

MOST IMMEDIATE

GOVERNMENT OF PAKISTAN
PRIME MINISTER'S INSPECTION COMMISSION


No. F.1(1)/Member/PMIC/2022

Islamabad, the 25th July, 2022

Subject: VIOLATION BY WAPDA IN THE PUBLICATION OF THE CONTRACT AGREEMENTS ON PPRA WEBSITE UNDER PUBLIC PROCUREMENT RULES, 2004, RULE 47, MIS-PROCUREMENT RULE 50.

Reference Transparency International Pakistan's letter No. TIP2022/0718/1A dated 18th July, 2022 on the subject cited above.

2. Please find enclosed copy of Ministry of Communications, Islamabad's letter No. 6(3)/2020-Roads-I, dated 18-07-2022, for information.


(Mohammad Naeem Jan Khan)
Member

Ms. Yasmeen Lari,
Chairperson,
Transparency International Pakistan,
Karachi.

**GOVERNMENT OF PAKISTAN
MINISTRY OF COMMUNICATIONS**

F. No. 6(3)/2020-Roads-I

Islamabad the 18th July, 2022


Subject: **VIOLATION BY MINISTRY OF COMMUNICATION IN THE PUBLICATION OF THE CONTRACT AGREEMENT ON PPRA WEBSITE UNDER PUBLIC PROCUREMENT RULES, 2004, RULE 47, MIS-PROCUREMENT RULES 50**

Reference Prime Minister's Inspection Commission letter No.F.1(1)/Member/PMIC/2022 dated 13th July, 2022. NHA's letter No. 2(536-01)/GM(P&CA) NHA/2022/403 dated 15-07-2022 on the subject noted above is enclosed, which is self-explanatory.

2. NHA being the procuring agency working under Ministry of Communications (MOC) has been regularly uploading proformas i.e. attachment-I and attachment-II circulated by PPRA vide PPRA letter No.1(5)/M&E/PPRA/2018 dated 11th November 2021, on the PPRA's website. The PPRA website with reference to Public Tenders PCN 3809, PCN 3157, PCN 3359, PCN 3690 can be checked wherein NHA has uploaded the Contract award Proformas.

3. It is stated that Transparency International (TI) Pakistan vide their letter No. TIP2022/0704 /IA dated 4th July, 2022, have referred their earlier letter No. TLP2022 /0604/IA dated June 07, 2022 addressed to Principal Secretary to Prime Minister of Pakistan, by quoting Rule 51 and Rule 56 of SPPRA and BPPRA respectively, and requesting Ministry of Communications to follow these rules apart from Rule 47 of PPRA. It is hereby clarified that these provincial PPRA Rules do not apply on Federal Government Departments.

4. Foregoing in view, it is evident that NHA is complying with PPRA Rules by uploading requisite proformas. PPRA being a corporate body to regulate all procurement of works in the public sector has been fully coordinated by NHA, however, NHA will upload the Bill of Quantities along with contract award proformas in future.


(Abdul Razzaq)
Section Officer (Roads-I)

Mr. Mohammad Naeem Jan Khan, Member, Prime Minister's Inspection Commission, Islamabad.
Ministry of Communications U.O. No. 6(3)/2020-Roads-I dated 18-07-2022

Copy to:-

- SPS to Secretary Communication, Islamabad.

Chauhan PMIC
19/07/22



NATIONAL HIGHWAY AUTHORITY

Procurement & Contract Administration Section
28 Mauve Area, G-9/1, Islamabad ☎ 051-9032727, 📠 051-9260419

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No. 2(536-01)/GM(P&CA)/NHA/2022/403

15 July, 2022

✓ **Director (R&RT)**
Ministry of Communications,
Government of Pakistan,
Islamabad.


