



October 06, 2020

Managing Director,  
Public Procurement Regulatory Authority,  
FBC Building, 1<sup>st</sup> Floor,  
Sector G-5/2,  
Islamabad

**Sub: Publication of the Contract Agreements of WAPDA on PPRA Website under Public Procurement Rules, 2004, Rule 47**

Dear Sir,

Reference Pakistan Procurement Regulatory Authority letter dated September 23, 2020 regarding the subject above. TI Pakistan acknowledges the receipt of the copy of letter sent to PPRA by Water and Power Development Authority (WAPDA) vide their letter No.CCC-4061/469-70 dated September 14, 2020.

It may be noted that WAPDA has asked PPRA for the format on which the awarded contracts may be placed on the PPRA website. TI Pakistan would like to draw your attention to PPRA Rule 23 under which the documents of the Contract Agreement comprises of the following mentioned below, including the signing of integrity pact.

- a) Invitation to bid;
- b) instructions to bidders;
- c) form of bid;
- d) form of contract;
- e) general special conditions of contract;
- f) specifications and drawings or performance criteria (where applicable);
- g) list of goods or bill of quantities (dully filled);
- h) delivery time or completion schedule;
- i) bid evaluation criteria;
- j) format of all securities required (where applicable);
- k) details of standards (if any) that are to be used in assessing the quality of goods, works or services specified; and
- l) any other detail not inconsistent with these rules that the procuring agency may deem necessary

It is noted that PPRA under PPRA Regulations 2008 dated July 11, 2008 had also made it mandatory for Contracts of or above Rs. 50 Million to post pro-formas (Annexure A and Annexure B) along with the Contract Documents on the PPRA website. For the contracts below Rs. 50 million, the procuring agencies are not required to post-pro-formas but the Contract Agreements are still required to be published on PPRA website. Therefore, procuring agencies cannot avoid posting of the Contract Agreement as per PPRA Rule 47, as the Regulation of PPRA Regulations 2008 is in addition to the requirement under PPRA Rule 47.

Similarly, under the National Accountability Bureau Ordinance NAO 1999, Section 33B, it is mandatory to submit Contract Agreement to NAB after signing of the contract (quoted below).

**NAO 1999 Section 33B: Reporting of public contracts:** "All Ministries, Divisions and Attached Departments of the Federal Government, all departments of Provincial and local governments, statutory corporations or authorities established by the Federal Government or Provincial Government and holders of public office shall furnish to NAB a copy of any contract, entered into by such Ministries, Divisions and Attached Departments of the Federal Government, all departments of Provincial Government or local government, statutory corporations or



authorities established by the Federal Government or Provincial Government or such holder of public office on its behalf, as the case may be, of the minimum monetary value of fifty million rupees or more, within such time as is reasonably practicable from the date of signing such contract”.

However, NAB pro-forma is also in addition to furnishing copy of the Contract Agreement under Section 33B of NAO 1999. (Annexure C)

TI Pakistan requests the MD PPRA to issue instruction to WAPDA and also to all procuring agencies regarding the format of Contract Agreement to be made available on PPRA website.

TI Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption and achieve zero tolerance against Corruption,

With Regards,

Sohail Muzaffar,  
Chairman  
Transparency International Pakistan

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 Fifty Million or More

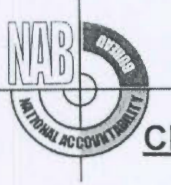
- \* NAME OF THE ORGANIZATION/DEPTT. \_\_\_\_\_
- \* FEDERAL / PROVINCIAL GOVT. \_\_\_\_\_
- \* TITLE OF CONTRACT \_\_\_\_\_
- \* TENDER NUMBER \_\_\_\_\_
- \* BRIEF DESCRIPTION OF CONTRACT \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- \* TENDER VALUE \_\_\_\_\_
- \* ENGINEER'S ESTIMATE \_\_\_\_\_
- \* (for civil Works only)
- \* ESTIMATED COMPLETION PERIOD \_\_\_\_\_
- \* WHETHER THE PROCUREMENT WAS INCLUDED IN ANNUAL  
 PROCUREMENT PLAN? \_\_\_\_\_ Yes/No
- \* ADVERTISEMENT:
  - (i) PPRA Website \_\_\_\_\_ Yes/No  
 (Federal Agencies) (If yes give date and PPRA's tender number)
  - (ii) News Papers \_\_\_\_\_ Yes/No  
 (If yes give names of newspapers and dates)
- \* TENDER OPENED ON (DATE & TIME) \_\_\_\_\_
- \* NATURE OF PURCHASE \_\_\_\_\_ Local/International
- \* EXTENSION IN DUE DATE (If any) \_\_\_\_\_ Yes/No

PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)

CONTRACT AWARD PROFORMA - II

To Be Filled And Uploaded on PPRA Website In Respect of All  
Public Contracts of Works, Services & Goods Worth  
Fifty Million Rupees or More

- \* NUMBER OF BIDDERS PRESENT AT THE TIME OF OPENING OF BIDS \_\_\_\_\_
  
- \* NAME AND ADDRESS OF THE SUCCESSFUL BIDDER \_\_\_\_\_  
\_\_\_\_\_
  
- \* RANKING OF SUCCESSFUL BIDDER IN EVALUATION REPORT  
\* (i.e. 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> EVALUATED BID).  
\_\_\_\_\_  
\_\_\_\_\_
  
- \* NEED ANALYSIS (Why the procurement was necessary?) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- \* IN CASE EXTENSION WAS MADE IN RESPONSE TIME, WHAT WERE THE REASONS (Briefly describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**NATIONAL ACCOUNTABILITY BUREAU**  
**Awareness and Prevention Division**

**Checklist under Section 33-B of National Accountability Ordinance,**  
**1999**

(Mandatory to be filled for public contracts / projects of 50 M and above for submission to A&P Division, NAB HQ, Islamabad)

1. Name of the Organization / Department \_\_\_\_\_
2. Federal / Provincial Government / Other \_\_\_\_\_
3. Title of Contract / Bid \_\_\_\_\_
4. Tender Number / Bid Number \_\_\_\_\_
5. Brief Description of Contract / Bid \_\_\_\_\_
6. Tender Estimated Value \_\_\_\_\_
7. Estimated Completion Period \_\_\_\_\_
8. Tender / Bid Opening (Date and Time) \_\_\_\_\_
9. Number of Tender Document Sold with names of Firms \_\_\_\_\_
10. Number of Bid Received with names of Firms:
  - a. With Bid Security \_\_\_\_\_
  - b. Without Bid Security \_\_\_\_\_
11. Number of Bidders present at the time of Opening of Bid \_\_\_\_\_
12. Name and Address of the successful bidder \_\_\_\_\_
13. Date of contract signing / bid signing \_\_\_\_\_
14. Contract award price \_\_\_\_\_
15. Method of procurement used \_\_\_\_\_
  - a. Single stage – one envelope
  - b. Single stage – two envelope
  - c. Two stage bidding procedure
  - d. Two stage – Two envelop
16. Approving authority for award of contract
  - a. Name \_\_\_\_\_
  - b. Designation \_\_\_\_\_
17. It is certified that following Documents are attached
  - a. Bid Evaluation Report.
  - b. Technical Committee Evaluation Report.
  - c. Qualification Criteria with Executive Summary.
  - d. Contract documents.
18. Particulars of officers who processed the contract for Technical, Administrative and Financial Sanctions

1.	Advertisement: i) PPRA Website (Federal Agencies) (If yes, give date and PPRA's tender number)	Yes	No
	ii) News Papers (If yes, give names of newspapers and dates)	Yes	No
2.	Nature of contract	Local	Int.
3.	Officer responsible to distribute tender form, name and designation. N a m e _ _ _ _ _ Designation _____		
4.	Number of forms distributed. _____(in words)		
5.	Whether qualification criteria, rectification of items were included in bidding / tender documents (if yes enclose a copy, If No, give reasons and attach).	Yes	No
6.	Whether bid evaluation criteria, specification of items were included in bidding / tender documents (if yes enclose a copy, If No, give reasons and attach).	Yes	No
7.	Whether approval of competent authority was obtained for using a method other than open competitive bidding?	Yes	No
8.	Was bid security (earnest money) not exceeding five percent of the bid price obtained from all the bidders?	Yes	No
9.	Whether the successful bidder was lowest evaluated bidder?	Yes	No
10.	Whether the successful bidder was technically qualified?	Yes	No
11.	Whether integrity pact was signed (if yes enclose a copy)?	Yes	No
12.	Whether names of the bidders and their quoted prices were read out at the time of opening of bids?	Yes	No
13.	Whether copy of evaluation report given to all bidders?	Yes	No
14.	Was any negotiation done in violation of applicable rules?	Yes	No
15.	1. Was procurement conducted in a fair and transparent manner and the object of procurement will bring value for money?	Yes	No
16.	2. Whether all Communications and documentation related to procurements were either in Urdu or English or both except where procuring agency is situated outside the territories of Pakistan?	Yes	No
17.	3. Whether procurement / tendering proceeded without any splitting or regrouping of the procurement?	Yes	No
18.	4. Whether the annual requirements were advertised in advance on website?	Yes	No
	5.		

