



**PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC ASSETS AUTHORITY**

**INVESTIGATION REPORT INTO THE ALLEGED IRREGULAR AWARD OF CONTRACT IN THE PROCUREMENT OF CIVIL WORKS FOR CONSTRUCTION OF BUTEMBA-KYANKWANZI PIPED WATER SUPPLY SYSTEM IFB NUMBER MWE/WRKS/18-19/000111**

**ENTITY: MINISTRY OF WATER AND ENVIRONMENT**

**COMPLAINANT: WHISLE BLOWER**

**JULY 2019**

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## **ACRONYMS**

Authority	-	Public Procurement and Disposal of Public Assets Authority
EC	-	Evaluation Committee
HPDU	-	Head Procurement and Disposal Unit
ITB	-	Introduction to Bidders
Ltd	-	Limited
PDU	-	Procurement and Disposal Unit
PPDA Act	-	Public Procurement and Disposal of Public Assets Act No. 1 of 2003
PPDA	-	Public Procurement and Disposal of Public Assets Authority
UGX	-	Uganda Shillings
WSDF	-	Water and Sanitation Development Facility

## 1.0 SUMMARY OF FACTS

1. On 8<sup>th</sup> October 2018, the Entity initiated the procurement of civil works for the construction of Butemba-Kyankwanzi piped water supply system at an estimated cost of UGX.10,666,605,933.
2. On 16<sup>th</sup> October 2018, the Contracts Committee approved open international bidding method, bid notice and solicitation document.
3. On 22<sup>nd</sup> October 2018, the Entity published the bid notice in the Daily Monitor and New Vision Newspapers with a deadline for bid submission of 21<sup>st</sup> November 2018.
4. On 1<sup>st</sup> November 2018, the Entity held a pre-bid meeting and minutes of the pre-bid meeting were sent to all bidders on 8<sup>th</sup> November 2018.
5. According to the record of issue of the solicitation document, eleven (11) bidders responded to the bid notice.
6. On 21<sup>st</sup> November 2018, the Entity received and opened nine (9) bids with the following bid prices:

**Table 1: Record of Bid Opening**

S/n	Name of Bidder	Price Read Out(UGX)
1.	Strakon Limited	9,267,565,801
2.	United Infrastructure Projects	11,964,076,659
3.	Ambitious Construction Co. Ltd	12,548,591,476
4.	Roko Construction Ltd	12,153,103,344
5.	HEST Engineering Company	5,851,079,581
6.	Kol Services Ltd	9,885,273,302
7.	Palm Construction Ltd	9,958,834,217
8.	Davis & Shirlif	8,662,831,973
9.	Mulstar Technical Services Ltd	9,631,474,882

7. On 13<sup>th</sup> December 2018, the Contracts Committee approved the Evaluation Committee below:

**Table 2: Evaluation Committee**

S/n	Name of Bidder	Organisation
1.	Eng. Joel Wasswa	Kampala Capital City Authority
2.	Eng. Joshua Senengo	Principal Engineer Urban Water
3.	Mr. Gerald Tukamuhebwa	Senior Procurement Officer WSDF-C
4.	Eng. Robert Nsabimana	Ministry of Water and Environment /WSDF-C
5.	Mr. Geoffrey Ogwang	Procurement Officer Ministry of Water and Environment /WSDF-C

8. The 1<sup>st</sup> Evaluation Report dated 12<sup>th</sup> February 2019 signed by all five members of the Evaluation Committee indicated that two (2) firms out of the nine (9) bidders namely, Hest

Engineers Company Ltd and United Infrastructure Projects were eliminated at preliminary evaluation (as detailed in Table 3 below).

**Table 3: Bidders Eliminated at Preliminary Stage**

S/n	Name of Bidder	Reason for elimination
1.	HEST Engineering Company Limited	Bidder submitted an incomplete bid. Only summary page of bills of quantities was submitted without detailed Bills of Quantities Did not submit a Tax Clearance Certificate
2.	United Infrastructure Projects	Lacked Powers of Attorney. The bidder instead submitted a letter of bid signed by the same signatory of bid indicating that he has authority to sin on behalf of the bidder but none of the directors signed Did not submit a Tax Clearance Certificate or equivalent.