Subject: **VIOLATION BY MINISTRY OF COMMUNICATION IN THE PUBLICATION OF THE CONTRACT AGREEMENT ON PPRA WEBSITE UNDER PUBLIC PROCUREMENT RULES, 2004, RULE 47, MIS-PROCUREMENT RULES 50.**

Reference letter No.6(3)/2020-Roads-I dated 13.07.2022 on the subject noted above.

1. This is to inform that NHA being the procuring agency working under Ministry of Communications (MOC) has been regularly uploading proformas i.e. attachment-I and attachment-II circulated by PPRA vide PPRA letter No.1(5)/M&E/PPRA/2018 dated 11 November 2021, on the PPRA's website. The PPRA website with reference to Public Tenders PCN 3809, PCN 3157, PCN 3359, PCN 3690 can be checked wherein NHA has uploaded the Contract award Proformas, please

2. It is stated that Transparency International (TI) Pakistan vide their letter No.TIP2022/0704/IA dated 4th July, 2022, have referred their earlier letter No. TIP2022/0604/IA dated June 07, 2022 addressed to Syed Tauqir Shah Sahib, Principal Secretary to Prime Minister of Pakistan, in which they are quoting Rule 51 and Rule 56 of SPPRA and BPPRA respectively, and requesting Ministry of Communications to follow these rules apart from Rule 47 of PPRA. It is here clarified that these provincial PPRA Rules do not apply on Federal Government Departments.

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(SAMI UR RAHMAN)
General Manager (P&CA)

Copy to :-

- Chairman, NHA.
- Member (Planning), NHA.
- Member (Engg. Coord.), NHA

PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)

CONTRACT AWARD PROFORMA - I

To be filled and uploaded on PPRA Website in respect of all Public Contracts of Works, Services and Goods worth Rs. 50 million or more

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▶ NAME OF THE ORGANIZATION/DEPTT	National Highway Authority Federal Govt (Autonomous Body)				
▶ TITLE OF CONTRACT	REHABILITATION & UPGRADATION OF 54.80 KM LONG AWARAN - JHALJAO ROAD				
▶ TENDER NUMBER	2(537)				
▶ BRIEF DESCRIPTION OF THE CONTRACT	REHABILITATION & UPGRADATION OF 54.80 KM LONG AWARAN - JHALJAO ROAD				
▶ TENDER VALUE	Rs. 6,062,993,462.00				
▶ ENGINEER'S ESTIMATE (for civil works only)	Rs. 6,062,993,462.00				
▶ ESTIMATED COMPLETION PERIOD (AS PER CONTRACT)	1050 days from Engineer's notice to commence				
▶ WHETHER THE PROCUREMENT WAS INCLUDED IN ANNUAL PROCUREMENT PLAN?	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">x</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">v</td> </tr> </table>	Yes	x	No	v
Yes	x	No	v		
▶ ADVERTISEMENT (i) PPRA Website (Federal Agency) (ii) News Papers (iii)	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">v</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">x</td> </tr> </table> PPRA Ref No. TS465891E. 28th November 2021	Yes	v	No	x
Yes	v	No	x		
(ii) News Papers (iii)	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">v</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">x</td> </tr> </table> Roznama JANG, Roznama Dunya (Urdu Newspaper) and The DAWN (English Newspaper) on 28th November 2021 PID(13523/21)	Yes	v	No	x
Yes	v	No	x		
▶ TENDER OPENED ON (Date and Time)	Technical bids opened on 21st December 2021 at 1100 Hrs Financial Bids opened on 8th March 2022 at 1100 Hrs				
▶ NATURE OF PURCHASE	Procurement of works				
▶ EXTENSION IN THE DATE BIDDING	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">x</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">v</td> </tr> </table>	Yes	x	No	v
Yes	x	No	v		
▶ NUMBER OF TENDER DOCUMENTS SOLD	Nil. (Also available on NHA website for Free download)				
▶ WHETHER QUALIFICATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">v</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">x</td> </tr> </table> Qualification criteria included in Instruction to Bidders and BDS of bidding document	Yes	v	No	x
Yes	v	No	x		
▶ WHETHER BID EVALUATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">v</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">x</td> </tr> </table>	Yes	v	No	x
Yes	v	No	x		
▶ WHICH METHOD OF PROCUREMENT WAS USED - (a) SINGLE STAGE - ONE ENVELOPE PROCEDURE (b) SINGLE STAGE - TWO ENVELOPE PROCEDURE (c) TWO STAGE BIDDING PROCEDURE (d) TWO STAGE - TWO ENVELOPE BIDDING PROCEDURE (Please specify if any other method of procurement was adopted with brief reasons like Emergency, Direct Contracting, Negotiated Tendering, etc.)	(Tick one) <input checked="" type="checkbox"/> x <input type="checkbox"/> v <input type="checkbox"/> x <input type="checkbox"/> x				
WHO IS THE APPROVING AUTHORITY	NHA Executive Board				
▶ WHETHER APPROVAL OF COMPETENT AUTHORITY WAS OBTAINED FOR USING A METHOD OTHER THAN OPEN COMPETITIVE BIDDING	N/A				
▶ NUMBER OF BIDS RECEIVED	Four (04)				
▶ WHETHER THE SUCCESSFUL BIDDER WAS LOWEST BIDDER	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">v</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">x</td> </tr> </table>	Yes	v	No	x
Yes	v	No	x		
▶ WHETHER INTEGRITY PACT WAS SIGNED	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Yes</td> <td style="width:25%; text-align: center;">v</td> <td style="width:25%;">No</td> <td style="width:25%; text-align: center;">x</td> </tr> </table>	Yes	v	No	x
Yes	v	No	x		

PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)

CONTRACT AWARD REPORT FORM - II

To be filled and uploaded on PPRA Website in respect of all Public Contracts of Works, Services and Goods worth Rs 50 million or more

▶ No. OF BIDDERS PRESENT AT THE TIME OF OPENING OF BIDS

Four (04) bidders were present at the opening of Technical bid.
Four (04) bidders were present at the opening of price bid.

▶ NAME & ADDRESS OF SUCCESSFUL BIDDER

M/s ZIEC- PTA (Jv) (A joint venture of M/s Zhongding International Engineering Company Ltd. - M/s Progressive Technical Associate (Pvt) Ltd.) . Office No. M3 Mezzanine floor Block 47 Dossal Arcade Jinnah Avenue Blue Area Islamabad

▶ RANKING OF SUCCESSFUL BIDDER IN EVALUATION REPORT (I.e. 1st, 2nd, 3rd EVALUATED BID)

1st Lowest evaluated bidder

▶ NEED ANALYSIS (Why the procurement was necessary)

In the interest of public.

▶ IN CASE EXTENSION WAS MADE IN RESPONSE TIME, WHAT WERE REASONS (Briefly describe)

...N/A...

▶ WHETHER NAMES OF THE BIDDERS AND THEIR PRICES WERE READ OUT AT THE TIME OF OPENING OF BIDS

Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>
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▶ DATE OF CONTRACT SIGNING (Attach a copy of agreement)

19th May 2022

▶ CONTRACT AWARD PRICE

Rs. 5,146,410,630/-

▶ WHETHER COPY OF EVALUATION REPORT GIVEN TO ALL BIDDERS (Attach a copy of evaluation report)

Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>
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▶ ANY COMPLAINTS RECEIVED (If Yes, result thereof)

Uploaded on PPRA & NHA Websites. (PPRA Ref. No. EV40450, dated April 11, 2022)

▶ ANY DEVIATION FROM SPECIFICATIONS GIVEN IN THE TENDER NOTICE/DOCUMENTS (If yes give details)

Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>
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▶ DEVIATION FROM QUALIFICATION CRITERIA (If yes give details)

Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>
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▶ SPECIAL CONDITIONS, IF ANY (Give Brief Description)

N/A



Handwritten signature or initials.