



20th July, 2017

Chief Election Commissioner,
Election Commission of Pakistan,
G-5/2,
Shah-e-Dastoor,
Islamabad.

Sub: Allegation of violation of PPRA Rules in billions of rupees tender for procurement of Election Material including Ballot Boxes, for 2018 General Elections.

Dear Sir,

Further to the letter sent by Transparency International Pakistan on 30th June 2017, another complaint is received in respect of a tender for procurement of Election Material including Ballot Boxes, for 2018 General Elections alleging the violation of PPRA Rules in billions of rupees tender for procurement of Election Material including Ballot Boxes, for 2018 General Elections. (Copy Enclosed).

Following observation of Transparency International Pakistan were sent, which were most probably not examined by the CEC.

- A. CEC must not demand a particular size, make or model. The size of ballot box given in tender is fixed, with no variations allowed, with very specific sizes and weights, which indicates that such boxes already being manufactured by some supplier. It shall be made open, with margin of plus and minus for acceptable variation,

Box- Length 420 mm Width 375 mm, Height 370 mm, Weight 1755 gms.,
Cover-Length 423 mm, Width 383 mm, Height 14.5 mm, Weight 616.5 gms

- B. The Tender is invited on Single Stage two Envelop Procedure, but in tender opening, it is mentioned that the prices will be announced at the time of tender opening in violation of PAPRA Rules as this is a material supply, procurement, for which single stage single envelop procedure should be used. .
- C. In Section 16, Evaluation Criteria, it is stated that 60% will be technical weightage 40% will be financial weightage. In case single stage single envelop procedure is not adopted, then the weightages shall be changed to 40% technical weightage and 60% financial weightage.
- D. Provision of Integrity Pact is not provided in tender, which is mandatory as per PPRA Rule No 7. Procurements exceeding the prescribed limit (in this case Rs. 10 million).



- E. shall be subject to an integrity pact, as specified by regulation with approval of the Federal Government, between the procuring agency and the suppliers or contractors.
- F. The bidders are not provided the information that the tender will be awarded to one bidder only, or will be divided amongst the lowest responsive evaluated bidders for 6 different procurement, viz. Ballot Boxes, Bags, Screens of compartments, Plastic Seal, non woven bags, stationary and assorted material.

The complainant has made following allegations;

1. The technical proposals were opened in front of bidders, and financial proposals were not opened on the date and time of tender opening.
2. The complainant has fully complied with the requirement of Tender, and supplied the Sample of ballot box, as per item No.5. on page 19.
3. The two other items, Foldable Screened off Component, and Security Seals with Monogram and consecutive numbering were not required in the ECP Tender Documents, and therefore the samples were not supplied to CEC with the tender on the tender submission day i.e.10th July 2017.
4. However, as they already have the samples prepared, though not required to submit them with the tender, they sent the two samples by special messenger on 18 July, and after the ECE refused to take them, they sent them to CEC by courier service. But CEC again refused to take the samples.

Transparency International Pakistan observations;

1. According to Public Procurement Rules 2004, submission of tender is defined in Rule No 22 which is reproduced here under:

22. Submission of bids.- (1) The bids shall be submitted in a sealed package or packages in such manner that the contents are fully enclosed and cannot be known until duly opened. (2) A procuring agency shall specify the manner and method of submission and receipt of bids in an unambiguous and clear manner in the bidding documents.

2. The tender conditions can not be changed after opening of tender.

PPRA Rule No (30)(3) A bid once opened in accordance with the prescribed procedure shall be subject to only those rules, regulations and policies that are in force at the time of issue of notice for invitation of bids.

3. Integrity Pact as required under PPRA Rule No 7 is also not incorporated by CEC in the Tender Documents, and which if not already amended before Tender Opening, can not be incorporated now.

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Chief Election Commissioner, is requested to examine the complaint, and address the complaint keeping in view TI Pakistan observations, and is requested to comply with Rule No 22 and Rule No 30, as violation of these rules will render this procurement as mis-procurement under Rule 50.

Fair and Transparent Elections shall be held by CEC and CEC must be complying with all rules of PPRA.

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 Muzaffar
Chairman

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

1. Secretary to Prime Minister, Islamabad.
2. Registrar, Supreme Court of Pakistan, Islamabad,



July 18, 2017

Chief Election Commission
Election Commission of Pakistan,
Election House,
Constitution Avenue, G-5/2,
Islamabad.

SAMPLE SUBMISSION OF SCREENED OFF COMPARTMENTS AGAINST TENDER#
F.1(1)/2016-GS S#42 DATED 06/07/17

Dear Sir,

I am writing to you in reference to the subject tender.

