following order;

Right to information is another corrective tool which allows public access to the working and decision making of the public authorities. It opens the working of public administration to public scrutiny. This necessitates transparent and structured exercise of discretion by the public functionaries. Article 19-A empowers the civil society of this country to seek information from public institutions and hold them answerable. PLD 2010 Lahore 605.

آئل اینڈ گیس
ریگولیشن اتھارٹی
حکومت پاکستان



Oil & Gas
Regulatory Authority
Government of Pakistan

REQUEST FOREXPRESSSION OF INTEREST

Under Regulation 3(B) of The PPRA Regulations of Consultancy Services Regulation 2010
**SELECTION OF CONSULTANT FIRMS FOR UNDERTAKING STUDY
ON STRATEGIC STORAGE/STOCKS**

1. Oil & Gas Regulatory Authority (OGRA), formed under the OGRA Ordinance, 2002 regulating Oil and Gas Sector in Pakistan and dealing with licensing of Oil Infrastructure/logistics vis, Refineries, Storages, Oil Pipeline, Installation oil testing facility, undertake marketing of refined oil products and the related issues. As advised by the GOP, OGRA intends to carry out a study to develop an overall framework for the development of Strategic Petroleum Reserve (SPR) for crude oil and refined oil products, consistent with the government's energy security considerations in line with prevailing international best practices.
2. OGRA invites reputable consultant firms who are on Active Taxpayers List of the Federal Board of Revenue for the services of conducting studies/research, having minimum of ten years' experience of carrying out study/research on strategic reserves requirement, specifically Crude oil and Refined Oil Products. The firm must have strong knowledge of the international practices of SPR, as well as the local factors like a country's geographical/geopolitical and economic position in addition to the technical/financial knowledge i.e. local refineries' configuration, capacities, consumption centers, lead time, mechanism for replenishing the stocks, its control, monitoring and cost of SPR etc.
3. Interested consultant(s) must provide detailed CV(s) of member(s) of core team highlighting relevant experience.
4. The applicant consultant firm and/or its personnel must not be incumbent employee of OGRA licensees in mid and downstream oil sector, or have any direct/indirect relation with OGRA, Petroleum Division or Ministry of Defense, in addition to not having any business, rendering it in conflict of Interest with the above assignment as per section 4 of the PPRA Regulation of Consultancy Services Regulation 2010. The Applicant to provide the undertaking in the form of an affidavit to the above effect.
5. The applicant has not been declared blacklisted or debarred by any local procuring agency and/or foreign country, International organization, and/or other foreign institutions. The Applicant to provide the undertaking in the form of an affidavit to the above effect.
6. Method of selection will be Quality and cost basis in line with section 3 (b) of the PPRA Regulations of Consultancy Services Regulation 2010. The Financial Bid should contain a lump sum figure, inclusive of all charges. Conditional bids shall not be accepted.
7. The Technical and Financial Proposals shall be received in separate sealed envelopes within 30 calendar days i.e. till 11:00 AM on 2nd October, 2023 and only Technical Proposals shall be opened in the first instance for technical evaluation on same date at 11:30 AM in the presence of the bidders, or their authorized representatives, who may like to present bids to the Senior Executive Director (OSC) in OGRA office.
8. The financial proposals of the technically responsive/ or qualified applicant, under regulation 3(B) of the PPRA Regulation of Consultancy Services Regulation 2010, shall be opened in the presence of the bidders on a date and time to be communicated to them in advance. The financial bids should be valid for three months from date of opening of technical bids.
9. Each envelopes containing the proposals, shall clearly be marked separately, "Technical Proposal" and "Financial Proposal".
10. OGRA reserves the right in its sole discretion to accept or reject any bid without assigning any reason thereof.
11. Scope of work/TORs and evaluation criteria can be obtained from the OGRA website www.ogra.org.pk and PPRA website www.ppra.org.pk.
12. In case bid opening date is falling on a holiday, the bid will be opened on next working day at same time. This advertisement is also available on OGRA and PPRA website at www.ogra.org.pk and www.ppra.org.pk.

Senior Executive Director (OSC)
Oil & Gas Regulatory Authority
Plot No 54-B, Fazl-e-Haq Road,
Blue Area, Islamabad Pakistan.
Email: asajjad@ogra.org.pk

PHD (T) 1306223
Newspaper (25 Aug, 2023)