



TRANSPARENCY INTERNATIONAL-PAKISTAN

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25th January, 2019

TL19/2501/1A

Managing Director,
Sui Southern Gas Company Ltd,
SSGC House, Sir Shah Suleman Road,
Karachi.

Sub: Violation of Public Procurement Rules, Grievance against Tender Enquiry No. SSGC/SC/9425 Gas Bills Printing.

Dear Sir,

Transparency International Pakistan has received a complaint from M/s DWP Technologies (Pvt.) Ltd against SSGC regarding Tender Enquiry No. SSGC/SC/9425 Gas Bills Printing.

The complainant has made several allegations including incorrect evaluation. They have alleged that they were given less marks for the following;

1. Number of clients in last three years (with similar scope of work).
2. Past working experience of printing in government / public / private sector organization.
3. Post service support client satisfactory certificates.

They have also alleged that the evaluation report was not provided as per PPRA Rules.

Rule No. 35 of PPRA 2004 is stated below;

35. Announcement of evaluation reports.- Procuring agencies shall announce the results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract.

According to PPRA notification No. F. 1(3) AD-II/PPRA/ 12 dated 06.08.2012 (Copy Enclosed). Procuring agencies shall announce the results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract. Specimen of Bid Evaluation Report is enclosed.

TI- Pakistan has checked the evaluation report on SSGC website and found that it is not according to PPRA guidelines.

PPRA notification No. D.O.No.4-2/M&I/2014 dated 29.10.2014 on Redressal of grievances by the procuring agency (Copy Enclosed). As per clause 4 of the notification, the procuring agency has to complete the Grievance Redressal Committee form and submit to PPRA. Clause 4 states;

4. *In view of the above, kindly ensure compliance of Rule 48(1) of the Public Procurement Rules, 2004 and provide the details of the Committee constituted to this Authority on the enclosed proforma for uploading the same on its website.*



According to PPRA notification No. F. 3(5) DD-II/PPRA/ 2009 dated 10.02.2010 (Copy Enclosed), the Principal Accounting officer as a next logical step should conduct an administrative review on the findings of complaint and take action in accordance with conduct rules in the event of unfair and non-transparent procurement process. The decision of administrative shall be communicated to PPRA, the aggrieved bidder and the procuring entity prior to the award of contract without retarding the procurement process.

The Managing Director is requested to investigate the complaint, and if found genuine direct the concerned department to re-invite the tender as per Public Procurement Rules 2004 and take necessary action under relevant section of NAO 1999 against all those officers involved in corrupt practices.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

Justice Zia Perwez
Former Judge of Supreme Court of Pakistan and High Court of Sindh
Trustee- TI-Pakistan

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. Director General, NAB, Karachi.
4. Chairman, Prime Minister's Inspection Commission, Islamabad.
5. Registrar, Supreme Court of Pakistan, Islamabad.
6. Managing Director, PPRA, Islamabad.

PPRA INSTRUCTIONS



No.F.1(3)/AD-II/PPRA/12
Government of Pakistan
Public Procurement Regulatory Authority
(Cabinet Division)
FBC Building, Sector G-5/2

NAZRAT BASHIR
Managing Director

Islamabad, the 6th August, 2012

Subject: **ANNOUNCEMENT OF EVALUATION REPORTS**

Dear Secretary,

The Public Procurement Regulatory Authority (PPRA) has been mandated to ensure transparency, economy, efficiency and accountability of the public sector procuring agencies / organizations through monitoring and implementation of Public Procurement Rules, 2004. It is encouraging to note that since promulgation of these rules the rate of violations of these rules has decreased substantially. However, procuring agencies do not strictly follow some of these rules in letter and spirit.

2. In terms of Rule 35, the procuring agencies shall announce the results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract. Specimen of Bid Evaluation Report is enclosed.

3. In view of above, it would be appreciated if the organization(s) under the administrative control of your Ministry / Division are directed to ensure compliance of Rule 35 of the Public Procurement Rules, 2004 referred to in the preceding paragraph.

With best regards,

Yours sincerely,

Encl: as above

Sd/-
(Nazrat Bashir)

All Federal Secretaries

PPRA INSTRUCTIONS

**EVALUATION REPORT
(As per Rule 35 of Public Procurement Rules, 2004)**

1. Name of Procuring Agency
2. Method of Procurement
3. Title of Procurement
4. Tender Inquiry No.
5. PPRA Ref. No. (TSE)
6. Date & Time of Bid Closing
7. Date & Time of Bid Opening
8. No. of Bids Received
9. Criteria for Bid Evaluation
10. Details of Bid(s) Evaluation

Name of Bidder	Marks		Evaluated Cost	Rule/Regulation/SBD*/Policy/ Basis for Rejection / Acceptance as per Rule 35 of PP Rules, 2004.
	Technical (if applicable)	Financial (if applicable)		
(Add Column if Required)				

Lowest Evaluated Bidder

11. Any other additional / supporting information, the procuring agency may like to share

Signature

Official Stamp

**Standard Bidding Documents (SBD)*

PPRA INSTRUCTIONS



D.O.No.4-2/M&I/2014
Government of Pakistan
Public Procurement Regulatory Authority
Cabinet Division

NAZRAT BASHIR
Managing Director

Islamabad, the 29th October, 2014

Subject: **REDRESSAL OF GRIEVANCES BY THE PROCURING AGENCY**

Dear Secretary,

The Public Procurement Regulatory Authority (PPRA) has been mandated to ensure transparency, economy, efficiency and accountability of the public sector procuring agencies / organizations through monitoring and implementation of Public Procurement Rules, 2004.

