



PPRA Guidelines



No.F.3(14)/DD-I/PPRA/PPRules/08
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 15th June, 2009

Subject: - **MONITORING IMPLEMENTATION OF PUBLIC
PROCUREMENT RULES**

My dear

The Public Procurement Regulatory Authority (PPRA) has been established with the responsibility of prescribing regulations and procedures for public procurements to improve governance and transparency. The PPRA Board of Directors in its 6th meeting held on 12th February, 2008 allowed the Authority to obtain necessary information from all the procuring agencies through "Contract Evaluation Questionnaire". All Ministries / Divisions were requested vide D.O letter at 10th July, 2008 to provide the requisite information on prescribed forms in respect of all contracts for goods, works and services exceeding financial value of Rs.1.00 billion with effect from 10th July, 2008.

2. It would be appreciated if the required information about procurement contracts signed by the organizations / entities under the administrative control of your Ministry is provided to this Authority, latest by 30th June, 2009 for preparation of a report for PPRA Board.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No. 2 (21) DD (M & IMP)/PPRA/IMP. Rules/09
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 18th June, 2009

Subject: **Implementation of Public Procurement Rules, 2004**

My dear

The Public Procurement Regulatory Authority (PPRA) has been mandated to ensure transparency, economy, efficiency, and accountability of the public sector procuring agencies through proper implementation and monitoring of PP Rules-2004. Since implementation of these rules the rate of violations leading to non-transparent procurement has decreased substantially. However, some areas still require extra attention of the procuring agencies for achieving desired goals set for PP Rules, 2004.

2. These Rules require all procuring agencies to devise a mechanism, for annual **planning** in detail for all proposed procurements with the object to realistically determine the requirements of the procuring agency, within its available resources, delivery time, completion date and benefits that are likely to accrue to the procuring agency and shall proceed accordingly. The annual requirements thus determined are also required be advertised in advance on the Authority's website. Unfortunately response from procuring agencies in placing their annual proposed procurements on Authority's website since implementation of the Rules in 2004 has remained very poor.

3. In view of the foregoing, it would be appreciated that the organizations under the administrative control of your Ministry are directed to ensure strict compliance of Rules-8 & 9 of PP Rules, 2004 and furnish their proposed annual requirements of the financial year 2009 -10 for placing on Authority's website, at the earliest.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No. 2 (21) DD (M & IMP)/PPRA/IMP. Rules/09
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 18th June, 2009

Subject: **Frequent Violation of Public Procurement Rules-2004**

My dear

The Public Procurement Regulatory Authority (PPRA), has been entrusted with the responsibility of monitoring of application and implementation of laws, rules, regulations, policies and procedure in respect of or relating to procurements of goods services and works too ensure transparency, economy and accountability in the public sector.

2. PPRA has devised an effective and transparent mechanism for this purpose since 2004. All the tender notices issued by public sector procuring agencies are uploaded **everyday** on its website (www.ppra.org.pk), examined in the light of Public Procurement Rules-2004 and violations conveyed to the respective procuring agencies for corrective measures.

3. Despite repeatedly pointing out violations of rules, Pakistan Railways (PR), has not complied with **Rules-10, 12, 13(1), 23(1), 33(1)** of PP Rules-2004 while issuing **205** tender notices only during the month of April – May, 2009.

4. Kindly instruct functionaries in your organization for right compliance of Rules as their breach tantamounts to mis-procurement under Rule-50 of Public Procurement Rules-2004.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No. F. 2 (6)/DD-II/PPRA/2009
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 19th June, 2009

Subject: - EXEMPTION FROM OPERATION OF PUBLIC
PROCUREMENT RULES – 2004 AND CONDONATION OF
VIOLATIONS OF THESE RULES

My dear

Public Procurement Regulatory Authority has been receiving numerous requests from different Ministries / Division / Departments seeking exemption from operation of Public Procurement Rules 2004. Section 21 of the PPRA Ordinance, 2002 reads :-

*“The Authority may, for reasons to be recorded in writing, recommend to the **Federal Government** that the procurement of an object or class of objects **in the national interest** be exempted from the operation of this Ordinance or any rule or regulation made thereunder or any other law regulating public procurement and the **Federal Government** on such recommendations shall exempt the aforesaid objects or class of objects from the operation of the laws and rules and regulations made thereunder”.*

2. Please note that all procuring agencies in case of ex-ante (before the event) (repeat ex-ante) exemptions required under unavoidable circumstances must clearly mention that **national interest** (repeat “**national interest**”) is being safeguarded through proposed exemption. The request without explicit mention of this aspect would not be entertained.

