



上海电气  
SHANGHAI ELECTRIC

Ref.: RFB-DASU-ISW-20240510

Date: 10<sup>th</sup> May 2024

**Attention:** Federal Minister of Energy, Power Division,  
Islamabad, Pakistan

**SUBJECT: CONTINUOUS VIOLATIONS IN AWARD OF THE CONTRACT**

*Tender No. RFB-DASU-ISW for Plant Design, Supply and Installation of  
765/500/220/132 kV Islamabad West New Grid Statin under National  
Transmission Modernization Project- I,*

- Ref: 1- Contract Award Notice containing Notification of Award NOA No. CEPD/DM(C)/F-L4-8/977 dated 05-03-2024  
2- NOIA No. CEPD/DM(C)/F-L4-8/823 dated 26-01-2024  
3- Our complaint letter no. RFB-DASU-ISW-20240208 dated 08-02-2024  
4- NTDC reply letter no. CEPD/DM(C)/F-L4-8/896-902 dated 05-03-2024  
5- Our second complaint letter no. RFB-DASU-ISW-20240313 dated 13-03-2024  
6- NTDC reply letter no. CEPD/DM(C)/F-L4-8/970-76 dated 25-03-2024  
7- Our third complaint letter no. RFB-DASU-ISW-20240426 dated 26-04-2024

Dear Sir,

In continuation of abnormal, unfair, illegitimate evaluation and unwarranted support of the bidder NWEPMI-TBEA JV, NTDC has yet again violated the Clause ITB 51.1/51.2 of the Bidding Document which states:

**ITB-51.1:** *Within twenty-eight (28) days of the receipt of the Letter of Acceptance from the Employer, the successful Bidder shall furnish the Performance Security in accordance with the General Conditions GCC 13.3, subject to ITB 42, using for that purpose the Performance Security Form included in Section X, Contract Forms, or another form acceptable to the Employer.*

**ITB-51.2:** *"Failure of the successful Bidder to submit the above-mentioned Performance Security or sign the Contract shall constitute sufficient grounds for the annulment of the award and forfeiture of the Bid Security. In that event the Employer may award the Contract to the Bidder offering the next Most Advantageous Bid.*

NWEPMI-TBEA JV was required to submit the Performance Guarantee within twenty-eight (28) days of the issuance of the NOA starting from 27-03-2024, pursuant to ITB 51.1. However, after the expiry of this **28 days** mandatory period on 24-04-2024, the Bid of the M/s NWEPMI-TBEA JV shall have been outright rejected and the next responsive bidder shall be sought for award, but they were illegitimately given the "usual special treatment" by giving them unfair extension till 02-May-2024. The bidder even refused to submit the PG by this new extension date and if the first gross violation and illegal act was not sufficient enough, NTDC has once again supported their favorite bidder with yet more time to deliver the PG until 15-05-2024. We are yet to hear from