9. Seven bidders were evaluated at technical stage and progressed to financial comparison.
10. On 22<sup>nd</sup> January 2019, the Evaluation Committee communicated arithmetic errors to all seven (7) bidders who responded and accepted the errors.
11. The seven bidders were ranked at financial comparison stage as indicated in Table 4 below.

**Table 4: Ranking at Financial Comparison Stage.**

S/n	Name of Bidder	Bid Price as Read (UGX)	Evaluated Price in UGX.	Rank
1.	Palm Construction Company Ltd	9,958,273,302	9,961,686,724	1 <sup>st</sup>
2.	Strakon Limited	9,267,565,801	9,967,443,392	2 <sup>nd</sup>
3.	Mulstar Technical Services	9,631,474,882	9,961,686,724	3 <sup>rd</sup>
4.	Davis & Shirliff	8,662,831,973	10,222,141,728	4 <sup>th</sup>
5.	Kol Services Ltd	9,885,273,302	10,131,822,2367	5 <sup>th</sup>
6.	Roko Construction Ltd	12,153,103,344	12,153,103,344	6 <sup>th</sup>
7.	Ambitious Construction Co. Ltd	12,548,591,476	12,533,330,443	7 <sup>th</sup>

12. As part of the evaluation criteria and in accordance with ITB 32.1, Qualification information, the lowest bidder (Palm Construction Company Ltd) was evaluated on the criteria of eligibility, historical contract, non-performance, financial situation, experience, personnel & contractor's equipment and found responsive.
13. The 2<sup>nd</sup> Evaluation Report dated 16<sup>th</sup> April 2019 indicated that (3) firms out of the nine (9) bidders namely Hest Engineers Company Ltd, United Infrastructure Projects and Palm Construction Company Ltd were eliminated at preliminary evaluation. Palm Construction Company Ltd was failed as a result of having two missing pages in its original BOQs. The Evaluation Committee carried out post qualification on the second lowest bidder (Strakon Limited) and found it non-responsive. The 3<sup>rd</sup> best evaluated bidder (Mulstar Technical Services Ltd) was then subjected to post qualification and was recommended for award of contract at UGX. 9,973,355,011 inclusive of taxes.

**Table 5: Second Evaluation Report**

Name of Bidder	Bid Price as	Evaluated	Rank	Reason for elimination
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	<b>Read (UGX)</b>	<b>Price (UGX)</b>		
Palm Construction Company Ltd	9,958,273,302	9,961,686,724	1 <sup>st</sup>	Incomplete bills of quantities.
Strakon Limited	9,267,565,801	9,967,443,392	2 <sup>nd</sup>	<ul style="list-style-type: none"> <li>• Lacked the required annual turnover.</li> <li>• Lacked specific experience.</li> <li>• Lacked liquid assets.</li> </ul>
Mulstar Technical Services Ltd	9,631,474,882	9,973,355,011	3 <sup>rd</sup>	Recommended

14. On 27<sup>th</sup> May 2019, the Contracts Committee approved award of Mulstar Technical Services Ltd as the best evaluated bidder at a bid price of UGX. 9,973,355,011 inclusive of taxes.
15. On 28<sup>th</sup> May 2019, the Entity displayed the Notice of Best Evaluated Bidder with a removal date of 7<sup>th</sup> June 2019.
16. On 14<sup>th</sup> June 2019, the Ministry received a letter from African development Bank requesting for a brief on how the procurement process was conducted in relation to the complaint raised by the whistle blower.
17. On 18<sup>th</sup> June 2019, the Ministry responded to the letter highlighting the outcomes of the procurement process up to the award of contract by the Contracts Committee.

## **2.0 LAW APPLICABLE**

- i. The Public Procurement and Disposal of Public Assets Authority Act, 2003;
- ii. The Public Procurement and Disposal of Public Assets Authority Regulations, 2014; and
- iii. The Public Procurement and Disposal of Public Assets Guidelines, 2008;
- iv. The ADB Rules and Procedures for Procurement of Goods and Works, May 2008 Edition, Revised July 2012; and
- v. The bidding document issued.

## **3.0 OBJECTIVES OF THE INVESTIGATION**

The objectives of the investigation were to establish whether:

1. The procurement of civil works for construction of Butemba-Kyankwanzi Piped Water Supply System was marred with irregularities and undue influence from the Permanent Secretary.
2. Top Management coerced the Evaluation Committee to change the Evaluation Report to favor a particular company.