Please note that we had submitted our bid in person on July 10th 2017 for the subject tender but we did not submit our sample with the bid as it was not mentioned in the tender documents. Also we had asked for clarification whether we have to submit sample with the tender (copy attached), but we did not receive any explanation on this matter and then during the opening of tender we were let known that the sample is to be submitted with the tender.

On July 18, 2017 at approx. 12:00 a.m. we sent our representative to submit the sample of the subject item Syed Abid Hussain Shah who is Deputy Director (GS), he outright refused to accept our sample, not only that when we asked to provide a written response stating reason for not accepting our sample Mr. Abid even refused to do that; he even outright refused to talk on phone for clarification of the matter.


After their refusal we have sent sample along with covering letter through TCS (copy attached).

Plot # C-79, Estate Avenue, Opp. JS Bank S.I.T.E. Branch S.I.T.E Karachi.
Ph: (+92-21) 32560390-91 Fax: (+92-21) 32560392 E-mail: kolachee999@hotmail.com

Kolachee International

It can be noted that the Financial bid which was to be opened on July 10th has not yet been opened thus we should be allowed to submit our sample and you would agree that healthy competition is beneficial for the all the stakeholders and the award should be on merit so we request you to accept our sample.

Sincerely,


Manager Admin
Kolachee International



Enclosure: As stated above

CC: DG Admin Election Commission of Pakistan Brigadier (retd). Muhammad Naeem Akber Qazi

PPRA, Islamabad

✓ Transparency International Pakistan

Kolachee International

8th July 2017

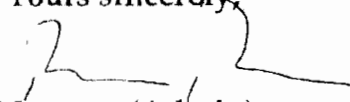
Syed Abid Hussain Shah,
Deputy Director (GS),
Election Commission of Pakistan,
Islamabad.

Subject:- TENDER NOTICE OF ELECTION MATERIAL FOR GENERAL
ELECTION 2018.

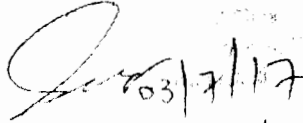
Reference your letter No.F.1(1)/2016-GS dated 30th June 2016, received by mail on 3rd July ,2017, mentioned that samples of election materials are displayed in your office, our representative can get detailed specifications and drawing etc . Can we have to submit the sample before opening the tender and can it vary from 5% to 10% of actual size design and weight? Which is not mentioned in bidding documents.

It is threfore, requested that kindly provide drawing , specifications and pictures of election material because these are not mentioned/included in the bidding documents too.(Note. Due to urgency of this matter you can call our representative in Islamabad to receive your letters/documents etc. if possible, Mr. Ghulam Miran cell No. 0333-5702720. E-mail:- gmiran81@yahoo.com).

Yours sincerely,


Manager (Admin)

Kolachee International


03/7/17
at : 4:15 PM



History ID: 0717ISBX281042018530004



2264165431

COURIER

153 153

Shipment Detail | Coupons | Discount

Delivery Time - 18/07/2017 10:00

Declared Value 5.00

Ref. No.

1 7.00

0 0 0

HTC ON J1

CASH

Service	1,121.00
Out of Serv	0.00
Handling	0.00
Others	0.00
GST	179.00
Ins.Chg	0.00
Partner Amt.	0

SHEETS
SCREENED OF COMPARTMENTS

Receiver's Signature

Date 18/07/2017
Time 18:00:58

Shipping Details

From 20188 BUDHRA BIDI
To 228104 Date 18/07/2017 18:00:58

Receiver: AADPARA EXPRESS CENTRE
Signature

Total 1300

Shipper Copy

DEACHEE INTL
1019
OFFESTATE AVENUE OPP
J5 BANK SITE BRANCH
SITE K/8
Ph: 011-8250117
SMS: 011-8250117
Email:

DEPUTY DIRECTOR
105
ELECTION COMMISSION OF PAKISTAN
ELECTION HOUSE CONSTITUTION
AVENUE G-12, ISLAMABAD PAKISTAN
Ph: 011-204543

123

Shipper's Signature

A 287 number... (small text at the bottom)

110... (small text at the bottom)

Vertical text on the right edge of the document.



July 18, 2017

Chief Election Commission
Election Commission of Pakistan,
Election House,
Constitution Avenue, G-5/2,
Islamabad.

SAMPLE SUBMISSION OF PLASTIC SEALS AGAINST TENDER# F.1(1)/2016-GS
S#25 DATED 19/06/17

Dear Sir,

I am writing to you in reference to the subject tender.