3. It is further mentioned that neither PPRA Ordinance, 2002 nor Public Procurement Rules 2004 vest any power in this Authority to condone deviations from Public Procurement Rules 2004. PPRA will be constrained not to process such requests of ex-post-facto approvals / condonations.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No.F.2(9)/DD-II/PPRA)/2009
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 7th July, 2009

Subject: **IMPLEMENTATION OF PUBLIC PROCUREMENT RULES, 2004**

My dear

Public Procurement Regulatory Authority (PPRA) works through PPRA Ordinance, 2002 and Rules notified in 2004 to improve governance, management, transparency, accountability and quality of public procurement of goods, services and works.

2. Violations of Rule-16 by procuring agencies have been reported numerously at the time of prequalification notices published in the print media for the selection of bidders. To refresh, Rule-16 provides:

1. The procuring agency engaging in pre-qualification shall announce, in the pre-qualification documents, all information required for pre-qualification including instructions for preparation and submission of the pre-qualification documents, evaluation criteria, list of documentary evidence required by suppliers or contractors to demonstrate their respective qualifications and any other information that the procuring agency deems necessary for pre-qualification.
2. The procuring agency shall provide a set of pre-qualification documents to any supplier or contractor, on request and subject to payment of price, if any.

Explanation:- For the purposes of this sub-rule price means the cost of printing and providing the documents only.

3. We seek your kind cooperation for adherence in letter and spirit.

With regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries
Procuring Agencies



No. 2 (21) DD (M & IMP)/PPRA/IMP. Rules/09
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 7th September, 2009

Subject: **PUBLICATION OF TENDERS ON PPRA WEBSITE**

My dear

It is mandatory for the public sector procuring agencies under Rule-12 of Public Procurement Rules-2004 to advertise their tender notices for procurements of goods, services & works above one hundred thousand rupees on PPRA website (www.ppra.org.pk). Tenders received from procuring agencies through mail, e-mail, fax or clippings from newspapers are uploaded on daily basis.

2. PPRA has also provided the facility to procuring agencies for directly uploading their tenders on the website after getting an ID and a password from PPRA to fulfill this mandatory requirement. By and large the facility goes unutilized and most tenders are only published in print media ignoring Rule-12 of PP Rules-2004.

3. Kindly direct the concerned functionaries to meet the stipulated mandatory requirement by utilizing the facility of website with ID/password provided by PPRA. A copy each of PP Rules-2004 & Ordinance, 2002 is enclosed for convenience and application.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No. 3/4/09/DD-II/PPRA/2009
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad the, September 11, 2009

Sub:- **PROCUREMENT REPORT FOR FY 2008-09**

My dear

Section-5(e) of PPRA Ordinance reads:

"The Authority may monitor public procurement practices and make recommendations to improve governance, transparency, accountability and quality of public procurement".

Section-16 (1) lays down:

"The Authority may call for any information required by it for carrying out the purposes of this Ordinance, from any person or any institution in public procurement activities and any such person or institution shall provide the required information called by the Authority".

For better governance, transparency, accountability and quality of public procurements and in pursuance of the above please furnish a "procurement report" for the FY 2008-09 highlighting (1) description of contract (2) tender value (3) conformity with PP Rules 2004 (4) execution status.

Awaiting an early response.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No. 3(6) Senate/M & IMP/PPRA/09
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 28th October, 2009

Subject: MEETING OF THE SENATE STANDING COMMITTEE
ON CABINET SECRETARIAT HELD ON 28TH
SEPTEMBER, 2009 IN COMMITTEE ROOM NO.4,
PARLIAMENT HOUSE, ISLAMABAD

My dear

The Senate Standing Committee on Cabinet Secretariat in its meeting held on 28th September, 2009 inter-alia directed Public Procurement Regulatory Authority (PPRA) to ask for details of procurements beyond Rs.10.00 million made by various Ministries/Divisions/Organizations and Autonomous bodies during the Financial Year, 2008-09.

2. Kindly direct organizations under your administrative control to furnish details at the earliest in order to comply with the direction of law makers.

With best regards,

Yours sincerely

Sd/-

Hafeez ur Rehman

All Federal Secretaries



No. 3(8)/DD-(M & IMP)/PPRA/tender fee/09
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 17th November, 2009

Subject: **PROCUREMENT ADVERTISEMENT FEE ON PPRA WEBSITE**

My dear

Rule-12 of Public Procurement Rules-2004 stipulates the under mentioned mandatory method of advertisement on PPRA website: -

“Procurements over one hundred thousand rupees and up to the limit of two million rupees shall be **Advertised on the Authority's website** in the manner and format specified by regulation by the Authority from time to time. These procurement opportunities **may also be advertised in print media**, if deemed necessary by the procuring agency”.

