



6<sup>th</sup> January, 2015

Managing Director,  
Sui Northern Gas Pipelines Limited,  
Lahore.

Sub: Violation against PPRA Rules 2004.

Dear Sir,

Transparency International Pakistan has received a complaint from AJCL (copy enclosed). The complaint is self-explanatory, and indicates that SNGPL is trying to violate PPRA Rules 2004, to eliminate the bidder.

The complaint was send to MD, SNGPL on 31<sup>st</sup> December, 2014. SNGPL is required to investigate the complaint within 15 days, as per Rule No.48 which SNGPL seems to have violated.

**Rule No. 48. Redressal of grievances by the procuring agency.- (2) Any bidder feeling aggrieved by any act of the procuring agency after the submission of his bid may lodge a written complaint concerning his grievances not later than fifteen days after the announcement of the bid evaluation report under rule 35.**  
**(3) The committee shall investigate and decide upon the complaint within fifteen days of the receipt of the complaint.**

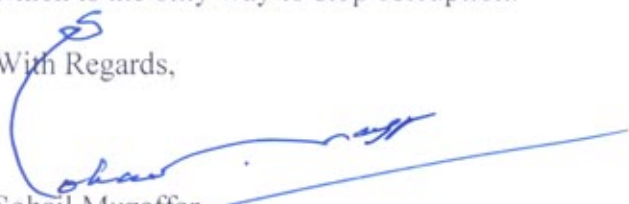
Besides NAB has issued letter dated 8/1/2014, with the subject "Measure for Prevention of Corruption in Public Procurement Process for Transparency and Meritocracy". (Annex B), according to NAB:

*Mis-procurement declared and falling within Rule 50 of PP Rules 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.*

Managing Director, SNGPL is requested kindly to follow PPRA Rules, in this case and if the complaint found to SNGPL is correct, then take action against responsible officers.

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. Chairman, NAB, Islamabad.
3. Registrar, Supreme Court of Pakistan, Islamabad.
4. Managing Director, PPRA, Islamabad.
5. Khuwaja Muhammad Asif, Federal Minister for Water & Power, Islamabad.

Our Ref : CED/NM/14

December 31, 2014

Managing Director,  
Sui Northern Gas Pipelines Limited,  
Gas House,  
21-Kashmir Road,  
P.O. Box 56  
Lahore.

Fax # 042-99201302  
99

Subject : SNGPL Tender Enquiry No. SN-3175/14 for Hydraulic Crane, Qty - 02.

Dear Sir,

We are writing this in response to SNGPL letter ref SN-3175/14 dated 26.12.2014 (copy enclosed Anx-A)

In response to the subject enquiry we had submitted offer of our Principal M/s. Sennebogen Maschinenfabrik GmbH, Germany, a reputed manufacturer of cranes.

SNGPL vide their letter reference SN-3175/14 dated 26.12.2014 (copy enclosed Anx-A) has informed that our offer has not been technically responsive as the same does not meet the post qualification clause 3.2(b&c) of Appendix A to the tender enquiry (copy enclosed Anx-B). This is not understood by us and we find the decision of SNGPL Not Correct and Not based on facts.

Clause 3.2(b) requires furnishing references of at-least 5 end users, whereas we did provide 16 references in our bid (copy enclosed Anx-C).

Contd....Pg/2

AJCL

\*\*\*2\*\*\*

Later SNGPL vide their letter reference SN-3175/14 dated 21.10.2014 (copy enclosed Anx-D) asked for providing sales reference list of at-least 3 more end users during the last 5 years and also to provide contact numbers / email address of 2 sales references in Pakistan. This all was fully provided vide our letter reference CED/NM/14 dated 24.10.2014 (copy enclosed Anx-E). After providing above information no further query was raised by SNGPL.

Clause 3.2 (c) requires evidence that the bidder is manufacturing the cranes for more than 5 years. We may inform that M/S. Sennebogen is manufacturing cranes since more than 50 years. Over the years they have manufactured and supplied large number of cranes in many countries where those are performing satisfactorily. In Pakistan M/S Sennebogen has provided similar cranes to FWO and PPL where those are working satisfactorily. This was highlighted in our covering letter to the bid documents. Their web site [www.sennebogen.de](http://www.sennebogen.de) may be viewed for more information regarding Sennebogen.

You would agree that the above said provides ample evidence meeting the requirements vide clause 3.2(b&c).

In view of the facts given above SNGPL decision that our offer has not been technically responsive is Not Correct and Not based on facts. You are therefore requested to review the decision and our offer should be declared technically responsive.

Your consideration to our request would be greatly appreciated.

Thanking you,

Yours faithfully,  
For AJCL (Private) Limited



Engr Niaz Muhammad

- Manager.



# SUI NORTHERN GAS PIPELINES LIMITED

FAX MESSAGE

Ref. SN-3175/14

Dated: 26.12.2014

M/s AJCL,  
Karachi  
Fax No. 021-34550597

Attn: Engr. Niaz Muhammad

Anx-A

Dear Sirs,

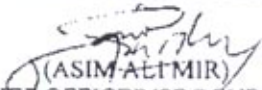
HYDRAULIC CRANE  
OUR TENDER ENQUIRY NO. SN-3175/14

Please refer to your offer and subsequent correspondence on the subject.