## **4.0 METHODOLOGY**

The Authority adopted the following methodology:

- 4.1 Review of the following documentation on the procurement process:
  - i. The invitation to bid;
  - ii. Solicitation document issued to bidders;

- iii. Record of issue and receipt of bids;
- iv. Record of bid opening;
- v. Evaluation report;
- vi. Contracts Committee minutes; and
- vii. All correspondences related to this matter.

4.2 The Authority held a meeting with the following persons:

**Table 6: Officials Met**

S/No	NAME	DESIGNATION	ENTITY
1.	Mr. Alfred OkotOkidi	Permanent Secretary	Ministry of Water and Environment
2.	Ms. Meke Jane Margaret	Head of Procurement and Disposal Unit	Ministry of Water and Environment
3.	Mr. Gerald Tukamuhebwa	Senior Procurement Officer	Ministry of Water and Environment- WSDF
4.	Mr. Joshua Senengo	Project Engineer/UWSD	Ministry of Water and Environment-DWD

## 5.0 FINDINGS OF THE AUTHORITY

### 5.1 Whether the procurement of civil works for construction of Butemba-Kyankwanzi Piped Water Supply System was marred with irregularities and undue influence from the Permanent Secretary

1. The complaint alleged that the evaluation process was concluded on 12<sup>th</sup> February 2019 and the best evaluated bidder confirmed but top Management thereafter threatened the Evaluation Committee with sacking and were forced to change the Evaluation Report to favor a particular company. The complaint further alleged that the process of changing the best evaluated bidder was marred with irregularities and influence from the Permanent Secretary who favored the current best evaluated bidder.
2. ITB 32.1 of the bidding document provided that *“The Employer shall determine to its satisfaction whether the Bidder that is selected as having submitted the lowest evaluated and substantially responsive bid meets the qualifying criteria specified in Section III, Evaluation and Qualification Criteria”*.
3. ITB 32.2 of the bidding document provided that *“The determination shall be based upon an examination of the documentary evidence of the Bidder’s qualifications submitted by the Bidder, pursuant to ITB 16”*.
4. Section III Evaluation and Qualification criteria 2.4.2; specific experience in the bidding document required bidders to provide evidence of:
  - i. (a) Participation as a contractor or subcontractor in at least three (3) years contracts within the last 5 years, each with a value of at least UGX. 5,500,000,000 that have been successfully & substantially completed (70%) and that are similar to the

proposed works. The similarity shall be based on the physical size, complexity as described in section IV (bidding forms).

- ii. (b) For the above or other contracts executed during the period stipulated in 2.4.2 (a) above, a minimum experience in the following key activities:
  - a. Construction of water retaining structures including elevated storage steel tanks.
  - b. Water pipeline works
  - c. Electro-mechanical works including supply and installation of water pumps, diesel generators and chemical dozers.
  - d. General building works.
5. Section 71 (1) of the PPDA Act 2003 states that *“the choice of an evaluation methodology shall be determined by the type, value and complexity of the procurement”*. Section 71 (2) of the PPDA Act 2003, state *“all solicitation documents shall fully and comprehensively detail the evaluation methodology and criteria which shall apply”*. Regulation 37 (1) of the PPDA (Rules and Methods for Procurement of Supplies, Works and Non-Consultancy Services) Regulations, 2014, further states that *“the evaluation criteria to be used shall be stated in the solicitation document and the evaluation shall be conducted in accordance with the criteria without amendment to the criteria”*.
6. The Authority reviewed the procurement file and found two reports. The 1<sup>st</sup> evaluation report dated 12<sup>th</sup> February 2019 indicated that two bidders i.e. Hest Engineers Company Limited and United Infrastructure Projects were eliminated at preliminary evaluation leaving a total of seven (7) bidders proceed to the next stage of evaluation. After financial comparison, Palm Construction Company Ltd being the lowest evaluated bidder was evaluated against the post qualification criteria stated in the bidding document. Palm Construction Company Ltd passed the post qualification criteria and recommended for award of contract at UGX. 9,961,686,724 inclusive of applicable taxes.
7. The 2<sup>nd</sup> Evaluation Report dated 16<sup>th</sup> April 2019 indicated that (3) firms out of the nine (9) bidders namely Hest Engineers Company Ltd, United Infrastructure Projects and Palm Construction Company Ltd were eliminated at preliminary evaluation. The Evaluation Committee carried out post qualification on the lowest bidder (Strakon Limited) and found non-responsive for failure to meet the minimum average turnover of UGX. 5 Billion, failure to demonstrate access to financial resources and submitting one project instead of 3 projects required for specific experience.
8. The Authority noted that the same report indicated that the 2<sup>nd</sup> lowest evaluated bidder (Mulstar Technical Services Ltd) was then subjected to post qualification and found non-responsive for failure to meet the minimum average turnover of UGX. 5 Billion and for lack of specific experience i.e. (Report indicated that *“..the bidder has not participated as a contractor, management contractor or sub-contractor in any water works project with a value of at least 5 Billion within the last three years. The bidder instead submitted experience in supply of pipes and fittings under framework contracts and extension & relocation of sewer lines and water pipelines to National Water and Sewerage Corporation...”*) The Evaluation Committee acknowledged that the bidder was not qualified