2. Precedence of advertisement on PPRA website over print media contained in the Rule is of the essence.

3. The PPRA Board, in order to lend sustainability and ensure neutrality of Public Procurement Regulatory Authority decided to charge a fee of Rs.1,000/- on each tender notice uploaded on PPRA website (www.ppra.org.pk) in terms of Section 9(2) of PPRA Ordinance, 2002.

4. All Federal Government entities are therefore requested to deposit procurement advertisement uploading fee of Rs.1,000 on each tender exceeding the value of Rs.100,000/- w.e.f **1st December, 2009** through a crossed cheque/demand draft/pay order in favour of Public Procurement Regulatory Authority, Islamabad.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



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
Tel: 051-9224824
Fax: 051-9224823

Islamabad, the 23rd December, 2009

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

My dear

Rule 48 (1) of the Public Procurement Rules, 2004 unambiguously 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).

2. While it has been noted with satisfaction that procuring agencies are largely compliant to Public Procurement Rules 2004, in a number of cases however, grievance redressal committees have not been constituted to grant right to the bidders to represent against the decision of procuring agency, as a legal obligation.

3. All procuring agencies / units under the administrative control of your ministry may be advised to constitute independent Grievance Redressal Committees in accordance with the provisions of Public Procurement Rule, 2004.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No. 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
Tel: 051-9224824
Fax: 051-9224823
E-mail: hur52@yahoo.com

Islamabad the February 10, 2010

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

My dear

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.

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.

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.**

The intent is to complete the first tier grievance redressal mechanism. The second tier is under active deliberation.

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No.F.3(4)/DD-II/PPRA/2010
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 3rd March, 2010

Subject: - **ACCESS AND TRANSPARENCY.**

My dear

Rule-12(2) of Public Procurement Rules, 2004 provides that all procurement opportunities over two million rupees should be advertised on the Authority's website as well as in other print media or newspapers with wide circulation.

2. Kindly direct all concerned that Tenders appearing in the press should carry a compulsory note that "**tender is also available at PPRA Website**" www.ppra.org.pk to strengthen access and transparency.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No. F. 3(7)DD-II/PPRA/2010
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad the April 13, 2010

Subject:- **AWARD OF CONTRACTS AND PUBLIC PROCUREMENT
REGULATORY AUTHORITY**

My dear Secretary

Rai-son d'ê-tre of regulatory regime mainly is to:

- i). Ensure balancing of interest of all stakeholders in a transparent manner;
- ii). Provide level playing field to all competitors;
- iii). Establish sustainable regulatory arrangements which carry credibility with investors and perceived as legitimate and fair in the eyes of the public, and deliver greater efficiency for the economy as a whole;

With growing awareness of public procurement law and rules, government organizations exercise more care and caution in award of contracts. Although PPRA has now a sustainable capacity building institute in the form of National Institute of Procurement along with daily monitoring and mentoring, yet Ministries seek more comfort by attempting to involve PPRA in line clearing functions in award of contracts. This is neither provided in law, rules or policy laid down by the Board.

Since conception PPRA's role has been unambiguous, initial Assessment Report by the WB set the following in stone:

"Creating a small, professionally staffed, independent regulatory agency to develop the procurement framework, with functions which are mainly confined to policy, documentation, development of rules, etc. and not to include line clearance functions for awarding of contracts".

This was periodically reiterated by the Board including the last direction contained in the 6th Board meeting dated 12th February, 2008.

Requesting / directing PPRA to be a part of line functions is in conflict with PPRA's rai-son d'ê-tre, policy, practice, level playing field, balance of stakeholder interest, grievance handling, neutrality, transparency and fairness.

This is to humbly request you to keep this in mind and direct all concerned. Thanking you in anticipation.

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries



No.F.7(35)/DD-I/PPRA/2010
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
FBC BUILDING, SECTOR G-5/2

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

Islamabad, the 22nd April, 2010

Subject: - **TENDER NOTICE ON PPRA WEBSITE AND ITS PROOF
FOR AUDIT AND RECORD**

Dear

Rule 12 (4) of Public Procurement Rules, 2004 stipulates that:-

"A procuring agency utilizing electronic media shall ensure that the information posted on the website is complete for the purposes for which it has been posted and such information shall remain available on that website until the closing date for submission of bids".

Beyond the closing date, web based advertisement / tender notice shall remain available on PPRA website for a period of forty (40) days.

It would be prudent to download / print the advertisement for the purposes of record and audit. In case of need, beyond the period of 40 days, when the advertisement / tender notice stands withdrawn from our website we shall be obliged to provide the same on a request in writing.

With best regards,

Yours sincerely

Sd/-
Hafeez ur Rehman

All Federal Secretaries / Procuring Agencies