2. Rule 48(1) of the Public Procurement Rules, 2004 provides that the procuring agency shall constitute a committee comprising odd number of persons, with proper powers and authorizations to address the complaints of bidders that may occur prior to entry into force of the procurement contract. The redressal process and further recourse is laid down in Rule 48(2), (3), (4) & (5). This Authority had already issued instructions in this regard vide D.O. letter No. 3(5)/DD-II/PPRA/2009, dated 23-12-2009.

3. In some cases, grievances redressal committees have not been constituted to grant right to the bidders to represent against the decision of the procuring agency, as a legal obligation. Resultantly, PPRA is in receipt of numerous complaints expressing grievances against various procuring agencies.

4. In view of the above, kindly ensure compliance of Rule 48(1) of the Public Procurement Rules, 2004 and provide the details of the Committee constituted to this Authority on the enclosed proforma for uploading the same on its website.

Encl: as above

Yours sincerely,

Sd/-
(NAZRAT BASHIR)

All Federal Secretaries

**Grievance Redressal Committee
In accordance with PP Rule-48(1)**

Name of the Procuring Agency _____

Sr. No.	Name & Designation	Position in the Committee	Mailing Address	Tele No.	Fax No.	Email Address

PPRA INSTRUCTIONS



No.F.3(5)/DD-II/PPRA/2009
Government of Pakistan
Public Procurement Regulatory Authority
(Cabinet Division)
FBC Building, Sector G-5/2

Hafeez ur Rehman
Managing Director
Tele:051-9224824
Fax: 051-9224823

Islamabad, February 10, 2010

Subject: **GRIEVANCES REDRESSAL AND PRINCIPAL ACCOUNTING OFFICERS**

My dear Secretary,

Pivotal position of Principal Accounting Officer in our system of governance needs no underscoring nor can the importance of transparency in procurement process be minimized. Part and parcel of transparency is the mechanism to redress grievance.

2. PPRA has sufficiently brought out the rule position of grievance handling along with the requirement to form Grievance Redressal Committees. This request did not meet a resounding response; the result can be viewed at www.ppra.org.pk where Committees stand uploaded for the benefit of aggrieved bidders and the public to meet the tenets of transparency.

3. To strengthen the mechanism as provided under Rule 48 of Public Procurement Rules 2004, the Principal Accounting Officer as a next logical step should conduct an **administrative review** on the findings of complaint and take action in accordance with conduct rules in the event of unfair and non-transparent procurement process. **The decision of administrative review shall be communicated to PPRA, the aggrieved bidder and the procuring entity prior to the award of contract without retarding the procurement process.**

4. The intent is to complete the first tier Grievance Redressal mechanism. The second tier is under active deliberation.

With best regards,

Yours sincerely,

Sd/-
(Hafeez ur Rehman)

All Federal Secretaries



DWP TECHNOLOGIES (PVT) LTD.

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Talpur Road, Karachi
UAN: 021-111-005-006
Fax: 021-32444249
E-mail: info.khi@dwp.com.pk
Web: www.dwp.com.pk

Ref: DWPT 1908

Date: 21-01-2019

**CHAIRMAN PROCUREMENT GRIEVANCE COMMITTEE (PGC),
(DMD) & Other Members,
Sui Southern Gas Company Limited
Head Office, Sir Shah Suleman Road,
Karachi-75300**

Dear Sir,

With reference to your Tender Evaluation Report **9425**, Ref # SSGC/SC/9425, Dated January 21, 2019.

We invalidate the above-mentioned tender evaluation report as there are huge ambiguities and reservations over technical evaluations.

The following are the major grievances which need thorough investigation.

- How DWP can get the less technical marks with such huge experience of same field. (All documents and cliental List were provided).
- Why the technical numbers not been announced in technical bid since it's a public tender. How could any bidder understand the obtaining position in technical bid?.
- DWP is technically qualified and lowest in financial bid, the difference of second lowest is higher of PKR 22 million.
- Please re-check the credential of 2nd lowest and expedite the list of provided cliental.
- PGC neither heard face to face us nor provided us any causes to turn down our grievances.

The bidding process has many loopholes which need to expedite for the sake of SSGC integrity.

We have repeatedly requested for a face to face meeting with SSGC Team including PGC and hope that the grievances committee would hear and understand our concerns to make amends & due justice, or we will have no choice left to escalate the matter to relevant authorities

Looking forward for a meeting and impartial response.

Thanking You,

Waqar Ahmed



Corporate Account Manager (Xerox)
waqar.ahmed@dwp.com.pk
021 111 005 006

Copy to : MD, SSGC Head office, Karachi ✓
Copy to : Procurement Department, SSGC, Karachi
Copy to : PPRA, Islamabad
Copy to : Transparency International Pakistan