since it had not executed 3 projects in the last three years that are similar to the proposed works but recommended that the CC waives the requirement of specific experience and awards the contract to Mulstar Technical Services Ltd at UGX. 9,973,355,011 inclusive of taxes.

9. The Authority further noted that whereas the lowest evaluated bidder (Strakon Limited) was eliminated for lack of the required annual turnover, Lack of specific experience and Lack of liquid assets at post qualification, Mulstar Technical Services Ltd was recommended as the best evaluated bidder and approved by the Contracts Committee on 28<sup>th</sup> May 2019 upon a waiver of the requirement of specific experience. The Evaluation Committee justified the waiver on grounds that the Project WSSP11 under which the contract is funded ends in November 2020 thus a retender not being feasible.
10. Regulation 19(4) of the PPDA (Evaluation) Regulations 2014, provides that a bid which is not substantially compliant to the minimum requirements of the detailed evaluation shall be rejected at the detailed evaluation stage.
11. The Authority was informed by the Entity that the Accounting Officer put in place a system that requires all arithmetic errors to be confirmed with the original copies that are stored for safe custody before concluding any evaluation process. The Evaluation Committee therefore cross checked with the original document of the best evaluated bidder to confirm arithmetic errors detected in the copies of the bids used during evaluation. The Chairperson Evaluation Committee verified the original bid of Palm Construction Company Ltd and discovered that two pages of the original Bills of Quantities were found missing i.e. (BUT W-5 1/5 and BUT W-5-page 2/5 and coincidentally these were the pages which had the arithmetic errors. The Evaluation Committee treated the bid of the recommended best Evaluated bidder (Palm Construction Company Ltd) as an incomplete bid since there was a discrepancy between the original bid and the copies.
12. Two members of the Evaluation Committee interviewed informed the Authority that Eng. Joshua Senengo, the Chairperson of the Evaluation Committee verified the arithmetic errors from the original bid submitted. He found that two pages of the original Bills of Quantities were found missing i.e. (BUT W-5 1/5 and BUT W-5page 2/5 and coincidentally these were the pages which had the arithmetic errors. The Evaluation Committee treated the bid of the best Evaluated bidder as an incomplete bid since there was a discrepancy between the original bid and the copies.
13. The Authority noted that the bid by Palm Construction Company Ltd was eliminated at preliminary examination stage as a result of having two missing pages in its original BOQs yet the bidder had accepted the arithmetic errors on the same pages in the copies of the bid used at evaluation. The missing pages in his original were treated to amount as an incomplete bid and therefore non-responsive. However, 2hard copies and soft copy of bills submitted at bid submission were complete and the Entity should have relied on the soft copy submitted to make an award decision.
14. The Authority reviewed the bid submitted by Mulstar Technical Services and noted that it included the following projects in respect to general experience:

