



No.Dir(A&F)/SPPRA/1-3(GEN) /12-13/4504-

GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY
Karachi, dated the 3-4- April, 2013

1. Additional Chief Secretary (Development), P&D Department, Govt. of Sindh, Karachi.
2. Additional Chief Secretary, Home Department, Govt. of Sindh, Karachi.
3. Additional Chief Secretary, Special Initiative Department, Govt. of Sindh, Karachi.
4. Senior Member, Board of Revenue Sindh, Government of Sindh, Karachi.
5. Principal Secretary to Governor Sindh, Karachi.
6. Secretary to Chief Minister Sindh, Karachi.
7. Administrative Secretaries to Government of Sindh (All).
8. Secretary to Provincial Ombudsman, Sindh, Karachi.
9. Accountant General, Sindh, Karachi.
10. Chairman, Chief Minister's Inspection Team, Karachi.
11. Chairman, Enquiries, Anti-Corruption Establishment, SGA&CD, Karachi.
12. Secretary, Sindh Public Service Commission, Hyderabad.
13. Inspector General of Police, Sindh.
14. Commissioners/ Deputy Commissioners (All).
15. Heads of Autonomous / Semi-Autonomous Bodies, Sindh (All).
16. Project Director, Sindh (All).
17. Transition Officers/ Administrators, Sindh (All).

SUBJECT: COMPLIANCE OF SINDH PUBLIC PROCUREMENT RULES, 2010

A. Constitution of Procurement Committees in light of Rule-7 of SPP Rules, 2010.

It has been observed that some of the departments/ procuring agencies have formulated the procurement committees comprising non-gazetted officers as members, which may compromise the spirit of the Rule-7, as they might not be able to communicate their observation(s) effectively.

2. It is, therefore, advised that following points should be kept in mind while constituting the procurement committees to ensure compliance of the rule in its true spirit:

- (a) All the procurement committee(s) should be formed with the approval of the Head of Department, and such approval must be enclosed with the notification of procurement committee(s) sent to the Authority.
- (b) The procurement committee(s) must be headed/ chaired by a gazetted officer(s). In case a gazetted officer is not available, a certificate to this effect signed by the Head of the Department must accompany the notification.
- (c) All the members of the procurement committee(s) should be gazetted officers and if not available then the senior most officers should be the members.

B. Hoisting of Bid Evaluation Report as required by Rule-45 of SPP Rules, 2010.

3. In continuation of this Authority's letters No.Dir (A&F)/ SPPRA/ BoD/ 11-12/ 2534 dated 22nd December, 2011, No.Dir(CB)/ SPPRA/ 1-3(GEN)/ 08-09/ 6308 dated 11th April 2012, and No.Dir (Enf-I)/SPPRA/1-3(GEN)/12-13/ , dated 14.02.2013, it is reiterated that Rule 45 of Sindh Public Procurement (SPP) Rules, 2010 calls for hoisting of (original) Bid Evaluation Reports and its intimation to all bidders at least 7 days prior to the award of contract. Most of the Procuring Agencies fail to comply the above Rule.

4. It is, therefore, advised to ensure compliance of following instructions while sending the Bid Evaluation Reports.

(a) BERs are signed by all the members of procurement committee(s) constituted as per Rule-7 with the approval of the Head of Department. BERs not signed by any member of the procuring committee shall be returned to the procuring agencies.

(b) If member of procurement committee(s) sends his/ their nominee then the actual member should also sign the BER along with the nominee, otherwise BER will not be accepted.

(c) BERs must be on standard format available on SPPRA website www.pprasindh.gov.pk. However, in case of a large number of items the procuring agencies may send one BER on standard format (original) comparative statement (Original) duly signed by all the members of procurement committees.

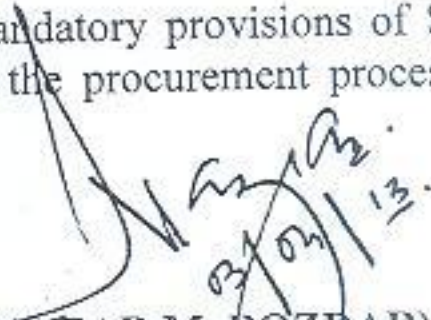
(d) BERs must be original and should mention the names, designations and department of the members of Procurement Committees.

C. Adoption of Standard Bidding Documents for Works (Small, Medium and Large) and Request for Proposal for Consulting Services as required by Rule-21(3) of SPP Rules, 2010.

5. In continuation of this Authority's letter of even number dated 21.12.2011, 20.04.2012 and 18.10.2012, it has been observed that despite repeated reminders most of the procuring agencies are still not using the notified Standard Bidding Documents (SBDs) for Procurement of Works (Small, Medium and Large) and Request for Proposals for Consultancy Services as explicitly stipulated in Rule-21(3) of Sindh Public Procurement (SPP) Rules, 2010.

6. It is, therefore, advised to ensure use of the notified Standard Bidding Documents and provide a certificate whether the SBDs notified by SPPRA are being followed or otherwise.

7. It may also be noted that the non-compliance of mandatory provisions of SPP Rules, 2010 and policy instructions of this Authority may render the procurement process a "mis-procurement" in terms of Rule-56 of SPP Rules, 2010.


(NAZAR M. BOZDAR)
Director (A&F)

Copy forwarded for information to:

1. Director General, Audit, Sindh, Karachi.
2. Deputy Secretary (Staff) to the Chief Secretary, Government of Sindh.
3. Private Members of SPPRA Board.
4. PS to Minister for Law, Parliamentary Affairs & Criminal Prosecution Service, GoS, /
Chairman, SPPRA Board, Karachi.