In this context, your offer against subject noted tender enquiry has not been technically responsive, as the same does not meet the post qualification clause # 3.2(b&c) of Appendix 'A' attached to the tender enquiry.

We, however, thank you for your interest shown in our organization.

Yours faithfully,  
SUI NORTHERN GAS PIPELINES LIMITED

  
(ASIM ALTMIR)  
DY. CHIEF OFFICER (PROCUREMENT)  
for MANAGING DIRECTOR



Telephones Exch: { +92-42)9082000  
+92-42)9082006

Telephones: { 042-99201449,  
99085024/28

Fax: 042-99201275

www.sngpl.com.pk



GRS  
ISO 14001

- (b) The bidder offering goods of foreign origin (outside Pakistan) shall furnish references (names and address and telex/fax/email of atleast five (5) end users outside manufacturers country to whom the bidder supplied/exported goods for the last five (5) years similar to those being offered in this tender as to quantity, quality and service (s) called for herein and from the same manufacturer in the case of goods against international tender enquiries. Simply submitting a list of customers, to whom the manufacturer has been supplying various goods, will not meet the intent and purpose of this requirement. This information must form a part of the bid and the bidder are not encouraged to submit any of these informations subsequently after public opening of the bids failure to comply with this requirements is likely to make the bid subject to rejection.
- (c) The bidder shall provide documentary evidence of their having been in the line of manufacturing the offered items for the last (5) years.

3.3 Quotations from bidders, who are determined to have previously in Sui Northern's judgment committed default in respect of any of its obligations against any of our previous contracts on them, will not be entertained.

3.4 An affirmative determination will be a prerequisite for award of the contract to the bidder. A negative determination will result in rejection of the bidder's bid in which event, the Purchaser will proceed to the next lowest evaluated bid to make a similar determination of the bidder's capabilities to perform satisfactorily.

#### 4. LATE DELIVERY CHARGES

- (a) The contract/order will include a clause on Late Delivery Charges. This interalia will state that if the materials, as given in the order, have not been shipped as per stipulated in the contract, except on account of Force majeure, within the delivery period given in the contract Sui Northern Gas Pipelines Limited shall be entitled to recover 0.5% (half of one percent) of the total value of the contract price (for local suppliers total value of the purchase order) of the delayed part of the material for each week of delay by way of Late Delivery Charges and not by way of penalty subject to a maximum of 10% of the total value of the delayed part of the material
- (b) Performance warranty bond guarantee must be submitted within 15 days after receipt of purchase order as per clause 18 of the tender. Delay in L/C operativeness due to Delay in submission of PWBG shall not affect delivery in any way. Further cut off date for the LD charges calculation will be calculated after giving 21 days from receipt of order to the local agent (15 days for PWBG plus 6 days to and fro postage).
- (c) The Payment of such Late Delivery Charges shall not relieve the supplier from performing and fulfilling its obligations under the contract or will be corresponding rights and entitlements of Sui Northern be affect or reduced in any manner.



ANNE  
5/19

Short List of references Sennebogen HPC35 / 40 – since 2009

Year	costumer	country
2009	SWAIDAN TRADING	UAE
	ROMGAZ	Romania
	AZERKORPU	Azerbaijan
2010	KUIKEN NV	Netherlands
	KADER FACTORY	Egypt
	M/S HYPER CONTRACTING	UAE
	DJURA LEVAGE	Algeria
2011	LOTUS CONTRACTING	Qatar
	SCHUCH	Germany
	CCC	Masters Crane
2012	CS KAPITAL	Russia
	BM GROUP	Ukraine
	FRONTIER WORKS ORGA.	Pakistan
2013	PAKISTAN PETROLEUM	Pakistan
	SUEZ OIL PROCESSING	Egypt
2014	SEROEST	Algeria
	VAN ADRIGHEM	Netherlands
	ROMGAZ	Romania



**SENEBOGEN**  
Maschinenbau GmbH  
04315 Straubing, Heubühlstr. 30



# SUI NORTHERN GAS PIPELINES LIMITED

FAX MESSAGE

Ref. SN-3175/14

Dated: 21.10.2014

M/s AJCL,  
Karachi  
Fax No: 021-34550597

Attn: Engr. Niaz Muhammad

Aux-D

619

Dear Sirs,

HYDRAULIC CRANE  
OUR TENDER ENQUIRY NO. SN-3175/14

Please refer to your offer and subsequent correspondence on the subject.

In order to enable us to evaluate your offer, please arrange to provide sale ref. list of at least three more end users during the last 5 years of the quoted crane, outside manufacturer's country, complete with names, addresses, contract numbers, email addresses, quantity & year of sale as per tender clause 3.2(b&c). Moreover, two sale references already provided vide your email dated 03.09.14 are silent w.r.t contact numbers/email addresses. Please also provide the same.

Your reply to the above by return email/fax must reach us within 3 days from receipt of this fax message, failing which your offer may not be considered for evaluation.