**Table7: Projects for General Experience**

<b>S/n</b>	<b>Details of Projects</b>	<b>Role of Bidder</b>
1.	Supply of assorted PE fittings, flanged fittings and GI pipes and fittings, PVC fittings, steel saddles Lots 1, 2,3,4,5,6,7,8&9 worth UGX. 18,356,590,000.	Main Contractor
2.	Supply of assorted GI fittings and pipes, assorted gate valves and stop corks Lots 2&3 worth UGX. 5,568,458,000.	Main Contractor
3.	Assorted pipes for new connections and main extensions under framework contracts (steel pipes plain ended and steel pipes socketed end) worth UGX. 9,530,000,000.	Main Contractor
4.	Supply and installation of a 10ton mono rail wire hoist with cross travel for replacement in Gaba 3 high lift pump station	Main Contractor
5.	Water mains extension to Boroboro	Main Contractor
6.	Extension from the Lyantonde Town Water mains to Kyakabungo	Main Contractor
7.	Relocation of water and sewer pipes to enable upgrading to bitumen standard under USMID Project for Lumumba Avenue,LangoRoad, Phillip Tana Road, Pece School Road, Commercial Road, AdongaRoad, Salvatore Road and MuloniRoad	Main Contractor
8.	Framework contract call-off order No.015 (steel pipes DN250 and Couplings DN 250 for pumping mains from centenary park to Naguru Reservoir	Main Contractor
9.	Water Connection to the security watch tower at Entebbe International Airport (Civil Aviation Authority)	Main Contractor
10.	Contract for provision of Labour and materials for mains extension to Senya-Kaswa	Main Contractor
11.	Water and Sewer mains extension Kitumba-Katenga	Main Contractor
12.	Contract for Sewer mains extension to Kasijjagirwa Military Barracks (NWSC-Masaka)	Main Contractor
13.	Procurement of materials required to revamp the firefighting hose rail system at city hall main administration Block. (KCCA)	Main Contractor
14.	Framework contract Call Off Order No.01 (Steel pipes and fittings for Ruharo, Mbarara Area) NWSC	Main Contractor
15.	Construction of water supply and sanitation facilities for Guinea Worm Endemic Villages, Schools, Health Centers, Market places, Administrative Centers and other areas where communities congregate- Phom el-Zeraf (Fangak County)	Main Contractor
16.	Framework Contract for steel pipes and assorted fittings for kabala water works-Mbarara Area	Main Contractor
17.	Supply of pipes under framework contract	Main Contractor
18.	Installation of lights in BHS Project Area (UGX. 17,176,950)	Main Contractor
19.	DesludingKizunguSewage Ponds (UGX. 37,020,000)	Main Contractor
20.	Water connection to the security watch tower at E.I (UGX 112,714,209)	Main Contractor

S/n	Details of Projects	Role of Bidder
21.	Supply of materials for overhauling drainage line from voyager restaurant (UGX. 18,514,200)	Main Contractor
22.	Supply, installation, testing and commissioning of Mechanical Ventilation System for all toilets (UGX. 88,774,350)	Main Contractor

15. The Authority further noted that the bid by Mulstar Technical services lacked evidence of specific experience as required under Section III Evaluation and qualification criteria 2.4.2 (a) & (b) of the solicitation document and its bid should have been found non-responsive. The Evaluation Committee did not follow the evaluation criteria stated in the solicitation document and irregularly recommended the award of Mulstar Technical Services contrary to ITB 32.2 of the bidding document which required that *“The determination shall be based upon an examination of the documentary evidence of the Bidder’s qualifications submitted by the Bidder, pursuant to ITB 16”*.
16. The Authority found that the Contracts Committee did not play its oversight role prior to the irregular award of the contract for water supply construction to Mulster Technical Services without specific experience which puts the Entity at risk of entering into a contract that would result into non/poor performance as a result, no value for money and the intended objectives of the project not being achieved.
17. The Authority found that the procurement of civil works for construction of Butemba-Kyankwanzi Piped Water Supply System was marred with irregularities as evidenced by the recommendation and award of the contract to Mulstar Technical Services without specific experience which was irregular and contrary to the provisions of Section 71 (1) & (2) of the PPDA Act 2003 and Regulation 19(4) of the PPDA (Evaluation) Regulations 2014. In addition, the award contravenes the principles of public procurement of transparency, accountability and fairness in Section 45 of the PPDA Act, 2003 since the bid of Strakon Ltd (the earlier lowest evaluated bidder) was failed at post qualification for lack of specific experience. However, there was no evidence of un due influence from the Permanent Secretary on the procurement.

