

GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY

Karachi, dated the 15th July, 2014



1. Additional Chief Secretary (Development), P&D Department, Govt. of Sindh.
2. Additional Chief Secretary, Home Department, Govt. of Sindh.
3. Additional Chief Secretary, Special Initiative Department, Govt. of Sindh.
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). _____
18. _____

Subject: COMPLIANCE OF SPP RULES 2010 (Amended 2013) AND POLICY INSTRUCTIONS

The objective of Sindh Public Procurement rules 2010 (amended 2013) is to ensure that public procurement are conducted in fair and transparent manner in order to bring value for money. The observance of these Rules in letter and spirit is, therefore, mandatory for all public procurement agencies. Non-observance of these rules may lead to procurement to be declared as "mis-procurement" and may result in proceeding against a procuring agency in terms of Rule 32(A) of SPP Rules, 210 (amended 2013).

2. It has been observed with concern that following Rules and policy instructions, in particular, are not being observed in its true intent;

- ❖ **Rule 7 - Constitution of Procurement Committee:** The procuring agency shall, with approval of its Head of the Department, constitute as many procuring committees, as it deems fit, each comprising odd number of persons and headed by a gazetted officer not below the rank of BS-18, or if not available, the officer of the highest grade, and shall ensure that at least one third of the members of a procurement committee are from the agencies or departments other than the procuring agency.

❖ **Rule 11 - Procurement Plan:**

(1) **Mandatory Provision of Procurement Plan** - All procuring agencies shall devise a mechanism for planning in detail for all proposed procurements, determining the requirement of the procuring agency, within its available resources, and prepare an annual or a longer term rolling plan, detailing the procurement methods applicable for specific procurements;

(2) **Review and Update** - The procurement plan prepared for any project shall be reviewed and updated throughout the life of the project, such as estimates of time requirements, availability of funds, assumptions about institutional capacity, changing priorities and other factors that require plan adjustments for the success of the project. Such required adjustments will not invalidate the plan if made for improving the plan in the interests of the successful and timely completion of the project.

❖ **Rule 21(4) - Hoisting of Bidding Documents on SPPRA Website:** It has been observed that procuring agencies have not furnished the Bidding Documents prepared in line with Rule 21(1) for hoisting on SPRA Website well in time as required by Rule 21(4) of SPP Rules 2010 which stipulates that; *“All procuring agencies shall hoist the bidding documents on Authority’s website as well as on the website of procuring agency, in case the procuring agency has its own website”*.

❖ **Rule 41(9) - Minutes of opening of tenders:** Procuring agencies are not furnishing minutes of bid opening committee under Rule 41 (9) which stipulates that; *“The procurement committee shall issue the minutes of the opening of the tenders and shall also mention over writing or cutting, if any”*.

❖ **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. Specimen of Bid Evaluation Report can be downloaded from www.pprasindh.gov.pk. It may kindly be noted that Bid Evaluation Report (BER) furnished to this Authority for hoisting purpose must be on standard format, duly signed by all the members of

Procurement Committee on each page, along with name and designations, otherwise the same shall be returned to Procuring Agency.

❖ **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:

- (i) Evaluation Report; (can be downloaded from www.pprasinhd.gov.pk)
- (ii) Form of Contract and Letter of Award;
- (iii) Bill of Quantities or Schedule of Requirement.


❖ **Adoption of Standard Bidding Documents for Works (Small, Medium and Large) and Request for proposals for Consulting Services as required by Rule-21(3) of SPP Rules, 2010:** Despite repeated reminders most of the procuring agencies are still not using the notified Standard Bidding Documents (SBDs) for Procurement of Works (Small, Medium & Large) and Request for Proposals for Consultancy Services as explicitly stipulated in Rule-21(3) of SPP Rules, 2010.

❖ **NIT(s) Hoisting Charges on SPPRA Website:** Majority of the procuring agencies are not depositing the prescribed fee i.e. Rs.2,000/- per NIT for hoisting the NIT on SPPRA Website.

3. It is, therefore, requested that the procuring agencies under your administrative control may please be directed to ensure compliance of SPP Rules and policy instructions in letter and spirit and furnish the requisite documents / fee as required by these Rules and policy instructions of SPPRA. It is worth noted that **SPPRA-ID shall only be released subject to fulfillment of compliance of Rules / policy instructions.**

4. It is clarified that the release of SPPRA-ID does only mean that the Procuring Agency has followed the SPP Rules, 2010 (amended 2013) and all the documents have been submitted as per the requirement of the Rules. It is further clarified that the release of SPPRA-ID does not deem to imply that Authority certifies the content

of the documents hoisted on the website, propriety of procurement process and quality of procured goods, works and services as the responsibility for ensuring propriety of the procurement process and the quality of procurement rests with the procuring agency concerned.

 15/7/14
(ASHFAQ AHMED SOOMRO)
Director (A&F)

CC 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 Law / Chairman, SPPRA Board, Karachi