



No. Dir (CB)/SPPRA/1-3(GEN)/08-09/6308.

GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY
Karachi, dated the 11th April, 2012

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

SUBJECT: COMPLIANCE OF SINDH PUBLIC PROCURMENT RULES 2010.

As you are aware, the Sindh Public Procurement (SPP) Rules, 2010 focuses on transparency, value for money, efficiency and accountability; therefore, disclosure of information is critical for ensuring that the bidding process is objective, fair and transparent. However, it has been observed that most of the procuring agencies are not forwarding the Bid Evaluation Reports, Contract Evaluation Form, Letter of Award, Form of Contract (Agreement) and Bill of Quantities/ Schedule of Requirement relating to the public procurements for examination and hoisting on SPPRA website. In order to ensure the disclosure of information and making the bidding process transparent, relevant provisions of SPP Rules are reproduced for your guidance:

Rule-45: Announcement of evaluation reports:- Procuring agencies shall announce the results of bid evaluation in the form of a report giving reasons for acceptance or rejection of bids. The report shall be hoisted on website of the Authority and that of the procuring agency if its website exists and intimated to all the bidders at least seven (07) days prior to the award of contract.

Rule-50: Publication of the Award of Contract: Within seven days of the award of contract, procuring agency shall publish on the website of the Authority and on its own website, if such a website exists, the results of the bidding process,

identifying the bid through procurement identifying number, if any, and the following information:

- (1) Contract Evaluation Form;
- (2) Form of Contract and Letter of Award;
- (3) Bill of Quantities or Schedule of Requirement.

Rule-49: Award of Contract: The bidder with the lowest evaluated cost, but not necessarily the lowest submitted price, shall be awarded the procurement contract, within the original or extended period of bid validity.

Rule-38: Bid Validity: (1) A procuring agency, keeping in view nature of procurement, shall subject the bid to a validity period, which shall be specified in the bidding document and shall not be more than 90 days in case of National Competitive Bidding and 120 days in case of International Competitive Bidding;

(2) Extension of bid validity may be allowed subject to approval by the competent authority of the procuring agency, and with reasons to be recorded in writing;

Provided that if validity period has to be extended due to some slackness on the part of procuring agency, the competent authority shall fix responsibility and take appropriate disciplinary action;

(3) After obtaining such approval, the procuring agency, shall request in writing all bidders to extend the bid validity period. Such a request shall be made before the date of expiry of the original bid validity period;

(4) Such an extension shall not be for more than one third of the original period of bid validity;

(5) In case the Procuring Agency fails to finalize the bid evaluation within the extended time, the bids shall stand cancelled and a fresh bidding process shall be initiated;

(6) Whenever an extension of bid validity period is requested, a bidder shall have the right to refuse to grant such an extension and withdraw his bid and bid security shall be returned forthwith;


(7) Bidders who;
(a) agree to extension of the bid validity period shall also extend validity of the bid security for the agreed extended period of the bid validity;
(b) agree to the procuring agency's request for extension of bid validity period shall neither be requested nor permitted to change the price or other conditions of their bids.

Rule 89: Integrity Pact:- Procurements exceeding Rs. 10 million for goods and works, and Rs. 2.5 million for services shall be subject to an integrity pact, as specified by regulations, between the procuring agency and the suppliers or contractors or consultants.

2. In view of the above, all the procuring agencies whose Notice Inviting Tenders have been posted on Sindh Public Procurement Regulatory Authority's website during the F.Y. 2010-11 and 2011-12 (first six months) are directed to furnish the Bid Evaluation Reports, Contract Evaluation Form, Letter of Award, Form of Contract (Agreement) and Bill of Quantities and Integrity Pact (where applicable) at the earliest. It may be noted that in case of failure to provision of the above documents timely such cases of non-compliance of Sindh Public Procurement Rules, 2010 would be placed before the Sub-Committee of SPPRA Board, constituted for reviewing the cases of mis-procurement and non-compliance of SPP Rules, 2010 as per directions of SPPRA Board.

Best regards.

Yours Sincerely,


(ARIF AHMED KHAN)
Managing Director

Copy forwarded for information to:

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