19.	6. 7.	Whether the specifications given were allowing the widest possible competition and did not favor any single contractor or supplier not put others at a disadvantage?	Yes	No
20.	8. 9.	Whether the specifications were generic and did not include references to brand names, model numbers, catalogue numbers or similar classifications?	Yes	No
21.	10. 11.	The response time was not less than fifteen days (for national competition Bid) and thirty days (for international competition Biding)?	Yes	No
22.		In pre-Qualification following factors have been considered (a) Relevant experience and past performance. (b) Capability with respect to personnel, equipment and plant (c) Financial position. (d) Appropriate managerial capability	Yes	No
23.	12.	Whether the set of pre qualification documents was provided to all interested suppliers / contractors and only the cost of printing was charged for these documents?	Yes	No
24.	13.	Whether only the suppliers who were pre qualified were permitted to participate further in the procurement proceedings?	Yes	No
25.	14.	Whether the reasons for not pre qualifying have been communicated to all those suppliers or contractors who have not been pre qualified?	Yes	No
26.		Whether unambiguous and precise bidding documents were formulated which were made available to the bidders?	Yes	No
27.	15.	Whether the bid is subject to a bid validity period?	Yes	No
28.	16.	Whether the date for opening of bids and the last date for the submission of bids were the same? If not, then how many days or months gap is between the two.	Yes	No
29.	17. 18.	Whether all bids were opened publicly in the presence of the bidders or their representatives. Minutes of the bid opening were also recorded?	Yes	No
30.	19.	Whether bid submitted after the time prescribed were rejected without being opened?	Yes	No
31.	20.	Whether an appropriate evaluation criteria was formulated against which the bid was evaluated?	Yes	No
32.	21.	Whether all the bids were evaluated in accordance with the evaluation criteria?	Yes	No

33.	22.	Whether no bidder was allowed to alter or modify his bid after the bid have been opened?	Yes	No
34.		Whether no verbal request for clarification in the bid, made by the procuring agency was entertained. Except in writing?	Yes	No
35.	23.	Whether no such conditions was introduced which would discriminate between the bidders?	Yes	No
36.	24.	Whether in case of re bidding, the reasons for rejection have been assessed and specifications, evaluation criteria have been revised?	Yes	No
37.	25.	Whether bid evaluation report was announced at least ten days prior to the award of procurement contract?	Yes	No
38.	26.	Whether no negotiations with the bidders were made, provided that the extent of negotiation permissible shall be subject to the regulations issued by the authority?	Yes	No
39.	27.	Whether all information regarding the bid evaluation was kept confidential until the time of announcement of the evaluation report?	Yes	No
40.	28.	Whether a committee comprising of odd number of persons with proper powers and authorization was constituted to address the complaints of bidders prior to the coming into force of the procurement contract?	Yes	No
41.		Was it assured by the procuring agency that the selected firm is not blacklisted?	Yes	No
42.		Were proper safeguards provided on mobilization advance payment in the contract (bank guarantee etc)?	Yes	No

**Following Certificates duly signed by relevant Authorities are attached herewith:**

- a. Certificate by Technical Sanctioning Authority.
- b. Certificate by Principal Accounting Officer.

**Dated:** \_\_\_\_\_

(Signature & Official Stamp of Authorized Officer)

**Name** \_\_\_\_\_

**Designation** \_\_\_\_\_

**Department** \_\_\_\_\_



**Certificate to be Furnished by Technical Sanctioning Authority**

**Contract Details:** \_\_\_\_\_

It is to certify that all Quantities and Specifications of the \_\_\_\_\_  
(Name of work)  
as prepared and mentioned in the Bidding documents are as per actual  
requirements and have been verified by me.

**Name:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Department / Ministry:** \_\_\_\_\_

**Certificate to be Furnished by Principal Accounting Officer**

**Contract Details:** \_\_\_\_\_

It is to certify that, all requisite approvals for bidding process of \_\_\_\_\_  
(Name of work)  
including Administrative and Financial Sanctions have been made as per actual  
requirements in accordance with all prevalent Rules / Laws.

It is further certified that no exception / relaxation to any Rule / Law has  
been sought in any manner. *(In case, exception / relaxation to any Rule / Law is  
made, provide details as under and copies of such approvals to be attached herewith):*

<b>Sr. No.</b>	<b>Details of Rules / Laws Relaxed</b>	<b>Justification</b>	<b>Approving Authority</b>

**Name:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Department / Ministry:** \_\_\_\_\_