Please note that we had submitted our bid in person on July 10th 2017 for the subject tender but we did not submit our sample with the bid as it was not mentioned in the tender documents. Also we had asked for clarification whether we have to submit sample with the tender (copy attached), but we did not receive any explanation on this matter and then during the opening of tender we were let known that the sample is to be submitted with the tender.

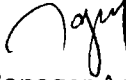
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After their refusal we have sent sample along with covering letter through TCS (copy attached).

Kolachee International

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Sincerely,



Manager Admin
Kolachee International



Enclosure: As stated above

CC: DG Admin Election Commission of Pakistan Brigadier (retd). Muhammad Naeem Akber Qazi

PPRA, Islamabad

Transparency International Pakistan

Kolachee International

3rd July 2017


Syed Abid Hussain Shah,
Deputy Director (GS),
Election Commission of Pakistan,
Islamabad.

Subject:- TENDER NOTICE OF ELECTION MATERIAL FOR GENERAL
ELECTION 2018.

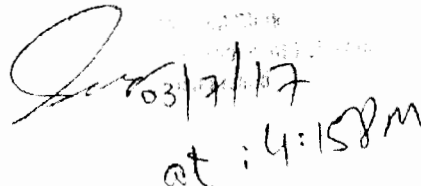
Reference your letter No.F.1(1)/2016-GS dated 30th June 2016, received by mail on 3rd July 2017, mentioned that samples of election materials are displayed in your office, our representative can get detailed specifications and drawing etc . Can we have to submit the sample before opening the tender and can it vary from 5% to 10% of actual size design and weight? Which is not mentioned in bidding documents.

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Yours sincerely,


Manager (Admin)

Kolachee International


03/7/17
at : 4:15pm

Office Copy

Kolachee International

July 17 2017

Deputy Director (GS)
Election Commission of Pakistan,
Election House,
Constitution Avenue, G-5/2
Islamabad.

**OPENING OF TENDER S#F.1(1)/2016-GS S#25 DATED 19/6/17 FOR BALLOT
BOXES & PLASTIC SEALS**

Dear Sir

I am writing to you in reference to the subject tender

Please note that we had submitted our bid in person on July 10th 2017 for the subject tender and this tender was scheduled to be opened on July 10, 2017 but you had only opened technical bid not the financial bid.

You are requested to let us know in writing through post and email (given under) at least 3 days before date of opening of the financial bid so that our bid is opened in the presence of our representative

I look forward to your reply

Sincerely,



Rehan Mansoor
MD & CEO
Kolachee International



Contact Persons:

Mr. Mahmood Ahmed 0300-8243354
Mr. Tanzeel ur Rehman 0321-2251935



13/7/17

13/7/17

Plot # C-79, Estate Avenue, Opp. JS Bank S.I.T.E. Branch S.I.T.E Karachi.
Ph: (+92-21) 32560390-91 Fax: (+92-21) 32560392 E-mail: kolachee999@hotmail.com



EMPLOYEE INTL
 11 STATE AVENUE OPP
 BANK SITE BRANCH
 SITE NO

Phone: 0214230327

DEPUTY DIRECTOR, OS

SECTION CHIEF SIGN OFF
 IN ELECTION HOUSE
 CONSTITUTION AVENUE, OS, 2
 Phone: 021224343

Signature

History ID 071718BX281042C18830034



2354165440

Shipment Detail | Coupon | Discount
 Delivery Time
 18/07/2017 10:00
 Declared Value
 0.00

Ref. No
PLASTIC SEALS
DOCUMENTS
Security Check
Exp. Centro
Abpara lab

Receiver's Signature
 Date 18/07/2017
 Time 18:32:50

Posting Details
 Staff 20188 BUSIRA BBI
 Route X28104 Date 18/07/2017 18:32:50

Sender's Signature
 AADPARA EXPRESS CENTRE

COURIER

ISS 188

Price 0.50
 Gross weight of shipment

Service Type 000

HTC ON

CASH

Charges	Rate
Service	345.00
Out of Serv	0.00
Handling	0.00
Others	0.00
GST	55.00
Ins.Chg	0.00
Partner Amt.	0

Total 400

Shipper Copy

A Post Courier parcel service shipping you to send your documents & parcels up to 10kg with up to 10kg weight and volume. The parcel is sent to you in 30 minutes guaranteed. Post and parcel insurance, and Sender's Signature Required. Insurance is 1% of the amount, up to 100,000.

For more details contact us
 Email: info@tcs.com.sg & 1600-0000