## **5.2 Whether Top Management coerced the Evaluation Committee to change its report to favor a particular company**

1. The complainant alleged that the evaluation process was concluded on 12<sup>th</sup> February 2019 and the best evaluated bidder confirmed but top Management thereafter threatened the Evaluation Committee with sacking and forced to change the evaluation report to favor a company of their choice.
2. The complainant also wondered why the Evaluation Committee charged with the mandate of overseeing the evaluation process was set aside and only the chairperson was nominated by the Permanent Secretary to carry out the verification. Also, Section 37 (1) of the PPDA Act, 2003, provide that all evaluations shall be conducted by the Evaluation Committee which shall report to the PDU. Further Section 38 of the same Act provides for the independence of functions of the Accounting Officer, Contracts Committee, PDU, User

Department and Evaluation Committee. In this particular procurement it was apparent that the action of the Accounting Officer erode the principle laid out in Section 38 and constitute a breach of the PPDA Act, 2003.

3. Section I: Instructions to Bidders: 3.1 of the ADB bidding procedures state that it is the Bank's policy to require that Borrowers (including beneficiaries of Bank Financing), as well as bidders, suppliers, and contractors, and their agents (whether declared or not), subcontractors, sub-consultants, service providers or suppliers, and any personnel thereof, under Bank-financed contracts, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, the Bank defines "*Coercive Practice*" as *impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party*".
4. The Authority interviewed two members of the Evaluation Committee who stated that the Committee mandated the Chairperson to verify the arithmetic errors. They further submitted that the change in recommendation of award of contract was as a result of the original copy submitted by Palm Construction Ltd missing two pages of the bills of quantities to which arithmetic errors had been made.
5. However, the Authority noted that while the original copy of the bid was kept under lock and key, was found with two pages of the Bills of Quantities missing as opposed to the copies which were under the custody of the Procurement and Disposal Unit. In addition, the 2 copies and a soft copy of the bid submitted by Palm Construction Company Ltd were complete with all pages of the bills of quantities. It was irregular that the original copy whose custody was under the Office of the Permanent Secretary was missing 2 pages to which arithmetic corrections had been made implying that the original bid was tampered with while in custody of the Accounting Officer.
6. The Evaluation Report dated 16<sup>th</sup> April 2019 signed by all members recommended award of contract to Mulstar Technical Services after waiving the requirement of specific experience yet the bid should have been found non-responsive to the requirement of specific experience in the solicitation document issued to bidders.
7. The Authority found no evidence of coercion of the Evaluation Committee by Top Management to change the recommendation to favor Mulstar Technical Services. However, in view of the fact that the original bid of Palm Construction Company Ltd kept by the Accounting Officer had two pages missing yet the copies of the same bid were complete point to the possibility that the bid was tampered with.

## **6.0 OBSERVATION**

The Authority observed that there were delays of 4 months and two weeks in the Evaluation process from bid opening on 21<sup>st</sup> November 2018 to conclusion of the evaluation process on 16<sup>th</sup> April 2019.

## **7.0 RECOMMENDATIONS**

In light of the above findings, the Authority in accordance with Section 9 of the PPDA Act 2003 recommends that:

1. The Entity should re-evaluate the procurement using another Evaluation Committee and soft copies of Bills of Quantities submitted by bidders.
2. The Permanent Secretary should:
  - i. Take full responsibility for the two pages of the bills of quantities were found missing yet the bid was under his custody.
  - ii. Task the Evaluation Committee and the Contracts Committee to explain as to why disciplinary action should not be taken against them for irregular recommendation and award of the contract to Mulstar Technical Services without specific experience contrary to the provisions of Section 71 (1) & (2) of the PPDA Act 2003 and Regulation 19(4) of the PPDA (Evaluation) Regulations 2014.
3. The Inspectorate of Government is requested to investigate the tampering of the original bid of Palm Construction Company Ltd where two pages of the bills of quantities were found missing yet the bid was under the custody of the Accounting Officer.
4. The Evaluation Committee should always strictly adhere to the criteria set out in the solicitation document in accordance with Regulation 37 (1) of the PPDA (Rules and Methods for Procurement of Supplies, Works and Non-Consultancy Services) Regulations, 2014.
5. The Contracts Committee should always play its oversight role in accordance with Section 28 of the PPDA Act, 2003.
6. The Entity should ensure the procurement is conducted in a manner which enhances fairness and maximum competition.