

Grievance Regarding Incorrect Categorization of Tender as 'Works' and Inclusion of Unjustified Eligibility Requirements

To: The Procurement Committee

Subject: Grievance Against Incorrect Categorization of Tender and Unjustified Requirement of PEC Registration

Respected Members of the Procurement Committee,

We respectfully submit this grievance regarding the above-mentioned tender.

It is observed that the tender has been categorized as **Works** procurement, whereas the scope of the tender is purely the **supply of goods/equipment**. There is no construction, civil work, installation, rehabilitation, or any activity that falls within the definition of procurement of works. Therefore, the tender has been incorrectly classified.

Furthermore, the bidding documents require **Pakistan Engineering Council (PEC) registration**, which is neither applicable nor legally justified in the present case.

Under the Pakistan Engineering Council rules, **PEC registration is not mandatory for the procurement of goods or supply contracts**. Moreover, even in the case of procurement of works, **PEC registration is not mandatory for projects with an estimated cost below Rs. 5 million**. Therefore, imposing PEC registration in this tender is contrary to the applicable regulatory framework and unnecessarily restricts eligible suppliers from participating.

The inclusion of non-mandatory and irrelevant eligibility requirements has serious consequences, including:

1. Restricting fair and open competition among eligible bidders.
2. Violating the principles of transparency, fairness, economy, and equal opportunity in public procurement.
3. Discouraging genuine suppliers from participating in the procurement process.
4. Reducing competition, which may result in higher procurement costs and less value for public funds.
5. Giving rise to complaints, legal challenges, and unnecessary delays in the procurement process.
6. Creating an impression that the eligibility criteria have been framed to favor a limited number of bidders, thereby undermining public confidence in the procurement process.

We respectfully request the Procurement Committee to:

- Correct the categorization of the tender from **Works** to **Supply of Goods**.
- Remove the unjustified requirement of **PEC registration** and all other non-mandatory eligibility conditions that are not applicable to the procurement of goods.
- Revise the bidding documents to ensure compliance with the applicable PPRA Rules and PEC regulations, while promoting maximum competition and equal opportunity.
- Issue a corrigendum and extend the bid submission deadline to allow all eligible suppliers sufficient time to participate.

We trust that the Procurement Committee will take immediate corrective action to ensure that the procurement process remains transparent, competitive, fair, and fully compliant with the applicable laws and regulations.