Please note that this is only an inquiry and it should not be construed as any indication to accept or not to accept your offer under reference.

Yours faithfully,  
SUI NORTHERN GAS PIPELINES LIMITED

  
(ASIM ALI MIR)  
SR. OFFICER (PROCUREMENT)  
for MANAGING DIRECTOR

Telephones Exch: { + (92-42) 9082000  
+ (92-42) 9082008

Telephones: { 042-99201448,  
99086024/28

Fax: 042-99201278

www.sngpl.com.pk



CHARTERED 1981 190



o/c

1/3

Anx-E  
7/9

Our Ref : CED/NM/14

October 24, 2014

Mr. Asim Ali Mir,  
Sr Officer (Procurement)  
Sui Northern Gas Pipelines Limited,  
Head Office, Gas House,  
21 Kashmir Road, P.O. Box 56,  
Lahore 54000

Fax # 042-992014469

Subject : HYDRAULIC CRANE TENDER ENQUIRY NO.SN-3175/14

Dear Sir,

Reference : Your fax SN-3175/14 dated 21.10.2014.

As asked our Principal M/s. Sennebogen GmbH Germany is pleased to provide sale reference list of 3 more end users as under:

**1/ SARL DJURA LEVAGE**

**Contact : Mr SAOUDI YAHIA**

**Coop. Thlwizi Local N° 07 Nouvelle Ville Tizi-Ouzou ALGERIE**

**Tél./Fax : +213 (0) 26 18 03 01**

**Mob. : +213 (0) 661 66 03 70 / +213 (0) 555 00 28 77 / +213 (0) 555 00 28 81**

**Web: [www.djuralevage.com](http://www.djuralevage.com)**

**1 x HPC40 in 2011**

**2/ Société de réalisation de l'EST**

**SOREST EPE/SPA**

**Z/I 24 février 1956 Constantine**

**Algérie**

**Té: 00213 31 66 82 90**

**Contact : Mr BOURTALE (Chief executive manager)**

**TEL: 00213661305817**

**3 x HPC35 In 2013**

Contd....p/g 2





2/3  
8/9

\*\*\* (2) \*\*\*

**3/ GROUPE GREPCO**

**Société de réalisation de l'est SOREST**

**Zone Industrielle du 24 Février 1956 ex zone le palma**

**BP 63 Cité Boussouf**

**Constantine**

delivered 3 units HPC35 in 2013 to Algeria.

As asked, we are also pleased to provide contact numbers / email address of the two references already provided vide our email dated 03.09.14 as under:

Headquarters Frontier Works Organization

509 Kashmir Road,

R A Bazar,

Rawalpindi.

Contact person: Col Sanullah, DDOS

Telephone: 051-9271333

Fax No.051-9271330

4 x HPC40 provided in 2013

Pakistan Petroleum Limited

PIDC House, P.O. Box 3942,

Dr. Ziauddin Ahmed Road,

Karachi 75530

Contact person : Mr. Bilal Ahmed, Dy. Chief Stores Officer

Telephone: 021-35684938

Email : [b\\_ahmed@ppl.com.pk](mailto:b_ahmed@ppl.com.pk)

1 x HPC 35 provided in 2013

Contd....p/g 3



3/3  
9/9

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Cranes provided to FWO and PPL are working satisfactorily. A satisfactory performance report from PPL is enclosed for your review please.

Believe the above information meets your requirements.

Please do not hesitate to contact if you have any further query.

Thanking you,

Yours faithfully,

For AJCL (PVT) Limited

A handwritten signature in black ink, appearing to read 'Niaz Muhammad', written over a horizontal line.

Engr Niaz Muhammad,  
Manager.

Encls. As above.



GOVERNMENT OF PAKISTAN  
NATIONAL ACCOUNTABILITY BUREAU  
ATTA TURK AVENUE, G-5/2  
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices  
(Section 33B & C of NAO 1999)

5-2(75)Pre/A&P/NABHQ/2013

January 08, 2014 /40

All Ministries / Divisions /  
Departments / Regulatory Bodies  
and Corporation etc. (lst attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC  
PROCUREMENT PROCESS FOR TRANSPARENCY AND  
MERITOCRACY

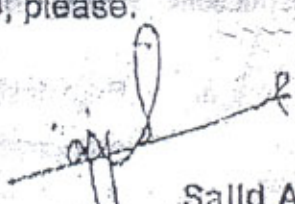
To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive/limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribes by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)
- e. Mis-procurement declared and falling within Rule 50 of PP Rules 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.

2. The above information be communicated to all subordinate offices responsible for procurement processes.

3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 33C of NAO 1999, please.

  
Sajid Ali  
Deputy Director (Coord)  
(A&P Division) NAB HQ

Ph: 051-9245537  
Fax: 051-9245908

Copy for info to:-

- a. PS to Chairman NAB
- b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
- c. Addl. Directors Staff, All Regional NABs
- d. Director A&P, All Regional NABs
- e. MD, Punjab Public Procurement Regulatory Authority, Lahore